

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136838/P14J/2023
Date registered valid: 15 May 2023
Proposal: Prior approval for the installation of roof mounted solar PV equipment
Address: G H Sheldon, 10 Stainburn Road, Manchester, M11 2GW
Ward(s): Clayton & Openshaw Ward

Applicant: Clear Volt Limited
Agent (if any): Mr Gary Swarbrick, ELG Planning
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 10 July 2023

Application details

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

Development type: Notifications

Date of site visit: 26 May 2023

Standard consultations:

Printed: 22 May 2023 Expired: 12 June 2023

Neighbour notifications

Printed: 22 May 2023 Expired: 12 June 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: No

Tree Preservation Order: No

Description of area

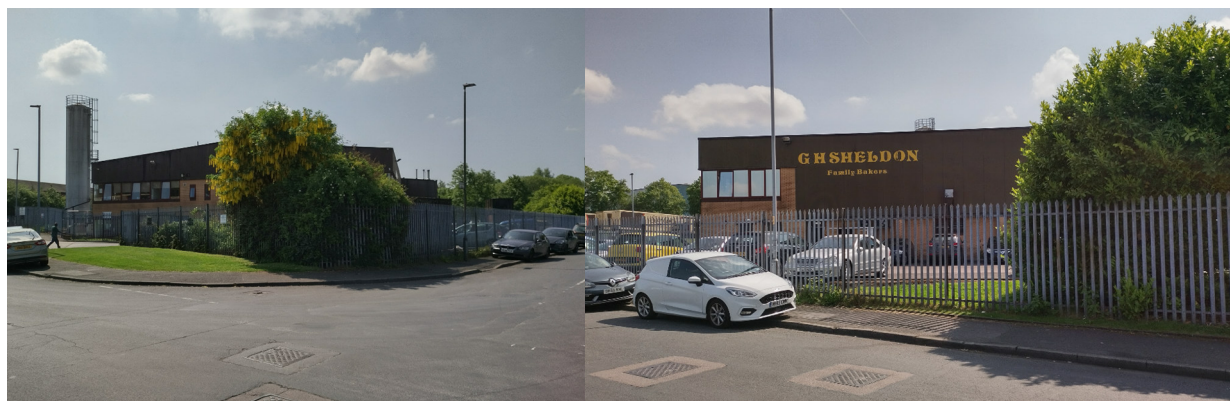


Fig.1 – Views of the application sit from Stainburn Road and Kelbrook Road

This site is located in an established industrial area and located at the junction of Kelbrook Road and Stainburn Road. The application property comprises 2-storeys with buff brick elevations and dark brown cladding above. The building has a shall pitched roof. The setting of the building consists of a car park with landscaped areas enclosed with fencing. Views of the

building are partially screened by tree and shrub planting. The application building is used in connection with a bakery business.

Description of development

The proposed development would involve the substantial coverage of the western eastern planes of the application building with solar PV panels (as shown in Fig.2).

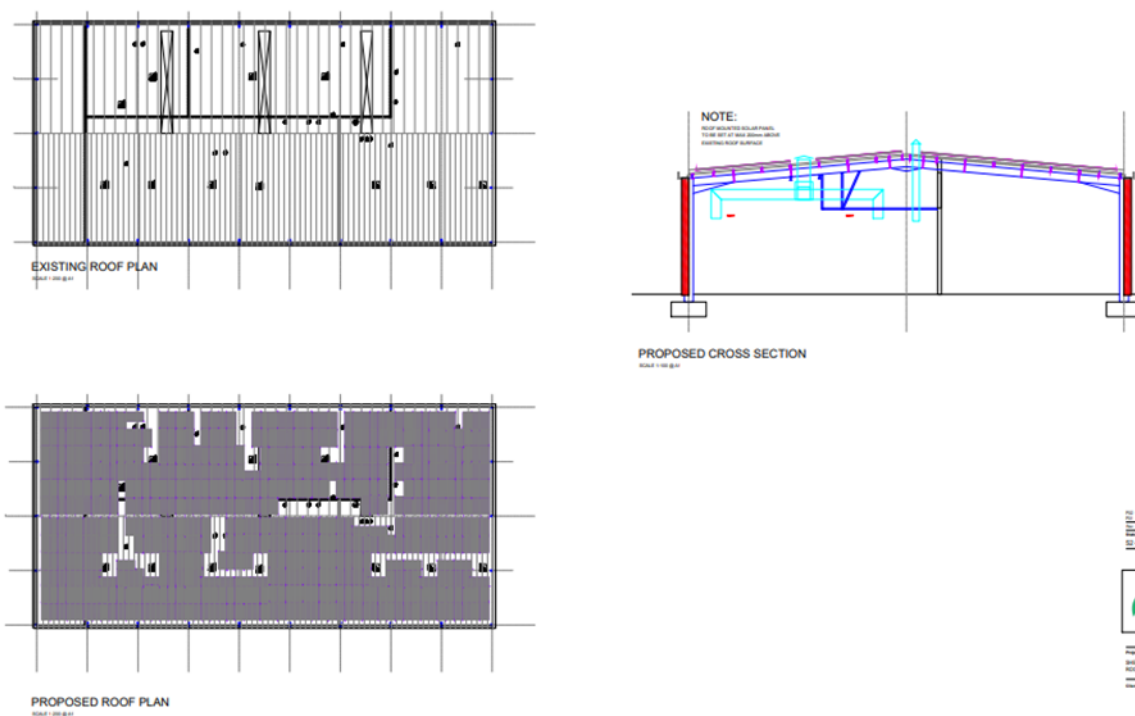


Fig.2 – Existing and proposed roof configuration.

Consultations & Notification Responses

Local residents and neighbouring businesses – No comments received.

Highways – The following comments have been received:

- The proposed equipment will be contained within the private boundary of the site and will not overhang the adopted highway.
- It is understood that the proposals would not have an impact on the approved pedestrian/vehicular access points.
- The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements should be agreed with the Council as local highway authority.

The Safeguarding Authority for Manchester Airport - Has assessed this application and its potential to conflict aerodrome safeguarding criteria. No objection has been confirmed.

Issues

The proposal has been assessed to determine accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 14 Renewable Energy, Class J. It is considered that the proposed installation of solar PV

equipment on the roof of a building would be permitted development subject to the submission of a prior approval application to the local planning authority and the following criteria being met:

- i. The equipment would not protrude more than 0.2m from the plane of the roof slope of the application building.
- ii. The equipment would be installed on a pitched and not a flat roof.
- iii. The equipment would not be installed within 1 metre of the external edge of the roof.
- iv. The application site is not within article 2(3) land.
- v. The site is not designated as a scheduled monument.
- vi. The equipment will not be installed on a listed building or within the curtilage of a listed building.
- vii. The equipment would have a capacity not exceeding 1MW (the achieved total capacity would be approximately 340kW).

Conclusion – It is considered that the development would have a minimal impact on the related building in an area characterised by industrial buildings and uses. The development would be permitted by the criteria set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 14 Renewable Energy, Class J. Given the comments of the Safeguarding Authority for Manchester Airport and height and location of the building, it is not considered that undue harm would be caused by glint and glare.

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

Article 35 Declaration

N/A

Condition(s) to be attached to decision for approval

1) The proposed development raises no adverse issues in respect of external appearance, 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 stamped as received by the City Council as local planning authority on 21 April 2023 and 15 May 2023:

Forms relating to application to determine if prior approval is required for a proposed: Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 14, Class J

Planning Statement Prior Notification for Roof Mounted Solar PV on Non-Domestic Premises G.H. Sheldon Wholesale Bakers, Stainburn Road, Openshaw, Manchester by ELG Planning

Location and site plan with a red edge

Drawing referenced: Existing and proposed roof plan Bakery 2 Ref: 5183-CV-XX-XX-DR-S-0101-S2 Rev P02.

Informative:

1) The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see:

<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

2) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email --highwaylicences@manchester.gov.uk
highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Manchester Airport Safeguarding Officer

Aberclean Ltd, 4 Kelbrook Road, Manchester, M11 2QA
Cascade Uk Ltd, 3 Kelbrook Road, M11 2DD
Cascade Uk Lts, 3 Kelbrook Road, M11 2DD
Thomas Storey Fabrications, Stainburn Road, Manchester, M11 2EB
Haynes International, Stainburn Road, Manchester, M11 2JX
Parkhouse Street Industrial Estate, 2 Kelbrook Road, Manchester, M11 2QA

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA