

LRB-2023-03
22/01623/FLL – Installation of solar panels, Appletree House, The Ross, Comrie, Crieff, PH6 2JU

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LRB-2023-03

**22/01623/FLL – Installation of solar panels, Appletree
House, The Ross, Comrie, Crieff, PH6 2JU**

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)


Name CHRISTOPHER AND FIONA PALMER

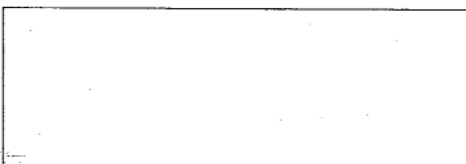
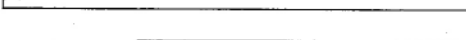
Address APPLE TREE HOUSE
THE ROSS
COMRIE
PERTHSHIRE
Postcode PH6 2JU


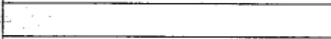

Contact Telephone 1 
Contact Telephone 2 
Fax No 

E-mail* 

Agent (if any)

Name 

Address 
Postcode 

Contact Telephone 1 
Contact Telephone 2 
Fax No 

E-mail* 

Mark this box to confirm all contact should be
through this representative: ☐

Yes ☒ No ☐

* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

PERTH AND KINROSS COUNCIL

Planning authority's application reference number

22/01623/FLL

Site address

APPLE TREE HOUSE, THE ROSS, COMRIE, PERTHSHIRE
PH6 2JU

Description of proposed
development

ADDITION OF SOLAR PHOTOVOLTAIC PANELS TO SOUTH
ROOF ELEVATION OF APPLE TREE HOUSE

Date of application

4.11.22

Date of decision (if any)

9.12.22

Note. This notice must be served on the planning authority within three months of the date of the decision
notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

1. Further written submissions ☒
2. One or more hearing sessions ☒
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☐

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

FURTHER SUBMISSIONS SHOULD HELP TO ILLUSTRATE THAT THE ADDITION OF SOLAR PV PANELS ON THE SOUTH FACING ROOF WILL NOT HAVE A DETRIMENTAL IMPACT OR A VISUALLY INTRUSIVE APPEARANCE OR A DETRIMENTAL IMPACT ON THE CHARACTER AND APPEARANCE OF THE ROSS CONSERVATION AREA.

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

SEE ALSO SEPRATE ILLUSTRATED DOCUMENT AND PLANS.
 ENCOURAGED BY THE SCOTTISH GOVERNMENT'S STATED AIMS IN MITIGATING CLIMATE CHANGE, WE WISH TO RESPOND AS PRIVATE INDIVIDUALS TO MAKE OUR CONTRIBUTION BY INSTALLING A SMALL SCALE MICRORENEWABLE SOLAR PV ARRAY ON THE SOUTH FACING ROOF OF APPLE TREE HOUSE.
 WE HAVE ALSO BEEN ENCOURAGED BY THE HES DOCUMENT 'MANAGING CHANGE IN THE HISTORIC ENVIRONMENT: MICRO-RENEWABLES' WHICH INDUCES THE STATEMENT: 'REDUCING THE AMOUNT OF ENERGY WE USE IN BUILDINGS AND ENCOURAGING USERS TO GENERATE THEIR OWN ENERGY WITH MICRO-RENEWABLE TECHNOLOGIES WILL ALLOW THE EXISTING BUILT ENVIRONMENT TO PLAY ITS PART IN CARBON REDUCTION'. HES ALSO STATES THAT 'THE USE OF MICRO-RENEWABLES IS PERHAPS ANOTHER STAGE IN BUILDING EVOLUTION TO ALLOW OUR HISTORIC ENVIRONMENT TO MEET THE EVER INCREASING EXPECTATION FOR A CLEANER AND MORE EFFICIENT BUILDING STOCK'.
 WHILST APPRECIATING THAT APPLE TREE HOUSE IS LOCATED WITHIN THE ROSS CONSERVATION AREA, WE CONSIDER THAT A SOLAR PV ARRAY CAN BE INSTALLED WITHOUT SIGNIFICANT DETRIMENTAL IMPACT FOR THE FOLLOWING REASONS:

- UNLIKE THE MAJORITY OF HOUSES IN THE ROSS, APPLE TREE HOUSE IS SET WITHIN A MATURE GARDEN AND DOES NOT HAVE A PROMINENT STREET FRONTAGE
- IT IS SITUATED ON THE INSIDE OF A RIGHT-ANGLED CORNER WITH NO LONG VIEWS OF THE HOUSE AND ITS ROOF FROM THE PUBLIC ROAD.
- THE HOUSE DATES FROM 1976 AND IS NOT IN ITSELF OF SIGNIFICANT CONSERVATION INTEREST.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes No
☐ ☐

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

WE ARE EXPANDING THE INFORMATION ON VISUAL IMPACT IN RESPONSE TO THE APPOINTED OFFICERS REASONS FOR REFUSAL.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

1. SITE PLANS AND ELEVATIONS
2. SUPPORTING PHOTOGRAPHS WITHIN A DETAILED WRITTEN REPORT
3. SUPPORTING VISUAL IMPACT PLAN.
4. SUPPORTING EXTRACT PLAN OF CONSERVATION AREA TO SHOW THE CONTEXT AND LOCATION OF APPLE TREE HOUSE WITHIN IT.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

26 / 1 / 23

24th January 2023

The Secretary,
Local Review Body
Perth & Kinross Council,
Committee Services
Council Building
2 High Street
Perth
PH1 5PH

Apple Tree House
The Ross
Comrie
Perthshire
PH6 2JU

Application for Installation of Solar PV Panels at Apple Tree House, The Ross, Comrie, PH6 2JU

Application Reference: 22/01623/FLL: Notice of Review.

Dear Secretary, Local Review Body,

Further to the letter received from Perth & Kinross Council Community Services advising of the decision to refuse my application registered on 4th November 2022, this document together with the enclosed plans is provided as supporting information to the enclosed Notice of Review Form.

We would also like to point out that the planning application was made by Christopher and Fiona Palmer and not by Christopher Palmer Associates. This is a domestic application relating to Apple Tree House and not the Studio at Apple Tree House.

The reasons given for the refusal are:

1. The proposed development, by virtue of its design, finish, specification, configuration, location and extent of roof coverage, **would have a detrimental impact on the character and appearance of the conservation area.**
2. The proposed development, by virtue of its design, finish, specification, configuration, location and extent of roof coverage, **would have a visually intrusive appearance and a detrimental impact on the character and appearance of the conservation area.**

The application for solar pv installation at Apple Tree House.

In a conscious effort to achieve and contribute to the national and global goals of energy efficiency we have already made the following improvements at Apple Tree House:

- Installation of energy efficient central heating,
- energy efficient lighting
- enhanced loft insulation
- upgraded double glazed windows

Encouraged by the Scottish Government's stated aims in mitigating climate change we now want to install a micro-renewable solar pv system on the roof at Apple Tree House. The house is ideally orientated to give us a southeast facing aspect suitable for a roof-mounted system. The system would include the roof mounted solar pv panels, internal battery storage and an ev charge point to maximize the energy saving potential.

Whilst appreciating that the house is located in the Ross Conservation area we consider that a solar array can be installed on the roof without significant detrimental impact for the following reasons:

- Unlike many of the houses in the Ross. Apple Tree House is set back from the public road within a mature garden and does not directly form part of the built street frontage.
- The house was built in 1976. It is not in itself of particular conservation significance. It is of timber frame construction with composite board cladding under a concrete tile roof.
- It is situated on the inside of a right angle corner and as such there are no long views of the property from the public road or neighbouring properties. An open view of the roof is limited to a short, (16mtre) section of the public road.
- Approaching from the north there is no view of the south facing aspect of the house. There is therefore no detrimental impact on the character and appearance of the conservation area or visually intrusive appearance and detrimental impact on the character and appearance of the conservation area.

- From the neighbouring property at Easter Ross there is a limited oblique view of the south-facing roof from the garden but not from the house.
- Views of the roof from the corner in the road is partially screened by a hedge atop a wall and existing trees and shrubbery in the garden. In total this extends to approximately 35 metres, but with the open view only extending to 16 metres. We also consider that the most open view is not in the general 'viewshed' when travelling in either direction on the road. When passing the house from the north the view of the house is over the shoulder. When approaching around the corner from the southwest the view is partially screened by the wall, hedge and trees.
- There is no view of the roof when approaching from the southwest on the Ross public road due to the approaching angle and screening by the adjacent property, Hawthorn Cottage. There is therefore no detrimental impact on the character and appearance of the conservation area or visually intrusive appearance and detrimental impact on the character and appearance of the conservation area.
- There are limited views of the roof from the upper floor rear windows of Hawthorn Cottage, but again partially screened by existing trees. Our neighbour at Hawthorn Cottage is supportive of the proposal.
- There is a limited view of the roof from the property at Mishnish, again partially screened by hedges, and trees.
- The type of solar panel selected is back monocrystalline with no bright aluminium framing. These are fixed onto a dark grey coloured, Marley Double Roman concrete interlocking roof tiles and will therefore not stand out as a significantly contrasting colour.
- The system is reversible. i.e, it can be removed without detriment to the building at the end of its life.

We are currently seeking professional advice on the overall size of the installation and may be able to reduce the total number of panels to further mitigate any residual impact.

Reference is made in the refusal letter to the Historic Environment Scotland documents "Managing Change in the Historic Environment: "Micro-

Renewables”, Historic Environment Scotland “Managing Change in the Historic Environment: Roofs”

Studying the HES Short Guide to Micro-Renewables the guide states:

“ Renewable Technology should be considered as part of the hierarchical approach to achieve a built environment that is **energy efficient and conscious of the carbon and resources that it uses.**”

The HES document states: “the energy we use in buildings accounts for approximately 40% of the UKs total carbon emissions and renewable energy is recognised as an integral part of mitigating the effects of Climate change”.

HES states that there are 630 conservation areas in Scotland. **“If carbon emissions from the built environment are to be reduced, energy use in traditional and historic buildings (and by definition conservation areas) must also be addressed”.**

It goes on to say:

“ Reducing the amount of energy we use in buildings and **encouraging users to generate their own energy with micro-renewable technologies** will allow the existing built environment to play a part in carbon reduction”.

Under item 4.8 of the document HES states:

“Through the centuries, our built heritage has seen a number of changes, including the installation of sanitation, electricity, central heating and disabled access. These changes have been necessary to ensure the survival and longevity of our buildings. **The use of micro-renewables is perhaps another stage in building evolution.** If our historic environment fails to meet the ever-increasing expectation for a cleaner and more energy efficient building stock, there is the potential for such buildings to fall out of everyday use. There is therefore, a very fine balance to be achieved between protecting the character and cultural significance of the historic environment and ensuring that it remains functional and can contribute to society for future generations.

Under section 6, Minimising Impact, the guide states:

“ There must be a balance between maintaining the historic integrity of the building (or conservation area) and ensuring its usefulness in the future. Any potential visual or physical effects which may negatively impact on this should be carefully addressed. Issues such as reversibility- the sensitive

removal of a renewable system at the end of its life and ensuring that a buildings authenticity, historic fabric, and defining features are retained for future generations, are also important.”

The HES Short Guide to Micro-Renewables also references the following Scottish Governments written aims:

“to mitigate the effects of climate change and support a carbon conscious culture the Scottish Government has set world leading targets: to reduce Scotland’s greenhouse gas emissions by 80% by 2050 (from 1990 levels), with an interim target of 42% by 2020”.

The Scottish Governments 2020 Routemap for Renewable Energy in Scotland (2011) sets out a number of supporting targets:

- 100% of electricity demand equivalent from renewables by 2020.
- 11% heat demand from renewables by 2020.
- at least 30% of overall energy demand from renewables by 2020.
- 500MW from community and locally-owned renewables by 2020.

Perth & Kinross Council Climate Action Plan states that: ‘Climate Change is a top priority for the Council. The Climate Action Plan has been developed to address the necessary action to make both Perth & Kinross Area and the Council itself net zero and climate resilient. It stresses the need for urgent action on climate change, the plan primarily focuses on the actions required in the near future, until 2024’. Under the heading of Buildings and Energy the Perth and Kinross Action Plan provides the Councils overall vision to ‘ensure we achieve a low carbon and climate resilient Perth & Kinross’. The plan identifies Energy and Buildings as a key area where we will have to make changes in order to tackle and adapt to climate change. The combined domestic (homes) and non-domestic buildings emissions made up 34% of total emissions in Perth & Kinross in 2019

Across Perth and Kinross the total emissions from domestic buildings is 266 ktCO₂.

United Nations international treaty:

The 1.5 degrees Celsius limit became a legally binding international treaty on climate change adopted by 196 parties in Paris, on 12th December 2015 and entered into force on 4th November 2016.

On 4th April 2022, a flagship UN report indicated that harmful carbon emissions from 2010-2019 have never been higher in human history is proof

that the world is on a 'fast track' to disaster with scientists arguing that it's 'now or never' to limit global warming to 1.5degrees C.

We would appeal that in the light of the above that you would reconsider your decision to refuse this application and allow us to play a part in helping Perth & Kinross Council to meet it's stated carbon reduction targets.

Yours sincerely,

Christopher Palmer.

See attached Supporting Photographs and Visual Impact Plan



View from Ross public road from north. No view of south facing roof with solar panels. No visual impact



View from Ross public road from north. No view of south facing roof with solar panels. No visual impact.



View from Ross public road from east. No view of south facing roof with solar panels. No visual impact.



View from Ross grass verge adjacent to public road at corner. This is the most open view of the property from the public domain over a limited 16 metre section of road of roof with solar panels. This view is not in the direct viewshed of a pedestrian or vehicle travelling in either direction along the road.

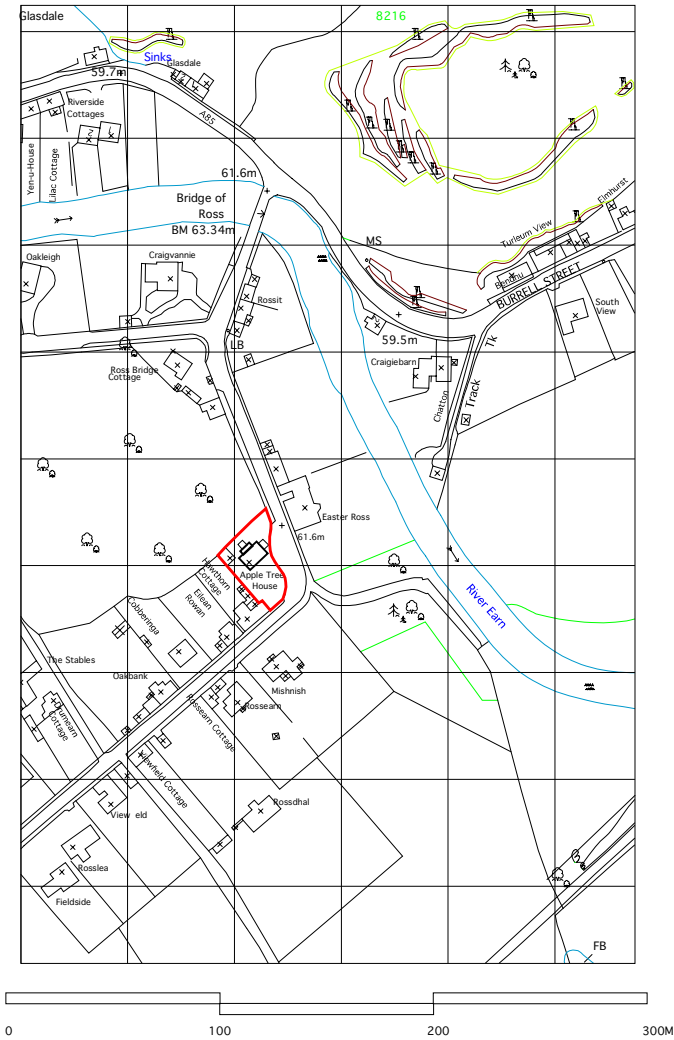


View from Ross public road and Mishnish from south. Limited view of roof with solar panels through boundary vegetation in winter, but not in summer.



View from Ross public road from southwest. No view of roof with solar panels No visual impact.

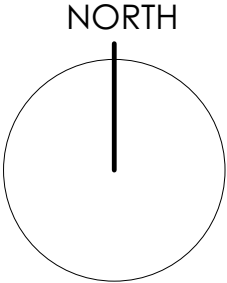
NOTES:
See Drawing ATHPV.004 for Existing Layout
See Drawing ATPV.003 for Proposed Elevations
See Drawing ATH..002 for Proposed Site Block Plan



Planning Boundary for Solar Panels on House Roof includes the curtilage of the dwelling as a whole including associated garden ground.

Location of house within ownership boundary

REVISIONS:
Rev A 31.10.22: Planning Application boundary amended to include the curtilage of the dwelling as a whole including associated garden ground.



Mr & Mrs C F Palmer
Apple Tree House, The Ross, Comrie, PH6 2JU
Proposed Solar PV Installation
Location Plan
Drawing No: ATH.PV.001 Rev A
Oct 2022
Scale 1:1,250 at A1

VISIONS:

- 2022: Rev A: Garden Landscape added including paved areas, lawn, trees and borders
- Garden and Shed and Studio added
- B 31.10.22: Planning Application boundary amended to include the curtilage of the dwelling as a whole including associated open ground.



Existing stove chimney flue

Existing Velux window

House showing proposed Solar Panels on Roof

Solar Panels

Existing Chimney Stack

Solar Panels

- STATUS OF DRAWING: FOR PLANNING

Scale 1:250 at A1

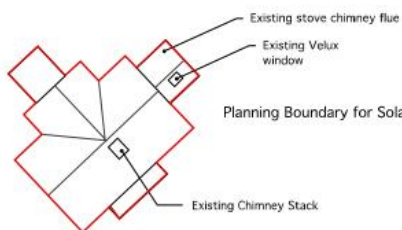
NOTES:
 See Drawing ATPV.002 for Proposed Block Plan Layout
 See Drawing ATPV.003 for Proposed Elevations
 See Drawing ATH.004 for Existing Elevations
 See Drawing ATH.PV.001 for Location Plan



NORTH



Ownership Boundary



Existing Trees to be retained

Existing Specimen Shrubs to be retained

Existing Shrub borders to be retained

Existing Shrub boundary hedge to be retained

STATUS OF DRAWING: FOR PLANNING

Mr & Mrs C F Palmer

Apple Tree House, The Ross, Comrie, PH6 2JU

Proposed Solar PV Installation

Existing Site Plan

Drawing No: ATH.PV.003
 Oct 2022

Scale 1:200 at A1



View from garden of south east facing aspect of house showing existing roof



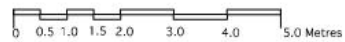
View from of south east facing aspect of house from the Ross public road showing existing roof



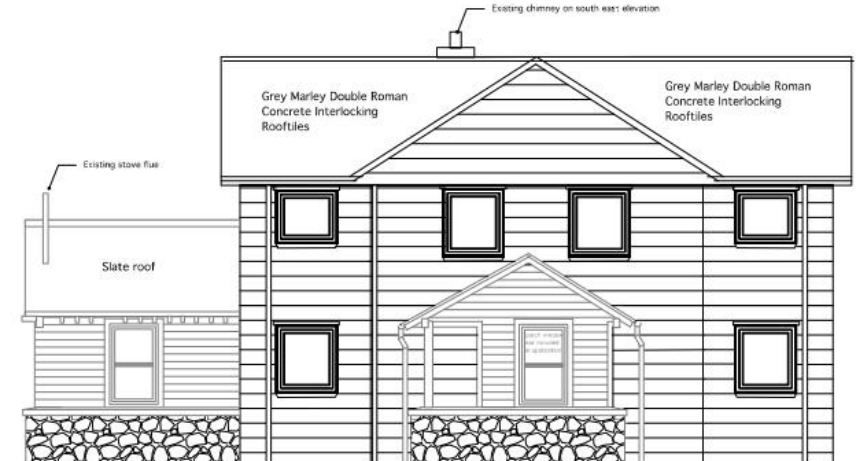
View from of south east facing aspect of house from the Ross public road showing existing roof



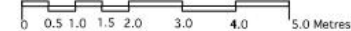
Southeast Elevation (Garden Side)
Scale 1:50



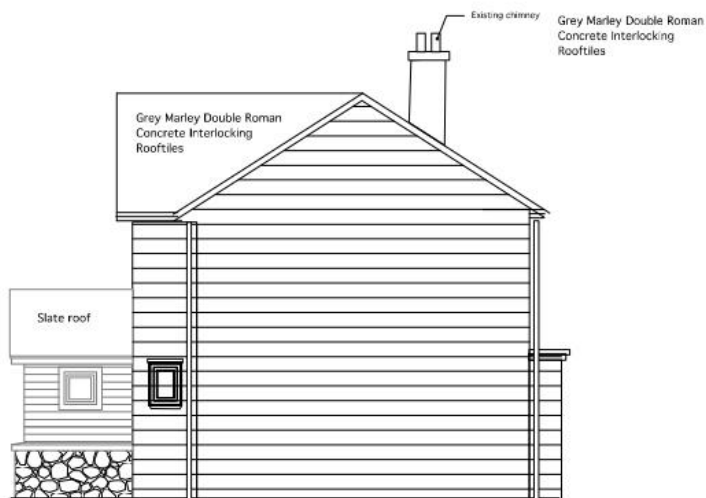
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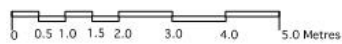
Northwest Elevation (Parking Side) : No change to Elevation
Scale 1:50



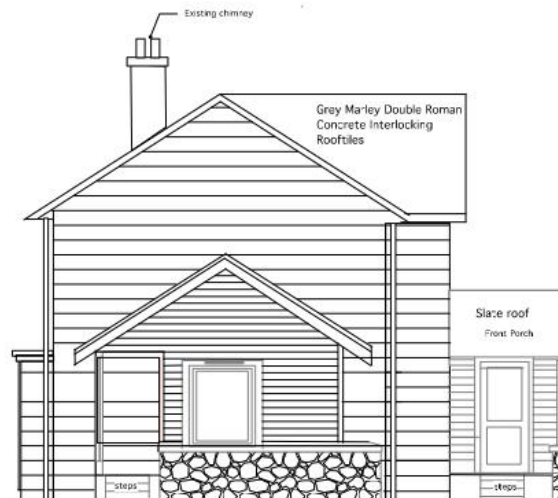
Scale 1:50 at A1



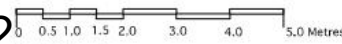
Existing Southwest Elevation
No change to Elevation
Scale 1:50



Scale 1:50 at A1



Existing North East Elevation
No change to Elevation
Scale 1:50



Scale 1:50 at A1

STATUS OF DRAWING : PLANNING

Mr & Mrs C F Palmer

Apple Tree House, The Ross, Comrie, PH6 2JU

Proposed Solar PV Installation

Drawing Title: Existing Elevations

Drawing No: ATH.005 Rev

Oct 2022

Scale 1:50 at A1



View from garden of south east facing aspect of house showing representation of proposed location of panels

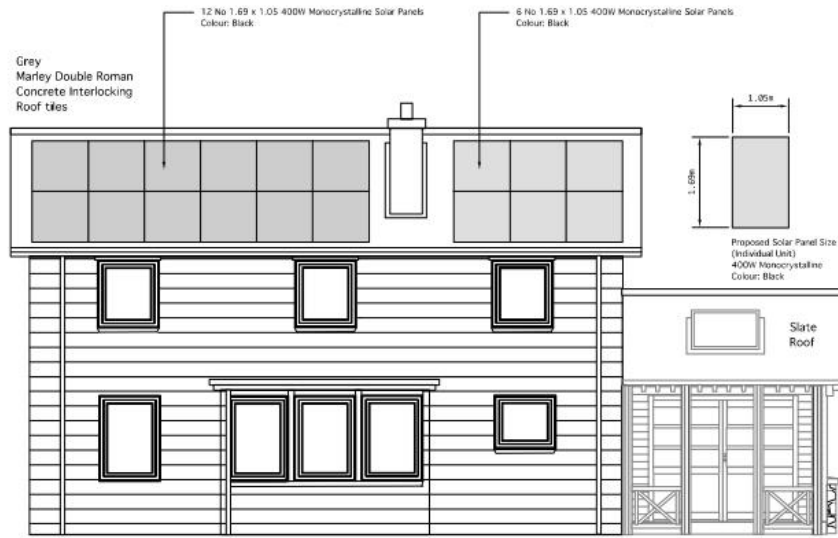


View from of south east facing aspect of house from the Ross public road showing representation of proposed location of panels



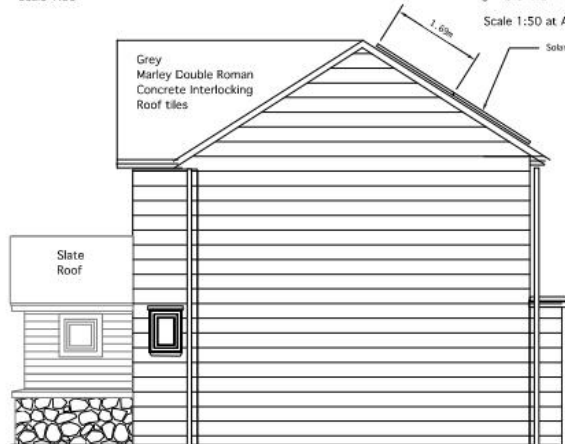
View from of south east facing aspect of house from the Ross public road showing representation of proposed location of panels

NOTES:
See Drawing ATHPV.004 for Existing Elevations
See Drawing ATH.PV.001 for Location Plan
See Drawing ATH.002 for



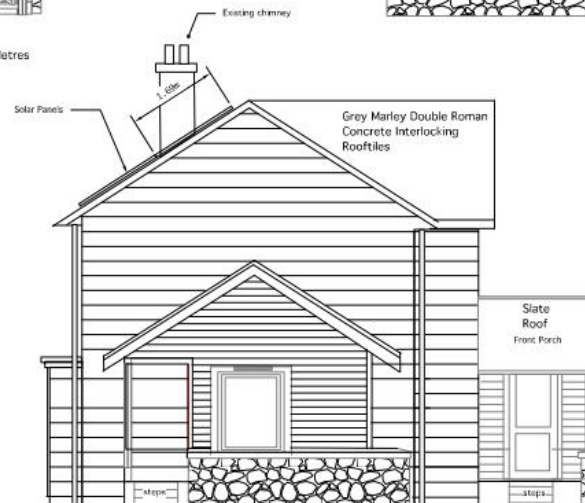
Southeast Elevation (Garden Side) : Proposed Solar PV Panels on roof
Scale 1:50

Scale 1:50 at A1



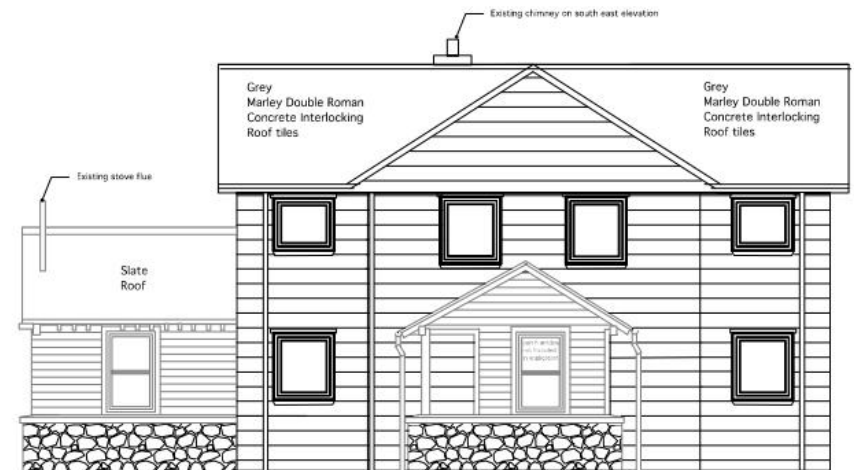
Southwest Elevation: Proposed Solar PV Panels on upper roof (seen on end edge)
Scale 1:50

Scale 1:50 at A1



North East Elevation Proposed Solar PV Panels on upper roof (seen on end edge)
Scale 1:50

Scale 1:50 at A1



Northwest Elevation (Parking Side) : No Panels on this elevation. Appearance unchanged.
Scale 1:50

Scale 1:50 at A1

REVISIONS:
Rev A: 5.10.22: Additional North east elevation added
Additional Supporting Photographs added
Scale bars added to each elevation.

STATUS OF DRAWING : PLANNING

Mr & Mrs C F Palmer

Apple Tree House, The Ross, Comrie, PH6 2JU

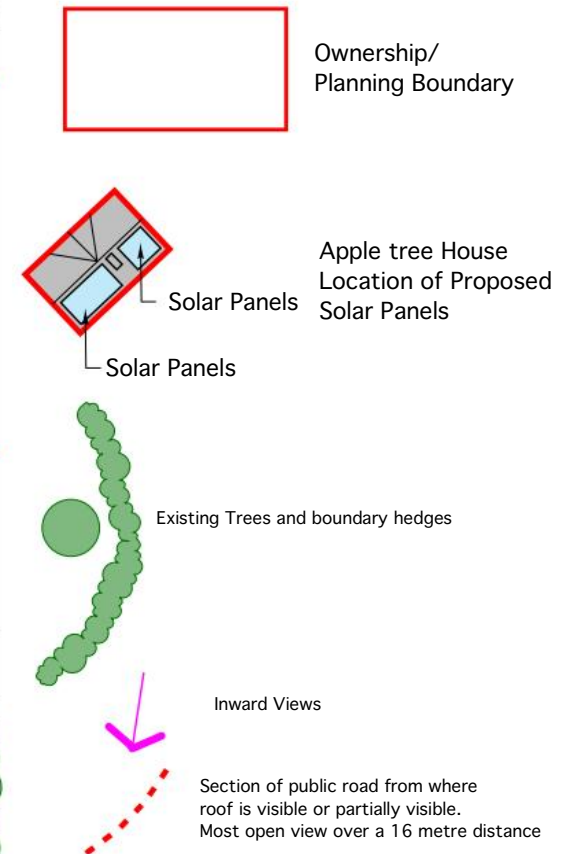
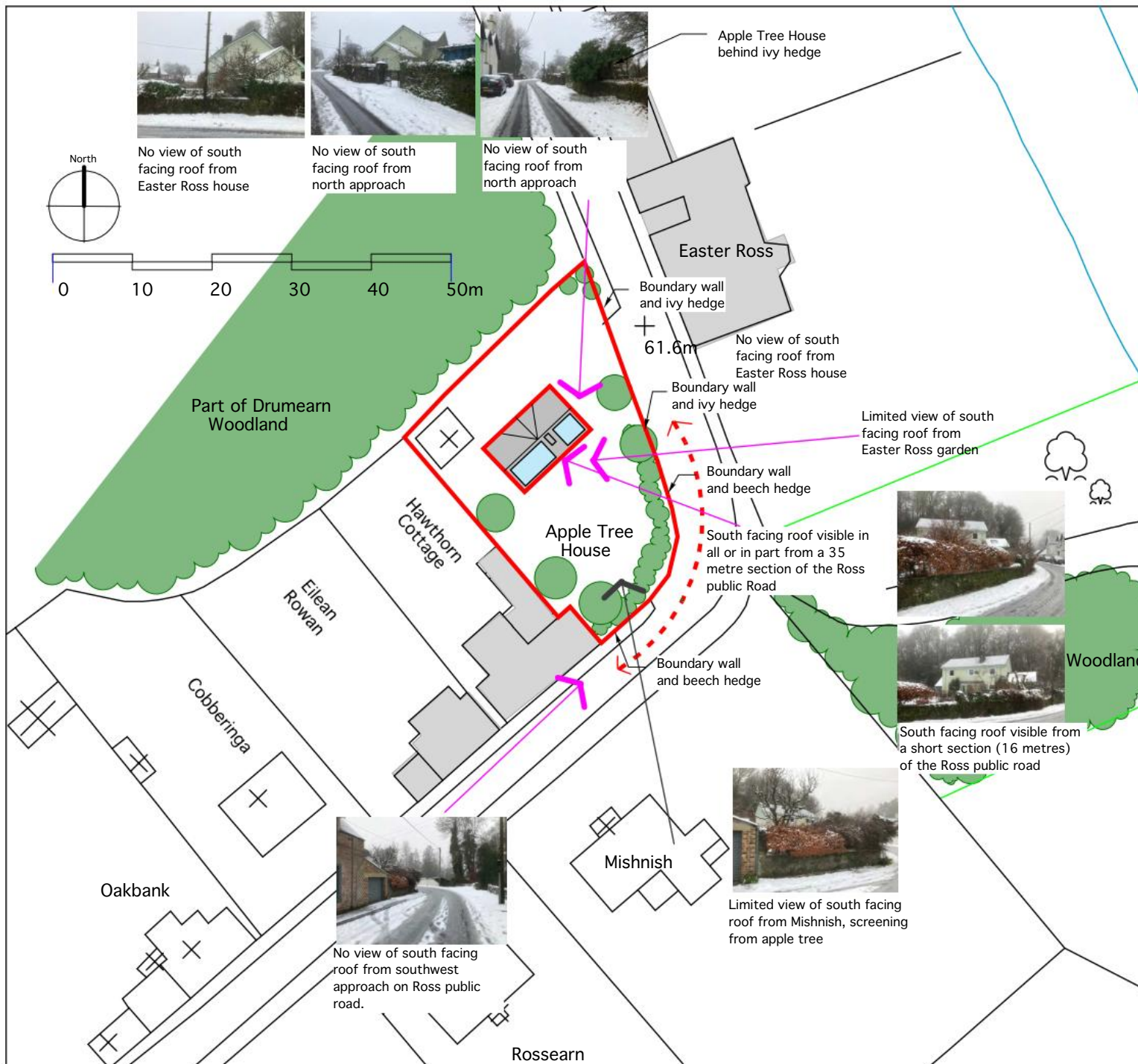
Proposed Solar PV Installation

Drawing Title: Proposed Elevations

Drawing No: ATH.PV.004 Rev A

Oct 22

Scale 1:50 at A1



Status of Drawing: For Planning

Mr & Mrs C F Palmer

Apple Tree House, The Ross, Comrie, PH6 2JU

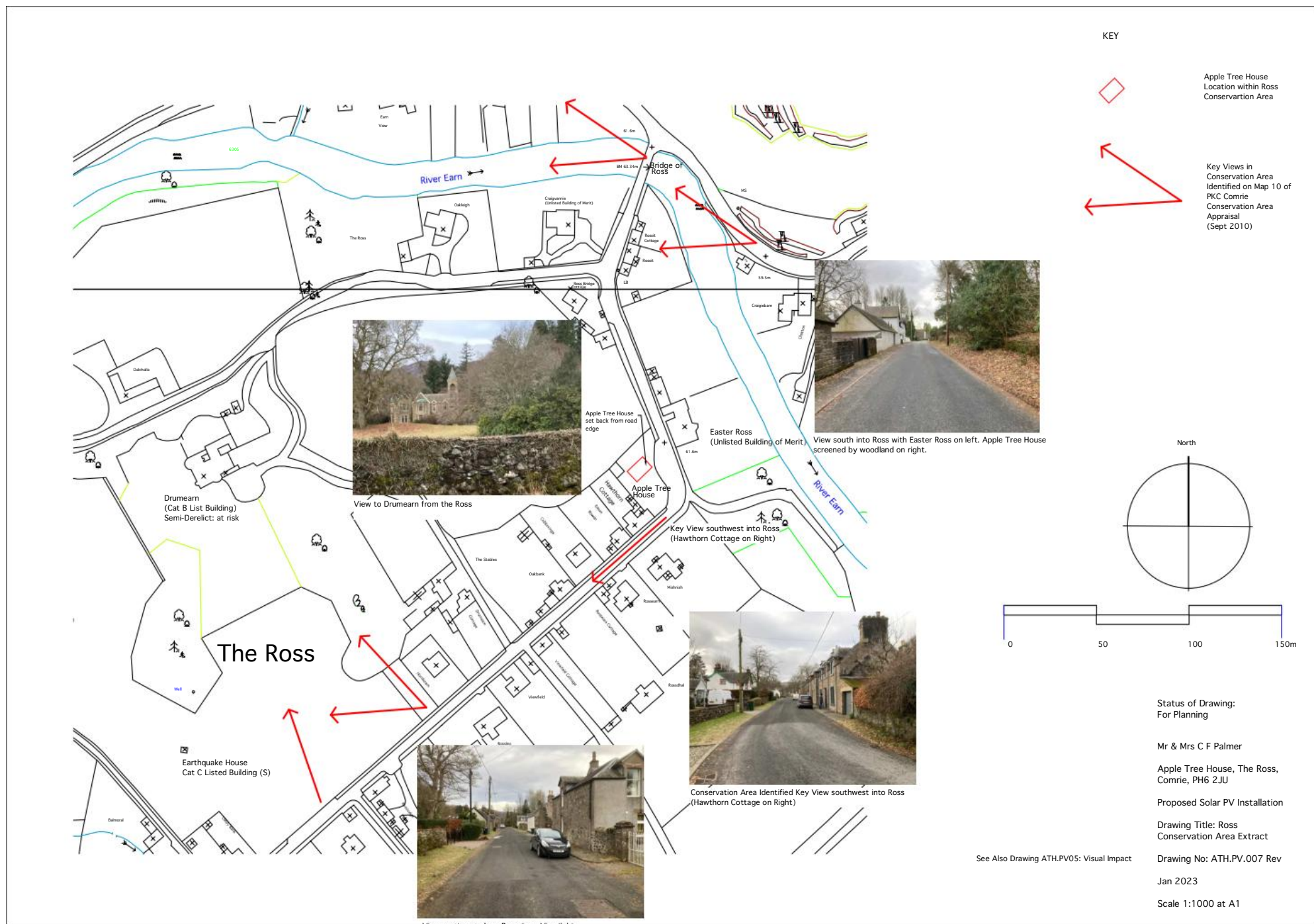
Proposed Solar PV Installation

Drawing Title: Inward Views Visual Impact

Drawing No: ATH.PV06 Rev

Jan 2023

Scale 1:500 at A3



LRB-2023-03

22/01623/FLL – Installation of solar panels, Appletree House, The Ross, Comrie, Crieff, PH6 2JU

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 319-320 and 322-323)*



Christopher Palmer Associates
Mr Chris Palmer
Apple Tree House
The Ross
Comrie
Crieff
PH6 2JU

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **9th December 2022**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **22/01623/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 4th November 2022 for Planning Permission for **Installation of solar panels Appletree House The Ross Comrie Crieff PH6 2JU**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposed development, by virtue of its design, finish, specification, configuration, location and extent of roof coverage, would have a detrimental impact on the character and appearance of the conservation area.

Approval would therefore be contrary to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, which requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

2. The proposed development, by virtue of its design, specification, configuration, location and extent of roof coverage, would have a visually intrusive appearance and a detrimental impact on the character and appearance of the conservation area.

Approval would therefore be contrary to paragraph 143 of Scottish Planning Policy, Historic Environment Scotland "Managing Change in the Historic Environment: Micro-renewables", Historic Environment Scotland "Managing Change in the Historic Environment: Roofs", Policies 2 and 9 of TayPlan 2017 and Policies 1A, 1Bc, 17c, 28A and 33A of Perth and Kinross Local Development Plan 2, 2019, which seek to ensure that development

contributes positively to its surroundings in order to respect the character and amenity of the place and the character and appearance of the conservation area.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Notes

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

01

02

03

04

05

REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/01623/FLL	
Ward No	P6- Strathearn	
Due Determination Date	3rd January 2023	
Draft Report Date	7th December 2022	
Report Issued by	KS	Date 7 th December 2022

PROPOSAL: Installation of solar panels

LOCATION: Appletree House The Ross Comrie Crieff PH6 2JU

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

Appletree House is a non-traditional detached two-storey dwellinghouse (circa 1973) which occupies a prominent street corner location in The Ross, within the Comrie conservation area. This application seeks detailed planning permission for the installation of a solar array on the principal (southeast) elevation.

SITE HISTORY

00/00580/FUL	Erection of a garden studio/office with integral garden shed and toilet Application Approved – 23 May 2000
18/00046/FLL	Installation of replacement windows and roof tiles (in retrospect) Application Approved – 28 February 2018

PRE-APPLICATION CONSULTATION

Pre application Reference: Not Applicable.

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

Scottish Planning Policy (2014): Conservation Areas (paragraph 143)
“Proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm

the character or appearance of the conservation area should be treated as preserving its character or appearance”.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019).

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Policy 2: “Shaping Better Quality Places” states that proposals should be;

“Place-led to deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets, natural processes, the multiple roles of infrastructure and networks, and local design context”.

Policy 9: “Managing TayPlan’s Assets” states that proposals should;
“Safeguard the integrity of natural and historic assets, understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through safeguarding the integrity of natural and historic assets, including... townscapes and historic buildings”.

Perth and Kinross Local Development Plan 2 – Adopted November 2019

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance. The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 17: Residential Areas

Policy 28A: Conservation Areas: New Development

Policy 33A: New Proposals for Renewable and Low-Carbon Energy

OTHER POLICIES

Historic Environment Scotland "Managing Change in the Historic Environment: Micro-renewables" states that:

“The use of renewable energy technology in the historic environment is supported where the character of the historic building or place can be protected through careful siting and design... Each micro-renewable technology has specific site requirements, and not all equipment is suitable in every case”.

Historic Environment Scotland "Managing Change in the Historic Environment: Roofs" states that:

“Collectively, roofscapes and skylines are often key features of historic cities, towns and villages... In considering how to alter a roof it is important to understand the impact of the works on the roof itself and the appearance of the building or street as a whole. The potential for cumulative effects of similar developments should also be considered”.

Comrie Conservation Area Appraisal 2010

“A few small, modern houses have been inserted at the eastern end but these remain neutral in effect and have not significantly altered the character of the townscape”.

INTERNAL COMMENTS

Conservation Team

While Appletree House is not a historic building and does not specifically contribute to the historic interest of the conservation area, its southeast elevation is prominent when viewed in the context of neighbouring historic buildings. It is particularly visible in key views of Easter Ross to the east.

The proposed PV array would appear particularly visually intrusive in this respect, and would not meet requirements to preserve or enhance the character and appearance of the conservation area. Consideration should be given to alternative renewable energy solutions.

Structures and Flooding

No response has been received, or is needed, in relation to the proposed development.

Environmental Health (glint/glare)

No objections.

REPRESENTATIONS

No letters of representation have been received in relation to this proposal.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Applicable
Appropriate Assessment	Habitats Regulations – AA Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan and the adopted LDP2.

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

Alterations to an existing domestic dwellinghouse are generally considered to be acceptable in principle. Nevertheless, consideration must be given to the specific details of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual or residential amenity or the character and appearance of the Conservation Area.

Design and Layout

Appletree House is a non-traditional detached two-storey dwellinghouse (circa 1973) which occupies a prominent street corner location in The Ross, within the Comrie conservation area. This application seeks detailed planning permission for the installation of a solar array on the principal (southeast) elevation.

The roof plane on the principal elevation is split by a chimney which projects from a position approximately two-thirds along its width. The solar panel array is therefore divided into two parts, one which is two panels high and six panels in width and the other is two panels high and three panels in width, providing a total of 18 panels.

The panels would stretch from the roof's ridge line to the gutter and almost the entire width of the building. Only the outer periphery to each side of the roof, and a perimeter around the chimney, would remain exposed.

Visual Amenity and Conservation Considerations

As noted above, Appletree House sits in a prominent street corner location, which makes it highly prominent in the street-scene. In a departure from the traditional materials which typically characterise the conservation area, the walls of Appletree House have coloured horizontal cladding and its roof is covered in recessively coloured concrete tiles.

The proposed solar panels would dominate and overwhelm the roof, introducing modern technology which has an uncharacteristic appearance over the majority its surface, rather than leaving the recessively coloured roof tiles exposed. As noted by

the Council's Conservation Planner, this would result in a particularly visually intrusive appearance, and it would have a detrimental impact on the character and appearance of the conservation area.

The introduction of renewable energy generation would undoubtedly make a positive contribution towards the reduction of greenhouse gas emissions and associated climate change impacts. However, this does not outweigh the harm that the proposal would cause to the heritage sensitivities in the surrounding built environment.

Approval would therefore be contrary to paragraph 143 of Scottish Planning Policy, Historic Environment Scotland "Managing Change in the Historic Environment: Micro-renewables", Historic Environment Scotland "Managing Change in the Historic Environment: Roofs", Policies 2 and 9 of TayPlan 2017 and Policies 1A, 1Bc, 17c and 28A of Perth and Kinross Local Development Plan 2, 2019, which seek to ensure that development contributes positively to its surroundings in order to respect the character and amenity of the place and the character and appearance of the conservation area.

Residential Amenity

Given the height, orientation and position of the proposed solar array in relation to surrounding neighbouring properties, it is unlikely that residential amenity would be adversely affected by glint or glare.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan. Accordingly, the proposal is refused on the grounds identified below.

Conditions and Reasons

- 1 The proposed development, by virtue of its design, finish, specification, configuration, location and extent of roof coverage, would have a detrimental impact on the character and appearance of the conservation area.

Approval would therefore be contrary to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, which requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

- 2 The proposed development, by virtue of its design, specification, configuration, location and extent of roof coverage, would have a visually intrusive appearance and a detrimental impact on the character and appearance of the conservation area.

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Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informative Notes

Not Applicable.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01

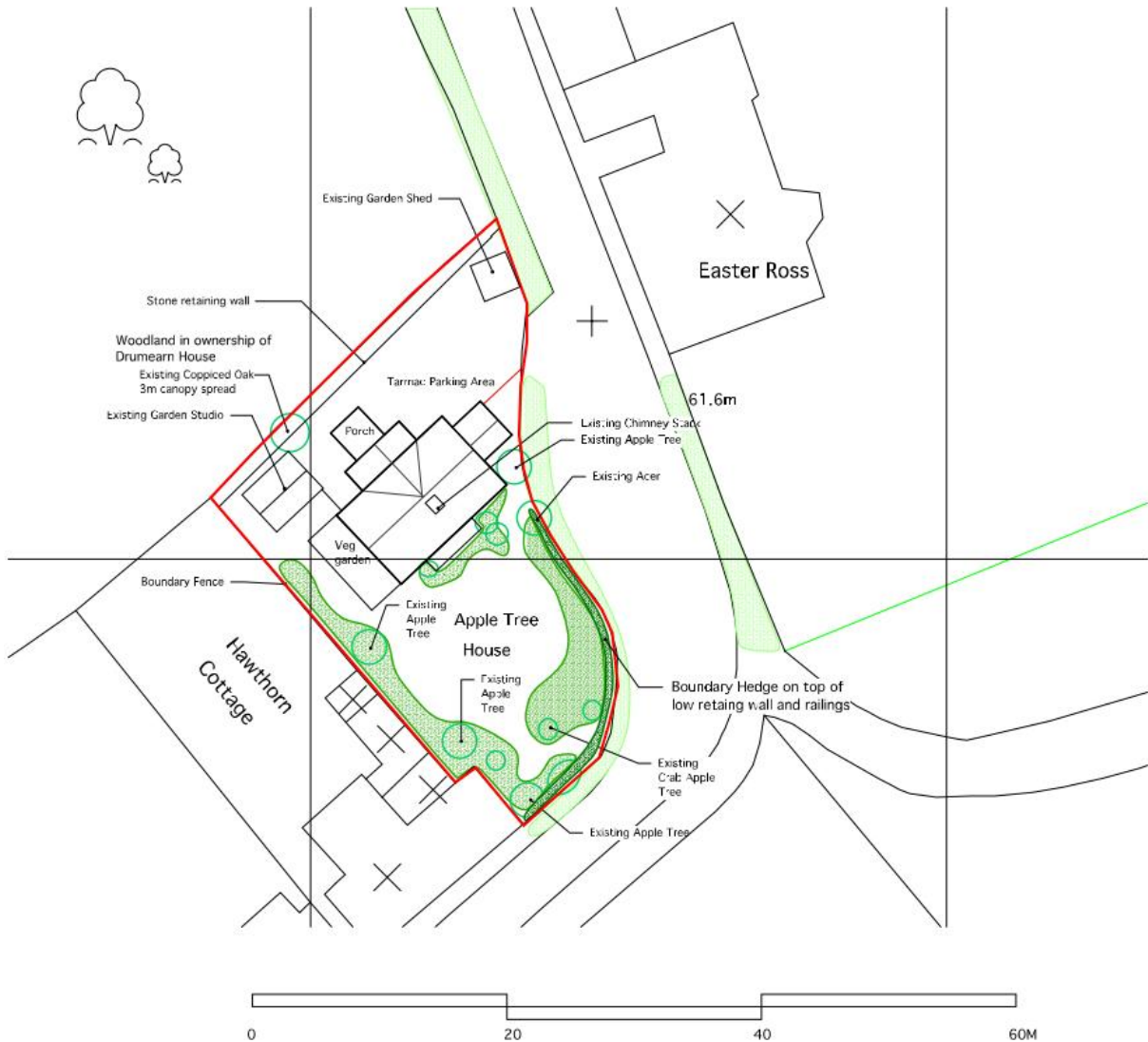
02

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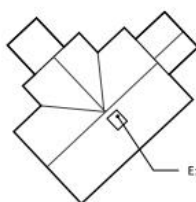
04

05

NOTES:
 See Drawing ATHPV.004 for Existing Layout
 See Drawing ATPV.003 for Proposed Elevations
 See Drawing ATH.002 for Proposed Site Block Plan
 See Drawing ATH.PV.001 for Location Plan



Planning Boundary for Solar Panels on House Roof includes the curtilage of the dwelling as a whole including associated garden ground.



House showing Existing Roof Plan

Existing Garden Borders



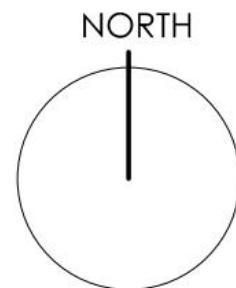
Existing Garden Trees & Specimen Shrubs



Existing Shrub boundary hedge



REVISIONS:
 Rev A 31.10.22: Planning Application boundary amended to include the curtilage of the dwelling as a whole including associated garden ground.
 Rev B: 4.11.22 Scale in Title Box corrected to 1:200



Mr & Mrs C F Palmer

Apple Tree House, The Ross, Comrie, PH6 2JU

Proposed Solar PV Installation

Existing Block Plan

Drawing No: ATH.PV.004 Rev B
 Nov 2022

Scale 1:200 at A1

LRB-2023-03
22/01623/FLL – Installation of solar panels, Appletree
House, The Ross, Comrie, Crieff, PH6 2JU

REPRESENTATIONS

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 22/01623/FLL

Our ref LRE

Date 24 November 2022

Tel No

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5G

Consultation on an Application for Planning Permission

22/01623/FLLRE: Installation of solar panels, Appletree House, The Ross, Comrie, Crieff for Christopher Palmer Associates

I refer to your letter dated 8 November 2022 in connection with the above application and have the following comments to make.

Environmental Health

Recommendation

I have no adverse comments to make in relation to the application.

Comments

This application is for the installation of solar photovoltaic panels that are to be roof mounted on the southeast elevation of the dwellinghouse.

The PagerPower Solar Photovoltaic and Building Development - Glint and Glare 2021 Guidance states that residential receptors to the East and West can be affected by glint and glare.

Given the orientation and the size of the solar array and that this is a domestic installation at roof height I do not foresee glint or glare from the installation affecting the residential amenity of neighbouring properties.

Therefore, I have no adverse comments to make in relation to the solar photovoltaic panels.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	22/01623/FLL	Comments provided by	Diane Barbary
Service/Section	Conservation	Contact Details	
Description of Proposal	Installation of solar panels		
Address of site	Appletree House, The Ross, Comrie		
Comments on the proposal	<p>Appletree House is an unlisted building in the Comrie Conservation Area.</p> <p>While Appletree House is not a historic building and does not specifically contribute to the historic interest of the conservation area, its southeast elevation is prominent when viewed in the context of neighbouring historic buildings. It is particularly visible in key views of Easter Ross to the east.</p> <p>The proposed PV array would appear particularly visually intrusive in this respect, and would not meet requirements to preserve or enhance the character and appearance of the conservation area. Consideration should be given to alternative renewable energy solutions.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	01/12/2022		

