



**MINUTES OF THE MEETING OF THE  
LOCAL REVIEW BODY**

**THURSDAY 31 AUGUST 2017  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Committee Members Present:**

Councillor N Hampshire (Chair)  
Councillor McMillan  
Councillor S Kempson

**Advisers to the Local Review Body:**

Mr I McFarlane, Planning Adviser to the LRB  
Mr C Grilli, Legal Adviser/Clerk to the LRB

**Others Present**

Mr L Taylor, ELC Planning Policy Officer  
Mr N McFarlane, ELC Transportation Planning Officer (Items 1 and 2)  
Mrs Houghton, Applicant

**Committee Clerk:**

Mrs F Stewart

**Declarations of Interest**

None

**Apologies**

Councillor Innes  
Councillor O'Donnell  
Councillor Trotter

Councillor Hampshire, elected to chair the meeting by his colleagues, welcomed everyone to the meeting. 0

The Chair advised that a site visit for today's planning application had been carried out prior to the meeting.

Following a presentation from the Planning Adviser, Members would decide if they had sufficient information before them to reach a decision today. Should Members decide they had sufficient information, it was open to them to uphold for the reason given in the Decision Notice or uphold for a different reason. It was also open to them to overturn the original decision with or without conditions.

Members had received the applicant's Notice of Review and supporting documents together with the Council's submission. Members had also had full access to the planning files for each application.

**1. PLANNING APPLICATION 17/00158/P- REVIEW AGAINST DECISION (REFUSAL) INSTALLATION OF SOLAR PANELS TO THE REAR SOUTH FACING ROOF OF PROPERTY AT COURTYARD COTTAGE, 2 REDSIDE FARM STEADING, NORTH BERWICK**

Iain McFarlane, Planning Adviser, stated that a drawing in the Council Officer's report showed the proposals in detail and information had been provided on how the solar panels would be installed. He advised that Members had had the opportunity to see the south facing elevation on the site visit and had also viewed the roof slope through the archway to the steading. The Planning Adviser stated that the key determining factor in considering this application was whether the proposed solar panels would be so significantly harmful as to warrant refusal of the application. Members could also consider whether it was appropriate to introduce such fabric to a Listed Building.

The Chair invited questions from Members and Councillor McMillan enquired if the proposals could be viewed as sustaining or enabling development, as he understood that the applicants were seeking a solution to high energy bills. The Planning Adviser stated that the application needed to be viewed in the context of the applicant electing to change the use of the property from agricultural to residential. The applicants had argued that the high cost of energy had created a need to reduce energy costs, but in planning terms, this was not strictly a material consideration. However, Members could decide how much weight they wished to attach to this. The Planning Adviser also pointed out that granting the application would create a precedent and alter the character and appearance of the building. The Case Officer for this planning application had not considered the proposals as enabling development.

The Chair stated that the Council had, in the past, allowed the introduction of materials not normally found on Listed Buildings in Conservation Areas, particularly when the changes were being made to the rear of a building. The Planning Adviser replied that, in Conservation Areas, the focus had to be not on the materials, but on the visual impact of the proposed new materials. If the elevation of this property was not visible publicly, then it could not be argued that the solar panels would have an adverse visual impact.

The Chair stated that this building was a farm steading which would likely have fallen into disrepair had it not been altered significantly to make it suitable for residential accommodation. A large number of vellux windows had been added to the roof of these buildings which was in itself a significant change. The Planning Adviser replied that the

solar panels would be dark on the red roof pantiles. He added that Members may wish to consider the context of what had been done to the steading buildings to bring them into residential use. The key was to conserve the appearance of agricultural buildings as far as possible. This was achieved more successfully in some places than others.

The Chair asked his colleagues if they had sufficient information to proceed to determine the application today and they confirmed that they had. Comments from Members followed.

Councillor McMillan stated that he had been impressed by the farm steading and noted from the Officer's Report that the building was listed as being of special architectural or historic interest (category B). He also noted from the report that Historic Environment Scotland (HES) had advised that the installation of solar panels on the principle elevation of a historic building should be avoided due to the detrimental visual impact on the building's historic character and that solar panels on south facing roof slopes might be inappropriate as locations for solar panels. Having also considered the terms of planning policy DP6 and ENV3, Councillor McMillan was minded to support the Case Officer's decision to refuse the application. He understood that residents in rural areas would seek to reduce their energy costs but was satisfied that alternative forms of heating could be explored.

The Chair stated that he had found the site visit very useful. As a member of the Planning Committee for many years, he had visited a number of steading developments across East Lothian. At this steading, he was interested to note that much of the courtyard still had walls and animals while, in other steadings, this element had been removed. He therefore considered that the developer of this steading had succeeded well in retaining its rural character. He had observed that there were already a number of skylight windows in the roof space and considered that the proposed solar panels would not have a significant adverse impact in the context of the alterations which had already been made to the property. He was therefore minded to overturn the original decision of the Case Officer.

Councillor Kempson stated that she had been impressed by the view of the steading through the archway on her visit to the site but considered that the solar panels against the red pantiled roof would be inappropriate and would have a significant impact on the character of the property. She would therefore support the Case Officer's decision to refuse the application.

## **Decision**

The ELLRB agreed by a majority of 2:1 to uphold the original decision of the Planning Officer for the reasons given in the Decision Notice dated 5 May 2017:

1. The proposed 12 solar panels would appear as harmfully prominent, bulky and incongruous features on the roof of the house. They would be out of keeping with the character of the building that derives from it having been part of an agricultural steading. Consequently the proposed solar panels would not preserve or enhance the character and appearance of the listed building but would detract from it. Consequently the proposed solar panels would be contrary to Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies DC1 (Part 5), ENV3 and DP6 of the adopted East Lothian Local Plan 2008.

2. If approved, the proposed development would set an undesirable precedent for the installation of solar panels on the roof slopes of other houses within the former Steading. Over time, such change would be collectively out of keeping with the character and appearance of the built form of the group of houses of Redside Farm Steading to the detriment of the character and appearance of the listed building and to the visual amenity of the landscape of the area.

A Decision Notice would be issued within 21 days.

Signed

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Councillor N Hampshire  
Convener of Local Review Body (Planning)

