

PLANNING

GROWTH & DEVELOPMENT

DELEGATED OFFICER REPORT FOR PLANNING APPLICATION

Application no. 144165/P14J/2025

Date registered valid: 2 October 2025

Proposal: Prior Approval for the installation of a 103.48 kWp solar photovoltaic installation consisting of 199 x 530W PV Modules.

Address: Rushbrook Primary Academy, 101 Shillingford Road, Manchester, M18 7TN

Ward(s): Longsight Ward

Applicant: Rushbrook Primary Academy

Agent (if any): Mr Paul Carter, NPS Energy Ltd

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 October 2025

APPLICATION DETAILS

Type of application:	Prior approval - PV to non-dwelling	
Development type:	Notifications	
Date of site visit:	14 October 2025	
Standard consultations:	Printed: 8 October 2025	Expired: 29 October 2025
Neighbour notifications:	Printed: 8 October 2025	Expired: 29 October 2025
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	
Listed building:	Not applicable	
Conservation area:	Not applicable	
Tree Preservation Order:	Not applicable	

Description of site/building

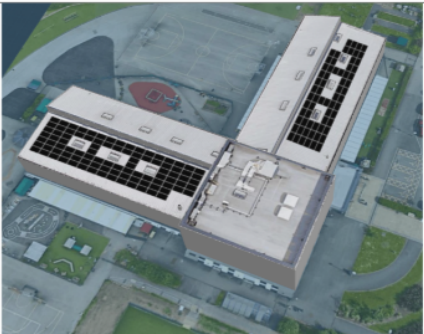
The proposal relates to a two-storey educational building on Shillingford Road. Along with the main school building the site features hardstanding for vehicle parking and playgrounds, artificial sports pitches and grassed play areas.

Description of area

The site is in a mostly residential part of the Longsight ward of Manchester.

Description of development

Prior Approval for the installation of a 103.48 kWp solar photovoltaic installation consisting of 199 x 530W PV Modules.

Solar PV Project – Prior Approval Planning Information		2
Project Overview		
Site Location		

PLANNING HISTORY

139617/AO/2024

Description: Advertisement consent for the display of individual letter sign and illuminated projecting box sign

Description: Approved 02/05/2024

139616/FO/2024

Description: Erection of a two storey extension to form fire escape staircase

Decision: Approved 02/05/2024

130504/FO/2021

Description: Installation of a Multi Use Games Area (MUGA) to grassed area together with perimeter fencing and external lighting

Decision: Approved 10/11/2021

110876/JO/2015/N2

Description: Variation of condition nos 2,3,25,29 and 34 attached to 106655/FO/2014/N2 to enable an increase in the ground levels for the sports pitches; revisions to the boundary treatment ;revisions to fenestration, louvres, and skylights; provision of an electrically operated gate to the car park, bat box provision, and additional lighting columns to the south west of the site

Decision: Approved 08/02/2016

106655/FO/2014/N2

Description: Erection of a new school building with a maximum of 2 storeys together with playing fields, games courts, hard and soft play areas, access from Shillingford Road, car parking and landscaping.

Decision: Approved 10/11/2014

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES

Consultations

Manchester Airport Aerodrome Safeguarding

Manchester Airport Aerodrome Safeguarding has no objection the proposed development subject to the attachment of an informative.

Notifications

Local Residents

No representations received.

RELEVANT POLICIES & THE PRINCIPLE OF DEVELOPMENT

Relevant Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

The following policies are considered relevant.

- [The National Planning Policy Framework \(The NPPF\)](#) –
 - o Section 2 - Achieving sustainable development
 - o Section 4 – Decision-making
 - o Section 5 – Delivering a sufficient supply of homes

- o Section 6 – Building a strong, competitive economy
- o Section 12 – Achieving well-designed places
- o Section 14 - Meeting the challenge of climate change, flooding and coastal change
- [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#)
 - o Schedule 2
 - Part 14 - Renewable energy
 - Class J - installation or alteration etc of solar equipment on non-domestic premises
- [The town and country planning \(safeguarded aerodromes, technical sites and military explosives storage areas\) direction 2002](#)

Principle

The application is for prior approval where the principal of the development is set out in law. The City Council as LPA can assess the development against the conditions within the legislation as set out below.

THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

Part 14, Class J

Development not permitted if –

J.1 Development is not permitted by Class J if—	Comments
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;	n/a
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);	The proposed will be installed on 2no flat roofs as shown on the submitted documents; and the solar PV 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 on a roof and within 1 metre of the external edge of that roof;	The solar PV equipment will not be installed within 1 metre of the external edge of the roofs as shown on the submitted documents
d. [Omitted 2023]	Not applicable
e. the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument	The solar PV equipment is not being installed on a site 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	the solar PV equipment is not being installed on a listed building

Conditions

J.4 Class J development is permitted subject to the following conditions	Comments
--	----------

<p>1) J.4—(1) Class J development is permitted subject to the following conditions—</p> <ul style="list-style-type: none"> a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed. 	<p>The solar PV equipment is located on two and storey flat roofs with limited views from street level and incorporating into the modern flat roof school building. The installation has been sited, so far as practicable, to minimise its effect on the building and amenity of the area. A condition has been added to ensure removal when no longer required.</p>
<p>2) Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land, and the following sub-paragraphs apply in relation to that application.</p>	<p>Application received 02 October 2025.</p>
<p>3) The application must be accompanied by—</p> <ul style="list-style-type: none"> a) written description of the proposed development. b) a plan indicating the site and showing the proposed development. c) the developer's contact address; and d) the developer's email address if the developer is content to receive communications electronically. e) together with any fee required to be paid. 	<p>Application with required documents received 02 October 2025.</p>
<p>4) The local planning authority may refuse an application where, in the opinion of the authority—</p> <ul style="list-style-type: none"> a) the proposed development does not comply with, or b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, <p>any conditions, limitations or restrictions specified in Class J applicable to the development in question.</p>	<p>The application complies with the conditions limitations and restrictions as set out.</p>
<p>5) Sub-paragraphs (6) and (8) do not apply where a local planning authority refuses an application under sub-paragraph (4) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.</p>	<p>Sub-paragraphs (6) and (8) applicable.</p>
<p>6) The local planning authority must give notice of the proposed development—</p> <ul style="list-style-type: none"> a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which— <ul style="list-style-type: none"> i) describes the proposed development; ii) provides the address of the proposed development; 	<p>Local residents (as listed in Appendix 1) were notified by letter on 08 October 2025 and had 21 days to respond. Manchester Airport Safeguarding were notified of the proposed development on 08 October 2025 and had 21 days to respond.</p>

<p>iii) specifies the date by which representations are to be received by the local planning authority; or</p> <p>b) by serving a notice in that form on any adjoining owner or occupier.</p>	
7) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.	No further information required.
<p>8) The local planning authority must, when determining an application—</p> <p>a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and</p> <p>b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in July 2021, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.</p>	<p>No public representations received.</p> <p>Manchester Airport Aerodrome Safeguarding has no objection the proposed development subject to the attachment of an informative regarding tall equipment.</p> <p>The NPPF states how “Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels)” Para 167. The proposed development aligns with the NPPF.</p>
<p>9) The development must not begin before the occurrence of one of the following—</p> <p>a) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;</p> <p>b) the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or</p> <p>c) the expiry of 56 days following the date on which the application under sub-paragraph (3) was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.</p>	The decision notice forms the written notice giving prior approval.
<p>10) The development must be carried out—</p> <p>a) where prior approval is required, in accordance with the details approved by the local planning authority;</p> <p>b) where prior approval is not required, or where sub-paragraph (9)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (3),</p> <p>unless the local planning authority and the developer agree otherwise in writing</p>	Specified plan condition attached to decision for approval.
11) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.	Relevant conditions attached to decision for approval.
12) When computing the number of days in paragraph (6)(a), any day which is a public holiday must be disregarded	Not applicable

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.

CONCLUSION

The proposed solar photovoltaic installation at Rushbrook Primary Academy complies with the limitations and conditions set out under Class J of Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The development is appropriately sited, raises no concerns regarding external appearance or glare, and aligns with national policy objectives to support renewable energy and energy efficiency. No objections have been received, and statutory consultees have raised no concerns. Prior approval is therefore granted subject to the conditions outlined.

RECOMMENDATION

1. Prior Approval

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 144165/P14J/2025:

- | | | |
|-----------------------|-------------|------------------------|
| a) Application Form | 02 Oct 2025 | APPLICATION FORM |
| b) Drawing - Proposed | 02 Oct 2025 | PACK X8 COMBINED PLANS |
| c) Correspondence | 02 Oct 2025 | COVERING LETTER |

Reason: to ensure compliance with the Town and Country Planning (General Permitted Development) (England) Order 2015

CONDITIONS TO BE ATTACHED TO DECISION FOR PRIOR APPROVAL

1. Removal when no longer required

The solar PV equipment or solar thermal equipment will be removed as soon as reasonably practicable when no longer required.

Reason: to ensure compliance with the Town and Country Planning (General Permitted Development) (England) Order 2015.

INFORMATIVE(S)

1. Airport – Tall equipment

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/>

2. Airport - Bird strike risk

An increase in the population of certain species of birds in this area could increase the bird strike risk at Manchester Airport. Birds are attracted to the relative warmth, shelter and security afforded by photovoltaic panels. Therefore, the perimeter of the array should ideally be bird proofed or installed with minimal spacing between the roof and the array to prevent access to birds. Alternatively, the site owner should commit to monitoring the roof on a regular basis and take deterrence action should gulls, pigeons or corvids be attracted to the installation. Manchester Airport undertakes periodic checks of its surroundings to ensure that no installations create an increased bird strike risk, and the applicant is reminded of their obligations under the Air Navigation Order Part 10:240 & 241.

APPENDIX 1 – LIST OF CONSULTEES & NEIGHBOURS NOTIFIED

Manchester Airport Safeguarding Officer

108 Shillingford Road, Manchester, M18 7TN

106 Shillingford Road, Manchester, M18 7TN

104 Shillingford Road, Manchester, M18 7TN

102 Shillingford Road, Manchester, M18 7TN

2 Braithwaite Road, Manchester, M18 7TJ

57 Rawsthorne Avenue, Manchester, M18 7GA

49 Rawsthorne Avenue, Manchester, M18 7GA

43 Rawsthorne Avenue, Manchester, M18 7GA

97 Shillingford Road, Manchester, M18 7TN

95 Shillingford Road, Manchester, M18 7TN

89 Shillingford Road, Manchester, M18 7TN

81 Rawsthorne Avenue, Manchester, M18 7GA

69 Rawsthorne Avenue, Manchester, M18 7GA

67 Rawsthorne Avenue, Manchester, M18 7GA

65 Rawsthorne Avenue, Manchester, M18 7GA

63 Rawsthorne Avenue, Manchester, M18 7GA

61 Rawsthorne Avenue, Manchester, M18 7GA
79 Rawsthorne Avenue, Manchester, M18 7GA
77 Rawsthorne Avenue, Manchester, M18 7GA
75 Rawsthorne Avenue, Manchester, M18 7GA
73 Rawsthorne Avenue, Manchester, M18 7GA
71 Rawsthorne Avenue, Manchester, M18 7GA
99 Shillingford Road, Manchester, M18 7TN
93 Shillingford Road, Manchester, M18 7TN
91 Shillingford Road, Manchester, M18 7TN
55 Rawsthorne Avenue, Manchester, M18 7GA
53 Rawsthorne Avenue, Manchester, M18 7GA
51 Rawsthorne Avenue, Manchester, M18 7GA
45 Rawsthorne Avenue, Manchester, M18 7GA
41 Rawsthorne Avenue, Manchester, M18 7GA
47 Rawsthorne Avenue, Manchester, M18 7GA
176 Holmcroft Road, Manchester, M18 7NG
10 Flemish Crescent, Manchester, M18 7TR
8 Flemish Crescent, Manchester, M18 7TR
1 Braithwaite Road, Manchester, M18 7TJ
208 Holmcroft Road, Manchester, M18 7NG
206 Holmcroft Road, Manchester, M18 7NG
202 Holmcroft Road, Manchester, M18 7NG
200 Holmcroft Road, Manchester, M18 7NG
198 Holmcroft Road, Manchester, M18 7NG
196 Holmcroft Road, Manchester, M18 7NG
194 Holmcroft Road, Manchester, M18 7NG
192 Holmcroft Road, Manchester, M18 7NG
190 Holmcroft Road, Manchester, M18 7NG
188 Holmcroft Road, Manchester, M18 7NG
186 Holmcroft Road, Manchester, M18 7NG
184 Holmcroft Road, Manchester, M18 7NG
182 Holmcroft Road, Manchester, M18 7NG
180 Holmcroft Road, Manchester, M18 7NG
174 Holmcroft Road, Manchester, M18 7NG

204 Holmcroft Road, Manchester, M18 7NG

178 Holmcroft Road, Manchester, M18 7NG

59 Rawsthorne Avenue, Manchester, M18 7GA

39 Rawsthorne Avenue, Manchester, M18 7GA

APPENDIX 2 – PLANNING CONSTRAINTS

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: NORTH AREA