

4(v)(b)

LRB-2024-08

**LRB-2024-08 - 23/01675/FLL - Installation of solar panels,
The Cottage, Leslie Road, Scotlandwell, Kinross, KY13 9JE**

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS



Mrs Lynn Hatch
c/o Sidey Ltd
Ross Allan
53 Feus Road
Perth
PH1 2AS

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **13th December 2023**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **23/01675/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 17th October 2023 for Planning Permission for **Installation of solar panels The Cottage Leslie Road Scotlandwell Kinross KY13 9JE.**

David Littlejohn
Strategic Lead (Economy, Development and Planning)

Reasons for Refusal

1. The proposed solar panels, by virtue of their modern design, scale, maximum height and prominent siting, would have a detrimental impact on the character and appearance of the Scotlandwell 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 solar panels, by virtue of their modern design, scale, maximum height and prominent siting, would be detrimental to the traditional character and appearance of the dwellinghouse and detrimental to the character and appearance of the Scotlandwell Conservation Area.

Approval would therefore be contrary to Policies 7(d), 11 and 16(g)(i) of National Planning Framework 4; contrary to Policies 1A, 1B(c), 28A and 33A(a) of Perth and Kinross Local Development Plan 2; and contrary to Historic Environment Scotland's guidance "Managing Change in the Historic Environment: Micro-renewables" and "Managing Change in the Historic Environment: Roofs".

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

1. There are no relevant informatives.

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

REPORT OF HANDLING

DELEGATED REPORT

Ref No	23/01675/FLL	
Ward No	P8- Kinross-shire	
Due Determination Date	16th December 2023	
Draft Report Date	8th December 2023	
Report Issued by	DR	Date 8 th December 2023

PROPOSAL: Installation of solar panels

LOCATION: The Cottage Leslie Road Scotlandwell Kinross KY13 9JE

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

The application property is a traditional 1 ½ storey detached dwellinghouse situated in Scotlandwell Conservation Area. The property is in a residential area of Scotlandwell and sits opposite the junction of Leslie Road and Bankfoot Park. Full planning permission is sought to install 10 solar panels on the principal (south) elevation of the dwellinghouse.

SITE HISTORY

93/01316/FUL EXTENSIONS TO FORM 1 HOUSE FROM 2 COTTAGES AT 28
October 1993 Application Approved

PRE-APPLICATION CONSULTATION

Pre application Reference: n/a

DEVELOPMENT PLAN

The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

National Planning Framework 4

The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4 :

Policy 7: Historic Assets and Places

Policy 11: Energy

Policy 16: Quality Homes

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: Renewable and Low Carbon Energy: New Proposals for Renewable and Low-Carbon Energy

OTHER POLICIES

Non Statutory Guidance

- [Conservation areas](#)
- [Supplementary Guidance - Renewable & Low Carbon Energy](#) (draft)

NATIONAL GUIDANCE

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

Planning Advice Notes

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management

OTHER POLICIES AND GUIDANCE

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".

CONSULTATION RESPONSES

Environmental Health (Noise Odour)

No objection. Given the orientation and the size of the solar panels 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.

REPRESENTATIONS

No representations were received.

Additional Statements Received:

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	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 comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

In this instance, 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 existing domestic dwellinghouses are generally considered to be supportable 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 place.

Assessment of the proposal against the relevant policies is provided below.

Renewable Energy

It is appreciated that the applicant wishes to improve the energy efficiency of the dwellinghouse and the installation of solar panels at the property would undoubtedly make a positive contribution towards the reduction of greenhouse gas emissions and associated climate change impacts.

Policy 11: Energy of NPF4 encourages renewable energy provided impacts on the historic environment have been addressed and mitigated. Similarly, Policy 33A: New Proposals for Renewable and Low-Carbon Energy of LDP supports the development of renewable and low-carbon sources of energy subject to the impacts on visual amenity and the historic environment being taken into account. The Council's draft Renewable and Low Carbon Energy Supplementary Guidance provides further guidance on the criteria of Policy 33A including:

“Roof mounted technology ... and their installation, may impact on ... the appearance and setting of ... conservation areas. These should be carefully installed and discreetly sited to not detract from the historic character or settings.”

For the reasons detailed below, the proposal is detrimental to the historic environment. As such, the proposal is contrary to Policy 11 of NPF4 and Policy 33A of LDP2.

Notwithstanding the above, there does appear to be some scope to install solar panels elsewhere within the application site that would respect the historic environment. Given the size of the rear curtilage of the property, it may be possible to install ground mounted solar panels or to install them on the roof an outbuilding.

Design, Layout and Visual Amenity

The application property is a traditional dwellinghouse that retains much of its original character. Half of the south facing roof plane has a slate roof with two traditional style dormers, while the other half has a tiled roof with three rooflights. The south elevation of the dwellinghouse has stone walls.

The house sits in a prominent position on the northern side of Leslie Road, one of the main roads running through Scotlandwell, and opposite the junction of Leslie Road and Bankfoot Park.

The ten proposed solar panels are of a standard design. Four of them are to be installed in a group on the slate roof between the existing dormers. They will cover almost the full height of the roof plane. The remaining six panels are to be installed in three pairs and again they will cover almost the full height of the roof plane. The three pairs of solar panels will be irregularly spaced across the roof to take account of the existing rooflights.

The modern design and materials of the solar panels will be an incongruous addition to the traditional character of the south elevation of the house. Due to their design, scale and maximum height, they will be visually prominent and will be detrimental to the character of the house and the surrounding area.

The proposal would have a detrimental impact on the character and environmental quality of the application property and the surrounding area in terms of size, design and materials. As such, the proposal is contrary to Policy 16(g)(i) of NPF4 and contrary to Policies 1A and 1B(c) of LDP2.

Conservation Considerations

Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Council as planning authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of designated conservation areas. Due to their modern design, scale, maximum height and prominent siting, the proposed solar panels would be detrimental to the character and appearance of the Scotlandwell Conservation Area. Approval of this application would therefore be contrary to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Due to the impacts on the character and appearance of the conservation area, the proposal is contrary to Policy 7(d) of NPF4 and Policy 28A of LDP2.

Due to the modern design and the prominent siting, the proposed solar panels fail to protect the historic character of the place. As such, the proposal fails to comply with Historic Environment Scotland's guidance "Managing Change in the Historic Environment: Micro-renewables".

The proposed solar panels would have a significant and detrimental impact on the historic character and appearance of both the roof and the house. As such, the

proposal fails to comply with Historic Environment Scotland's guidance "Managing Change in the Historic Environment: Roofs".

Residential Amenity

Given the orientation and the size of the solar panels and that this would be a domestic installation at roof height, it is unlikely that residential amenity would be adversely affected by glint or glare. As such, the proposal is in accordance with Policy 16(g)(ii) of NPF4 and Policy 17 of LDP2.

Developer Contributions

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

Economic Impact

It is expected that the proposal would bring some economic benefit to the owners of the property.

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 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 Development Plan.

Accordingly the proposal is refused on the grounds identified below.

Reasons for Refusal

1. The proposed solar panels, by virtue of their modern design, scale, maximum height and prominent siting, would have a detrimental impact on the character and appearance of the Scotlandwell 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.

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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.

Informatives

- 1 There are no relevant informatives.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01

02

03



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100647276-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Installation of Solar Panel Array

Has the work already been started and/ or completed? *

No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

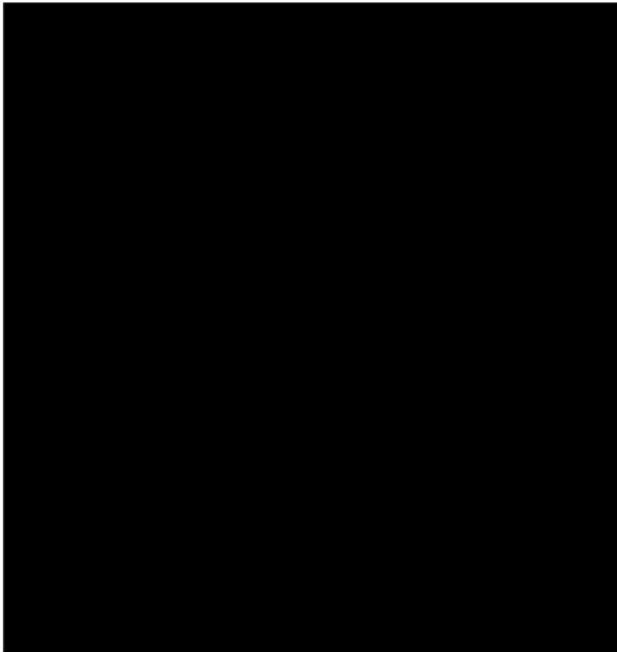
Company/Organisation:	Sidey Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Ross	Building Name:	<input type="text"/>
Last Name: *	Allan	Building Number:	53
Telephone Number: *	<input type="text"/>	Address 1 (Street): *	Feus Road
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Perth
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	PH1 2AS
Email Address: *	<input type="text"/>		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mrs	
Other Title:	<input type="text"/>	
First Name: *	Lynn	
Last Name: *	Hatch	
Company/Organisation	<input type="text"/>	
Telephone Number: *	<input type="text"/>	
Extension Number:	<input type="text"/>	
Mobile Number:	<input type="text"/>	
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

THE COTTAGE

Address 2:

LESLIE ROAD

Address 3:

SCOTLANDWELL

Address 4:

Address 5:

Town/City/Settlement:

KINROSS

Post Code:

KY13 9JE

Please identify/describe the location of the site or sites

Northing

701651

Easting

318786

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

≤ Yes **T** No

Trees

Are there any trees on or adjacent to the application site? *

≤ Yes **T** No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

≤ Yes **T** No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

≤ Yes **T** No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Ross Allan

On behalf of: Mrs Lynn Hatch

Date: 04/10/2023

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

Existing and Proposed elevations.

Existing and proposed floor plans.

Cross sections.

Site layout plan/Block plans (including access).

Roof plan.

Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

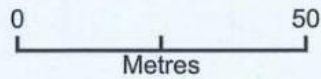
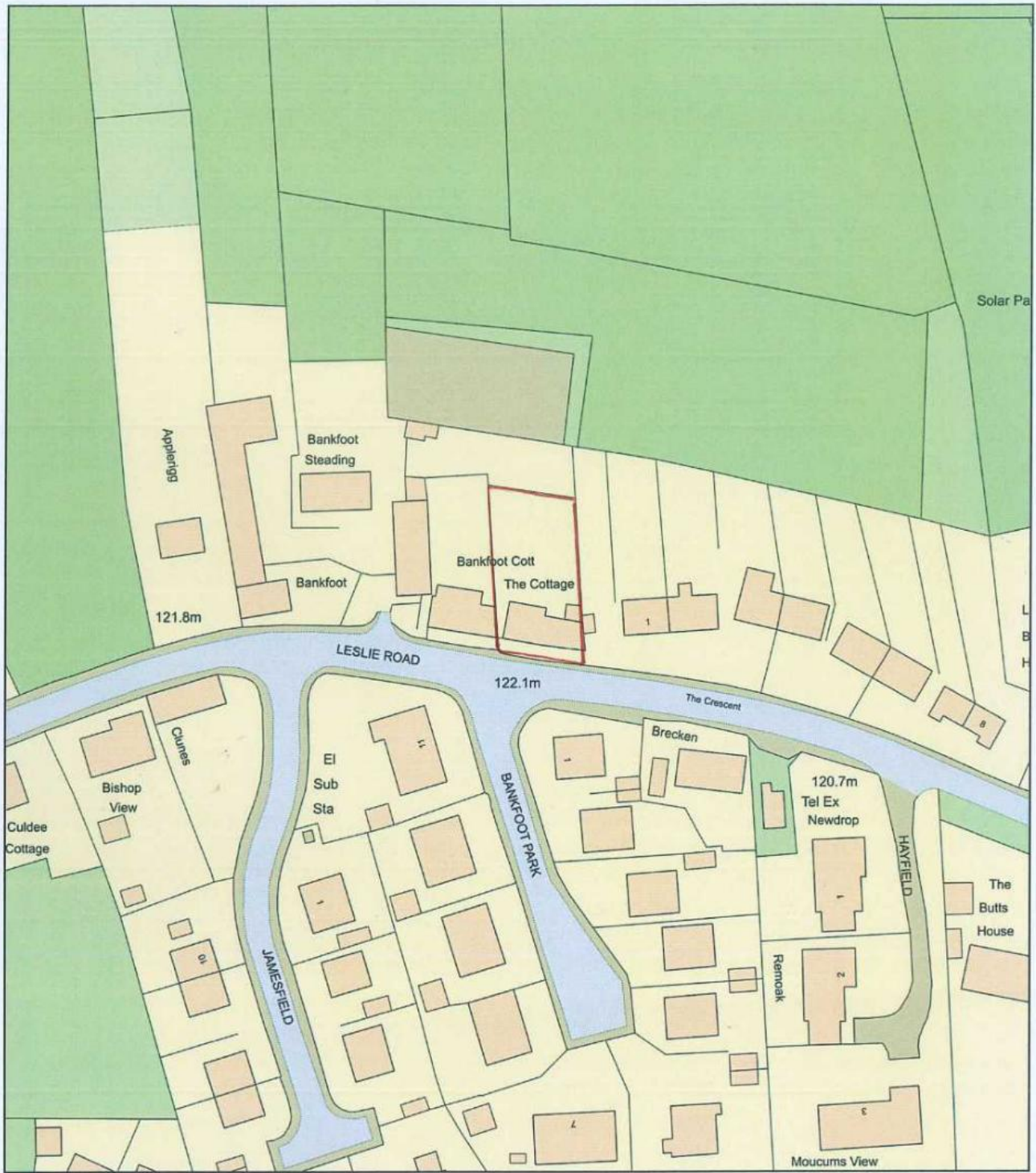
Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Ross Allan

Declaration Date: 04/10/2023

Site Location Plan

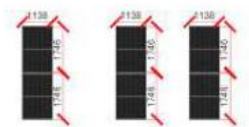
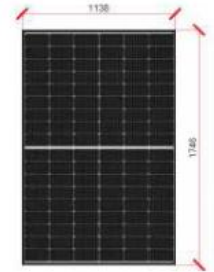
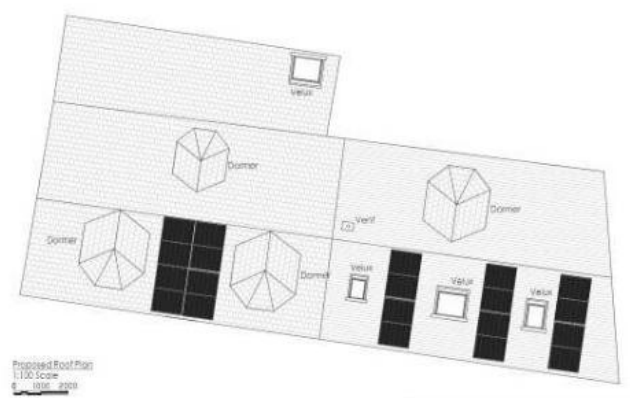
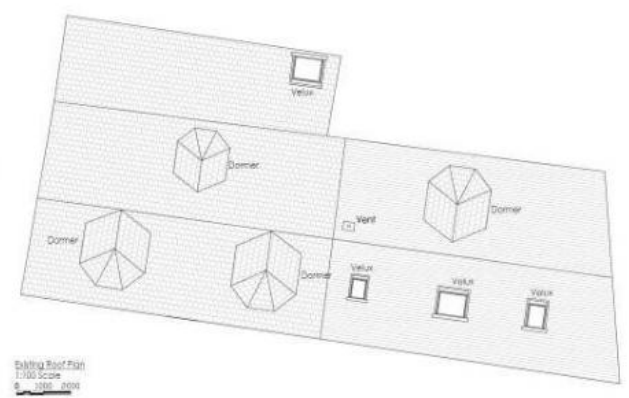
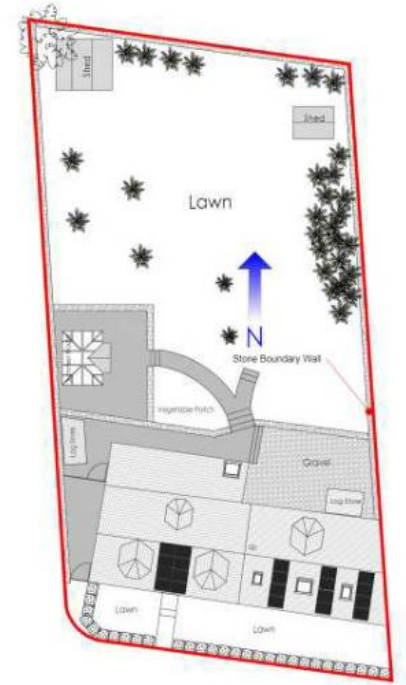
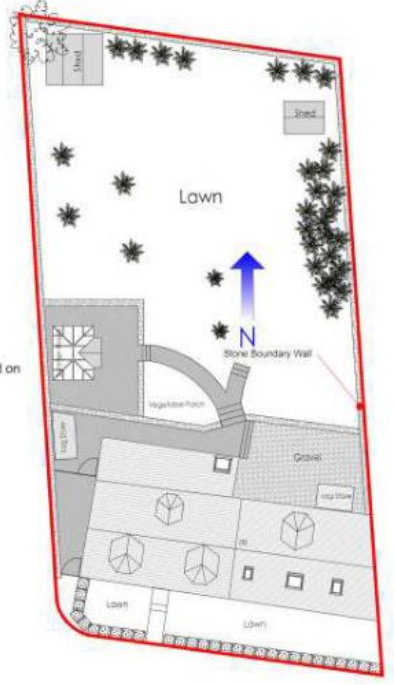


Plan Produced for: Sidey Solutions
Date Produced: 12 Sep 2023
Plan Reference Number: TQRQM23255155025831
Scale: 1:1250 @ A4



Specification:

- Proposed PV Panel Installation
- 10 No Longi HiMo5 405W All Black Mono Solar Panels to be installed on Fastenof Rail System



Project Proposed Solar Panel Install	Drawn Roof Plan, Elevations, Back Plan	PROPOSED DATE For Approval																				
Date September 2023																						
Scale 1:2, 1:10, 1:20, 1:50, 1:100																						
<table border="1"> <thead> <tr> <th>LEVELS & LOCATIONS</th> <th>SEQUENCE NUMBER</th> <th>REV</th> <th>PAGE</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		LEVELS & LOCATIONS	SEQUENCE NUMBER	REV	PAGE																	
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Hi-MO **5m**

LR5-54HIB 390~410M

- Suitable for distributed projects
- Advanced module technology delivers superior module efficiency
 - M10 Gallium-doped Wafer
 - Integrated segmented ribbons
 - 9-busbar Half-cut Cell
- Excellent outdoor power generation performance
- Aesthetic appearance with all black module design



12-year Warranty for
Materials and Processing



25-year Warranty for Extra
Linear Power Output

Complete System and Product Certifications

IEC 61215, IEC 61730, UL 61730

ISO 9001:2015: ISO Quality Management System

ISO 14001: 2015: ISO Environment Management System

TS62941: Guideline for module design qualification and type approval

ISO 45001: 2018: Occupational Health and Safety

LONGI



21.0%
MAX MODULE
EFFICIENCY

0~3%
POWER
TOLERANCE

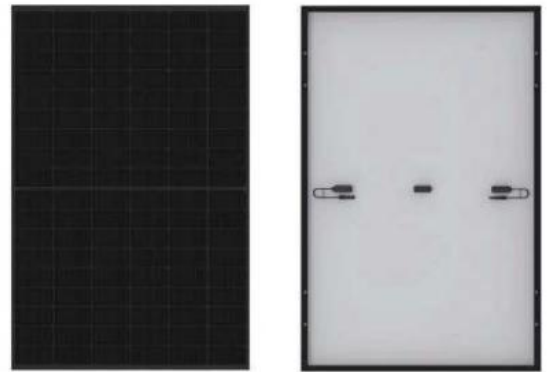
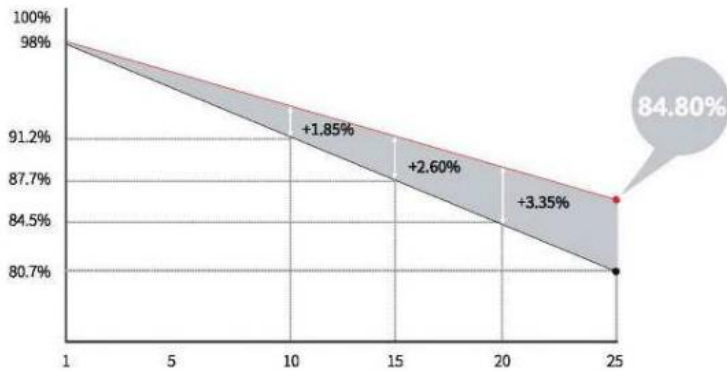
<2%
FIRST YEAR
POWER DEGRADATION

0.55%
YEAR 2-25
POWER DEGRADATION

HALF-CELL
Lower operating temperature

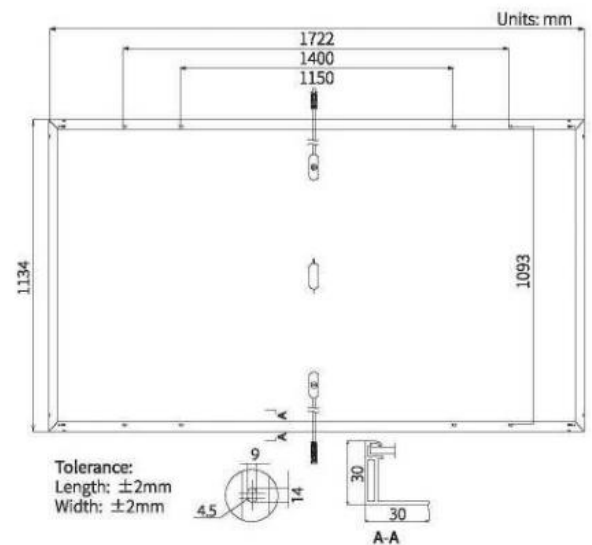
Additional Value

25-Year Power Warranty



Mechanical Parameters

Cell Orientation	108 (6×18)
Junction Box	IP68, three diodes
Output Cable	4mm ² , +400, -200mm length can be customized
Glass	Single glass, 3.2mm coated tempered glass
Frame	Anodized aluminum alloy frame
Weight	21.5kg
Dimension	1722×1134×30mm
Packaging	36pcs per pallet / 216pcs per 20' GP / 936pcs per 40' HC



Electrical Characteristics

STC : AM1.5 1000W/m² 25°C

NOCT : AM1.5 800W/m² 20°C 1m/s

Test uncertainty for Pmax: ±3%

Module Type	LR5-54HIB-390M		LR5-54HIB-395M		LR5-54HIB-400M		LR5-54HIB-405M		LR5-54HIB-410M	
	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT
Testing Condition	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT
Maximum Power (Pmax/W)	390	293.0	395	296.7	400	300.5	405	304.2	410	308.0
Open Circuit Voltage (Voc/V)	36.50	34.32	36.65	34.46	36.80	34.61	36.95	34.75	37.10	34.89
Short Circuit Current (Isc/A)	13.45	10.91	13.55	10.99	13.66	11.08	13.74	11.15	13.84	11.23
Voltage at Maximum Power (Vmp/V)	30.80	28.67	30.95	28.81	31.10	28.95	31.25	29.09	31.40	29.23
Current at Maximum Power (Imp/A)	12.67	10.22	12.77	10.30	12.87	10.39	12.96	10.46	13.06	10.54
Module Efficiency(%)	20.0		20.2		20.5		20.7		21.0	

Operating Parameters

Operational Temperature	-40°C ~ +85°C
Power Output Tolerance	0 ~ 3%
Voc and Isc Tolerance	±3%
Maximum System Voltage	DC1000V (IEC/UL)
Maximum Series Fuse Rating	25A
Nominal Operating Cell Temperature	45±2°C
Protection Class	Class II
Fire Rating	UL type 1 or 2 IEC Class C

Mechanical Loading

Front Side Maximum Static Loading	5400Pa
Rear Side Maximum Static Loading	2400Pa
Hailstone Test	25mm Hailstone at the speed of 23m/s

Temperature Ratings (STC)

Temperature Coefficient of Isc	+0.050%/°C
Temperature Coefficient of Voc	-0.265%/°C
Temperature Coefficient of Pmax	-0.340%/°C