

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137173/P14J/2023
Date registered valid:	8 June 2023
Proposal:	Prior Approval application for the installation of photovoltaic panels to roof
Address:	3500 Aviator Way, Manchester, M22 5TG
Ward(s):	Woodhouse Park Ward
Applicant:	PZ Cussons (International) Ltd
Agent (if any):	Ms Katie Daniels Euan Kellie Property Solutions
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	3 August 2023

Application details

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

Development type: Notifications

Standard consultations:

Printed: 15 June 2023 Expired:

Neighbour notifications

Printed: 16 June 2023 Expired: 7 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/area

3500 Aviator Way is a three storey office building located within Manchester Business Park which is to the north of Manchester Airport. To the front of the building is the estate access road and car parking, while to the rear there is further car parking.

Listed building: No
Conservation area: No
Tree Preservation Order: No

Description of development

The applicant is seeking Prior Approval Consent for the installation of 82 photovoltaic panels on the roof of the office building.

Consultations & Notification Responses

Local Businesses – No comments received.

Aerodrome Safeguarding Officer – No objections subject to the imposition of a condition requesting the submission of a bird strike management plan.

Issues

Permitted Development – The proposal would be permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14 Renewable Energy, Class J, relating to the installation of solar PV equipment on the roof of a building in the basis that:

- The PV equipment would be installed on a flat roofs and would not project higher than 1 metre.
- The PV equipment is to be installed entirely on roof areas and no part of the installation will lie within 1 metre of the external edge of that roof.
- The site is not on article 2(3) land, designated as a scheduled monument, nor does it contain any listed buildings.
- The capacity of the PV equipment installed to generate electricity at the site will not exceed 1 megawatt.
- 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 as the panels are located below the parapet wall.
- The proposed panels will not result in any impact in terms of glare on occupiers of neighbouring land.

Siting and appearance – As the panels are sited away from the edge of the building and are not readily visible from the public domain, it is considered that the quality and appearance of the panels would not adversely impact on the character of the existing building.

Impact of Glare on Neighbouring Land – Given the siting and orientation of the panels and distance to adjoining properties, it is not considered that the proposal would have an impact on adjoining landowners.

Aerodrome Safeguarding – Given the comments of Aerodrome Safeguarding Officer it is acknowledged that the proposal would not prejudice aircraft safety in and around Manchester Airport.

Conclusion – The local planning authority is satisfied that the proposed panels therefore meet the requirements of the above regulations and prior approval is not required.

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, impact of glare on neighbouring properties 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 137173/P14J/2023:

- a) Application Form, received on 2 June 2023
- b) Location Plan, received on 8 June 2023
- c) Drawing nos. DR-E-152001 P02, DR-E-181001 P02, DR-E-182001 P02 and DR-E-191001 P02, received on 2 June 2023
- d) PV Panel Detail Drawing, received on 2 June 2023
- e) Glint and Glare Assessment, received on 2 June 2023

2) Prior to the operational phase of the development hereby approved, a Bird Hazard Management Plan shall be submitted to and approved by the City Council as local planning

authority. The approved management plan shall be implemented and remain in-situ in accordance with the details contained within it.

Reason - In the interests of aerodrome safeguarding, pursuant to Policy DM2 in the Manchester Core Strategy.

Informatives

1) Aerodrome Safeguarding (Dust and Smoke Clouds) - The application site is located within proximity to flight paths for Manchester Airport. In the interests of aviation safety, measures to minimise and manage the creation of dust and smoke should be implemented for the full duration of all construction works, in accordance with the advice of Manchester Airport and the Civil Aviation Authority.

Reason - Dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers.

2) Aerodrome Safeguarding (Crane and Tall Equipment) - In the interests of maintaining the integrity of Manchester Airport's Communication, navigation, and surveillance (CNS) equipment critical to aviation operations, 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/>

3) Aerodrome Safeguarding (radio frequency emitting devices) - The use of radio frequency (RF) emitting devices in this location has the potential to interfere with Manchester Airport's CNS equipment. RF devices are to be approved by Manchester Airport prior to energisation.

Appendix 1 – List of consultees & neighbours notified

Manchester Airport Safeguarding Officer
Regus UK Ltd, 3000 Aviator Way, Manchester, M22 5TG
First Floor, 3000 Aviator Way, Manchester, M22 5TG
Ground Floor, 3000 Aviator Way, Manchester, M22 5TG
Third Floor, 3000 Aviator Way, Manchester, M22 5TG
3000 Aviator Way, Manchester, M22 5TG
Second Floor, 3000 Aviator Way, Manchester, M22 5TG
Microsoft Ltd, 3000 Aviator Way, Manchester, M22 5TG
Holdstock Technical Servces, 3000 Aviator Way, Manchester, M22 5TG
Tertio Ltd, 3000 Aviator Way, Manchester, M22 5TG

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 Zone - Within Outer Area
Airport Noise Index Zone - Noise and Nuisance Index - 40-49
Area Team Boundary - Name: SOUTH AREA