

Mr Patrick Jenkins
Mansefield
91 High Street
Coldstream
Scottish Borders
TD12 4AF

Please ask for: Cameron Kirk
☎ 01835 825253
Our Ref: 22/01089/FUL
Your Ref:
E-Mail: cameron.kirk@scotborders.gov.uk
Date: 4th October 2022

Dear Sir/Madam

PLANNING APPLICATION AT Mansefield 91 High Street Coldstream Scottish Borders TD12 4AF

PROPOSED DEVELOPMENT: Installation of photo voltaic array to the south facing roof

APPLICANT: Mr Patrick Jenkins

Please find attached the formal notice of refusal for the above application.

Drawings can be found on the Planning pages of the Council website at <https://eplanning.scotborders.gov.uk/online-applications/>.

Your right of appeal is set out within the decision notice.

Yours faithfully

John Hayward

Planning & Development Standards Manager

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended)

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Application for Planning Permission

Reference : 22/01089/FUL

To : Mr Patrick Jenkins Mansefield 91 High Street Coldstream Scottish Borders TD12 4AF

With reference to your application validated on **11th July 2022** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Installation of photo voltaic array to the south facing roof

at : Mansefield 91 High Street Coldstream Scottish Borders TD12 4AF

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s) stated on the attached schedule**.

**Dated 30th September 2022
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 22/01089/FUL

Schedule of Plans and Drawings Refused:

| Plan Ref | Plan Type | Plan Status |
|-----------------|--------------------|--------------------|
| | Location Plan | Refused |
| | Proposed Roof Plan | Refused |

REASON FOR REFUSAL

- 1 The proposed development fails to comply with Policy PMD2 and Policy EP9 of the Scottish Borders Local Development Plan 2016, in that the proposed siting of fifteen solar panels on a visible elevation of the dwellinghouse would have a significant visual impact on the traditional roof which would adversely impact upon the character and appearance of Coldstream Conservation Area. Furthermore, the proposal would set an undesirable precedent that could lead to the incremental erosion of the character and appearance of Coldstream Conservation Area.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

- 1 An alternative location could be identified for solar panels, such as, a roof plane to a secondary elevation of the dwellinghouse, the roof of an ancillary building location within the curtilage of the dwellinghouse, or ground mounted solar panels.

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval 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 (as amended) within three months from the date of this notice.

The notice of review must be submitted on the standard form and addressed to the Clerk of The Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells, TD6 0SA or sent by email to localreview@scotborders.gov.uk. The standard form and guidance notes can be found online at [Appeal a Planning Decision](#). Appeals to the Local Review Body can also be made via the Scottish Government Planning and Environmental Appeals Division by clicking on the following link [PEAD](#)

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, 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 may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).