

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136761/P14J/2023
Date registered valid: 17 August 2023
Proposal: Prior Approval for the installation of roof mounted photo voltaic panels
Address: Manchester Communication Academy, 2A Silchester Drive,
Manchester, M40 8NT
Ward(s): Harpurhey Ward

Applicant: Miss Louise Birchall, Energy Intelligence Ltd
Agent (if any): Miss Louise Birchall, Energy Intelligence Ltd
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 19.09.2023

Application details

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

Development type: Notifications

Date of site visit: 06 September 2023

Standard consultations:

Printed: 21 August 2023 Expired: 11 September 2023

Neighbour notifications

Printed: 21 August 2023 Expired: 11 September 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to two of the roofs associated with Manchester Communication Academy- an educational establishment providing secondary education.

The roofs are situated to the northern and western side of the school, in close proximity to Rochdale Road's frontage.

The host roof forms one of a series of rooftops from 1-3 storeys in height, associated with ancillary elements of the main school campus.

The application site is situated adjacent to the main north/south arterial route of Rochdale Road and busy, east-west route of Queen's Road.

With the exception of the school subject to this application, the immediate context is largely residential in character, comprising a combination of 2 storey dwellinghouses and 3-4 apartment buildings.

Description of development

Planning permission is sought for the installation of solar PV panels across a substantial coverage of the host's roof.



Figure 1: Rooftop view of proposed solar panels

Consultations & Notification Responses

Local residents were notified however no responses were received.

Highways had no objections to the proposal.

The Safeguarding Authority for Manchester had no objections to the proposal.

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 roof 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 designed 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 area characterised by residential dwellings. 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

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:

Document- Application Form

Document- Information Pack

Stamped as received by the City Council as Local Planning Authority on 14 April 2023

Drawing- Location Plan

Stamped as received by the City Council as Local Planning Authority on 17 August 2023

Document- Glint and Glare Assessment

Stamped as received by the City Council as Local Planning Authority on 09 June 2023

Informative

- 1) 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 Highways Applications and Network Resilience teams via Email -- highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk
- 2) The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercialindustry/Airspace/Event-and-obstacle-notification/Crane-notification/>

Appendix 1 – List of consultees & neighbours notified

Manchester Airport Safeguarding Officer
Highway Services

Flat 3, 653 Rochdale Road, Manchester, M9 5SH
Flat 2, 653 Rochdale Road, Manchester, M9 5SH
Flat 2, 649 Rochdale Road, Manchester, M9 5SH
Flat 3, 649 Rochdale Road, Manchester, M9 5SH
Flat 5, 649 Rochdale Road, Manchester, M9 5SH
Flat 6, 649 Rochdale Road, Manchester, M9 5SH
Flat 4, 649 Rochdale Road, Manchester, M9 5SH
Flat 3, 651 Rochdale Road, Manchester, M9 5SH
Flat 5, 651 Rochdale Road, Manchester, M9 5SH
Flat 2, 651 Rochdale Road, Manchester, M9 5SH
Flat 5, 647 Rochdale Road, Manchester, M9 5SH
Flat 4, 647 Rochdale Road, Manchester, M9 5SH
Flat 3, 647 Rochdale Road, Manchester, M9 5SH
Apartment F, 391A Queens Road, Manchester, M40 8AL
Apartment C, 391A Queens Road, Manchester, M40 8AL
Flat 6, 647 Rochdale Road, Manchester, M9 5SH
Flat 2, 647 Rochdale Road, Manchester, M9 5SH
Flat E, 35 Silchester Drive, Manchester, M40 8BR
Flat B, 35 Silchester Drive, Manchester, M40 8BR
629 Rochdale Road, Manchester, M9 5SH
Apartment A, 391 Queens Road, Manchester, M40 8AL
391 Queens Road, Manchester, M40 8AL
Flat 1, 649 Rochdale Road, Manchester, M9 5SH
Apartment F, 391 Queens Road, Manchester, M40 8AL
Apartment E, 391 Queens Road, Manchester, M40 8AL
Apartment D, 391 Queens Road, Manchester, M40 8AL
Apartment C, 391 Queens Road, Manchester, M40 8AL
Apartment B, 391 Queens Road, Manchester, M40 8AL
Flat F, 35 Silchester Drive, Manchester, M40 8BR
Flat D, 35 Silchester Drive, Manchester, M40 8BR
Flat C, 35 Silchester Drive, Manchester, M40 8BR
Flat A, 35 Silchester Drive, Manchester, M40 8BR
Apartment E, 391A Queens Road, Manchester, M40 8AL
Apartment D, 391A Queens Road, Manchester, M40 8AL
Apartment B, 391A Queens Road, Manchester, M40 8AL
Apartment A, 391A Queens Road, Manchester, M40 8AL
Flat 1, 653 Rochdale Road, Manchester, M9 5SH
Flat 1, 651 Rochdale Road, Manchester, M9 5SH
Flat 1, 647 Rochdale Road, Manchester, M9 5SH
Flat 6, 651 Rochdale Road, Manchester, M9 5SH
Flat 4, 651 Rochdale Road, Manchester, M9 5SH
631 Rochdale Road, Manchester, M9 5SH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA