

<p>TCP/11/16(214) Planning Application 12/01051/FLL – Installation of solar panels on roof of View Bank, High Street, Errol, PH2 7QE</p>
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**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 2008

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)

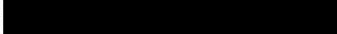
Name ROGER HUMPHRY

Address VIEW BANK,

HIGH STREET,

Postcode ERROL. PH2 7QE

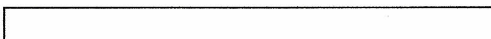
Contact Telephone 1 

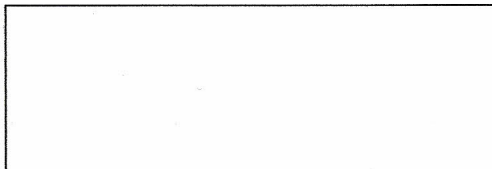
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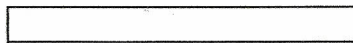
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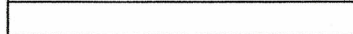
Agent (if any)


Name 

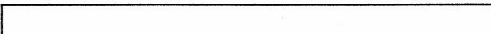
Address 

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 & KINROSS COUNCIL

Planning authority's application reference number

12/01051/FLL

Site address

VIEW BANK, HIGH STREET, ERROL, PH2 7QE

Description of proposed
development

INSTALLATION OF SOLAR PANELS ON ROOF

Date of application

07/06/2012

Date of decision (if any)

03/08/2012

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:

(WILLING TO ATTEND HEARING SESSION IF DEEMED APPROPRIATE)
 a) THE NEGLIGIBLE EXTENT OF VISUAL IMPACT DUE TO LIMITED VISIBILITY OF ROOF
 b) THAT OTHER PLANNING POLICIES ON RENEWABLES BE TAKEN INTO ACCOUNT

Site inspection

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

1. Can the site be viewed entirely from public land? ☐ Yes ☒ No
2. Is it possible for the site to be accessed safely, and without barriers to entry? ☒ Yes ☐ No

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.

MOST PV PANELS ARE INSTALLED UNDER PERMITTED DEVELOPMENT RIGHTS. THE REQUIREMENT TO SEEK PLANNING PERMISSION WAS DUE TO THE VERY LIMITED VISIBILITY OF THE PANELS FROM A PUBLIC ROAD WITHIN THE CONSERVATION AREA.

THE ROOF IS OF MODERN CONCRETE TILES WITH VERY LIMITED VISIBILITY FROM PUBLIC SPACES.

PLANNING DECISIONS SHOULD BE ON THE BASIS OF ALL MATERIAL CONSIDERATIONS & , IN THIS CASE, THE NEGLIGIBLE IMPACT ON THE FERRO CONSERVATION AREA SHOULD BE SET AGAINST OTHER POLICIES (LOCAL & NATIONAL) THAT PROMOTE RENEWABLE ENERGY PRODUCTION.

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.

- a) HOW NEGLIGIBLE THE VISUAL IMPACT WOULD BE (PHOTOS NOW SUPPLIED)
- b) REFERENCE TO POLICIES ENCOURAGING PLANNING SYSTEM TO CONTRIBUTE TO THE DEVELOPMENT & UPTAKE OF RENEWABLE ENERGY

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.

"SUPPORTING DOCUMENT 1 FROM ROGER HUMPHRY" 8 PAGES

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

25/10/2012

APPEAL TO LOCAL REVIEW BODY – SUPPORTING DOCUMENT 1 FROM ROGER HUMPHRY

APPLICATION NUMBER: 12/01051/FLL

INSTALLATION OF SOLAR PANELS ON ROOF OF VIEW BANK, HIGH STREET,
ERROL, PERTH, PH2 7QE

EXECUTIVE SUMMARY:

Proposed panels were rejected for reasons of visual impact within Errol Conservation Area.

Most PV panels are installed under permitted development rights. The requirement to seek planning permission was due to the very limited visibility of the panels from a public road within the conservation area.

The roof is of modern concrete tiles with very limited visibility from public spaces.

Planning decisions should be on the basis of all material considerations and, in this case, the negligible impact on the Errol Conservation Area should be set against other policies, local and national, that promote renewable energy production.

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REFUSAL REASON

On 3rd August 2012, an application for the installation of solar panels on View Bank, High Street, Errol was refused for the following reason:

'1. The proposed development is considered to have a detrimental visual impact on the character and appearance of the building as well as the Errol Conservation Area. The proposal also creates an adverse impact on the amenity of the surrounding area. Approval would therefore be contrary to Policies 24 and 71 of the Perth Area Local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000); would be contrary to Historic Scotlands Technical Guidance Notes 2011 (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas); and, to the Council's statutory duty in relation to Listed Buildings under Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Justification

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

REASON FOR APPEAL

The refusal reason mentions

- visual impact on the character and amenity of View Bank
- visual impact on the Errol Conservation Area
- adverse impact on the surrounding area and listed buildings.

and cites

- Policy 24 of the Perth Local Plan
- Policy 71 of the Perth Local Plan
- Historic Scotland Technical Guidance Note 2011

The proposed panels would be sited on the rear facing roof of View Bank. View Bank is not a listed building but is within the Errol Conservation Area and there are a number of listed buildings nearby (see annotated map of the conservation area). The panels would be visible from the shared access to View Bank itself and a small number of other properties that runs at the side of View Bank. The area of roof that would have the panels fitted from the side lane is shown in Figure 1 and from South Bank/Dalleally Crescent is shown in Figure 2.



FIGURE 1: VIEW FROM LOCAL ACCESS THROUGH TO POND GREEN



FIGURE 2: VIEW FROM SOUTHBANK/DALEALLY

To address the three issues in turn:

VISUAL IMPACT ON THE CHARACTER AND AMENITY OF VIEW BANK

The proposal was only exempt from the 2009 No. 34 The Town and Country Planning (General Permitted Development) (Domestic Microgeneration) (Scotland) Amendment Order 2009 because the panels would be partly visible from the public road (see extract of the Regulations below). The proposal does not affect the principal elevation of Viewbank.

The Conservation Officer mentions in their consultee response that View Bank is a building of merit within the Errol Conservation Area Appraisal. It is unclear what policies should apply to a building of merit. This is certainly a local designation of lesser import than a C(S) listing.

View Bank is an important part of the High Street and is a traditional building, albeit with a roof covered in modern materials (concrete tiles). It is not a listed building and should not be preserved or conserved as such: its merit lies in its harmony with surrounding buildings, particularly on its public face to the High Street and to a lesser extent the side face to the pedestrian route through to Pond Green. Change in harmony with its role should be permitted, especially where these changes help ensure that such a building remains in economic use.

The panels would have a modest impact on the overall appearance of the building, with the impact limited to a rear elevation, only visible from the shared lane at the side of Viewbank and obliquely and partly hidden by a tree from South Bank. They will benefit the property in that the generation of electricity will reduce the running costs of the property and, via the FiT scheme, provide an income stream. This makes the property a more attractive place to inhabit and invest in for the future.

The proposed development does change the appearance of the roof, but as the change is to a rear elevation only, seen from very few locations, and as this would be a permitted development outwith the conservation area, the Appellant contends that it is unjust to cite the impact on View Bank itself as a refusal reason and asks that this refusal reason be set aside.

VISUAL IMPACT ON THE ERROL CONSERVATION AREA

Policy 24 of the Perth Local Plan protects Conservation Areas for infill or other development that would adversely impact the character or amenity of the Area. The replacement Perth Local Plan contains similar provisions as Policy HE3.

Policy 71 of the Perth Local Plan seeks to protect villages from inappropriate development but is of a more generic character than the Conservation Area policy and is more permissive of development. As this proposal would fall within permitted development rights outwith the Conservation Area, this reason is not discussed further as its relevance is negligible

The panels will only be visible from the pedestrian route from between the High Street and Pond Green and there is also a partial view from South Bank. The pedestrian route from High Street to Pond Green is lightly used and the views of the panels on the roof are restricted by other buildings as can be seen in Figure 1. The views from Southbank are relatively distant, oblique and partial as can be seen in Figure 2.

Conservation Areas are not designated to prevent all development within their bounds but to exert control over development such that the character of the area is not eroded. Sensitive development is permitted and this small development, which would be a minor change to a roof on the rear elevation of a building that is scarcely visible from public roads would not be a significant impact to the character or amenity of the Errol Conservation Area. The Appellant asks that this refusal reason be set aside.

ADVERSE IMPACT ON THE SURROUNDING AREA AND LISTED BUILDINGS

View Bank itself is not a listed building and while there are several listed buildings in the vicinity, the Appellant believes there is no significant impact on these buildings. The attached map of the conservation area (Figure 3) shows listed buildings (A, B or C listed) as red dots.

National Policy and Guidance (see details under Planning Policy below) is not designed to prevent change even to listed buildings but to ensure that change is managed sensitively. In this instance, the solar panels are not affixed to a listed building so cannot affect the fabric of such a building. The only impacts can be an indirect visual impact on nearby listed buildings.

As can be seen from Figure 3, there are no listed buildings that are likely to have any inter-visibility with solar panels on the rear elevation roof of Viewbank and therefore there can be no impact, direct or indirect, on the nearby listed buildings or on the setting of any of the listed buildings. Again the Appellant asks that this refusal reason is set aside.

CONCLUSION

The proposed solar panels would constitute a minor change to the rear roof of a building within the Errol Conservation Area. However, the proposal would not have a significant impact on Viewbank itself, the Conservation Area or Listed Buildings in the vicinity.

The proposal, even within the Conservation Area, only fails to be permitted development due to a minor visibility from a public road as it is on the rear elevation of the property. While it is proper that such impacts be assessed, it is not the intent of Conservation Areas to prohibit all development, but to control development so that it does not erode the character or amenity of the Conservation Area.

Other policies in TAYplan, the emerging Perth Local Development Plan and national policies and government strategies are broadly supportive of renewable energy technologies. The Scottish Planning Policy 2010 states *“The planning system has an important role in supporting the achievement of sustainable development through its influence on the location, layout and design of new development. Decision making in the planning system should:*

- *contribute to the reduction of greenhouse gas emissions in line with the commitment to reduce emissions by 42% by 2020 and 80% by 2050, contribute to reducing energy consumption and to the development of renewable energy generation opportunities”.*

The proposal will provide a small amount of generation, and in line with current government policy, in order to qualify for FiT payments, the building will have to meet a minimum requirement of energy efficiency. The package of measures required will make Viewbank a more sustainable property for the future, lowering the costs of occupancy, and therefore increasing its attractiveness as a home.

Overall, the benefit of the proposed panels outweighs the very minor to negligible impacts on the conservation area, nearby listed buildings or Viewbank itself. The proposal therefore conforms to national and local plans, policies and guidance, and should be supported.

Photovoltaic panels have a useful working life estimated at 25 years. In order to ensure that the panels are removed when they become inoperable, the Appellant invites the Council to impose a condition requiring the removal of the panels if they cease to operate.

The Local Review Body are therefore requested to grant permission, subject to appropriate conditions.

PLANNING POLICIES

PERTH LOCAL PLAN

Policy 24 (Conservation Areas) seeks to ensure that infill and other development will only be permitted where it would not affect the character or amenity of the Conservation Area.

Policy 71 (Village Uses) seeks to ensure, among other criteria, *"some scope may exist for infill development but only where this will not adversely affect the density, character or amenity of the area concerned."*

PERTH LOCAL DEVELOPMENT PLAN

Policy ER1: Renewable and Low Carbon Energy Generation

Policy ER1A: New proposals

'Proposals for the utilisation, distribution and development of renewable and low carbon sources of energy, including large-scale freestanding installations, will be supported where they are well related to the resources that are needed for their operation. In assessing such proposals, the following factors will be considered:(a) The individual or cumulative effects on biodiversity, landscape character, visual integrity, the historic environment, cultural heritage, tranquil qualities, wildness qualities, water resources and the residential amenity of the surrounding area.(b) The contribution of the proposed development towards meeting carbon reduction targets.(c) The connection to the electricity distribution or transmission system.(d) The transport implications, and in particular the scale and nature of traffic likely to be generated, and its implications for site access, road capacity, road safety, and the environment generally.(e) The hill tracks and borrow pits associated with any development.(f) The effects on carbon rich soils.(g) Any positive or negative effects they may have on the local or Perth & Kinross economy either individually or cumulatively.(h) The reasons why the favoured choice over other alternative sites has been selected. Proposals for the development of renewable or low carbon sources of energy by a community may be supported where the development does not meet all of the above requirements, provided it has been demonstrated that there will not be significant environmental effects and the only community significantly affected by the proposal is the community proposing and developing it.'

Policy HE3: Conservation Areas

Policy HE3A: New Development

'There is a presumption in favour of development within a Conservation Area that preserves or enhances its character or appearance. The design, materials, scale and siting of new development within a conservation area, and development outwith an area that will impact upon its special qualities should be appropriate to its appearance, character and setting. Where a Conservation Area Appraisal has been undertaken for the area, the details contained in that appraisal should be used to guide the form and design of new development proposals. Applications for Planning Permission in Principle in Conservation Areas will not be considered acceptable without detailed plans, including elevations, which show the development in its setting.'

TAYPLAN

Policy 6: Energy and Waste/Resource Management Infrastructure says that *'Local Development Plans should identify areas that are suitable for different forms of renewable heat and electricity infrastructure'* taking into account various criteria and cumulative impacts including *'Sensitivity of landscapes (informed by landscape character assessments and other work), the water environment, biodiversity, geo-diversity, habitats, tourism, recreational access and listed/scheduled buildings.'*

NATIONAL POLICY AND GUIDANCE

Scottish Government Guidance on Micro Generation <http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/renewables/Microgeneration> states *'In many circumstances, microgeneration installations will be appropriate in historic environments – planning authorities should refer to Historic Scotland's guidance on Micro-renewables and Managing Change in the Historic Environment and to Changeworks' Renewable Heritage: Guide to microgeneration in traditional and historic homes which demonstrate how sustainability of Scottish historic and traditional homes can be improved.'*

Managing Change in the Historic Environment advises that *'The original purpose, style, height, profile, materials and details of a building can all be factors in defining its character. These factors can play a similar role in groups of historic buildings or streetscapes. Whilst some buildings are designed to be seen from all directions, other buildings may have parts of lesser interest or less visible elevations.'* and warns that *'In relation to the importance of the historic buildings or places the most significant impacts are likely to be visual. Equipment that covers over or replaces historic fabric in obtrusive locations, or is visible in the profile of the building or a street, is likely to have an adverse effect on the historic character of the building or streetscape/townscape.'*

2009 No. 34 THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (DOMESTIC MICROGENERATION) (SCOTLAND) AMENDMENT ORDER 2009

http://www.legislation.gov.uk/ssi/2009/34/pdfs/ssi_20090034_en.pdf

'(5) Development is not permitted by this class, in the case of land within a conservation area or World Heritage Site, if the solar PV or solar thermal equipment would be installed on a wall or part of a roof which–

(a) forms the principal elevation of the dwellinghouse or the building containing the flat; and

(b) is visible from a road.'

TCP/11/16(214)

Planning Application 12/01051/FLL – Installation of solar panels on roof of View Bank, High Street, Errol, PH2 7QE

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Dr Roger And Jane Humphry
View Bank
High Street
Errol
Perth
PH2 7QE

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 3rd August 2012

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/01051/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 14th June 2012 for permission for **Installation of Solar Panels on roof of View Bank High Street Errol Perth PH2 7QE** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposed development is considered to have a detrimental visual impact on the character and appearance of the building as well as the Errol Conservation Area. The proposal also creates an adverse impact on the amenity of the surrounding area. Approval would therefore be contrary to Policies 24 and 71 of the Perth Area Local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000); would be contrary to Historic Scotlands Technical Guidance Notes 2011 (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas); and, to the Council's statutory duty in relation to Listed Buildings under Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

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 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

12/01051/1

12/01051/2

12/01051/3

12/01051/4

12/01051/5

12/01051/6

12/01051/7

12/01051/8

12/01051/9

12/01051/10

12/01051/11

12/01051/12

REPORT OF HANDLING

DELEGATED REPORT

Ref No	12/01051/FLL
Ward No	N1- Carse Of Gowrie

PROPOSAL: Installation of Solar Panels on roof of

LOCATION: View Bank High Street Errol Perth PH2 7QE

APPLICANT: Dr Roger And Jane Humphry

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 5 July 2012

OFFICERS REPORT:

Site Description:

The application site relates to View Bank, High Street, Errol. The application site, which falls within the Errol Conservation Area, refers to a two storey detached property of traditional form and appearance, clad in wet dash render with a pitched, slated roofline. The site has a large private garden ground with bounding in the form of a stone wall and beech hedge. Although the roof covering is relatively recent, this house has a good degree of historic and architectural character and consequently, is indicated as a building of merit in the Errol Conservation Area Appraisal.

Development Proposal:

This application seeks detailed Planning Consent for the installation of 16 solar panels, (Photovoltaics) in two rows, to be located on the roof of the south elevation. In terms of area, the solar panel array is approximately 8 metres in width and 3.3 metres in length.

Assessment:

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 Plans that are applicable to this area are the approved Tay Plan 2012 (Strategic Development Plan 2012 – 2032) and the adopted Perth Area Local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000). As a consequence of the site falling within the Stanley settlement envelope, the application falls to be assessed against Policies 24 and 71 of the Perth Area Local Plan 1995. Policy 24 (Conservation Areas) seeks to ensure that infill and other development will only be permitted where it would not affect the character or amenity of the Conservation Area. Policy 71 (Village Uses) seeks to ensure, among other criteria, "some scope may exist for infill development but only where this will not adversely affect the density, character or amenity of the area concerned."

The determining issues for this application are therefore: (i) Whether the proposal is in accordance with the relevant provisions of the Development Plan, (namely Policy 71 of the PALP 1995); and, (ii) Whether an exception to those provisions is justified by other material considerations.

For Listed Buildings, solar micro-renewable developments such as photovoltaic arrays such as this should be installed on inconspicuous areas of a roof and principal elevations should always be avoided.

Having inspected the application site and carefully assessed the submitted plans, I would assess the proposal as follows:-

Visual Amenity:

In terms of visual amenity, although the south elevation cannot be seen from High Street; the roof where the solar panels are proposed to be located is visible from nearby Southbank as well as a pedestrian route between High Street and Pond Green.

As a consequence, there are therefore, significant adverse visual amenity issues and consequently, a detrimental adverse visual impact on the character of the existing building and the Errol Conservation Area.

As a consequence of the building falling within the Errol Conservation Area, the principal consultee in this application is the Council's Conservation Section. In their comments, the Conservation Section have confirmed that they object to the proposed solar panels. 'The panels will cover a large proportion of the roof pitch and therefore, adversely affect the traditional character of this dwellinghouse and have a significant visual impact when viewed from Southbank.'

The application therefore, contravenes with the guidance contained in Policy 71 of the Perth Area Local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000) as a consequence of the adverse impact on the visual amenity of the existing building.

Conclusion:

Having taken cognisance of the relevant criterion, (both Policies 1 and 25), I consider the development is in contravention of the guidance contained within the Perth Area Local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000). As a consequence of the above mentioned material considerations, there is no reasoned justification for approving this application. On that basis, this application is recommended for refusal.

NATIONAL PLANNING POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through the National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars.

The Scottish Planning Policy 2010

This SPP is a statement of Scottish Government policy on land use planning and contains:

- The Scottish Government's view of the purpose of planning,
- The core principles of the operation of the system and the objectives for key parts of the system,
- Statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- Concise subject planning policies, including the implications for development planning and development management, and
- The Scottish Government's expectations of the intended outcomes of the planning system.

Of particular relevance to this application are paragraphs 110 – 125 on the Historic Environment.

DEVELOPMENT PLAN

The Development Plan for the area comprises the approved Tay Plan 2012 (Strategic Development Plan 2012 – 2032 and the adopted Perth Area Local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000). There are no strategic issues of relevance raised in the Tay Plan 2012 (Strategic Development Plan 2012 – 2032). In summary, the principal Development Plan policies are raised in the Highland Area Local Plan 2000. These are as follows:

Policy 24 **Perth Area Conservation Areas**

Policy 24 identifies existing Conservation Areas whose architectural or historic character will be retained. Infill and other development will only be permitted where it would not affect the character or amenity of the Conservation Areas.

Policy 71 **Perth Area Villages**

Policy 71 seeks to ensure, among other criteria, "some scope may exist for infill development but only where this will not adversely affect the density, character or amenity of the area concerned."

PERTH AND KINROSS COUNCIL LOCAL DEVELOPMENT PLAN – PROPOSED PLAN, JANUARY 2012

The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan scheme sets out the timescale and stages leading up to adoption. Currently undergoing a period of representation, the Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. This means that it is not expected that the Council will

be in a position to adopt the Local Development Plan before December 2014. It is therefore a material consideration in the determination of this application.

Under the LDP (Local Development Plan) and as a consequence of the site falling within the Errol Conservation Area, the relevant paragraph related to this application is Policy HE3 (a) – Conservation Areas.

OTHER POLICIES

None specific.

SITE HISTORY

11/02066/FLL Alterations and Erection of a replacement porch 26 January 2012
Application Permitted

CONSULTATIONS/COMMENTS

Conservation Team The Conservation Section object to this application.

TARGET DATE: 14 August 2012

REPRESENTATIONS RECEIVED:

None received.

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Not required
Report on Impact or Potential Impact e.g. Flood Risk Assessment	Not required

LEGAL AGREEMENT REQUIRED

None required

DIRECTION BY SCOTTISH MINISTERS

None required

REASON FOR REFUSAL:

- 1 The proposed development is considered to have a detrimental visual impact on the character and appearance of the building as well as the Errol Conservation Area. The proposal also creates an adverse impact on the amenity of the surrounding area. Approval would therefore be contrary to Policies 24 and 71 of the Perth Area Local Plan 1995 (Incorporating Alteration No. 1 Housing Land 2000); would be contrary to Historic Scotland's Technical Guidance Notes 2011 (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas); and, to the Council's statutory duty in relation to Listed Buildings under Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

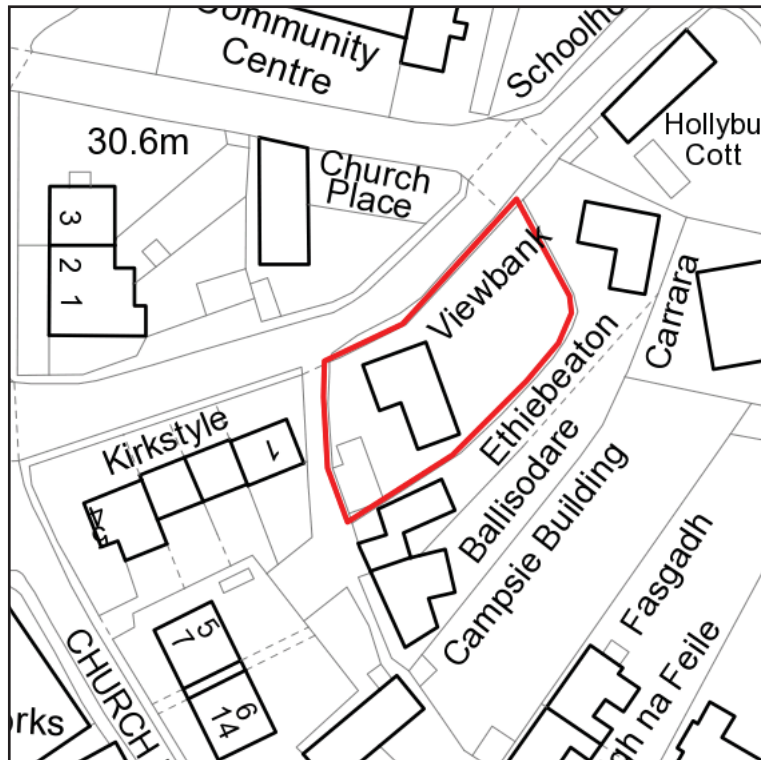
JUSTIFICATION :



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

PROCEDURAL NOTES:

None.

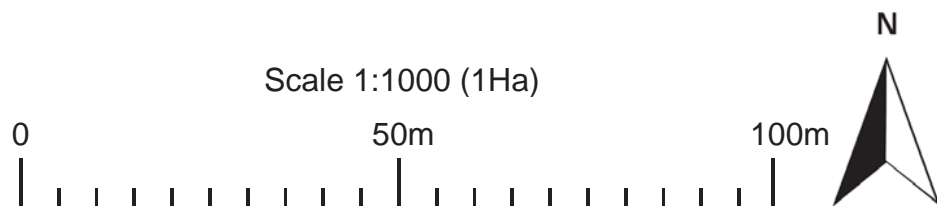
View Bank, High Street, Errol, Perth, PH2 7QE



	Application Boundary
	Land in Ownership

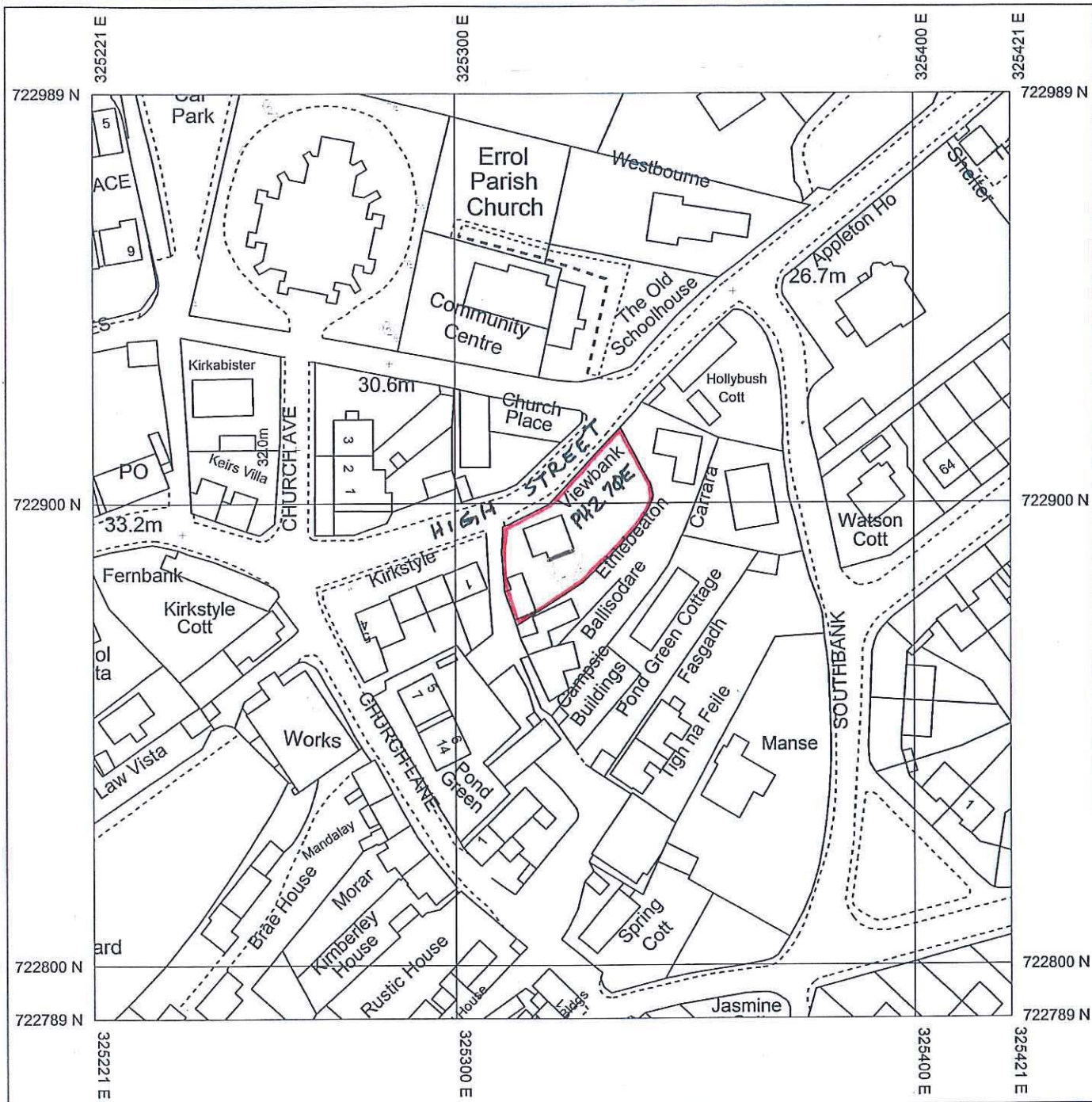
Information

Online Ref:
000041924
Date: 6/6/2012



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evidence of a right of way.

The representation of features as lines is no evidence
of a property boundary.

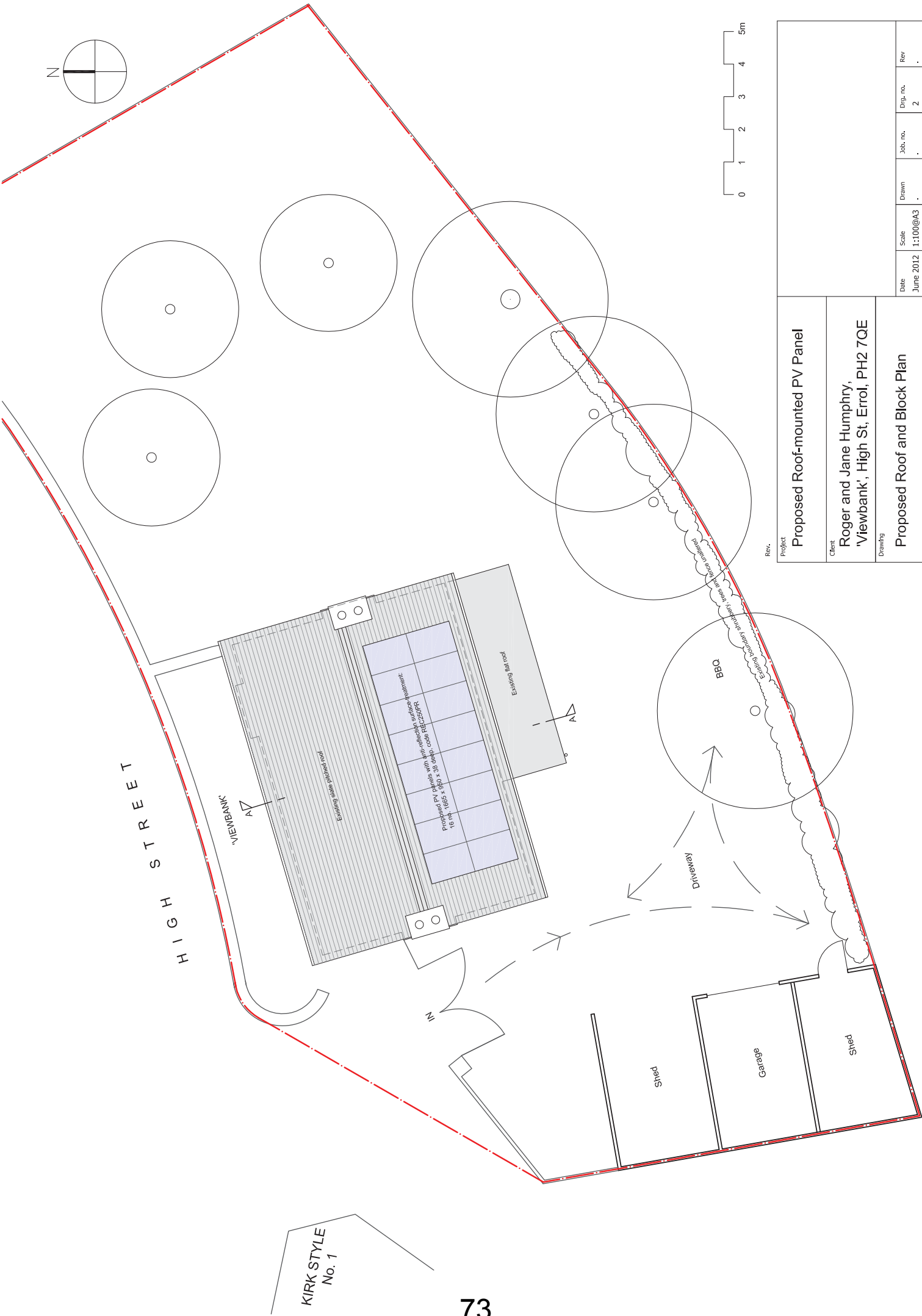


Scale 1:1250

Supplied By: **Danscot Perth**

Serial number: 001014207

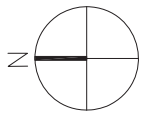
Plot Centre Coordinates: 325321, 722889



Rev.	Date	Scale	Drawn	Job. no.	Dwg. no.	Rev.
	June 2012	1:100@A3		.	2	.

Project	Proposed Roof-mounted PV Panel
Client	Roger and Jane Humphry, 'Viewbank', High St, Errol, PH2 7QE
Drawing	Proposed Roof and Block Plan

KIRK STYLE
No. 1



HIGH STREET

VIEWBANK

Garden

KIRK STYLE
No. 1

Existing slate pitched roof

Existing flat roof

Patio

Driveway

Shed

Garage

Shed

Rev.

Project

Proposed Roof-mounted PV Panel

Client

Roger and Jane Humphry,
'Viewbank', High St, Errol, PH2 7QE

Drawing

Existing Roof and Block Plan

Date
June 2012

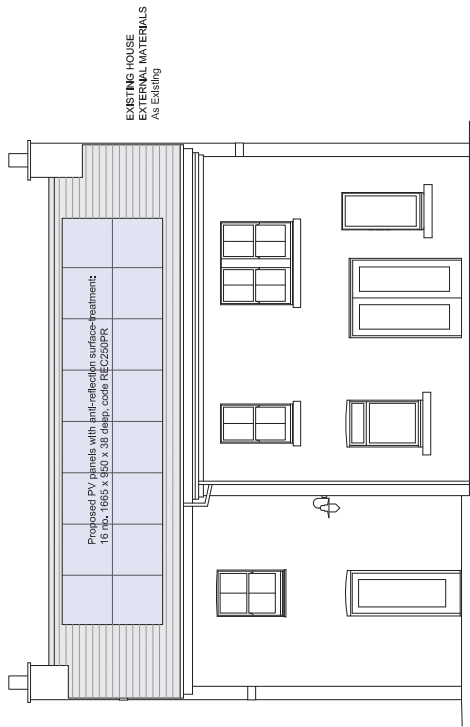
Scale
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Drawn
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Job. no.
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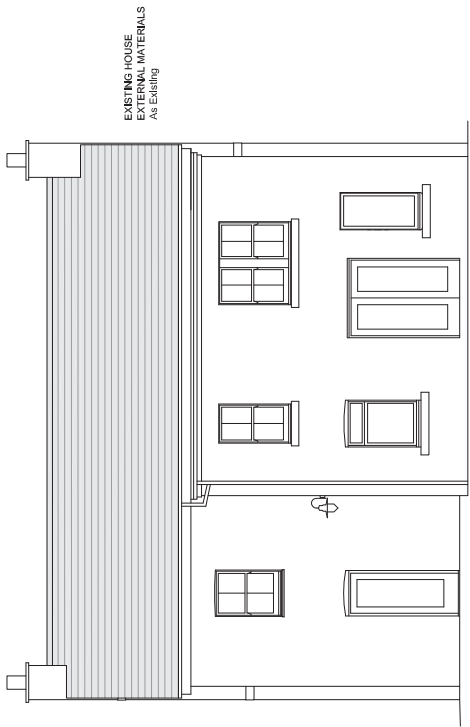
Dwg. no.
1

Rev.
.

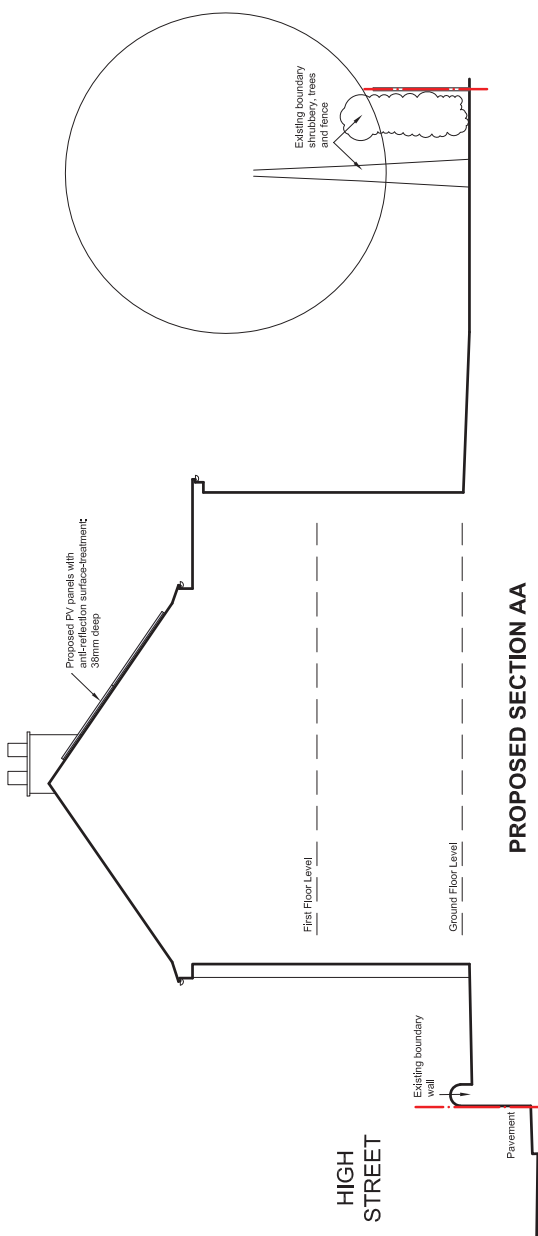


PROPOSED SOUTH ELEVATION

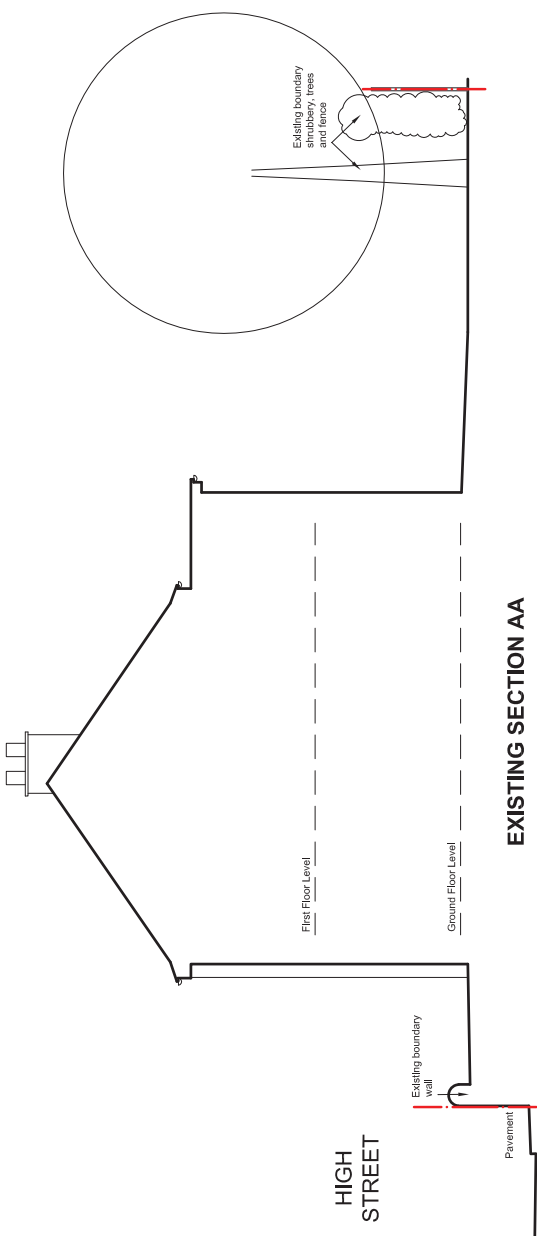
N.B. PV panel invisible from other elevations



EXISTING SOUTH ELEVATION



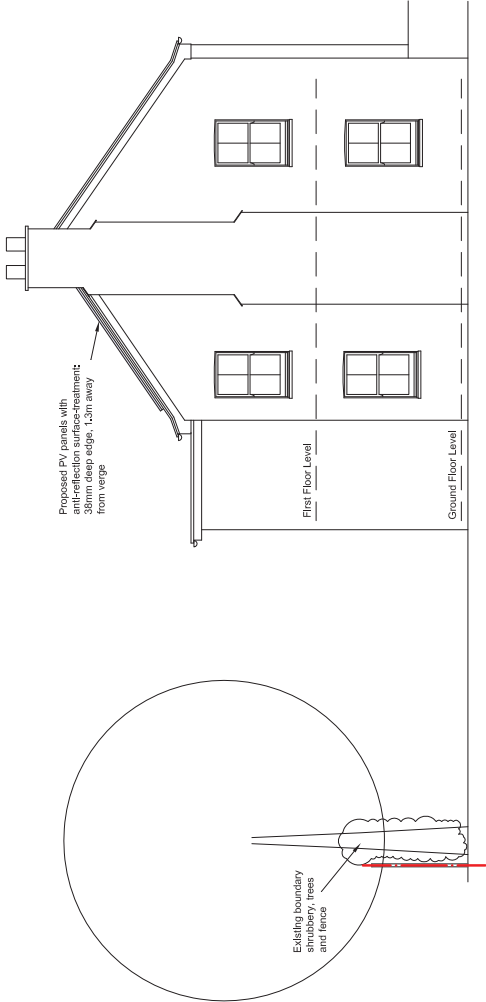
PROPOSED SECTION AA



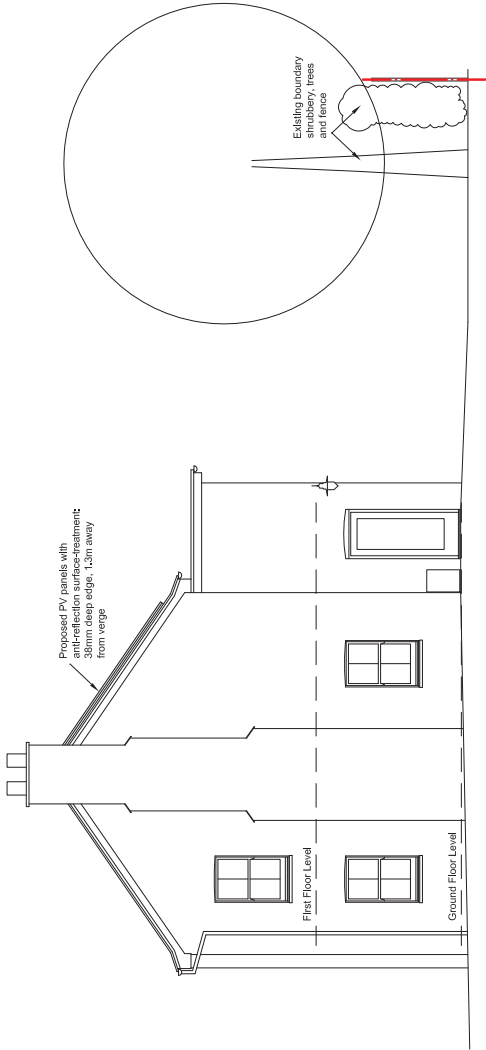
EXISTING SECTION AA

Rev.											
Project	Proposed Roof-mounted PV Panel										
Client	Roger and Jane Humphry, 'Viewbank' High St, Errol, PH2 7QE										
Drawing	Existing and Proposed South Elevation and Section AA										
Date	June 2012	Scale	1:100@A3	Drawn	.	Job. no.	.	Dwg. no.	3	Rev	.

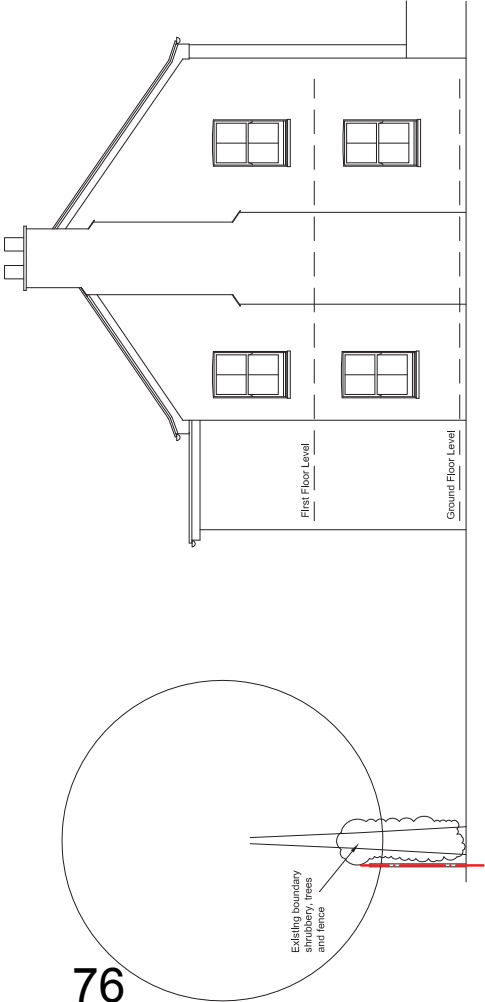




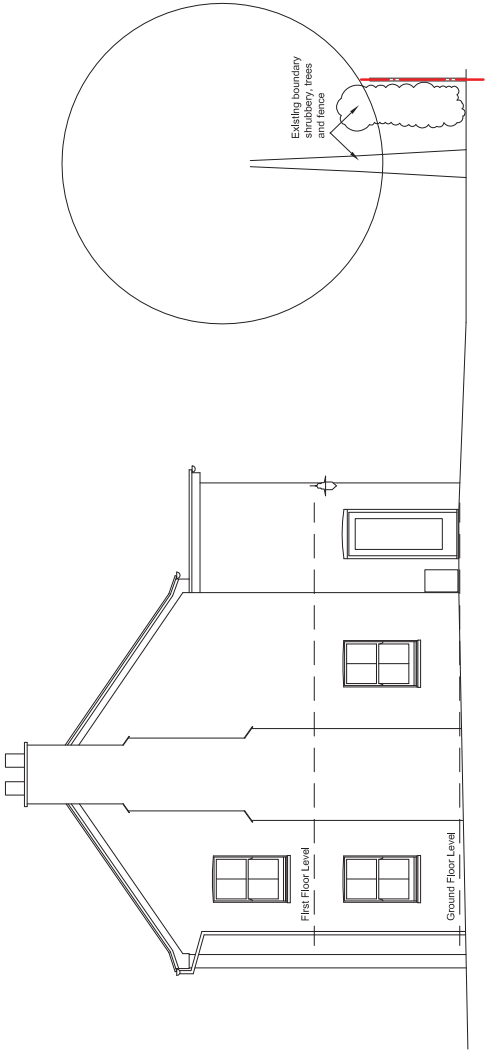
PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION

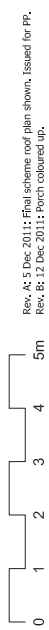


EXISTING EAST ELEVATION



EXISTING WEST ELEVATION

Rev.	Date	Scale	Drawn	Job. no.	Dwg. no.	Rev.
	June 2012	1:100@A3			4	
Project						
Proposed Roof-mounted PV Panel						
Client						
Roger and Jane Humphry, 'Viewbank' High St, Errol, PH2 7QE						
Drawing						
Existing and Proposed East and West Elevations						





REC 250w panel



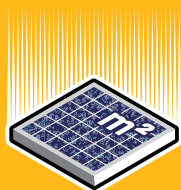




HIGH PERFORMANCE SOLAR MODULES

REC PEAK ENERGY SERIES

REC Peak Energy Series modules are the perfect choice for building solar systems that combine long lasting product quality with reliable power output. REC combines high quality design and manufacturing standards to produce high-performance solar modules with uncompromising quality.



**MORE POWER
PER M²**



**ROBUST AND
DURABLE DESIGN**

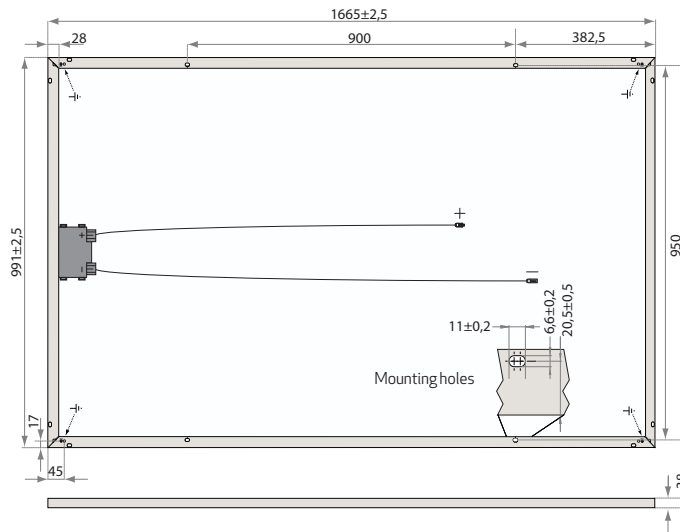


**ENERGY PAYBACK
TIME OF ONE YEAR**



**OPTIMIZED FOR ALL
SUNLIGHT CONDITIONS**

REC PEAK ENERGY SERIES



ELECTRICAL DATA @ STC

	REC225PE	REC230PE	REC235PE	REC240PE	REC245PE	REC250PE
Nominal Power - P_{MPP} (Wp)	225	230	235	240	245	250
Watt Class Sorting - (W)	0/+5	0/+5	0/+5	0/+5	0/+5	0/+5
Nominal Power Voltage - V_{MPP} (V)	28,9	29,2	29,6	29,9	30,2	30,5
Nominal Power Current - I_{MPP} (A)	7,79	7,88	7,96	8,04	8,12	8,20
Open Circuit Voltage - V_{OC} (V)	36,2	36,5	36,7	37,0	37,2	37,5
Short Circuit Current - I_{SC} (A)	8,34	8,43	8,51	8,60	8,68	8,76
Module Efficiency (%)	13,6	13,9	14,2	14,5	14,8	15,1

Values at standard test conditions STC (airmass AM1.5, irradiance 1000 W/m², cell temperature 25°C).

At low irradiance of 200 W/m² (AM1.5 and cell temperature 25°C) at least 97% of the STC module efficiency will be achieved.

ELECTRICAL DATA @ NOCT

	REC225PE	REC230PE	REC235PE	REC240PE	REC245PE	REC250PE
Nominal Power - P_{MPP} (Wp)	167	170	173	176	179	182
Nominal Power Voltage - V_{MPP} (V)	26.6	26.8	27.1	27.3	27.6	27.9
Nominal Power Current - I_{MPP} (A)	6.27	6.33	6.39	6.45	6.51	6.56
Open Circuit Voltage - V_{OC} (V)	33.4	33.6	33.8	34.1	34.3	34.5
Short Circuit Current - I_{SC} (A)	6.79	6.85	6.90	6.96	7.01	7.06

Nominal cell operating temperature NOCT (800 W/m², AM1.5, windspeed 1 m/s, ambient temperature 20°C).

CERTIFICATION



Certified to IEC 61215 & IEC 61730, IEC 62716 (ammonia resistance) & IEC 61701 (salt mist - severity level 6).



Member of PV Cycle

WARRANTY

10 year product warranty
25 year linear power output warranty
(max. degradation in performance of 0.7% p.a.)

15.1% EFFICIENCY

10 YEAR PRODUCT WARRANTY

25 YEAR LINEAR POWER OUTPUT WARRANTY

TEMPERATURE RATINGS

Nominal Operating Cell Temperature (NOCT)	47.9°C (±2°C)
Temperature Coefficient of P_{MPP}	-0.43 %/°C
Temperature Coefficient of V_{OC}	-0.33 %/°C
Temperature Coefficient of I_{SC}	0.074 %/°C

GENERAL DATA

Cell Type	60 REC PE multi-crystalline cells 3 strings of 20 cells - 4 by-pass diodes
Glass	3.2 mm solar glass with anti-reflection surface treatment by Sunarc Technology
Back Sheet	Double layer highly resistant polyester
Frame	Anodized aluminium
Junction box	IP67
Cable	4mm ² solar cable, 0.90m +1.20m
Connectors	Hosiden 4mm ² (HSC 2009/2010) MC4 connectable

MAXIMUM RATINGS

Operational Temperature	-40 ... +80°C
Maximum System Voltage	1000V
Maximum Snow Load	550 kg/m ² (5400 Pa)
Maximum Wind Load	244 kg/m ² (2400 Pa)
Maximum Series Fuse Rating	25A
Maximum Reverse Current	25A

MECHANICAL DATA

Dimensions	1665 x 991 x 38 mm
Area	1.65 m ²
Weight	18 kg

Note! Specifications subject to change without notice.

REC is a leading vertically integrated player in the solar energy industry. Ranked among the world's largest producers of polysilicon and wafers for solar applications and a rapidly growing manufacturer of solar cells and modules, REC also engages in project development activities in selected PV segments. Founded in Norway in 1996, REC is an international solar company employing about 3,700 people worldwide with revenues of about EUR 1.7 billion in 2011. Visit www.recgroup.com to learn more about REC.



www.recgroup.com

TCP/11/16(214)
Planning Application 12/01051/FLL – Installation of solar panels on roof of View Bank, High Street, Errol, PH2 7QE

REPRESENTATIONS

- Representation from Conservation Officer, dated 11 July 2012

Memorandum

To Philip Sweeney
Planning Officer

From Richard Welch, Conservation Officer,
Conservation & Regeneration Section

Your ref 12/01051/FLL

Our ref

Date 11 July 2012

Tel No 76598

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Installation of solar panels on roof: View Bank, High Street, Errol (12/01051/FLL) Conservation Officer comments

This traditional dwelling-house is located within Errol Conservation Area. Although the roof covering is relatively recent this house has a good degree of historic and architectural character and is indicated as a building of merit in the Errol Conservation Area Appraisal.

The proposal is to install 16 PV panels in two rows on the roof of the south elevation. The south elevation cannot be seen from High Street. However, this roof can be seen from Southbank and also from a pedestrian route between High Street and Pond Green.

The panels will cover a large proportion of the roof pitch and in my view will adversely affect the traditional character of this dwelling-house and have a significant visual impact when viewed from Southbank. The character and appearance of the conservation area will be compromised as a result.

The location of free-standing PV panels within the garden grounds could be discussed as a possible alternative option.

Richard Welch
Conservation Officer
Conservation & Regeneration Section

