

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137777/P14J/2023

Date registered valid: 4 August 2023

Proposal: Prior approval for the installation of photovoltaic equipment on the roof.

Address: Manchester Metropolitan University Students Union , Higher Cambridge Street, Manchester, M15 6AD

Ward(s): Hulme Ward

Applicant: Manchester Metropolitan University

Agent (if any): Miss Jennifer Chatfield Deloitte LLP

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 September 2023

Application details

Type of application: Prior approval - PV to non-dwelling

Development type: Notifications

Date of site visit: 25 September 2023

Standard consultations:

Printed: 8 August 2023 Expired: 29 August 2023

Neighbour notifications

Printed: 8 August 2023 Expired: 29 August 2023

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Manchester Metropolitan University Student Union is bounded by Higher Cambridge Street, Rosamund Street West, Boundary Street West and MMU's SODA building and the Salutation Public House. Other uses in the immediate area include educational uses including both Manchester University and Manchester Metropolitan University and the Royal Northern College of Music, shops, residential properties, student residential properties, hotels, bars, the Aquatics Centre, a church and offices.

The building is not in a conservation area and is not within the setting of any Listed Buildings.

The building is used as a student's union for Manchester Metropolitan University.

Description of development

The proposals seek the prior approval of the Council for the installation of PV panels on the flat roof fronting Higher Cambridge Street.

Consultations & Notification Responses

Manchester Airport Safeguarding Officer - Confirmed that they have no objection to this development and recommended an informative be added regarding procedures for crane and tall equipment notifications.

Highway Services - Highways - Have confirmed no objection to the proposals but requested information on how the installation may impact the adopted highway.

Environmental Health - Environmental Health - Confirmed no adverse comment or objection to this application.

Helipad Manager - Received no response

Publicity - Local residents were notified of the proposals no responses were received.

Issues

Class J of Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 relates to the installation or alteration etc of solar equipment on non-domestic premises. This allows the installation, alteration, or replacement of:

- (a) microgeneration solar thermal equipment on a building.
- (b) microgeneration solar PV equipment on a building; or
- (c) other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats.

J.1 Development is not permitted by Class J if—

- (a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope.

Complies - The element of PV panels on the pitch roof will not protrude more than 0.2m

- (b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney).

Complies - The applicant has confirmed that the equipment would not be higher than 1 metre above the highest part of the roof.

- (c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof.

Complies - The submitted drawings show that the equipment would not be within 1 metre of the external edge of the roof.

- (d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway.

Complies - The site is not within or on article 2(3) land.

- (e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or

Complies - The site is not designated as a scheduled monument.

(f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

Complies - The building is not listed.

The applicant has also confirmed that the installation would not generate more than 1 megawatt of electricity which is also a condition of meeting class J of Part 14.

The solar PV equipment has been sited so as to minimise its effect on the external appearance of the building and the amenity of the area. In addition, it is not considered that the installation would give rise to impacts in respect of glare on occupiers of neighbouring land.

As a result, the application proposals meet the requirement of Class J of Part 14, schedule 2 of the General Permitted Development Order 2015 as amended.

The applicant has also confirmed that the panels would be taken to the roof using the internal lifts, and contractors would park at the Birchall Way Building car park.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed development raises no adverse issues in respect of external appearance, glare or the general visual amenity of the area and accords with the requirements of Class J of Part 14

of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as amended.

Therefore, consent is hereby granted in accordance with the following information submitted as part of planning application referenced 137777/P14J/2023:

Location Plan referenced 21071 - CO - ZZ - ZZ - DR - A - 20003 Rev P01

Completed Application Form

The letter from Deloitte dated 4 August 2023

The HelioScope Annual Production Report

The ValkPVplanner Project Report prepared by Solen Energy Group

The Solar Glare Report prepared by Proximity

Received by the City Council as local planning authority on 4 August 2023

The drawings referenced:

1179B-MMU-ZZ-RF-DR-Z-0001 Rev 00

2no. drawings referenced 1654/307 Rev A

Received by the City Council as local planning authority on 8 September 2023

The email from Deloitte dated 25 September 2023

Appendix 1 – List of consultees & neighbours notified

Manchester Airport Safeguarding Officer
Highway Services
Environmental Health
Helipad Manager

Room 2 Flat L2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Flat B8, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat R4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat F1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat E8, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat C6, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat C2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat E9, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat J6, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat B2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat D1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat B5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat D1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat D7, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat L2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat N3, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat E10, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat N5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat A3, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat E9, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat P4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat M4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat J5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat E2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat H2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat E2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat J4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat E5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat C1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat C5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Flat D2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat J3, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Flat K5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Unit 2, 28 Higher Cambridge Street, Manchester, M15 6FH
Flat E4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat H2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat N6, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat R1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat N5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat C8, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat K1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat C11, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat K3, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat A2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat L4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat L2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat B1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD

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Room 2 Flat N2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat E10, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat J5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat D7, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat M1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat F8, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat C4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Spar Stores, Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat K2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat L5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Flat, Training Core University Barracks, Boundary Lane, Manchester, M15 6BL
Flat E5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Flat E8, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat F6, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat K4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat G3, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat P4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat G4, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat J6, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat N5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat N3, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat N2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 1 Flat K2, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat F5, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat M3, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat B1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat B3, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 3 Flat R1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 2 Flat J1, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD
Room 4 Flat C6, Rosamond House, 28 Higher Cambridge Street, Manchester, M15 6AD

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL