MANCHESTER CITY COUNCIL

Planning
Delegated Officer Report

SUMMARY OF APPLICATION DETAILS

Application reference:	NOT-2026-000359
Application type:	Prior approval Part 14 Class J: Installation or alteration etc of solar equipment on non-domestic premises
Proposal:	Prior approval for the installation of flat roof-mounted solar PV installation at Sainsbury's Heaton Park, 648 modules are designed for the system, each panel is rated at 455W, totalling a system size of 294.84kW
Site address:	Sainsbury's Heaton Retail Park Heaton Park Road Manchester M9 0QS
Ward(s):	Higher Blackley
Date application valid:	15 May 2026
Applicant name:	Mr Colin Smith
Agent (if any):	Cameron Sanders
Case officer:	Joshua Lee
Recommendation:	Approve
Date of recommendation:	26 June 2026

DESCRIPTION OF SITE, BUILDING AND/OR AREA

The proposal relates to a Sainsburys Supermarket in the Heaton Park ward of Manchester.

The site is on the edge of the main residential development and adjacent the River Irk and M60 Motorway beyond.

The building already has a Solar PV array to part of the roof.

DESCRIPTION OF DEVELOPMENT

Prior approval for the installation of flat roof-mounted solar PV installation at Sainsbury's Heaton Park, 648 modules are designed for the system, each panel is rated at 455W, totalling a system size of 294.84kW.

RELEVANT PLANNING HISTORY

Planning Application - 135665/AO/2022
Installation of 5no. internally illuminated fascia box signs

Approve

2023-01-30

Planning Application - 121614/AO/2018
Installation of 2 no. non illuminated digitally printed di-bond signs to existing structure and 1 no. non illuminated digital printed vinyl overlay to existing totem sign

Approve

2018-11-28

Planning Application - 117357/AO/2017
Installation of various illuminated and non illuminated building and totem signage

Approve

2017-09-25

Planning Application - 115420/AO/2017
Advertisement Consent Application for the display of one high level internally illuminated sign and one internally illuminated fascia sign

Approve

Planning Application - 115098/AO/2017
Advertisement Consent Application for replacement images to 2 existing internally illuminated totem signs, erection of 1 non-illuminated new way finder totem sign and 10 non-illuminated new aluminium panel signs

Approve

2017-03-14

Planning Application - 106598/AO/2014/N1
Installation of one internally illuminated replacement fascia sign, new sign above entrance, various window fascia and trolley bay vinyls, one non illuminated projecting hanging sign, and additional advertisement to 2 no. existing totem signs

Approve

2014-10-08

Planning Application - 105894/JO/2014/N1
Variation of condition 21 attached to previously approved application 095715/FO/2011/N1 to allow for the internal subdivision of the large superstore previously approved to create a new independent retail unit (Use Class A1) of 1045 sq. m

Approve

2014-09-17

Planning Application - 105895/FO/2014/N1

External alterations to existing superstore to include new entrance to new proposed retail unit within large superstore, relocation of existing plant and installation of new plant to rear of store and erection of new trolley shelter within car park area

Approve

2014-07-31

Planning Application - 097448/AO/2011/N1

Installation of internally illumnated fascia sign and projecting sign.

Approve

2011-11-21

Planning Application - 097301/NMC/2011/N1

Non Material Change application to previously approved planning permission 095715/FO/2011/N1 to allow removal of biomass boiler and flue, installation of ground source heat pumps external alterations, installation of external staircase and relocation of c

Approve

2011-11-09

Planning Application - 095715/FO/2011/N1

Erection of replacement Use Class A1 superstore and 1 no. new non-food shop unit (total gross internal floorspace of 14,306 sq. m, including 400 sq. m net for the non-food unit), with associated car parking area, relocated servicing road, landscaping and

Approve

2011-08-30

Planning Application - 096688/AO/2011/N1

Installation of 3 no. three number internally illuminated roof level name signs, 4 no. new totem signs and associated car park and directional signage.

Approve

2011-08-23

Planning Application - 092003/FO/2009/N1

Erection of replacement Class A1 superstore, 3 no. new retail units, new petrol filling station and associated car wash with associated 711 space car park, relocated servicing road, landscaping and recycling facilities

Approve

2010-10-25

CONSULTATION, NOTIFICATION AND PUBLICITY RESPONSES

Consultations

MAG Aerodrome Safeguarding Authority

MAG had no objection to the proposed installation recommending an informative regarding crane and tall equipment notifications.

Notifications and publicity

No comments received.

NEGOTIATIONS

None required.

RELEVANT POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. For Manchester, this comprises the Core Strategy (2012–2027), saved UDP policies, and the Places for Everyone Joint Development Plan Document (2022–2039).

National policy set out in the National Planning Policy Framework (NPPF) is also a material consideration, and it supports the transition to a low carbon economy, including the deployment of renewable energy technologies.

However, this application is made under Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This grants planning permission for the installation of solar equipment on non-domestic buildings, subject to limitations, conditions, and (in this case) a prior approval process.

Under Class J, the Local Planning Authority's assessment is strictly limited to the matters set out in the legislation. For roof-mounted solar PV (Class J(c)), prior approval relates to:

- The design and external appearance of the development; and
- The impact of glare on occupiers of neighbouring land.

In addition, the development must comply with the limitations and conditions of Class J, including siting requirements and the requirement to minimise the effect of the equipment on the appearance of the building and the amenity of the area.

Given the constrained scope of assessment, development plan policies are of limited weight and are only relevant insofar as they relate to these specific matters. The most relevant policies are:

Manchester Core Strategy

- DM1 – Development Management
- EN1 – Design Principles and Strategic Character Areas
- EN4 – Reducing CO_2 Emissions

Places for Everyone

- JP-S2 – Carbon and Energy
- JP-P1 – Sustainable Places

These policies support well-designed development and renewable energy infrastructure and are consistent with the objectives of permitted development rights under Class J.

ASSESSMENT

Principle of Development

Prior approval is required for this proposal under Part 14, Class J of the GPDO because the development involves the installation of solar PV equipment on non-domestic buildings, and the legislation sets out specific matters that the Council must assess before the works can proceed.

In these cases, the Council is not considering the wider planning merits but is instead limited to assessing the design and external appearance of the equipment, including whether it may cause glare affecting neighbouring land uses, and whether the proposal complies with all limitations and conditions of Class J.

Subject to these considerations being satisfactorily addressed, the development is acceptable in principle.

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;	Not applicable.
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 a flat roof as shown on drawing PR250227_SainsHEATON_PARK_G201_SES_LAY_PV_LAYOUT_C01 ; and the solar PV equipment will not protrude more than 1 metre 1 metre above the highest part of the roof as noted in the submitted application form.

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 that roof as shown on drawing PR250227_SainsHEATON_PARK_G201_SES_LAY_PV_LAYOUT_C01
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**
1) J.4—(1) Class J development is permitted subject to the following conditions— 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.	The solar PV equipment is located on the main roof of the Sainsburys Supermarket (adjacent existing roof mounted Solar PV) and 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.
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.	Application received 15 May 2026.

3) The application must be accompanied by— 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.	Application with required documents received 15 May 2026.
4) The local planning authority may refuse an application where, in the opinion of the authority— 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, any conditions, limitations or restrictions specified in Class J applicable to the development in question.	The application complies with the conditions limitations and restrictions as set out.
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.	Sub-paragraphs (6) and (8) applicable.
6) The local planning authority must give notice of the proposed development— 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— i) describes the proposed development; ii) provides the address of the proposed development; iii) specifies the date by which representations are to be received by the local planning authority; or b) by serving a notice in that form on any adjoining owner or occupier.	A site notice was posted on 04 June 2026. Manchester Airport Safeguarding were notified of the proposed development on 21 May 2026.
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.

8) The local planning authority must, when determining an application— a) take into account any representations made to them as a result of any notice given under sub-paragraph (6); and b) 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.	No public representations received. MAG had no objection to the proposed installation recommending an informative regarding crane and tall equipment notifications. 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.
9) The development must not begin before the occurrence of one of the following— 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; b) the receipt by the applicant from the local planning authority of a written notice giving their prior approval; or 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.	The decision notice forms the written notice giving prior approval.
10) The development must be carried out— a) where prior approval is required, in accordance with the details approved by the local planning authority; 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), unless the local planning authority and the developer agree otherwise in writing	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 polices 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 roof-mounted solar PV installation is acceptable under Part 14, Class J of the GPDO. It would not result in any harmful impact on the external appearance of the building, neighbouring amenity, or from glare. The proposal complies with the relevant limitations and conditions of Class J and supports the transition to low carbon energy.

Accordingly, prior approval is granted subject to the stated conditions.

Recommendation: Approve

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 NOT-2026-000359:

a) ApplicationForm.pdf – Application Form - 18 May 2026
b) Heaton_Park_OS_Location_Plan.pdf - Location Plan - 15 May 2026
c) PR250227_SainsHEATON_PARK_G201_SES_LAY_PV_LAYOUT_C01.pdf – Plan – 15 May 2026
d) side-view-valkpro-p10-east-west.pdf – Plan – 15 May 2026
e) Vertex S_NEG9R.28_EN_2024_APAC_A_web.pdf - Supporting Information - 15 May 2026
f) PR250227_SainsHEATON_PARK_G204_SES_REP_PVSol_EW_C01.pdf - Supporting Information - 15 May 2026

g) Trina Solar statement_Reflectance.pdf - Supporting Information - 15 May 2026

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.

2. Bird proofing

The perimeter of the array will need to be bird proofed as to leave no gap beneath the panels for birds to exploit; birds are attracted to the relative warmth and security afforded underneath solar PV.

Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Manchester Airport (MAN) that would increase the risk of a Birdstrike to aircraft using MAN. Pursuant to 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/