

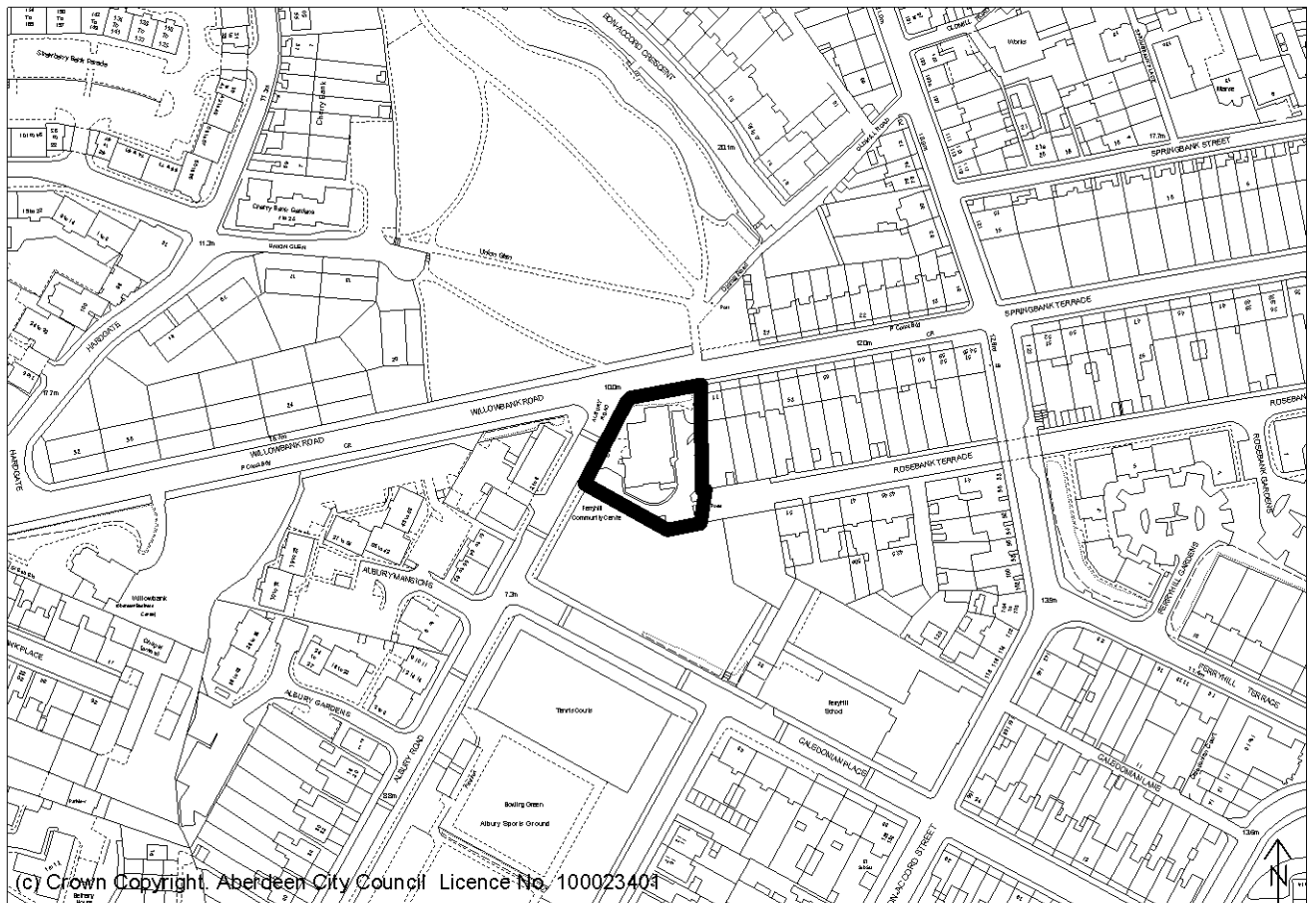
FERRYHILL COMMUNITY CENTRE,  
ALBURY ROAD, FERRYHILL

THE INSTALLATION OF SOLAR  
PHOTOVOLTAIC (PV) PANELS ON THE  
SOUTH FACING ROOF OF THE  
PROPERTY.

For: Aberdeen City Council (C/O Agent)

Application Ref. : P121734  
Application Date : 14/12/2012  
Officer : Sally Wood  
Ward: Torry/Ferryhill (Y Allan/A Donnelly/J  
Kiddie/G Dickson)

Advert :  
Advertised on :  
Committee Date : 15 February 2013  
Community Council : No response received



**RECOMMENDATION: Approve subject to conditions**

## **DESCRIPTION**

Ferryhill Community Centre is located on the corner of Albury Road and Willowbank Road (A93). The Community Centre comprises a building centrally located on the plot which has a scale and mass of a two storey high property, with a mansard roof. On the west and south elevations of the building is an attached wrap around structure which is single storey in height. The external materials include granite walls and natural slate roof covering. The location of the proposed development is spread over two roofs of the building.

The location of the proposed development would be viewable from Albury Road, Willowbank Road and Caledonian Place.

The site lies within the Bon Accord Crescent/Crown Street Conservation Area. Immediately to the south of the building is the Ferryhill Conservation Area. Furthermore, to the east of the site lies 54-71 Springbank Terrace, which are terraced dwellings that are C-category Listed Buildings.

The site is identified as being within a Residential area as allocated within the Aberdeen Local Development Plan (2012).

The development had already been completed at the time of the site visit in early January 2013.

## **HISTORY**

Aberdeen City Council has applied for the 'Rent a Roof' scheme and is in the process of installing solar panels on a number of public buildings around the City, which include sheltered housing developments, schools, offices and Council depots. The scheme involves the Council buying the electricity generated by the panels to power Council buildings. A number of the proposals require planning permission and/or Listed Building Consent.

## **PROPOSAL**

Detailed planning permission is sought for the installation of solar photovoltaic (PV) panels on two roofs of the Ferryhill Community Centre. 16 PV panels have been installed on the flat roof of the single storey element of the building which faces south. The second roof is that relating to the higher part of the Community Centre, where 18 PV panels have been installed on the flat part of the mansard roof. The PV panels are joined together in lines and fixed to a frame mounting system. The array has been positioned south facing to maximise solar gain, with the longest edge of the panels running parallel with the roof, and sited at an angle. The highest part of the array projects 0.3 metres above the flat roof. Each solar panel measures 1.65 metres long by 0.922 metres wide, and are dark blue in colour. The submitted plans show the PV panel as 0.046 metres thick.

## **REASON FOR REFERRAL TO SUB-COMMITTEE**

The applicant is Aberdeen City Council and therefore the application does not fall within the Council's Scheme of Delegation and requires to be determined by the Development Management Sub-Committee.

## **CONSULTATIONS**

Roads Section – comments, No observations.  
Environmental Health – No comments received.  
Flooding – comments, No observations.

## **REPRESENTATIONS**

None.

## **PLANNING POLICY**

**Scottish Planning Policy (SPP) February 2010** – The Town and Country Planning (Scotland) Act 1997 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. Material considerations should be related to the development and use of land.

The planning system should promote development that supports the move towards a more economically, socially and environmentally sustainable society.

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, when determining applications for planning permission, to have special regard to the desirability of preserving a Listed Building or its setting. The 1997 Act also requires development within a Conservation Area to either preserve or enhance the character and appearance of the Conservation Area.

**Planning Advice Note 82 : Local Authority Interest Developments** – council's planning officials and committee to reach a decision in accordance with the development plan, unless material considerations indicate otherwise.

### **Aberdeen Local Development Plan, 2012.**

**Policy D1 Architecture and Placemaking** – To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting.

**Policy D5 Built Heritage** – proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

**Policy H1 Residential Areas** – within existing residential areas proposals must not adversely affect residential amenity.

**Policy R8 Renewable and Low Carbon Energy Developments** – Development of renewable and low carbon energy schemes is supported in principle if proposals; do not cause significant harm to the local environment (including the character and appearance of listed buildings); do not negatively impact on air quality; do not negatively impact on tourism; do not have a significant adverse impact on the amenity of dwelling houses.

## **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend...Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

Scottish Planning Policy states that development which is sustainable should in principle be supported.

The proposed PV panels are located over two roofs of the Community Centre.

The PV arrays as installed have some visual impact upon the building, and are viewable from Albury Road, Willowbank Road and Caledonian Place. It is considered that the siting of the panels have been carefully considered, with a minimal projection of 0.3 metres above the flat roof. Furthermore, the panels have been sited with a minimum one and a half metres clearance from the edge of the roof of the building. Due to the minimum projection above the roof of the building, and due to its height, it is considered that the proposal does not have an adverse impact on visual amenity. The nearest residential properties are to the

side. To the east, Springbank Terrace, has only three minor windows, one at each level, which face towards the application site. The flats to the west have principal windows which face towards the application site, however these are located a minimum 30 metres away from the development. Given the height of the building, and the projection of the development 0.3 metres above the roof line, it is considered that the proposal does not have an adverse impact on residential amenity.

The site lies within the Bon Accord Crescent/Crown Street Conservation Area, and adjacent to the Ferryhill Conservation Area. Under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 a planning authority has a duty to ensure that development within a Conservation Area either preserves or enhances the character and appearance of the Conservation Area. In considering the proposal's impact on the Conservation Area it is considered that the proposal does not adversely affect the Conservation Area, this is due to the fact that installation projects only 0.3 metres above the roof. The location of the development is adjacent to 54-71 Springbank Terrace, which is a C-category group of Listed Buildings. However, given the minimal visual impact of the development, it is considered that the proposal does not adversely affect the setting of the group of Listed Buildings. It is therefore considered that the proposal complies with planning policy D5 of the Local Development Plan.

The application is accompanied with a design statement and other supporting information, which comments that the installation of the solar panels would have a positive contribution in raising awareness to the needs of renewable energy.

It is considered that the panels do not negatively impact on air quality or on tourism, given their proposed location and therefore it is considered to comply with Policies D1, H1 and R8 and of the Local Development Plan (2012).

In conclusion, the PV arrays have some visual impact upon the building and immediate locality, but it is not considered detrimental to either the visual amenity or residential amenity for the reasons outlined above. Furthermore, due to the minimal projection above the roof of the PV array it is considered that the proposal does not detract from the Conservation Area status or affect the setting of the nearby Listed Buildings, 54-71 Springbank Terrace. The application is therefore recommended for approval subject to conditions.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASONS FOR RECOMMENDATION**

The visual impact of the proposed solar (PV) panels are considered acceptable upon the appearance of the building and do not detract from the overall visual amenity of the Conservation Area in accordance with Planning Policy R8 and D1, and as such have been designed with due consideration for their context, in accordance with Policies D1, D5 and H1 of the Aberdeen Local Development Plan; and Scottish Planning Policy (SPP).

**it is recommended that approval is granted with the following condition(s):**

(1) The monitoring equipment and Inverter shall be located internally within the building, unless otherwise approved in writing by the Planning Authority. Should the monitoring equipment and Inverter be installed externally then full details of their location, including block plan and elevation plan(s) to scale, shall be submitted to the Planning Authority for consideration. The development thereafter shall be fully completed in accordance with the details approved in writing. - The application details failed to show the location of the proposed monitoring equipment and inverter. Should they be installed externally then details are required to be submitted for approval in the interests of visual amenity and for the purposes of clarification.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.