

Statement to be enclosed in the review appeal application for Muirfield solar panels.

1. Introduction

We are seeking a review of our clients, Mr and Mrs K Bowlts, application to install solar panels to their property, Muirfield, 27 Forteath Avenue, Elgin.

The application for full planning permission was refused on 10th July 2012. The proposal initially received support from the Planning Officer but unfortunately her line manager did not agree with her recommendations and we were asked to consider lowering the angle of the panels.

This would obviously lessen the efficiency of the solar panels and our response was aimed at demonstrating that the impact of the panels on the roof is minimal.

We would like the Local Review Body to consider the visual impact of the panels on the roof, as we do not agree that there is an unacceptable impact in terms of visual appearance. The position of the proposed panels was carefully selected and as such should be supported.

2. Visual Impact

With this review application, we have attached further marked up photos that illustrate the panels viewed from Forteath Avenue, Wards Road and Mayne Road.

The proposed solar panels are barely visible as demonstrated and from some views are not seen at all.

The height of the proposed panels is 1.01m at 30°. With their supporting structure the overall height above the flat roof would just be over the one metre "bubble" of the permitted development rights and not require planning consent.

Our comments regarding the visual impact are as follows:-

- ◆ the position of the panels located towards the centre of the overall roof plan and with the existing house being two and a half storeys high, the inclined panels are foreshortened in perspective and appear just over the existing railings;
- ◆ the/

- ◆ the iron railings allow some masking of the dark coloured panels. These already rise above the flat roof ridge with the horizontal element approximately 350mm higher and the finials higher still;
- ◆ the panels are simple rectangular and flat and do not detract from the unique design of the existing house;
- ◆ the extent of the panels is confined to the flat roof and contained within the railing “parapet”.

3. Reasons for Proposed Position of Solar Panels

The position of the panels was selected carefully and proposed for the following reasons:-

- ◆ south facing position maximising solar gain, this is the only area of roof that is south facing and is large enough to accommodate the panels;
- ◆ they can be contained within the iron railings “parapet” and not randomly over the roof planes;
- ◆ the iron railings allow some masking of the dark coloured panels. The iron railings already rise above the flat roof ridge;
- ◆ panels are located directly above the storage cylinder minimising heat loss due to a length of pipe work that needs to be additionally insulated where panels are erected on independent outbuildings or free standing in the garden.

We have included a marked up photograph illustrating the proposed solar panels located in the south facing front garden and would say that having the proposed panels in this location is more visually intrusive than on the roof.

These marked up photographs illustrate that the visual impact of the panels is minimal. We agree with the comments made on the report that the existing house is set in a prominent position in the middle of the rise from Wards Road to Forteach Avenue to Mayne Road and also has a prominence in the streetscape due to its size and unique design. Given the scale of the existing house the proposed solar panels are a small ancillary feature and mostly out of sight.

4. Policies

We disagree with the Planning Officers observations and comments that the proposals are contrary to policies ER1, H5 and IMP1. Their comments with regards to visual impact are subjective.

ER1/

ER1 – Renewable Energy Proposals

Planning Officers Observations

“Renewable energy proposals will be considered favourably where they enhance the built and natural environment and do not result in an unacceptable impact in terms of visual appearance”

We have demonstrated with the attached marked up photographs that the visual impact on the building is minimal.

The Scottish Executive’s specific advice sheet on Microgeneration advises that *“Scottish Planning Policy (SPP) supports investment in renewable energy projects at all scales of development including microgeneration.”*

“Microgeneration has an important role to play in reducing carbon emissions from both domestic and commercial properties. Microgeneration technologies can contribute towards our national targets for reducing greenhouse emissions by 80% by 2050 as required by the Climate Change (Scotland) Act.”

The now revoked PAN 45 advised that *“The average domestic solar hot water system can reduced CO2 emissions by 0.25-0.5 tonne per year, depending of the fuel replaced and provide almost all of the home’s hot water during the summer months.”*

With regard to Scottish Planning Policy (SPP) – Renewable Energy – *“Development plans should also encourage microgeneration projects including those associated with or fitted to existing buildings.”*

H5 – House Alterations and Extension

Planning Officers Observations

“House alterations and extensions would normally be approved if the appearance of the house and the surrounding area is not adversely affected in terms of style, scale, proportions or materials. This policy is aimed to discourage badly designed extensions and alterations and intended to safeguard the character and amenity of established residential areas.”

Our/

Our comments are that the appearance of the house and surrounding area is not adversely affected by the mounting of the solar panels on the flat roof. The alteration which is proposed has been carefully considered and is contained and partially masked behind the iron railings. There is no change to the style and materials of the existing dwellinghouse. Set against the scale of the house, the proposed solar panels will be a small ancillary feature and mostly out of sight. There is no reduction in the quality of the residential built environment.

Policy IMP 1 – Development Requirements

Planning Officers Observations

“The scale, density and character must be appropriate to the surrounding area.”

Quoting from the Local Plan *“New development will be required to be sensitively sited, designed and serviced appropriate to the amenities of the surrounding area. It must follow the following criteria:-*

- ◆ *The scale, density and character must be appropriate to the surrounding area.*
- ◆ *The development should, where appropriate, demonstrate how it will incorporate renewable energy systems and sustainable design and construction.*

Justification

The quality of development in terms of its siting, design and servicing is a priority consideration within the Plan. In the first instance, development needs to be suitable to the surrounding built and natural environment. Particular emphasis is placed on the incorporation of renewable energy equipment and systems.”

Whilst we appreciate that not all solar systems should automatically receive consent, this proposal has been carefully positioned as noted above and you will see from the photographs it is barely seen.

5. Support for Renewable Energy Proposals

- ◆ To date there is no published guidance from Moray Council specifically on solar panels but we would assume that National Planning Policy would be followed which acknowledges increased use of renewable energy as it makes an important contribution to the efforts to reduce carbon emissions in support of climate change in renewable energy objectives.
- ◆ There/

- ◆ There are now many examples in Moray of roof mounted hot water and photovoltaic panels on pitched roofs that do not require planning consent as these are not any higher than 10cm above the roof plane and from February 2012 are categorised as permitted development. Whilst the use of renewable energy should be applauded there is no control over the position of these panels other than generally south facing and we now see panels on multiple roof slopes and with no regard to symmetry, existing roof lights, dormers, etc. In this application we have carefully controlled the proposed location being partially masked by the railings rather than an ad hoc retrofit.
- ◆ In proposing these solar panels to be the primary heat source for the hot water, Mr and Mrs Bowlt will incur a higher installation cost as well as professional fees for this planning application and a Building Warrant application rather than using their gas fired boiler as their only source to heat the water. They do feel however that this contribution to the introduction to fossil fuels to their house is worth undertaking.

6. Conclusion

Our marked up photographs unfortunately do not show the proposals viewed from the higher floor levels of the neighbouring houses on Mayne Road, although it is worthy of noting that there were no objections from these or any neighbours.

We therefore would wish the Local Review Body to review the application. We are happy to provide further information, attend hearing sessions and accompany the body to inspect the site.

The review site can be inspected unaccompanied, but please note that the railings have been removed from site for repair and have not yet been reinstated.