

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135180/P14J/2022

Date registered valid: 3 November 2022

Proposal: Erection of Solar Panel system on rooftop

Address: Eden Boys Leadership Academy Manchester, 38 Rayburn Way,
Manchester, M8 8DT

Ward(s): Cheetham Ward

Applicant: Mr Matthew Little Star Academies Shadworth Road, Blackburn, BB1
2HT

Agent (if any): Mrs Sandy Bolt Eden Sustainable Ltd 4 Barnfield Crescent, Exeter, EX1
1QT

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29/12/2022

Application details

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

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 9 December 2022 Expired: 30 December 2022

Neighbour notifications

Printed: 14 November 2022 Expired: 5 December 2022

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: n/a

Tree Preservation Order: n/a

Description of area

The area relates to a part of Manchester north of the city centre on the border of Smedley and Collyhurst. The site is located in a regeneration area where sustainable development is a particular priority for the Council and city. The area houses a number of different uses, including residential, commercial, light industrial and educational. The site relates to the Eden Girl's Leadership Academy, a school that opened in 2017. Directly adjacent to the site is an expanse of grass and carparking beyond which is the Eden Boy's Leadership Academy to the south, the Manchester Fort shopping complex to the west, and the Keolis Amey Metrolink depot to the east. The site is not in a conservation area nor are there any listed buildings nearby.

Description of development

The development relates to the installation a solar panel system on the roof of the school.

Consultations & Notification Responses

Publicity - letters were sent to the surrounding neighbours informing them of the proposed development. No responses were received as a result of this publicity.

TFGM - Reasonably remote so do not believe it will have any adverse impact on Metrolink services

Network Rail – the consultee requested further information on whether the panels were reflective. A glint and glare assessment was provided by the applicant and forwarded to Network Rail. No further comment was received.

Manchester Aerodrome Safeguarding Officer – No objections

Issues

In accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14 Renewable Energy, Class J as amended the installation of solar PV equipment on the roof of a building is regarded as 'permitted development' subject to an application being made to the local planning authority for determination as to whether prior approval is necessary.

On the basis of the scheme being considered as a whole, the proposals can however be considered under the Permitted Development regulations, as the power output does not exceed 1MW.

The equipment is considered to be proposed to be installed on a flat roof. The highest part of the solar PV equipment would be no higher than 1 metre above the highest part of the roof, and the installation will also sit below the existing roof parapet wall. Hence it will not have a visual impact at street level.

The proposed 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 does not front a highway and is not a listed building or heritage monument.

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, 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:

Supporting information - Your PV system from Eden Sustainable Ltd prepared by Eden Sustainable Ltd, received by the city council as local planning authority on 11/10/2022
Drawing – Proposed Elevation Main Building; Drawing – Proposed Elevation Sports Hall, Drawing – Proposed Module Layout received by the city council as local planning authority on 14/12/2022

Appendix 1 – List of consultees & neighbours notified

Transport For Greater Manchester
Network Rail
Manchester Airport Safeguarding Officer
Network Rail
Manchester Airport Safeguarding Officer
Transport For Greater Manchester

Urban Kitchen, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Tauheedul Manchester Eden Girls School, 40 Rayburn Way, Manchester, M8 8DT
Trespass, Unit 9B, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Specsavers, Unit 9A, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
T.K.maxx, Unit 9 To 10, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
NEW LOOK, Unit 8, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Argos, Unit 7, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 6, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 3, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 2, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 4, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Argos, Unit 7A, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
51 Fairholme, Collingham Street, Manchester, M8 8RQ
49 Fairholme, Collingham Street, Manchester, M8 8RQ
48 Fairholme, Collingham Street, Manchester, M8 8RQ
47 Fairholme, Collingham Street, Manchester, M8 8RQ
46 Fairholme, Collingham Street, Manchester, M8 8RQ
45 Fairholme, Collingham Street, Manchester, M8 8RQ
44 Fairholme, Collingham Street, Manchester, M8 8RQ

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 -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL