

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 135192/P14J/2022

**Date registered valid:** 18 October 2022

**Proposal:** Erection of solar panel system on rooftops.

**Address:** Eden Girls Leadership Academy Manchester, 40 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,  
Devon, EX1 1QT

**Case officer:** Max Gibson  
Tel: 0161 219 6359  
Email: [maximillian.gibson@manchester.gov.uk](mailto:maximillian.gibson@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 22 December 2022

## **Application details**

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

**Development type:** Notifications

**Date of site visit:**

**Standard consultations:**

Printed: 6 December 2022 Expired: 27 December 2022

**Neighbour notifications**

Printed: 28 November 2022 Expired: 19 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 – No comments

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

## **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:

Application form, received by the city council as local planning authority on 11/10/2022

Drawing - Location Plan prepared by Sandy Bolt, received by the city council as local planning authority on 11/10/2022

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  
Manchester Airport Safeguarding Officer  
Network Rail  
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 Boys School, 38 Rayburn Way, Manchester, M8 8DT  
13 Holborn Drive, Manchester, M8 8US  
14 Redwood Drive, Manchester, M8 8UR  
12 Redwood Drive, Manchester, M8 8UR  
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  
Goals Manchester, 4 Irish Town Way, Manchester, M8 0AE  
Irish World Heritage Centre, 1 Irish Town Way, Manchester, M8 0AE  
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  
14 Falfield Drive, Manchester, M8 8UD  
16 Holborn Drive, Manchester, M8 8US  
18 Holborn Drive, Manchester, M8 8US  
17 Holborn Drive, Manchester, M8 8US  
15 Holborn Drive, Manchester, M8 8US  
9 Redwood Drive, Manchester, M8 8UR  
Metrolink House, Queens Road, Manchester, M8 0RY

## **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  
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface  
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 (Middle) -  
Area Team Boundary - Name: CENTRAL