

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137312/P14J/2023

Date registered valid: 26 June 2023

Proposal: Prior Approval for the installation of roof mounted photo voltaic array

Address: Unit 1 Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Islam

Agent (if any): Ms Vitaite Solarsense UK Ltd

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 17.08.2023

Application details

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

Development type: Notifications

Date of site visit: 07.07.2023

Standard consultations:

Printed: 30 June 2023 Expired: 21 July 2023

Neighbour notifications

Printed: 30 June 2023 Expired: 21 July 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

The site is located in an established industrial area and located on the western side of Reliance Street situated due north of Oldham Road. The application property comprises an industrial warehouse with buff brick elevations with grey cladding above. The building has a shallow pitched roof set behind a grey clad parapet. The setting of the building consists of a car park with landscaped areas enclosed with fencing.

Description of development

The proposed development would involve the substantial coverage of the roof elevation of the application building with solar PV panels.

Consultations & Notification Responses

Local residents and neighbouring businesses - were contacted however no responses were received.

Highways - had no objections and responded with the following comments:

It is understood that the proposals will be contained within the private boundary of the site and will not have an impact on the approved pedestrian/vehicular access, circulation or the external highway network.

Clarification was sought to confirm if any car park spaces will be lost due to the installation.

Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway. 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

Clarification has been received from the planning agent via email dated 12 July 2023 confirming that no car parking spaces will be lost as a result of the development.

The Safeguarding Authority for Manchester Airport - assessed the application and its potential to conflict aerodrome safeguarding criteria., and have no objections.

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 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

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, 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

Drawing- Roof Plan ref. 003A

Drawing- Section Detail ref. 05A

Drawing- Location Plan

Drawing- Site Plan ref. 04A

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

Document- Glint and Glare Assessment

Document- SUNTECH 390-410W Datasheet

as received by the City Council as Local Planning Authority on 26 June 2023

Email dated from agent 12.07.2023 confirming no car parking spaces will be loss as a result of the development.

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

Appendix 1 – List of consultees & neighbours notified

Manchester Airport Safeguarding Officer
Highway Services
Environmental Health

Unit 1A, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
Unit 15B, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
Vehicle Repair Workshop Rear Of Unit 1, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
Units 1 To 3, Enterprise Park, Reliance Street, Manchester, M40 3AL
Poundstretcher, Reliance Street, Manchester, M40 3EZ
Flat 24, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 23, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 22, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 21, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 20, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 19, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 18, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 17, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 16, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 14, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 15, 53 Ivy Graham Close, Manchester, M40 3AX
53 Ivy Graham Close, Manchester, M40 3AX
Flat 9, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 8, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 7, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 6, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 5, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 4, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 3, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 1, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 2, 53 Ivy Graham Close, Manchester, M40 3AX
Unit 7, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG
Unit 1B, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG
31 Ivy Graham Close, Manchester, M40 3AS
41 Ivy Graham Close, Manchester, M40 3AS
43 Ivy Graham Close, Manchester, M40 3AS
47 Ivy Graham Close, Manchester, M40 3AS
45 Ivy Graham Close, Manchester, M40 3AS
51 Ivy Graham Close, Manchester, M40 3AS
49 Ivy Graham Close, Manchester, M40 3AS
Flat 12, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 11, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 10, 53 Ivy Graham Close, Manchester, M40 3AX
37 Ivy Graham Close, Manchester, M40 3AS
35 Ivy Graham Close, Manchester, M40 3AS
33 Ivy Graham Close, Manchester, M40 3AS
29 Ivy Graham Close, Manchester, M40 3AS
27 Ivy Graham Close, Manchester, M40 3AS
39 Ivy Graham Close, Manchester, M40 3AS

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 Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA