

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135751/P14J/2022	
Date registered valid:	3 January 2023	
Proposal:	Prior approval for installation of roof top PV panels.	
Address:	40 Laystall Street, Manchester, M1 2JP	
Ward(s):	Piccadilly	Ward
Applicant:	Mr Alan Campbell Standard Life Assurance	
Agent (if any):	Mr Henry Cody Syzygy Renewables	
Case officer:	Jack	Naven
	Tel: 0161 219	2095
	Email: jack.naven@manchester.gov.uk	
Recommendation:	Approve	
Date of recommendation:	01/03/2023	

Application Details

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

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 16 January 2023 Expired: 6 February 2023

Neighbour notifications

Printed: 16 January 2023 Expired: 6 February 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 Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Building

40 Laystall Street is bounded by Laystall Street, Brock Street, Lomax Street and Great Ancoats Street. The site was previously occupied by a Grade II Listed building that was destroyed by fire in 2000. It is not within a Conservation Area but is within the setting of the Grade II Listed 32-34 Laystall Street. Other uses in the immediate area include industrial uses, shops, residential properties, hotels, bars, car parking, a church, a gym, and offices.

The building is not in a conservation area but is within the setting of Grade II Listed buildings.

The building has been operated as an 84 room apart hotel since 1 June 2010 and it is understood was never used as apartments. Planning permission was sought to regularise and retain the existing use as an apart hotel (C1) with the existing six commercial units (A1, A2 or B1).

The building contains 84 hotel apartment suites and is 13 storeys high (including ground floor) and has two basement levels.

Description of Development

The proposals seek the prior approval of the Council for the installation of PV panels on various flat roofs across 40 Laystall Street.

Consultations & Notification Responses

Highway Services - The proposed equipment is contained within the private boundary of 40 Laystall Street and does not overhang the adopted highway. It is understood that the proposals would not have an impact on the approved pedestrian/vehicular access, parking, circulation or the external highway network. It was suggested that detail should be sought from the applicant in relation to any proposed construction, or fit out arrangements, where there is an impact on the highway. The agent confirmed that there aren't expect to be any fit out arrangements or construction that will have an impact on the highway regarding 40 Laystall Street, which satisfied Highway Services' concern.

Environmental Health - No adverse comment or objection to this application.

Manchester Airport Safeguarding Officer - The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. They have no objection to this development. Informative added regarding procedures for crane and tall equipment notifications.

Helipad Manager at Manchester Royal Infirmary - Received no response

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

Policy and 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 applicant has confirmed 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 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.

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 131577/P14J/2021:

Received on the 08 Dec 2022:
Location Plan 1082-SYZ-DR-02
Application Form
Proposed Elevation Profile
Proposed Mounting Structure

Received on the 01 Mar 2023:
Proposed DESKTOP SOLAR PV LAYOUT 1082-SYZ-DR-01 V2

Informatives

1) 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

2) 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/Cranenotification/>

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Helipad Manager - MRI
Manchester Airport Safeguarding Officer

132 - 134 Great Ancoats Street, Manchester, M4 6DE
51 - 53 Ducie Street, Manchester, M1 2JQ
32 - 34 Laystall Street, Manchester, M1 2JZ
Falcon Outdoor, Laystall Street, Manchester, M1 2JY
Ground Floor Rear, 32 - 34 Laystall Street, Manchester, M1 2JZ
Ground Floor To Second Floor, 32 - 34 Laystall Street, Manchester, M1 2JZ
65 - 67 Ducie Street, Manchester, M1 2JQ
81 Ducie Street, Manchester, M1 2JQ
77 - 79 Ducie Street, Manchester, M1 2JQ
Unit 4, Laystall Street, Manchester, M1 2JP
Unit 3, Laystall Street, Manchester, M1 2JP
Unit 6, Laystall Street, Manchester, M1 2JP
Unit 1, Laystall Street, Manchester, M1 2JP
Unit 2, Laystall Street, Manchester, M1 2JP
83 Ducie Street, Manchester, M1 2JQ
Unit 5, Laystall Street, Manchester, M1 2JP
M And S Outlet, Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
Pure Gym, Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
1 - 3 Lomax Street, Manchester, M1 2LP
Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
ALDI, Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
Go Outdoors, Urban Exchange, Great Ancoats Street, Manchester, M4 6DE

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL