

LOCAL REVIEW BODY

23 October 2025

Application No: 24/00845/P

**No. 1 Quondrum Cottages, Yester, Gifford,
Haddington, EH41 4JZ**

Appointed Officer's Submission

24/00845/P – REVIEW AGAINST DECISION – PLANNING OFFICER'S SUBMISISON

Planning application review against condition 2: Change of use of grass verge to form additional garden ground, erection of fencing and outbuildings, formation of hardstanding and decked areas, installation of air source heat pump, flue and solar panels (Part Retrospective).

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Copy of consultation responses received in relation to planning application 24/00845/P

Copy of Development Plan Policies referred to in Officer's Report

Please note there are no schedule of conditions submitted.

OFFICER REPORT

5th May 2025

App No. **24/00845/P**

Application registered on **13th March 2025**

Target Date **12th May 2025**

Proposal	Change of use of grass verge to form additional garden ground, erection of fencing and outbuildings, formation of hardstanding and decked areas, installation of air source heat pump, flue and solar panels (Part Retrospective)	SDELL	Y/
		CDEL	N
Location	1 Quondrom Cottages Yester Gifford Haddington EH41 4JZ	Bad Neighbour Development	N

APPLICANT: Mr Patrick Ledingham

Is this application to be approved as a departure from structure/local plan? N

**c/o Lothian Plans
Per Stephen Lothian
18 Laidlaw Gardens
Tranent
EH33 2QH**

DECISION TYPE: Granted Permission

REPORT OF HANDLING

The property to which this application relates is a 1.5 storey, semi-detached house with associated garden ground. It is located within the countryside as defined by Policy DC1 of the adopted East Lothian Local Development Plan 2018. The property is bounded to the north and west by neighbouring residential properties and to the east and south by the public roads of U143 and C92.

PLANNING HISTORY

In March 2009 planning permission (Ref: 09/00038/FUL) was granted for the conversion of a derelict barn to form 2 houses and associated works. That planning permission has been implemented and the applicants' property forms one of those approved houses. As part of the

approval of planning permission 09/00038/FUL permitted development rights were removed for both properties.

PROPOSAL

Planning permission is sought retrospectively for the following:

- i) The change of use of a grass verge to the south of the applicants' house to form domestic garden ground and the erection of a 1.25m high timber fence to enclose the area the subject of the change of use and an area to the east of the applicant's house;
- ii) The erection of a summer house to the west side of the applicants' house;
- iii) The erection of a shed and sauna building within the applicants' rear garden;
- iv) The formation of a sandstone patio and an area of decking within the applicants' rear garden both of which are some 0.3 metres above ground level ;
- v) The installation of an air source heat pump to the front (east) elevation of the house which has a width of 0.9 metres; a depth of 0.33 metres and a height of 1.42 metres;
- viii) The installation of 12 solar panels to the front (east) elevation roof slope of the house and 10 solar panels onto the rear elevation roof slope of the house ; and
- ix) The installation of a 1.4 metres black aluminium flue to the front (east) elevation roof slope.

The area of grass verge the subject of the retrospective change of use has an area of 10.9 square metres and follows the curvature of the adjacent road. The applicant has taken this area of land which was noted as previously forming part of the adjacent road, as domestic garden ground. In association with this the applicant has erected timber fencing to enclose the south and east of their property.

The mono-pitched roof summerhouse has a length and width of 4.1 metres and a height of 2.45 metres, at its highest point.

The summerhouse is finished externally in bare timber cladding. The roof is clad in felt and the windows are of timber frame construction.

The mono-pitched roof shed has a length of 2.5 metres; a width of 1.9 metres and a height of 2.35 metres, at its highest point. The shed is finished externally in timber cladding. The roof is clad in felt and the windows and door are of timber frame construction.

The sauna building is of timber construction with a felt clad roof with a stainless steel flue. It has a length of 2.5 metres; a width of 1.9 metres and a height of 2.85 metres, including the flue.

Subsequent to the registration of this planning application the application was made invalid as the red line boundary of the applicants' property required to be amended to reflect the actual boundary of the site, at present. A new application form with associated land

ownership certificate was also required as the owner of the land the subject of the retrospective change of use was initially noted to be East Lothian Council which was incorrect. Once the new information was submitted the application was re-registered, neighbours were re-notified and the application re-advertised.

DEVELOPMENT PLAN

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan is National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018.

Policies 14 (Liveable Places) and 16 (Quality Homes) of NPF4 and Policies DP2 (Design), DP5 (Extensions and Alterations to Existing Buildings) and T2 (General Transport Impact) of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of the application.

REPRESENTATIONS

A total of 15 objections have been received to the application from 9 different objectors. In summary the main grounds of objections are:

- i) The erected fence obscures visibility due to its height and placement and causes road safety issues;
- ii) The fence is out of character for the area;
- iii) Vehicles park too close to the junction contrary to The Highway Code;
- iv) The summerhouse has removed a parking space for the applicants' property;
- v) The air source heat pump is not in-keeping with the surroundings;
- vi) Local children wait for the bus to school at the corner and they cannot be seen;
- vii) The summerhouse restricts and obscures views;
- viii) Large vehicles cause damage to the grass verges at the corner and road surface due to the siting of the fence and poorly parked cars;
- ix) The applicant has placed large stones on the road which are a safety issue;
- x) The planning application is incorrect when the applicant states there was only 1 parking space before the erection of the summerhouse. There was allegedly enough space for 2 cars;
- xi) The area of ground taken over is Council owned land;

- xii) The siting of the summerhouse has devalued a neighbouring property;
- xiii) Large vehicles struggle to navigate the corner due to parked vehicles and the fence;
- xiv) The summerhouse is too large;
- xv) The sauna building is too close to the garden boundary and obstructs sun;
- xvi) The sauna building spoils the character of the property and when in use it is noisy;
- xvii) The air source heat pump is noisy;
- xviii) The application states in this revised version that despite attempts being made to verify landownership, this has not been successful. As such an objector believes that this means the land should not be incorporated for garden extension at the expense of reducing this already narrow roadway;
- xix) The initial application to convert the building to two houses had two parking spaces for the applicants' property however, there is now only 1 parking space available;
- xx) The submitted application form is inaccurate; and
- xxi) If approved there would be a precedent set for the change of use of land to domestic garden ground.

With regards to the above comments relating to the obstruction of views as a result of the positioning from neighbouring properties this is not a material planning consideration relevant to the determination of this planning application.

Any damage caused to grass verges and the road surface as a result of vehicles using the road is not a material consideration in the determination of this planning application.

With regards to the comments on land ownership, the application as originally submitted stated that East Lothian Council owned the land. However, subsequent to the registration of the application the Council's Road Services advised it was unlikely the land was under ownership of the Council. As such, the agent sought advice from The Registers of Scotland who conducted a search which concluded the owner of the land could not be confirmed. Therefore, the agent submitted a revised application form and land ownership certificate and the application was subsequently re-advertised and neighbours re-notified.

Furthermore, the submitted application form is deemed sufficient to allow the determination of this planning application.

The comments received in relation to the applicant placing stones on the road is not a material consideration in the determination of this planning application as that is not classed as development. Such a matter could be investigated by the Council's Road Services.

If planning permission was granted a precedent would not necessarily be set for further applicants of this nature as each case is to be determined on its own merits.

The matter of the devaluation of a neighbouring property is not a material planning consideration relevant to the determination of a planning application.

PLANNING ASSESSMENT

The area of land the subject of the retrospective change of use formerly formed part of the adjacent public road. The applicant has since taken this area of land which has an area of 10.9 square metres into use as domestic garden ground for the enjoyment of their property 1 Quondrom Cottages. As part of this retrospective development the applicant has also enclosed this area of land and the eastern boundary of their property with a timber fence that is some 1.25 metres in height.

The area of land the subject of the retrospective change of use is relatively small in size. Therefore, and due to its positional relationship with the applicant's house its use as garden ground does not appear incongruous and is not harmful to the character and appearance of the area. Furthermore, due to its relatively low height and of its form and appearance the fence that has been erected does not appear as an overly prominent or incongruous addition to the locality and as such is not harmful to the setting of the house or harmful to the character and appearance of the surrounding area.

The summerhouse that has been erected is of a form, size and scale that is not unusual to find in the garden of a domestic property. However, by projecting beyond the building line of the gable elevation of the house it breaks the building line of the house and does not respect the setting of the house. As such it is inappropriate to its setting. However, subject to the summerhouse being re-positioned so that it is set some 2m back from its current position and therefore back from the building line of the gable elevation of the house the summerhouse would not be inappropriate to its setting or out of keeping with its surroundings. The re-positioning of the summerhouse can be made a condition of any grant of planning permission.

In their position the shed, sauna building, terrace and patio are well absorbed within their rear garden setting and do not appear as overly prominent or incongruous or inappropriate to their setting. Consequently, they are not harmful to the character or appearance of the house or to the character and appearance of the surrounding area.

The air source heat pump has been installed to the front (east) elevation of the house. In its position it is readily visible from public views due to the location and orientation of the applicants' house. Whilst the air source heat pump is a relatively large addition to the front elevation, it is seen directly against the backdrop of the house and thus does not appear as overly prominent or incongruous in that context. Therefore, by virtue of its form, size and positioning the air source heat pump is not harmful to the character or appearance of the house or to the surrounding area.

A total of 12 solar panel have been installed on the front (east) elevation roof slope of the house. In their position they are readily visible from public views due to the location and orientation of the applicants' house. The submitted drawings show the intention to install a further 10 solar panels to the rear (west) elevation roof slope of the house. These solar panels would be visible from the road to the west of the house. The existing and proposed solar panels would be and are seen against the red pantile roof of the house. However, they do not

and would not be overly prominent or incongruous features. Therefore, by virtue of their size, form and positioning the solar panels would not and are not harmful to the character or appearance of the house or to the surrounding area.

The flue that has been installed on the front (east) elevation roof slope of the house is readily visible from public views due to the location and orientation of the applicants' house. However, the flue does not project harmfully above the ridge height of the house and as such is not an overly prominent or incongruous feature. Therefore, by virtue of its size, form and positioning the flue is not harmful to the character or appearance of the house or to the surrounding area.

Policy DP2 in part states that the design of all new development, with the exception of changes of use and alterations and extensions to existing buildings must ensure privacy and amenity, with particular regard to levels of sunlight, daylight and overlooking, including for the occupants of neighbouring residential properties.

In assessing whether or not a proposed new development would result in harmful overlooking and therefore loss of privacy to existing neighbouring residential properties it is the practice of the Council, as Planning Authority, to apply the general rule of a 9 metres separation distance between the windows of a proposed new development and the garden boundaries of neighbouring residential properties and an 18 metres separation distance between directly facing windows of the proposed new development and the windows of existing neighbouring residential properties.

In relation to the above, the glazed openings within the front (northeast) elevation of the summerhouse face over the applicants' garden and beyond to a high fence and hedge boundary treatment. As such, the use of the summerhouse does not allow for any harmful overlooking of any neighbouring residential properties.

There are no windows within the side (southeast), rear (southwest) or side (northwest) elevations. If formed in the side (southeast) elevation at a later date it would face onto the applicants' property and as such would not allow for any harmful overlooking of any neighbouring residential properties.

If formed in the rear (southwest) elevation they would face onto a high fence boundary treatment due to the condition requiring the summerhouse be re-positioned, and as such would not allow for any harmful overlooking of any neighbouring residential properties.

If formed in the side (northwest) elevation they would face onto a high fence boundary treatment and as such would not allow for any harmful overlooking of any neighbouring residential properties.

Owing to its size, form and positioning the summerhouse does not result in any harmful loss of sunlight or daylight to any neighbouring residential properties.

Due to the enclosures of the garden of the house the shed, sauna building, terrace and patio do not allow for harmful overlooking of any neighbouring residential properties.

On the matter of the impact of the proposed house on daylight and sunlight on neighbouring properties, guidance is taken from "Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice" by P.J. Littlefair.

Application of the horizontal 45-degree daylight tests show the sauna building fails in relation to the window adjacent to the rear boundary of the applicants' property and the neighbouring property of 2 Quondrom Cottages. However, application of the vertical 45-degree daylight tests indicates the sauna building passes in relation to that same window. As such, and in accordance with guidance taken from "Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice" by P.J. Littlefair. The sauna building does not result in a harmful loss of daylight to that neighbouring window. Therefore, the sauna building does not result in a harmful loss of daylight to any neighbouring residential properties.

Application of the sunlight test indicates the proposed sauna building would cast a gradual shadow on the garden ground of 2 Quondrom Cottages between the hours of 09.00 and 13.00. The sunlight test also indicates the sauna building would cast a shadow over the garden ground of 4 Leehouses Cottages between 08.00 and 09.00. However, the guidance states that at least half of a garden should receive at least two hours of sunlight on 21st March. Therefore, in accordance with the Guide the sauna building by virtue of its size, form and positioning does not allow for a harmful loss of sunlight to any neighbouring residential properties.

The Council's Environmental Health Officer has been consulted on this planning application and advises that any noise associated with the operation of the air source heat pump shall not exceed Noise Rating curve NR20 at any octave band frequency between the hours of 2300-0700 and Noise Rating curve NR25 at any octave band frequency between the hours of 0700-2300 within any existing residential property. Subject to this condition the air source heat pump would not be harmful to the amenity of neighbouring residential properties.

The Council's Road Services have been consulted on this planning application. With regards to the positioning of the summerhouse resulting in the loss of a parking space for the applicants' property, the original approval for the conversion of the former agricultural building under planning permission 09/00038/FUL to two houses provided parking for the applicants' property to the northwest of the house. Through this current application the applicant seeks to formalise the current parking arrangement which is now positioned to the southwest of the applicants' house. The Council's Road Services raises no objection to this amendment to the parking arrangements of the house.

However, the Council's Road Services advise that the 1.25m high fence that has been erected is of a height that impedes visibility on the public road and therefore is not acceptable from a road safety perspective.

However, the Council's Road Services advise that subject to a condition being imposed upon any grant of planning permission that ensures that the fence is lowered so there is no obstruction to visibility above a height of 1.05 metres (above the adjoining road level) within the area bounded by a line 2.4 metres from the northern or north-eastern edge of the minor road (the U143 as it meets the C92) and a point or locus on the C92 public road, where inter-visibility is already restricted by the change in gradient and level of the C92 he raises no

objection to the application. Subject to this condition the development would comply with Policy T2 of the adopted East Lothian Local Development Plan 2018.

Given the above considerations, and subject to the aforementioned conditions the development is consistent with Policies 14 and 16 of NPF4 and Policies DP2 and T2 of the adopted East Lothian Local Development Plan 2018.

In conclusion, the development is considered to be in accordance with the provisions of the stated relevant Development Plan policies and there are no material considerations which outweigh the proposals accordance with the Development Plan.

CONDITIONS:

- 1 Within 2 months of the date of this decision notice the 1.25m high fence that has been erected to enclose the south and east of the house shall be lowered such that there shall be no obstruction to visibility above a height of 1.05 metres (above the adjoining road level) within the area bounded by a line 2.4 metres from the northern or north-eastern edge of the minor road (the U143 as it meets the C92) and a point or locus on the C92 public road, where inter-visibility is already restricted by the change in gradient and level of the C92. Thereafter the lowered part of the fence shall be retained at the required height of no more than 1.05 metres unless otherwise agreed by the Planning Authority.

Reason:

In the interests of road safety.

- 2 Within two months of the date of this decision notice the summerhouse building hereby approved shall be re-positioned to be a minimum of 2 metres to the north of its current position such that it does not protrude forward of the building line of the gable elevation of the applicant's house. Thereafter, the summerhouse shall remain as so re-positioned approved unless otherwise approved by the Planning Authority.

Reason:

In the interest of protecting the character and appearance of the surrounding area.

- 3 Noise associated with the operation of the air source heat pump hereby approved shall not exceed Noise Rating curve NR20 at any octave band frequency between the hours of 2300-0700 and Noise Rating curve NR25 at any octave band frequency between the hours of 0700-2300 within any existing residential property. All measurements to be made with windows open at least 50mm.

Reason:

In the interest of protecting the amenity of neighbouring residential properties.

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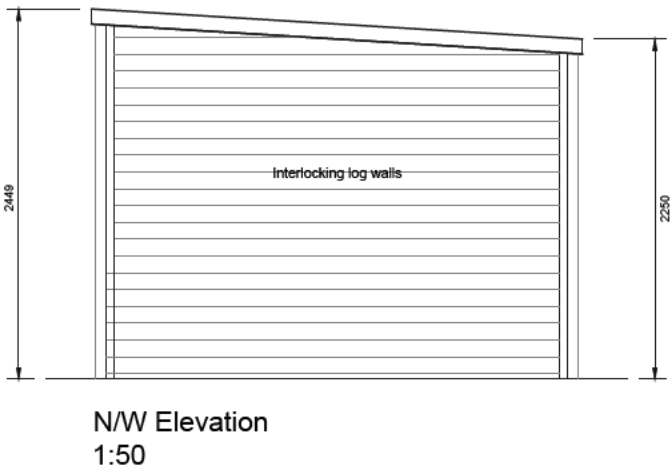
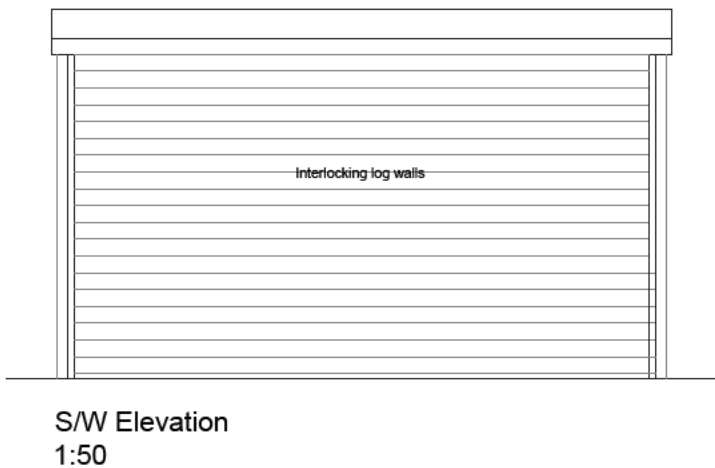
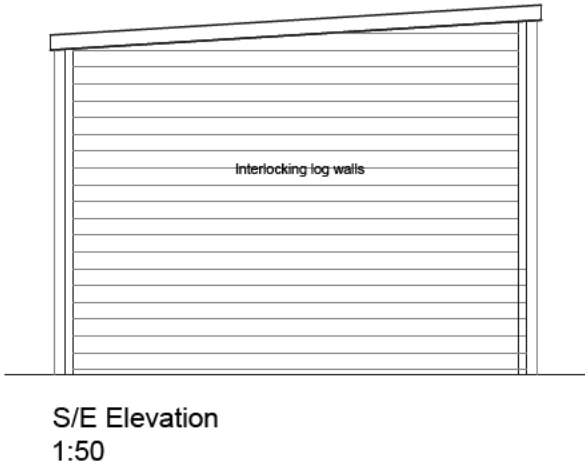
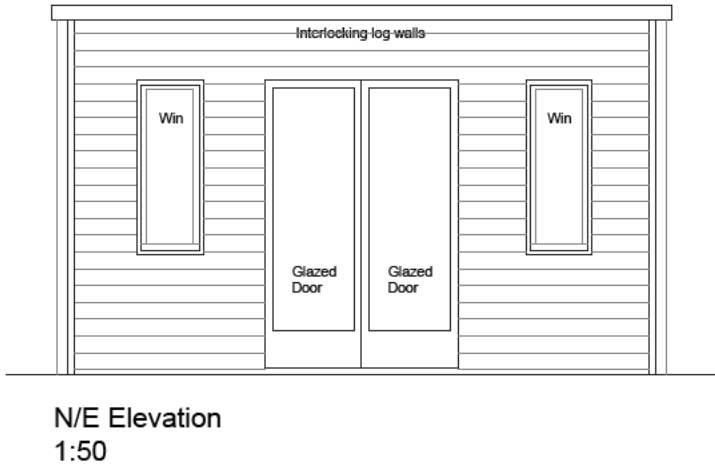
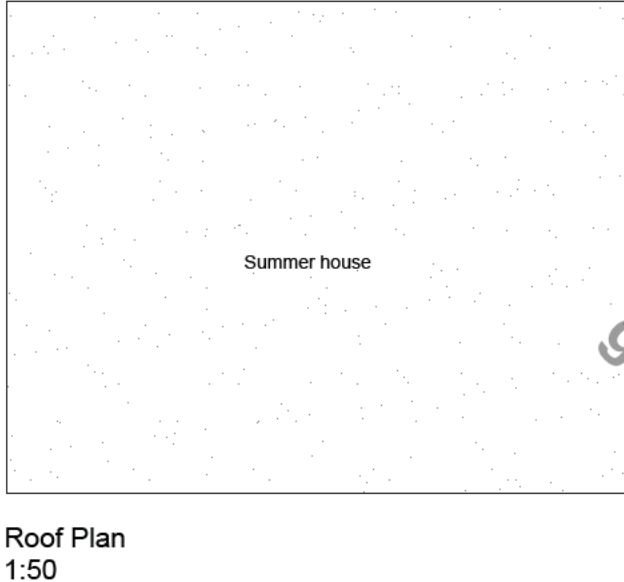
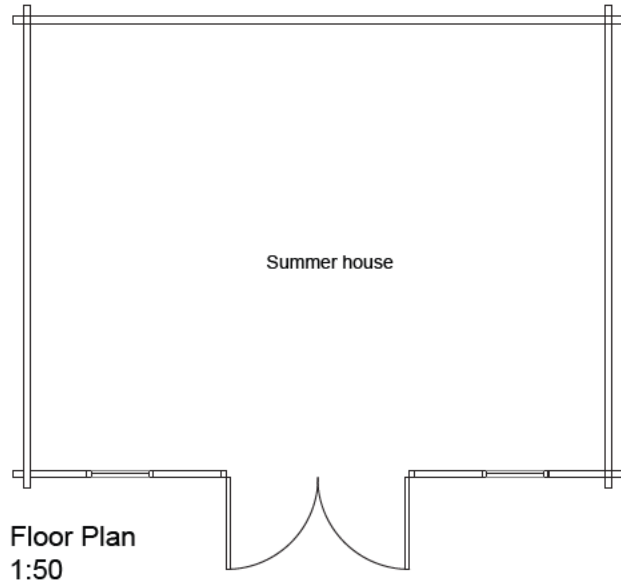
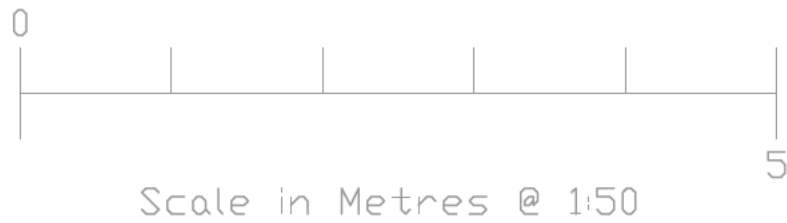
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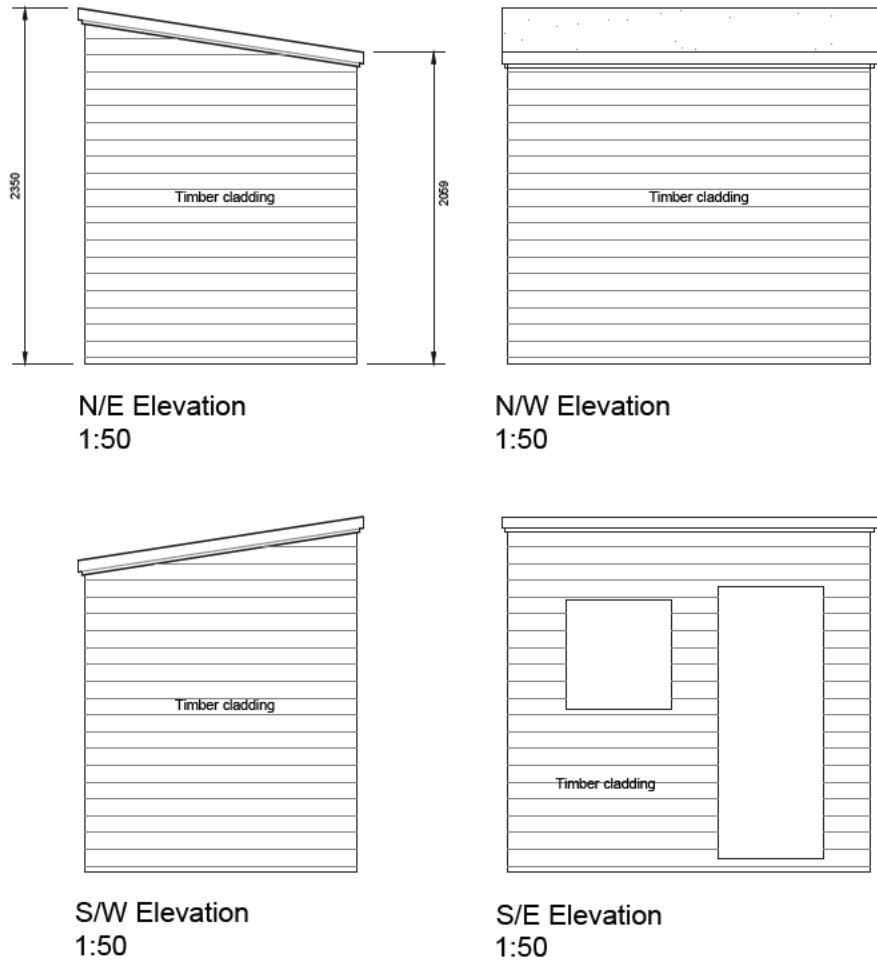
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5th May 2025



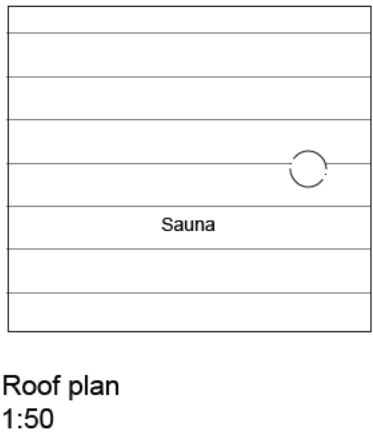
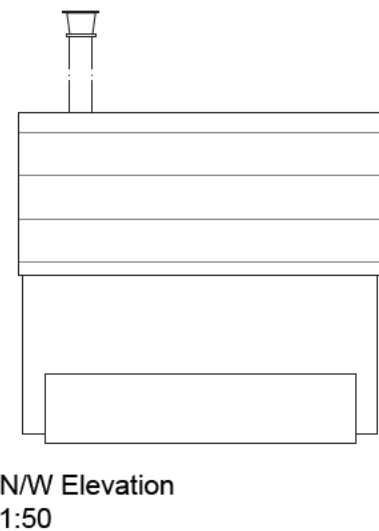
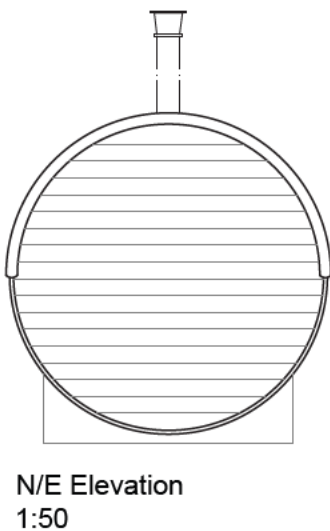
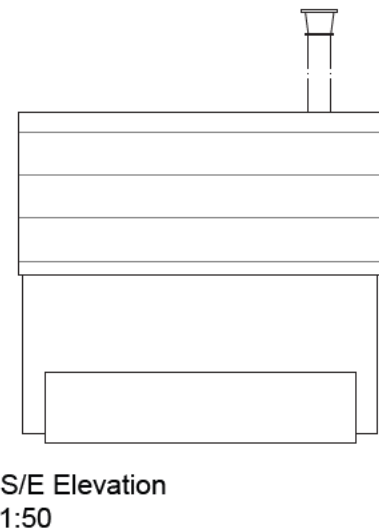
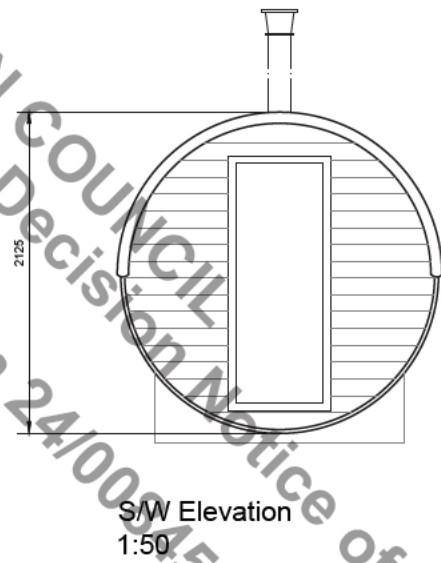
Materials:
Bare timber cladding
Black felt roof
Bare timber windows

Summer house



Materials:
Bare timber cladding
Black felt roof
Bare timber framed
windows/door.

Shed



Materials:
Bare timber cladding.
Black felt roof.
Bare timber framed windows & Door.
Flue - Stainless steel (silver).

Sauna

LOTHIAN PLANS

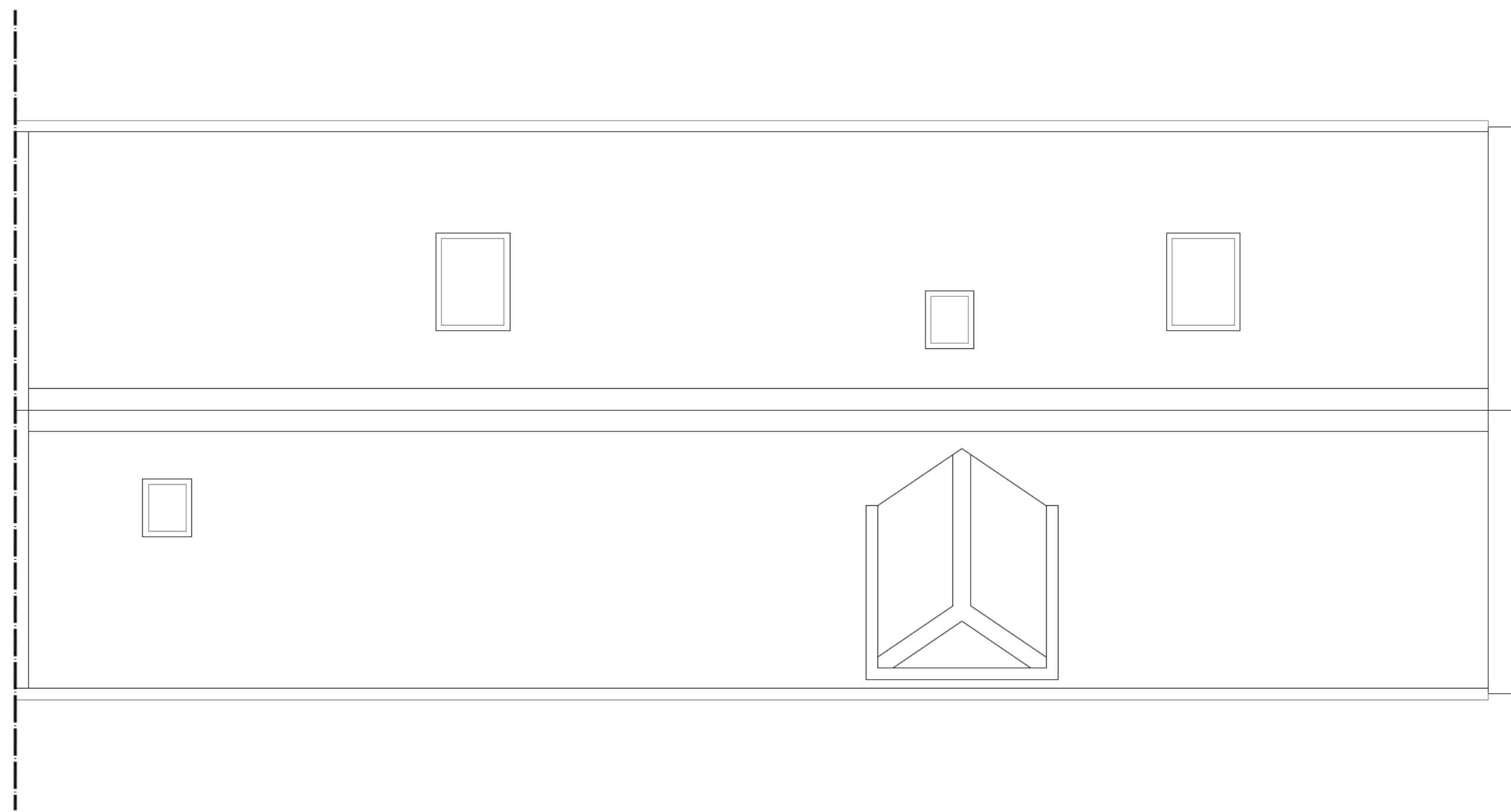
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CLIENT: Patrick Iedingham

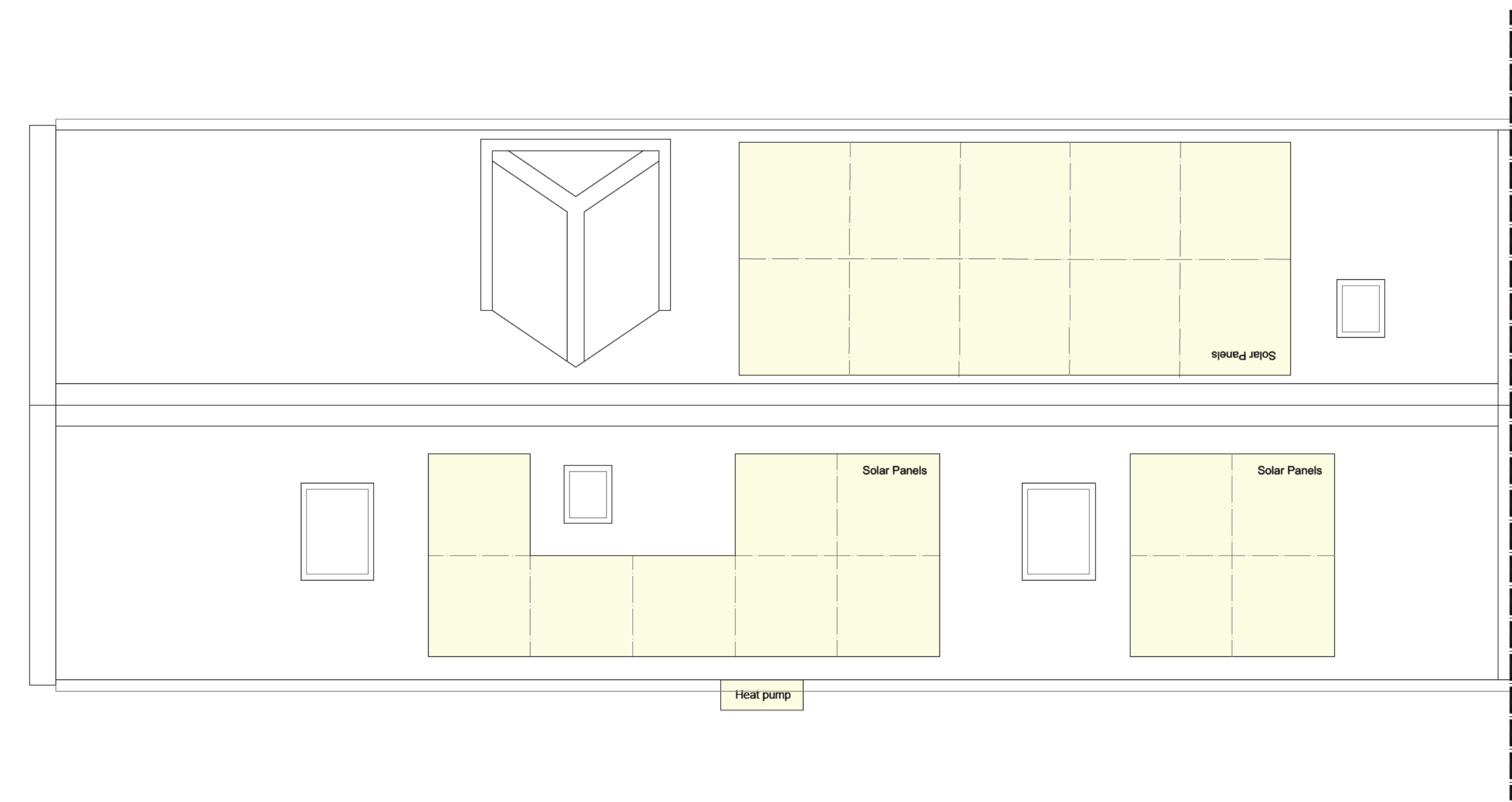
JOB: 1 Quondron Cottages
Leehouses, EH41 4JZ

TITLE: Out buildings
Additional development

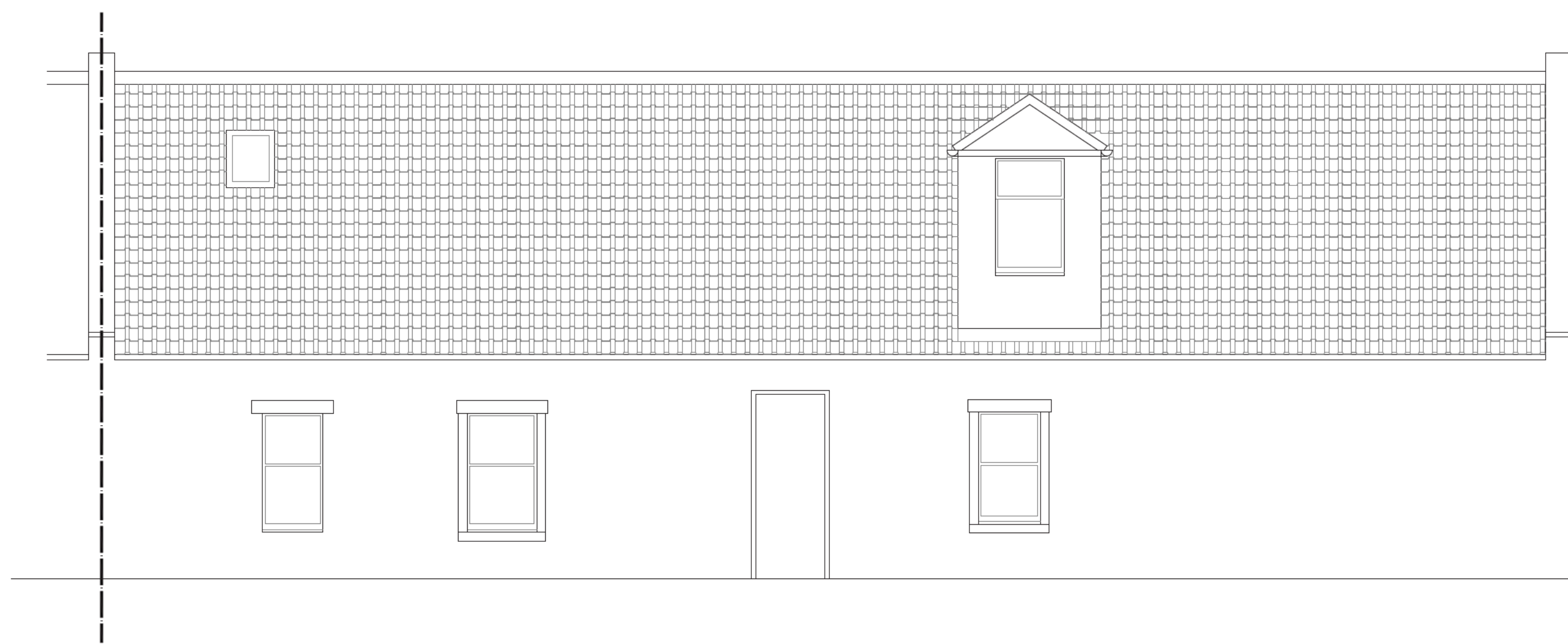
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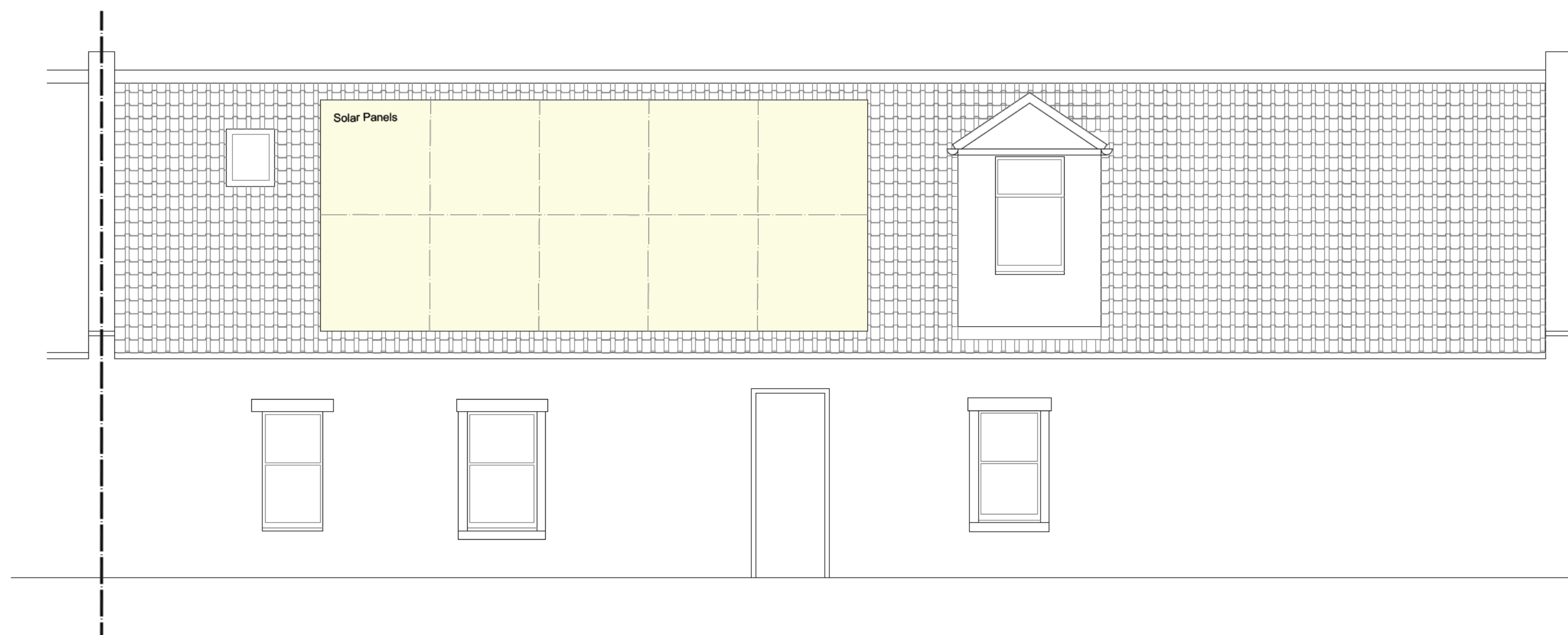
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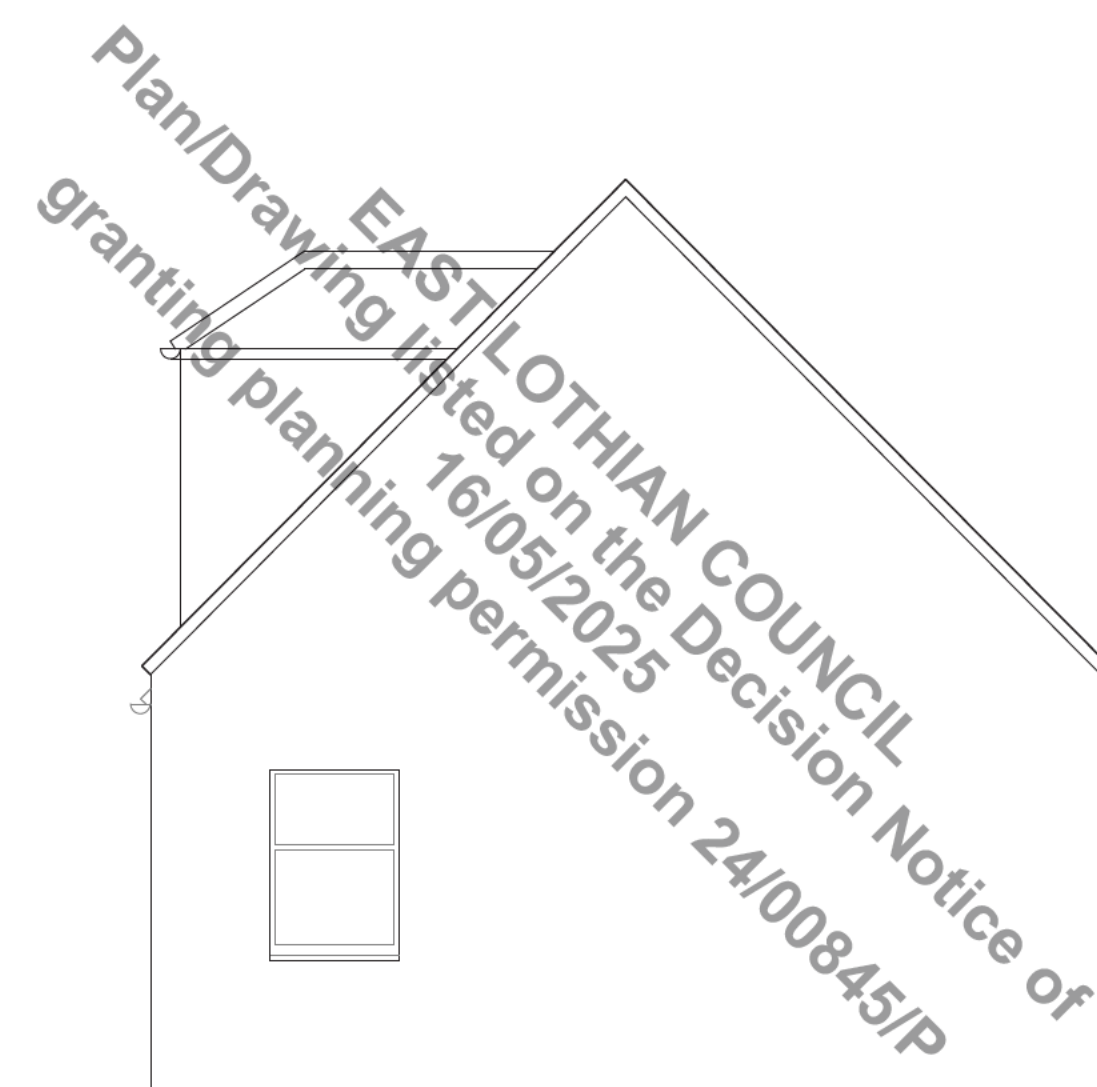
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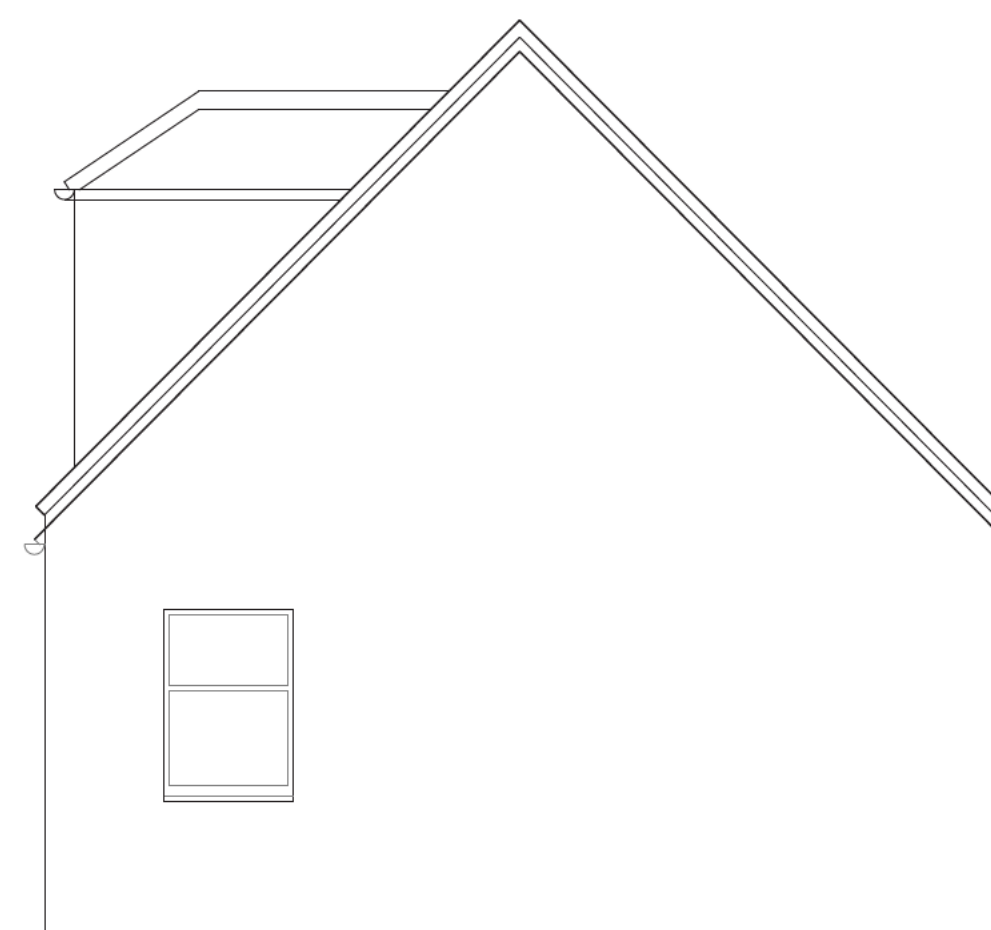
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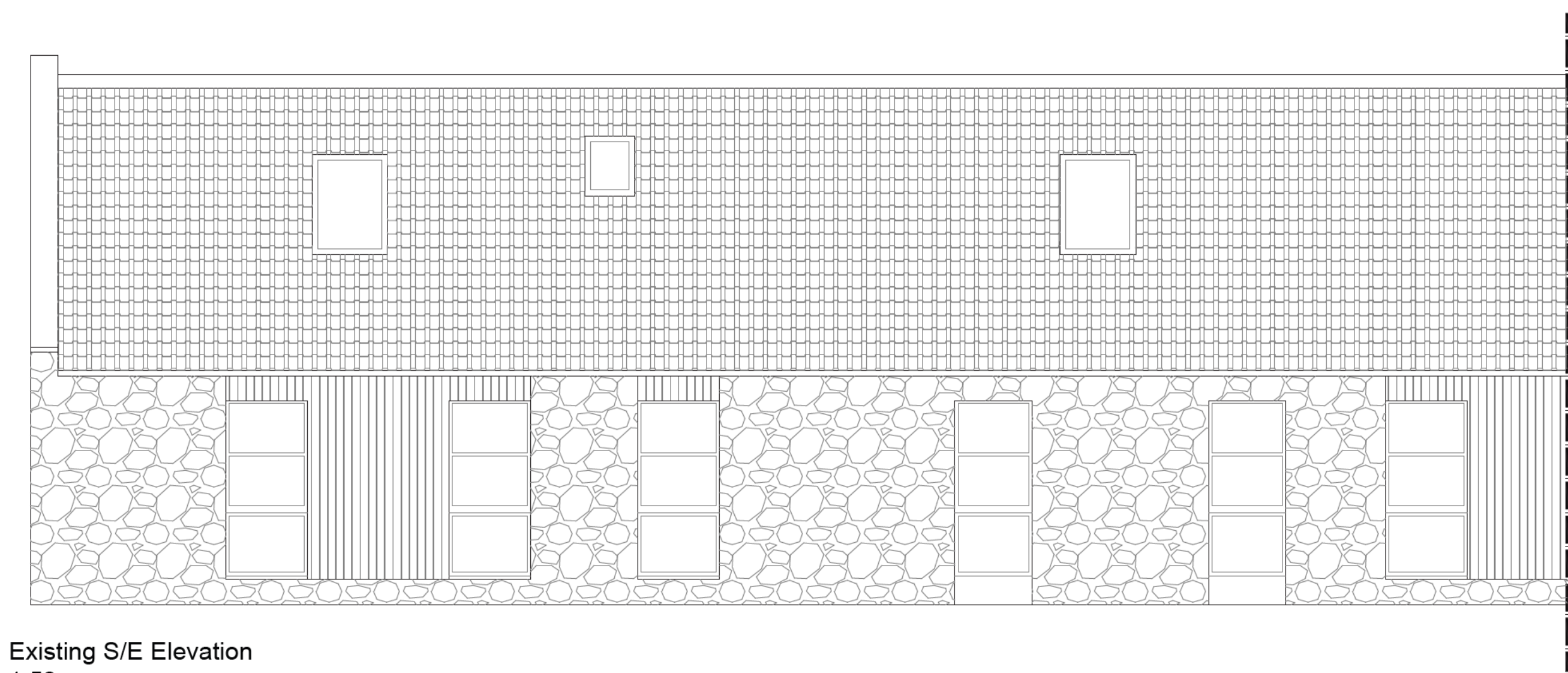
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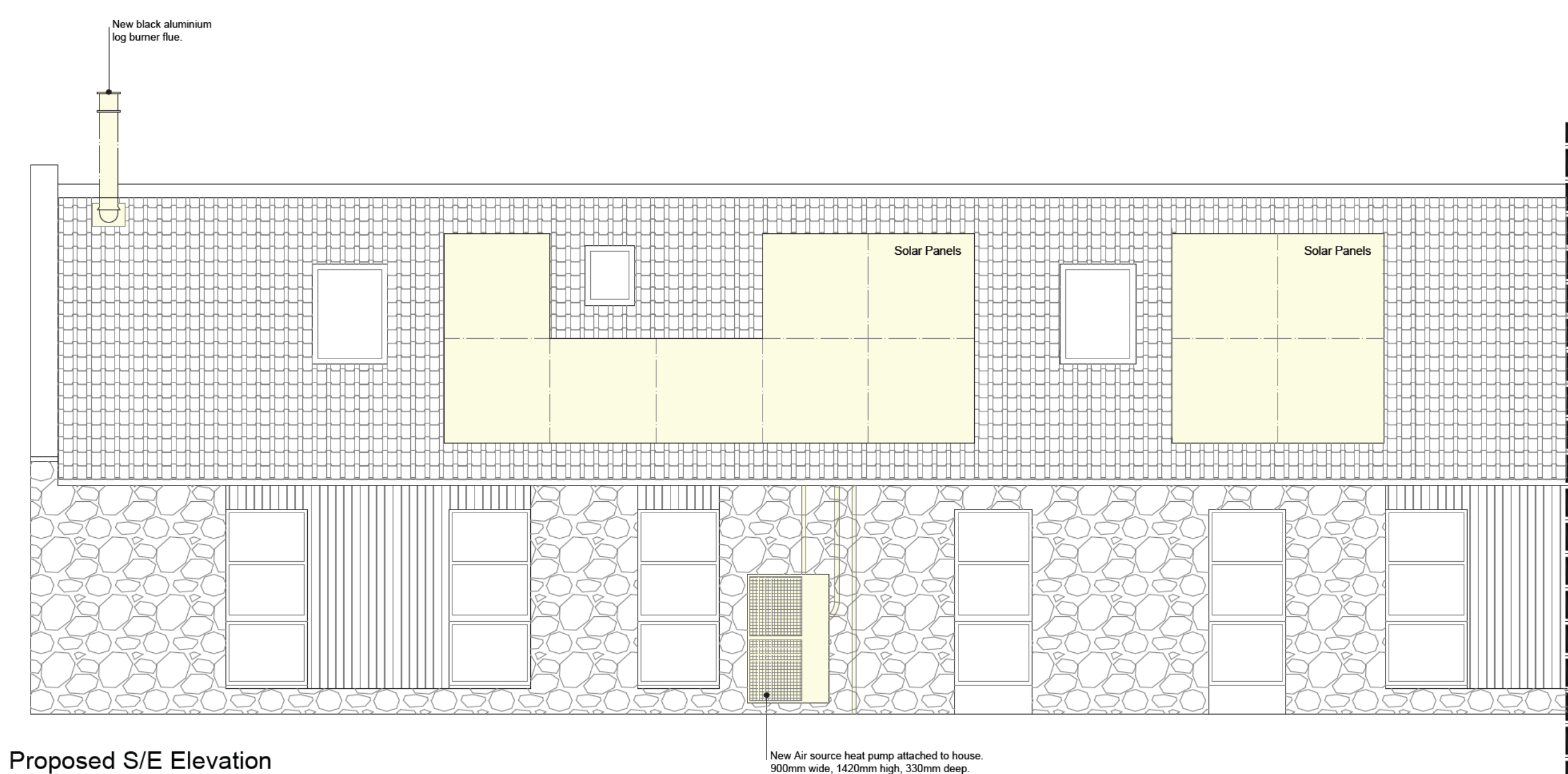
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Proposed S/W Elevation
1:50



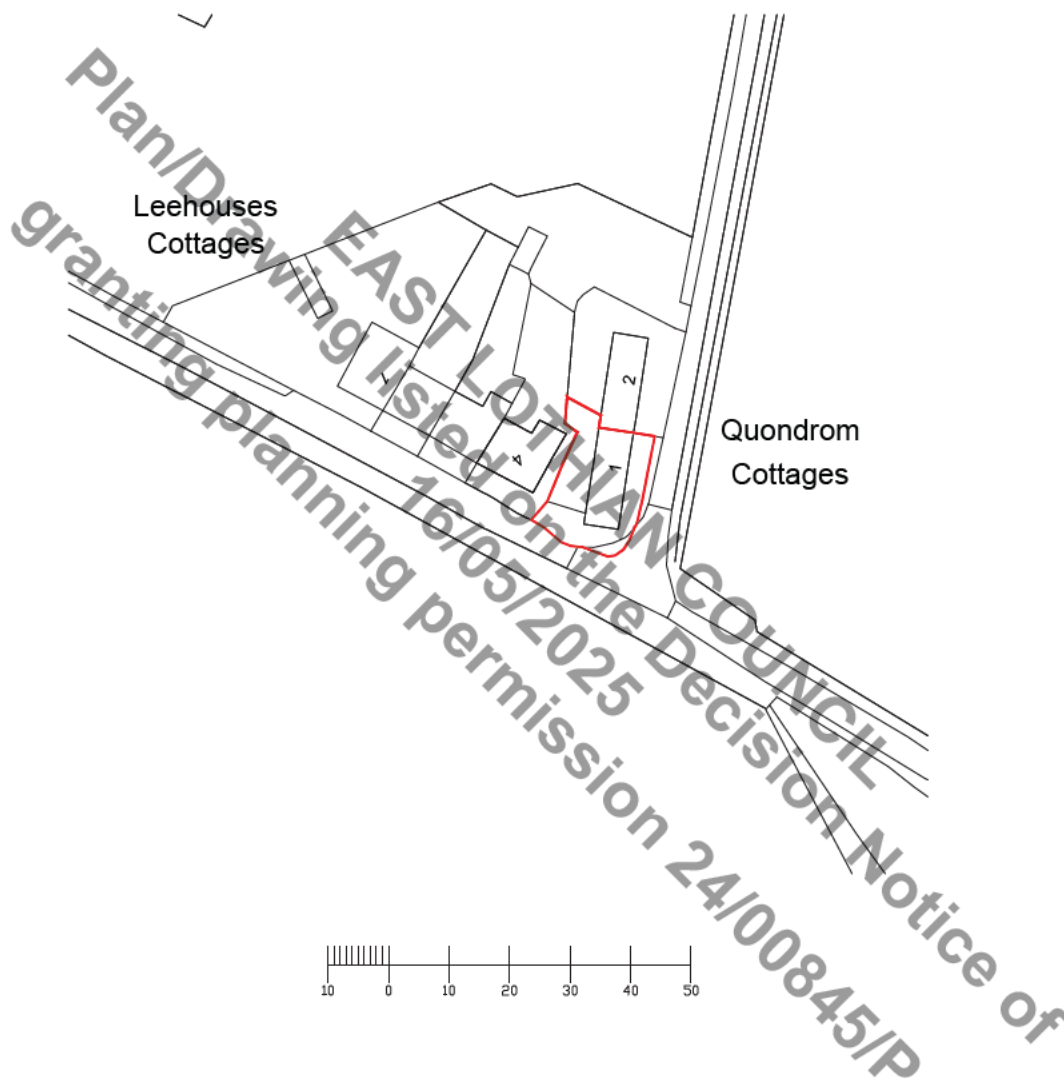
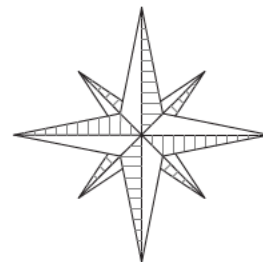
Existing S/E Elevation
1:50



Proposed S/E Elevation
1:50

LOTHIAN PLANS www.lothianplans.com				CLIENT: Patrick Iedingham	
NUMBER: 1QC-PL1				JOB: 1 Quondron Cottages Leehouses, EH41 4JZ	
REVISION: A		SCALE: 1:50@A2		TITLE: House elevations & roof plans Additional development	
DRAWN: SL		CHECKED: SL			
DATE: June 2024		DATE: June 2024			

N



— Boundary

Location Plan
1:1250

LOTHIAN PLANS

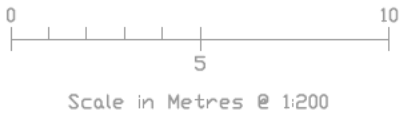
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CLIENT: Patrick Iddingham

JOB: 1 Quondrom Cottages
Leehouses, EH41 4JZ

NUMBER:	REVISION	SCALE
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		DRAWN SL
		CHECK SL
		DATE June 2024

TITLE: Location plan
Additional development



Proposed Site Plan
1:200

- Proposed New Fence
- Boundary

**LOTHIAN PLANS**

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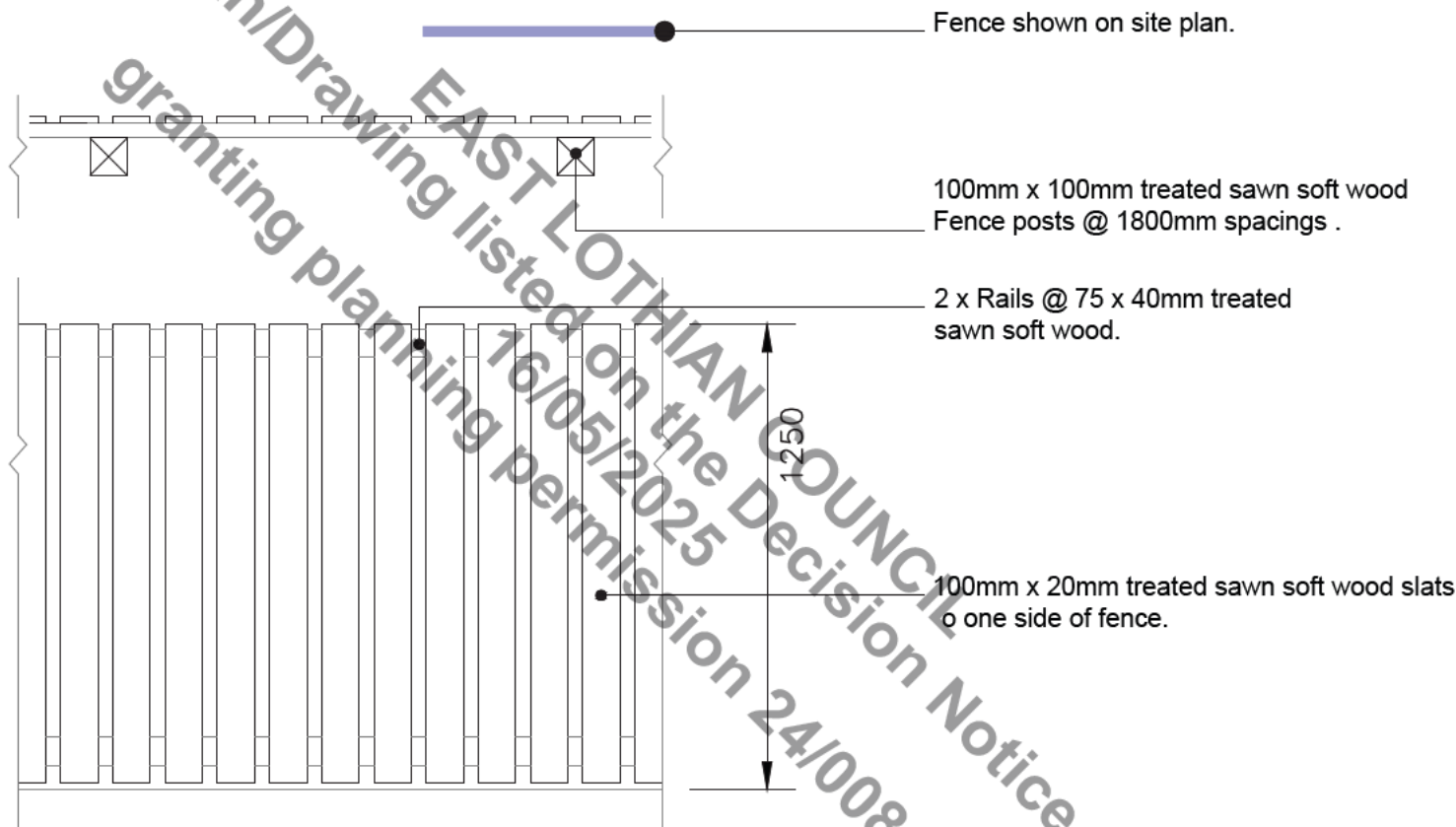
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Leehouses, EH41 4JZ

TITLE: Proposed Site plan
Additional development

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1QC-PL5	B	DRAWN	SL
		CHECK	SL
		DATE	June 2024



Scale in Metres @ 1:20



Proposed Fence details

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CLIENT: Patrick Iedingham

JOB: 1 Quondron Cottages
Leehouses, EH41 4JZ

TITLE: Fence details
Additional development

NUMBER:	REVISION	SCALE	1:20 @ A4
1QC-PL3	B	DRAWN	SL
		CHECK	SL
		DATE	June 2024

Vertex S⁺

DUAL GLASS MONOCRYSTALLINE MODULE

PRODUCT: TSM-NEG9.28

POWER RANGE: 400-425 W

425 W

MAXIMUM POWER OUTPUT

0/+5 W

POSITIVE POWER TOLERANCE

21.9 %

MAXIMUM EFFICIENCY



Small in size, bigger on power

- Generates up to 425 W, 21.9 % module efficiency with high density interconnect technology
- Multi-busbar technology for better light trapping, lower series resistance, improved current collection and enhanced reliability
- Reduces installation cost with higher power bin and efficiency



Dual-glass Design, High Reliability

- Excellent fire rating and resistance to harsh environmental conditions
- 5,400 Pa snow load and 4,000 Pa wind load (test loads)



Maximize Energy Harvest

- Up to 25 years product warranty and 30 years power warranty
- 1 % first year degradation and 0.4 % annual degradation enabled by N-type technology



Universal solution for residential and C&I rooftops

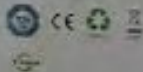
- Designed for compatibility with existing mainstream inverters, optimizers and mounting systems
- Perfect size and low weight for easy handling, optimized transportation cost
- Flexible installation scenarios for system deployment

Extended Vertex S⁺ Warranty

- 1 %
1st year max. degradation
- 0.4 %
Max. annual degradation from year 2 to 30
- 25 Years
Product workmanship warranty



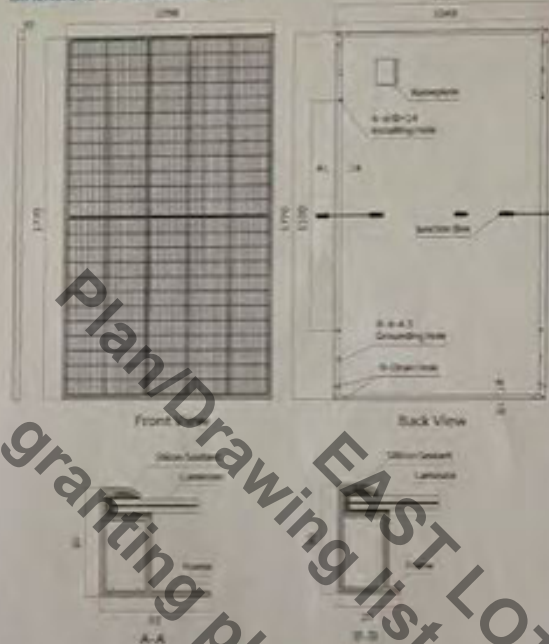
Comprehensive Products and System Certificates



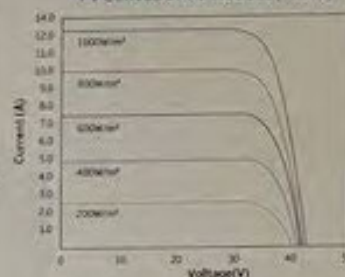
ISO 9001: Quality Management System
ISO 14001: Environmental Management System
ISO 45001: Occupational Health and Safety Management System
ISO 16000: Greenhouse Gas Emissions verification

Trina solar

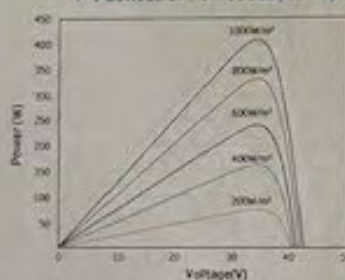
DIMENSIONS OF PV MODULE (mm)



I-V CURVES OF PV MODULE (415 W)



P-V CURVES OF PV MODULE (415 W)



ELECTRICAL DATA (STC)

	TSM-415 1670x1130	TSM-415 1670x1130	TSM-415 1670x1130	TSM-415 1670x1130	TSM-415 1670x1130	TSM-415 1670x1130
Peak Power (Watt) (P _{max})	400	405	410	415	420	425
Power Tolerance (Watt) (W)	±3%					
Maximum Power Voltage (V) (V _{mp})	35.3	35.4	35.7	36.0	36.3	36.5
Maximum Power Current (A) (I _{mp})	11.41	11.44	11.49	11.52	11.57	11.61
Open-Circuit Voltage (V) (V _{oc})	41.9	42.2	42.4	42.7	43.1	43.4
Short-Circuit Current (A) (I _{sc})	12.18	12.21	12.25	12.27	12.31	12.37
Module Efficiency (%) (η)	22.6	22.8	23.1	23.4	23.7	23.9

(STC: Irradiance 1000W/m², Cell Temperature 25°C, Air Mass 1.5, Reference Spectrum AM1.5G)

ELECTRICAL DATA (NOCT)

	TSM-415 1670x1130	TSM-415 1670x1130	TSM-415 1670x1130	TSM-415 1670x1130	TSM-415 1670x1130	TSM-415 1670x1130
Maximum Power (Watt) (P _{max})	320	325	330	335	340	345
Maximum Power Voltage (V) (V _{mp})	35.8	36.1	36.4	36.7	37.0	37.3
Maximum Power Current (A) (I _{mp})	9.25	9.32	9.36	9.40	9.45	9.50
Open-Circuit Voltage (V) (V _{oc})	41.7	42.0	42.2	42.5	42.8	43.1
Short-Circuit Current (A) (I _{sc})	9.80	9.83	9.86	9.88	9.91	9.95

(NOCT: Irradiance 800W/m², Cell Temperature 45°C, Air Mass 1.5, Reference Spectrum AM1.5G)

MECHANICAL DATA

Module Type	Monocrystalline
Cells	60 cells
Module Dimensions (mm)	1670x1130x30
Module Weight (kg)	21.5 kg
Module Thickness (mm)	30 mm
Module Material	1.6mm High Transmittance Anti-Reflective Coated Glass
Frame	20mm Thick Anodized Aluminum Alloy, Black
Backsheet	Photovoltaic Technology Coated PET Film
Connector	TS4 / MC4 (E92)

(Typical value only)

TEMPERATURE RATINGS

NOCT (Temperature of Operation)	45°C (113°F)
Temperature Coefficient of P _{max}	-0.45 %/°C
Temperature Coefficient of V _{oc}	-0.25 %/°C
Temperature Coefficient of I _{sc}	0.04 %/°C

MAXIMUM RATINGS

Operational Temperature	-40 to +85 °C
Maximum System Voltage (V _{DC})	1500 VDC (IEC)
Max Series Fuse Rating	25A

WARRANTY

25 year Product Workmanship Warranty	
10 year Power Warranty	
1 % first year degradation	
0.8 % Annual Power Attenuation	

(Please refer to product warranty for details)

PACKAGING CONFIGURATION

Modules per pallet	36 pieces
Modules per 40' container	504 pieces

Our Ref: 24/00845/P

App No. 24/00845/P

**EAST LoTHIAN COUNCIL
DECISION NOTICE**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS
2013**

**Mr Patrick Ledingham
c/o Lothian Plans
Per Stephen Lothian
18 Laidlaw Gardens
Tranent
EH33 2QH**

APPLICANT: Mr Patrick Ledingham

With reference to your application registered on **13th March 2025** for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

Change of use of grass verge to form additional garden ground, erection of fencing and outbuildings, formation of hardstanding and decked areas, installation of air source heat pump, flue and solar panels (Part Retrospective)

**at
1 Quondrom Cottages
Yester
Gifford
Haddington**

East Lothian Council as the Planning Authority in exercise of their powers under the above-mentioned Acts and Regulations hereby **GRANT PLANNING PERMISSION** for the said development in accordance with the particulars given in the application, the plan(s) docketed as relative hereto and the conditions set out below:-

CONDITIONS:

- 1 Within 2 months of the date of this decision notice the 1.25m high fence that has been erected to enclose the south and east of the house shall be lowered such that there shall be no obstruction to visibility above a height of 1.05 metres (above the adjoining road level) within the area bounded by a line 2.4 metres from the northern or north-eastern edge of the minor road (the U143 as it meets the C92) and a point or locus on the C92 public road, where inter-visibility is already restricted by the change in gradient and level of the C92. Thereafter the lowered part of the fence shall be retained at the required height of no more than 1.05 metres

unless otherwise agreed by the Planning Authority.

Reason:

In the interests of road safety.

- 2 Within two months of the date of this decision notice the summerhouse building hereby approved shall be re-positioned to be a minimum of 2 metres to the north of its current position such that it does not protrude forward of the building line of the gable elevation of the applicant's house. Thereafter, the summerhouse shall remain as so re-positioned approved unless otherwise approved by the Planning Authority.

Reason:

In the interest of protecting the character and appearance of the surrounding area.

- 3 Noise associated with the operation of the air source heat pump hereby approved shall not exceed Noise Rating curve NR20 at any octave band frequency between the hours of 2300-0700 and Noise Rating curve NR25 at any octave band frequency between the hours of 0700-2300 within any existing residential property. All measurements to be made with windows open at least 50mm.

Reason:

In the interest of protecting the amenity of neighbouring residential properties.

The report on this application is attached to this Decision Notice and its terms shall be deemed to be incorporated in full in this Decision Notice.

Details of the following are given in the application report:

- the terms on which the Planning Authority based this decision;
- any variations made to the application in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997; and
- where applicable the summary of the terms of any agreement entered into under Section 75 of the Town and Country Planning (Scotland) Act 1997.

A copy of the Section 75 Agreement can be inspected in the application file on the Council's website.

The docketed plans to which this decision relate are as follows:

<u>Drawing No.</u>	<u>Revision No.</u>	<u>Date Received</u>
1QC-PL2	A	18.09.2024
MANU LITERATURE 1	-	03.10.2024
MANU LITERATURE 2	-	03.10.2024
1QC-PL1	A	03.10.2024
1QC-PL4	B	18.12.2024
1QC-PL5	B	18.12.2024
1QC-PL3	B	24.04.2025

ADVISORY NOTES

It should be understood that this permission does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

16th May 2025



Keith Dingwall
Service Manager - Planning
(Chief Planning Officer)

NOTES ABOUT REVIEW OF DECISION

If the applicant is aggrieved by the decision of the Planning Authority to grant permission for the proposed development subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this decision notice. The notice of review should be addressed to the Clerk to the Local Review Body, Committee Team, Communications and Democratic Services, John Muir House, Haddington, East Lothian EH41 3HA.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Notes to Applicant

The applicant/developer is strongly advised to check the status of utility apparatus for Scotland Gas Networks before progressing with any development on site. Scotland Gas Networks are currently referring prospective applicants/developers to www.linesearchbeforeudig.co.uk to review any apparatus that might be affected by the proposed works. If apparatus is located that would be affected then Scotland Gas Networks should be contacted on <https://www.sgn.co.uk/>

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

Section 27A (1) of the above-mentioned Act requires that this notice must be served to the Council **prior** to the start of work. Failure to do so is a breach of planning control under section 123(1) of the above Act and may result in the Council taking enforcement action.

NOTICE OF INITIATION OF DEVELOPMENT

Notice is hereby given that the under-mentioned scheme of development is expected to commence on/...../20....

Planning authority reference: **24/00845/P**

Date of decision notice: **16th May 2025**

Address/Location of site:

1 Quondrom Cottages
Yester
Gifford
Haddington

Name and address of developer:

Name and contact details of site agent:

Owner of land (if not as above):

Signed:

Date:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

Section 27B (1) of the above-mentioned Act requires that this notice must be served to the Council on completion of the approved scheme of development.

NOTICE OF COMPLETION OF DEVELOPMENT

Notice is hereby given that the under-mentioned scheme of development was completed on/...../20....

Planning authority reference: **24/00845/P**

Date of decision notice: **16th May 2025**

Address/Location of site:

1 Quondrom Cottages
Yester
Gifford
Haddington

Name and address of developer:

Owner of land (if not as above):

Signed:

Date:

Comments for Planning Application 24/00845/P

Application Summary

Application Number: 24/00845/P

Address: 1 Quondrom Cottages Yester Gifford Haddington EH41 4JZ

Proposal: Change of use of grass verge to form additional garden ground, erection of fencing and outbuildings, formation of hardstanding and decked areas, installation of air source heat pump, flue and solar panels (Part Retrospective)

Case Officer: James Allan

Customer Details

[REDACTED]

[REDACTED]

[REDACTED]

Comment Details

Commenter Type: [REDACTED]

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Since the fence has been erected the visibility due to its height has obscured traffic coming down from leehouses farm, this is also made worse by multiple parked vehicles too close to the junction making it dangerous pulling out towards the farm or back in when access is needed especially when working farm vehicles are also turning in or accessing the fields opposite.

From: [REDACTED]
To: [Environment Reception](#)
Subject: planning opposition 24/00845/P
Date: 14 October 2024 17:54:12

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Application Number
24/00845/P

Dear Sir/Madam

I am writing to oppose the planning permission for the above. The work has already taken place for some time without any consultation or consideration of the surrounding properties.

As a [REDACTED], I believe the fence to be too high, obstructing the view to get onto the main road out of Leehouses. We were informed by the previous owners that a fence was disallowed. This also appears to have extended the property perimeter, making turning into the road to Marvingston difficult.

The erection of, what I believe is a sun house, has also removed the allocated parking on the original plans and, subsequently, led to the property in question parking outwith the recommended safe distance to a junction as stated in Rule 243 Highway Code. I, personally have had a few near misses on trying to navigate as a car is just about on the corner.

Not opposed to having a heat pump nor solar panels but the former is not in keeping with the quaint surroundings. I am aware that this is not a conservation area but feel we have standards to maintain.

Please contact myself with any other queries.

[REDACTED]

Comments for Planning Application 24/00845/P

Application Summary

Application Number: 24/00845/P

Address: 1 Quondrom Cottages Yester Gifford Haddington EH41 4JZ

Proposal: Change of use of grass verge to form additional garden ground, erection of fencing and outbuildings, formation of hardstanding and decked areas, installation of air source heat pump, flue and solar panels (Part Retrospective)

Case Officer: James Allan

Customer Details

[REDACTED]

[REDACTED]

[REDACTED]

Comment Details

Commenter Type: [REDACTED]

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment [REDACTED] have no issue with the solar panels or the heat exchanger.

However the fence that has been put up makes the junction very dangerous, that combined with the erection of the summerhouse which has taken away part of the allocated parking area means that visibility around the bend from all angles is restricted due to parked vehicles within the 10m confines of the junction. [REDACTED] local children have to stand on the corner to get the school bus and they can not be seen especially now the mornings are darker.

[REDACTED] used to be able to stand in our porch, but because the unsightly summerhouse has been plonked so far forward it is now not possible to see out and up the way from there anymore. From a visual perspective the summer house also restricts the view up to the hills from our front door and path. If it was to be moved back several feet to with the existing boundary of the property it would solve both our visual loss and also that of the restricted view from poorly parked cars so close to the junction.

Another issue is that the large farm vehicles have had to churn up the verges surrounding the corner as it is impossible for them to get around the corner now due to the fence and poorly parked cars.

From: [REDACTED]
To: [Environment Reception](#)
Subject: 24/00845/P
Date: 28 October 2024 07:20:18
Attachments: [Figure 1.jpeg](#)
[Figure 2.jpeg](#)

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To whomever it concerns

I am writing to you with regard to the planning application submitted by Patrick Ledingham for 1 Quandrom Cottages, Haddington, EH41 4JP.

I am concerned the installation of the newly erected fence has negatively impacted the safety of the junction and has increased the risk for road users due to reduced width and visibility. Furthermore it has caused school children waiting on the bus to stand within the junction and has caused significant degradation of the road surface adjacent to the junction due to the offset turning lines taken by large vehicles. These reasons are explained further below:

- 1) The fence height and position has significantly reduced line of sight for road users when approaching the junction from the North-East. Cars must progress over the junction to gain adequate visibility, particularly of travelling down the hill from the North-West.
- 2) Construction of an out-building on the edge of the property has reduced car parking spaces for the property. This has resulted in regular parking of 2 cars directly outside the entrance of the property on the public road, regularly within 5 feet of the junction, and hindering the view of road users further (refer to attached figure 1). Additionally, cars are often parked on the opposite side of the junction, particularly when guests are visiting the property, which inhibits visibility in both directions (North-West and South-East as shown in figure 2). Prior to the erection of the fences, cars were parked within the boundary of the property and certainly without impacting the junction.
- 3) Large white stones have been placed by the owner on the road surface around the corner of the junction, outside the newly installed fence. These stones pose a significant hazard for drivers turning off the main road onto the minor road as they are unexpected and are not obvious due to limited visibility from parked cars. This has resulted in large vehicles accidentally striking the stones, with several instances of vehicles dragging the stones along the road. Fortunately these have been noticed and returned to their original position, however if they were not observed they would pose a significant further risk to road users.
- 4) There are four children in Leehouses who are collected by the school bus to Knox Academy early in the morning. The bus stops outside the North-East side of 1 Quandrom Cottages. Before the fence was erected there was space for people to stand on the council-owned land outside number 1 and wait safely for their bus. Now the newly installed fence (which may exceed the property boundary) has forced them to either wait on the road itself, wait on the opposite side of the road which is an unkept verge and results in them crossing either in front of or behind the bus, or on the main road in front of the cottages which is a significantly busier road. During winter when the children are waiting in the dark, where they are at significantly more risk.

5) There is increasing degradation of the tarmac road surface and verges as a result of large vehicles having to take a much wider turning line as a result of the position of the fence and aforementioned stones. The reduced junction width has resulted in the owners of 1 Quandrom Cottages *having* to move cars to allow large vehicles such as combine harvesters to turn into the junction. We live in a heavily farmed area, where combine harvesters, tractors with large implements and heavy goods vehicles pass the houses very regularly. All other residents generally accept this and try to prioritise supporting the local farmers.

While the fence is not really in keeping with the style of Leehouses, the property is not within a conservation area so there is no requirement for a specific specification or style of fence. What is an issue is the height and placement. If the fence went back to the boundary line and the stones were removed there would be more space for the children to wait safely for their bus and a much safer and user-friendly road junction. It doesn't, however, address the issue of the car parking as a result of the new out-building. If this was moved back to the original fence line, the owner originally had, there would be 2 car parking spaces and safe visibility at the junction.

I also believe that the planning application is incorrect when the owner has stated that there was only 1 parking space before the erection of the out-building. The owner had more than enough space for 2 cars, plus the grass outside his house (which is now fenced in) was used as parking. The current space left *can* accommodate 1 car if parked in parallel to the house, however it is never used as such.

Thank you for taking my comments into consideration.

Yours Sincerely

A black rectangular redaction box covering the signature area.





From: [REDACTED]
To: [Environment Reception](#)
Subject: Application 24/00845/P - Representations.
Date: 27 October 2024 15:28:28
Attachments: [REDACTED]

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General:

Leehouses is a quiet rural hamlet with 6 houses. all of the houses are rural properties with traditional build and traditional walls and hedges. There are a number of pets and children that live in the houses and, with a 60 mph speed restriction, everyone has to be very watchful when coming and going from cars and houses in order to see and be seen by any passing traffic. Good sightlines are therefore vital to the safety of all inhabitants so any deliberate infringements on those sightlines should be very carefully considered. When planning permission was granted to Mr Ledingham in 2012 to convert the existing barns into dwellings the stipulations about what he was and was not permitted to do were by his own admission very strict.

No objection to **solar panels**

Air source heat pump: See attachment "Current view heat pump". Objecting on the grounds that it is not in keeping with the general demeanour of the building and could've been built on the opposite side of the property. Residents at No 2 have not been even allowed to put in a front gate and yet this has been built without request for planning permission. The area around the pump is being used as a dumping ground for a variety of wood etc and it is not in keeping with the general demeanour of the area. The initial planning application made by Mr Ledingham when he converted the barns that used to be on the site into cottages was very specific about what could and could not be placed on the road side of the cottages and he has knowingly installed this heat pump regardless of the need for planning permission

Fence:

1. The fence is a man made structure and I am lead to believe that this in itself is against the original planning permission. It is not in keeping with the other houses and is out of character with the general area and I fail to understand what was wrong with the hedge that was there originally.
2. The fence height is or such that the visibility at that junction is severely diminished. Even if there are no cars parked it is very difficult to see round the corner from either

direction at the junction. See attachment "school bus".

3. The location of the fence means that the surrounding verges have all been worn away causing issues with erosion of soil and subsequent mud, an increase in potholes and extreme difficulty for farmers to get around the corner with farming and delivery vehicles. On several occasions I have seen the Ledinghams have to move their vehicles to allow farm vehicles to pass. See attachment "Current road damage"

4. The fact there is a fence there means that the school children (4 or them at Leehouses) waiting for the bus are forced to stand in the road as the bus stops on that corner. There is absolutely no street lighting and it is extremely unsafe for them. Their only other option is to stand in the gateway of the field which, because of the fence and the fact tractors etc have to swing up on to the verges, is nothing but deep mud and puddles. Previously they could stand on the council owned land which has now been fenced off. See attachment "school bus"

5. The fence has taken in an area of land that did not belong to the cottage. This has narrowed the road and caused issues of safety with the junction. This is an area of council land that Mr Ledingham has knowingly taken over. See attachment "Road 1" and "Road 2"

6. Mr Ledingham has placed a number of large white rocks along the outside of the fence to prevent it getting damaged This has effectively extended his boundary even further into a road that is already narrow and increased the danger of cars being forced to swerve to avoid them.

7. The attachment "school bus" shows the exact view from a car as you stop at the junction coming from Marvingston. The visibility up the hill towards Leehouses Farm is non existent due to the fence and the fact cars are parked on the corner where previously, before the Outbuilding was built, these vehicles were parked on the designated parking space as per the planning permission granted in 2012 (see attachment "Planning 2012 parking 2")

Outbuilding:

1. I used to come out of my front door and be able to see the road and the woods and the hills. Now this is all I can see. To the left of the photograph you can see the old fence line. I fail to understand why the outbuilding could not have been built within this original fenced boundary. This obstruction of the view from [REDACTED] depreciates the value of my property. Mr Ledingham never explained to us what his intentions were which was extremely discourteous and inconsiderate. See attachment "Former view [REDACTED] 4" and Current view [REDACTED]"

2. To the road side of the original fence line used to be the location of Mr Ledinghams 2 designated parking areas, as per his original planning permission. The outbuilding now means that there is nowhere for him to park his vehicles so he parks them on the road. This means parking within a few feet of the junction and, combined with the fence, it means that the visibility has been even more severely reduced. There have been several pedestrians, cyclists and pets who have had near misses at this junction because it is impossible to see clearly any vehicles approaching the junction from any direction. See attachment "Planning 2012 parking" and "planning outbuilding parking".

3. The height of the structure is well over the 6 feet that is normally permissible for an

outbuilding. It is also within a metre of my boundary fence.

In summary, if Mr Ledingham was to reinstate his original parking area, as per his original planning permission, and reinstate his original fence line with the outbuilding within that fence line (again as per his planning permission) , all issues with safety, road damage and land damage could be rectified. I cannot stress enough how dangerous the road is here now especially as the existing speed limit is 60mph. it is only a matter of time before someone is seriously injured.



