Agenda Item	6.7
Report No	PLS/22/25

### HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 02 April 2025

Report Title: 25/00324/LBC: Inverallan Church

Inverallan Church, Grant Road, Grantown-On-Spey, PH26 3JH

Report By: Area Planning Manager – South

# **Purpose/Executive Summary**

**Description:** Installation solar PV panels

**Ward:** 20 – Badenoch and Strathspey

**Development category:** Listed Building Consent (Local)

Reason referred to Committee: Member Referral

All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

### Recommendation

Members are asked to agree the recommendation to **REFUSE** the application as set out in section 11 of the report

### 1. PROPOSED DEVELOPMENT

- 1.1 Listed Building Consent is sought for the installation of roof mounted photovoltaic panels on the southwest facing roof plane above the main entrance to, and frontage of, the church building.
- 1.2 The proposed photovoltaic panel array will consist of 39 panels and measures 14.86m x 3.74m taking up a substantial proportion of the roof plane upon which they will sit.
- 1.3 This application is a resubmission of 24/00493/LBC as no appeal was made against the refusal of Listed Building Consent, which still stands. Planning Permission (24/00482/FUL) was granted for the solar pv panels by the Planning Review Body (24/00045/RBREF) on 04 Feb 2025.
- 1.4 Pre-Application Consultation: None. However, the planning history for the site (at section 3 below) is considered relevant and provides a clear view that the installation of photovoltaic panels in the proposed location is not considered to be acceptable.
- 1.5 Supporting Information:
  - Planning Supporting Statement
  - Proposed pv Panels Data Sheet
  - Sun Path Study
  - Study Into Options for Location of Photovoltaic Cells
- 1.6 Variations: None

#### 2. SITE DESCRIPTION

- 2.1 The Category B Listed Inverallan Church is located to the west of Grant Road in the centre of Grantown on Spey enclosed by woodland to the rear and side. The site is within the Grantown on Spey Conservation Area.
- 2.2 The church occupies a prominent location at the head of Church Avenue, which leads south-east from the church itself towards the centre of Grantown. Grant Road and Mossie Road form a continuous road that runs from southwest to northeast across the front of the church, with the name changing at this point Grant Road to the southwest and Mossie Road to the northeast. The church is of sandstone construction with steeply pitched slated roofs.
- 2.3 In plan form the church is in the form of a cross, with the longer arm extending northwest southeast towards Church Avenue. It terminates at the southeast end in a prominent gable which dominates the appearance of the building when seen from the Avenue. This gable is also the principal entrance to the church, with twin doors sitting within a gothic arch containing inscriptions about the erection of the building in 1884. Above the arch is a window with fine tracery that extends nearly to the point of the gable. The roof itself cannot be seen from the Avenue as it is

visually behind the gable.

2.4 The proposed photovoltaic panels would be located on the southwest side of the roof of this part of the church. It is dominant in views of the church from this direction, primarily from Grant Road.

# 3. PLANNING HISTORY

3.1	04.02.2025	24/00045/RBREF (24/00482/FUL) Alterations and installation of in-roof PV panels	Review Allowed
3.2	24.10.2024	24/00482/FUL & 24/00493/LBC Alterations and installation of in-roof PV panels	Permission/ Consent Refused
3.3	03.04.2023	PPA-270-2281 (21/04869/FUL) - Alterations to church to create flexible sanctuary for worship and use as a concert/performance venue, including associated meeting rooms and activity spaces, toilets, stairs and lift, provision of social enterprise cafe, alterations to window to create new door and side screens with terrace access.	Appeal Dismissed
		Appeal dismissed, refused to vary the terms of the planning permission.	
3.4	03.04.2023	LBA-270-2013 (21/04872/LBC) Alterations to church to create flexible Sanctuary for worship and use as a concert/performance venue, including associated meeting rooms and activity spaces, toilets, stairs and lift, alterations to window to create new door and side screens with terrace access	Appeal Dismissed
		Appeal dismissed, refused to vary the terms of the planning permission.	
3.5	10.10.2022	21/04869/FUL & 21/04872/LBC Alterations to church to create flexible sanctuary for worship and use as a concert/performance venue, including associated meeting rooms and activity spaces, toilets, stairs and lift, provision of social enterprise cafe, alterations to window to create new door and side screens with terrace access	Permission/ Consent Granted
3.6	14.08.2013	13/02298/FUL Proposed siting of timber storage shed (2.450x 1.830m)	Planning Permission Granted

#### 4. PUBLIC PARTICIPATION

4.1 Advertised: Listed Building

Date Advertised: 20 February 2025

Representation deadline: 14 March 2025

Timeous representations: 1 Representation (1 household)

Late representations:

- 4.2 Material considerations raised are summarised as follows:
  - a) application generally is in line with current planning requirements and should be approved in full
  - b) successful application will be vital in offering an outstanding facility to the community and will also secure the future of Inverallan Church, an asset that must not be lost to the community
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet <a href="www.wam.highland.gov.uk/wam">www.wam.highland.gov.uk/wam</a>.

### 5. CONSULTATIONS

Historic Environment Team: The layout and siting of PV panels in this current application has not changed from the 2024 proposals we previously commented on. We therefore have nothing to add to our previous advice and we continue to object strongly to this proposal. We support efforts to adapt listed buildings to climate change, and to make them more sustainable in terms of renewable energy and thermal performance, but this should not be at the expense of the heritage value, and heritage character, of the listed building. Solar panels are rarely – if ever – acceptable on a principal or frontage roof-slope of a listed building. As previously suggested, roof-area D (to the west) can easily and unobtrusively be utilised for solar panels, likewise roof-areas C (to the west) and F (to the northwest) which, although more limited in terms of direct sunlight, they too will have some value. This proposal, however, has a significantly adverse impact upon the historic character of the listed building, being obtrusively and insensitively sited on a principal frontage roof-slope.

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that, in considering whether to grant Listed Building Consent for any works, the Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. NPF4 Policy 7c Historic assets and places, requires that: Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. HWLDP Policy 57 Natural, Built and Cultural Heritage will allow developments if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource. The proposal fails to comply with any of these policy tests,

and we recommend that (once again) it is refused.

5.2 **Historic Environment Scotland**: Inverallan Church is a Category B listed cruciform Gothic church by Alexander Smith, built in 1884-6. The proposals seek to install thirty-nine solar photovoltaic (PV) panels on the southwest roof pitch (Roof A on plan) above the nave.

We previously commented on similar proposals for PV panels in this location (21/04872/LBC and 24/00493/LBC). A related planning application (24/00482/FUL) was approved at a Planning Review Body meeting on 28 January (24/00045/RBREF). We note that the proposal was not considered by the Planning Review Body to have an adverse impact on the listed building.

The layout and siting of PV panels in this current application has not changed from the 2024 proposals we previously commented on. We therefore have nothing to add to our previous advice.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building consent, together with related policy guidance.

### 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

## 6.1 National Planning Framework 4 (NPF4) (2023)

Policy 1 - Tackling the Climate and Nature Crises

Policy 2 - Climate Mitigation and Adaptation

Policy 3 - Biodiversity

Policy 7 - Historic Assets and Places

Policy 11 - Energy

Policy 14 - Design Quality and Place

### 6.2 Cairngorms National Park Local Development Plan (CNPLDP) (2021)

- 2 Supporting Economic Growth
- 3 Design and Placemaking
- 7 Renewable Energy
- 9 Cultural Heritage
- 10 Resources

### 6.3 Cairngorms National Park Guidance

- 2 Supporting Economic Growth, Non-statutory Guidance
- 3 Sustainable Design, Non-statutory Guidance
- 7 Renewable Energy, Supplementary Guidance
- 9 Cultural Heritage, Non-statutory Guidance
- 10 Resources, Non-statutory Guidance

#### 7. OTHER MATERIAL CONSIDERATIONS

## 7.1 Scottish Government Planning Policy and Guidance

**Designing Streets** 

**Creating Places** 

#### 8. PLANNING APPRAISAL

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

## **Determining Issues**

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

# **Planning Considerations**

- 8.3 The key considerations in this case are:
  - a) compliance with the development plan and other planning policy
  - b) impact on the listed building
  - c) planning history and previous applications
  - d) any other material considerations

### Development plan/other planning policy

- 8.4 NPF4 Policies 1-3 apply to all development proposals nationwide. When considering all development proposals, significant weight will be given to the global climate and nature crises. Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- 8.5 NPF4 Policy 7 Historic assets and places part c) sets out that development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting.
- 8.6 NPF4 Policy 7 Historic assets and places part d) sets out that development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the: i. architectural and historic character of the area; ii. existing density, built form and layout; and iii. context and siting, quality of design and suitable materials.

- 8.7 NNPF4 Policy 11 Energy sets out that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported including small scale renewable energy generation technology and solar arrays. Project design and mitigation will demonstrate how impacts on the historic environment are addressed. In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
- 8.8 NPF4 Policy 14 Design, quality and place sets out that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- 8.9 The site is located within the Grantown on Spey Settlement Area as defined within the Cairngorms National Park Local Development Plan (2021). The objectives of the settlement, as outlined within the Development Plan, include the protection of parts of the village which are important to its character and setting.
- 8.10 CNPLDP Policy 3 Design and Placemaking, requires that development be sympathetic to the traditional character, vernacular and distinctiveness of the surrounding area, while encouraging innovation in design and use of materials. Alterations to building stock should respect the design, massing, proportions, materials and general visual appearance of the area, as well as the building's setting.
- 8.11 The policy outlines, amongst other things, that proposals must demonstrate sensitive siting and design that respect the traditional pattern and character of the area as well as the amenity of neighbours. It supports the principle of converting existing building stock where the conversion works maintain the style and character of the original building.
- 8.12 Grantown on Spey Conservation Area, Policy 9: Cultural Heritage is also relevant. This requires that development have no adverse effect on a listed building. The layout, design, materials, scale, siting and use of any development should be appropriate to the character and appearance of the listed building and its setting. Where development would result in a significant adverse impact, the proposal must demonstrate the effect is clearly outweighed by social and economic benefits and minimise and mitigate any adverse effects on the listed building or its setting through appropriate siting, layout, scale, design and construction.
- 8.13 Where development would result in a significant adverse impact, the proposal must demonstrate the effect is clearly outweighed by social and economic benefits and minimise and mitigate any adverse effects on the listed building or its setting through appropriate siting, layout, scale, design and construction.
- 8.14 In considering whether to grant listed building consent for any works, the Planning Authority is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.15 Provided that the siting and design of the proposal does not have a significantly detrimental impact upon the listed building, then the development would comply

with the Development Plan.

## Impact on the listed building

- 8.16 The photovoltaic panels will cover around half of the prominent principal southwestern facing roof of the church, in order to maximise solar gain. Given the location, it will be seen for some distance by pedestrians and vehicles when travelling along Grant Road. The location of this installation is not considered to be acceptable with regards to the built fabric of the church and its position within the Conservation Area. This should not be seen as a lack of support for renewable technologies located within heritage contexts in general. It is recognised that they can be an important component in securing the long-term future of historic buildings. Where proposed, however, it is important they are carefully and discretely located so as not to compromise the special architectural interest, character and appearance of the listed building.
- 8.17 The applicant has provided as supporting information a study that sets out that this roof plane is the optimum position to maximise the generation potential of the panels to support the previously approved alterations to allow for a more flexible use of the church building. This was provided as 'justification' for why the panels 'require' to be positioned on this particular roof plane rather than one to the rear or ground mounted which would be less prominent therefore more likely to gain support as set out in the previous applications (21/04869/FUL & 21/04872/LBC). However, the supporting information and 'justification' from the applicant is not considered to outweigh the impact on the historic and architectural value of the building.
- 8.18 The solar panels, which will be located on the principal elevation of the building, are not considered to be a sympathetic addition as evidenced by the consultation response from the Council's Historic Environment Team and the consultation response from Historic Environment Scotland. Where renewable energy technologies are proposed, it is important that they are carefully and discretely located so as not to compromise the special architectural interest, character and appearance of the listed building. As part of the previous application, alternative locations had been discussed with the agent and applicant such as the rear southwest facing slope of the nave or ground mounted panels on the grounds to the rear of the church. Both locations would be less prominent on a less visible part of the roof and would likely be supported. Whilst the concerns were acknowledged the applicant has been unwilling to amend the position of the panels in order to maximise the generation potential.
- 8.19 Accordingly, the proposal is considered to be contrary to both NPF4 Policy 7 Historic assets and places, and CNPLDP Policy 9: Cultural Heritage, which seeks to ensure that new development conserves and enhances the cultural heritage of the Cairngorms National Park. Whilst the proposed alterations will enable the property to meet modern requirements and therefore secure its future continued use, for the most part the changes proposed can be appropriately managed without significant adverse impact on the building's character, but not so with regard to the solar panels.

8.20 Overall, the proposal is not considered to meet the requirements of the statutory test of s14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it does not have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## Planning history and previous applications

8.21 The decision of the Planning Review Body on application 24/00045/RBREF to grant planning permission for the proposed solar pv panels is material to the consideration of the current application (25/00324/LBC). However, this is not considered to outweigh the conservation reasons to refuse the listed building consent which have not changed.

#### Other material considerations

8.22 There are no other material considerations.

### Non-material considerations

8.23 None.

#### 9. CONCLUSION

- 9.1 It is considered that the installation of photovoltaic panels to the roof of the Category B listed building within the Grantown on Spey Conservation Area will introduce a prominent, incongruous, contemporary feature that will adversely impact the special architectural and historic interest of the historic building.
- 9.2 Whilst there is general support for renewable technologies within heritage contexts these should be carefully and discretely located so as not to compromise the special architectural interest, character and appearance of the listed building. It is disappointing that alternative locations and design solutions were not agreed following the previous refusal and subsequent appeal as there is the potential to support photovoltaic panels in a more sensitive location that respects the buildings historical and architectural merit.
- 9.3 The proposal is contrary to NPF4 Policy 7 Historic assets and places and CNPLDP Policy 9: Cultural Heritage as it does not conserve and enhance the cultural heritage of the National Park. The social and economic benefits are not considered to outweigh the impact on the building, particularly as alternative solutions may be possible in this case.
- 9.4 Accordingly, it is not considered that the proposal has "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" as required by Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 9.5 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable

material considerations.

#### 10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

### 11. RECOMMENDATION

The application is recommended for refusal for the reasons set out below.

#### Reasons for Refusal

1. The layout and siting of the photovoltaic panels does not make a positive contribution to the heritage interests of the site or wider area, and is therefore not considered to be sensitively sited on the Category B listed building and accordingly does not pay "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" as required by Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and is therefore contrary to National Planning Framework 4 Policy 7 Historic assets and places and the Cairngorms National Park Local Development Plan Policy 9 Cultural Heritage.

Signature: David Mudie

Designation: Area Planning Manager – South

Author: Jennifer Mair

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 - 101 REV B Location Plan

Plan 2 - 102 REV D Site Layout – Roof/Site Plan

Plan 3 - 105 REV B Elevations
Plan 4 - 105 REV C Elevations

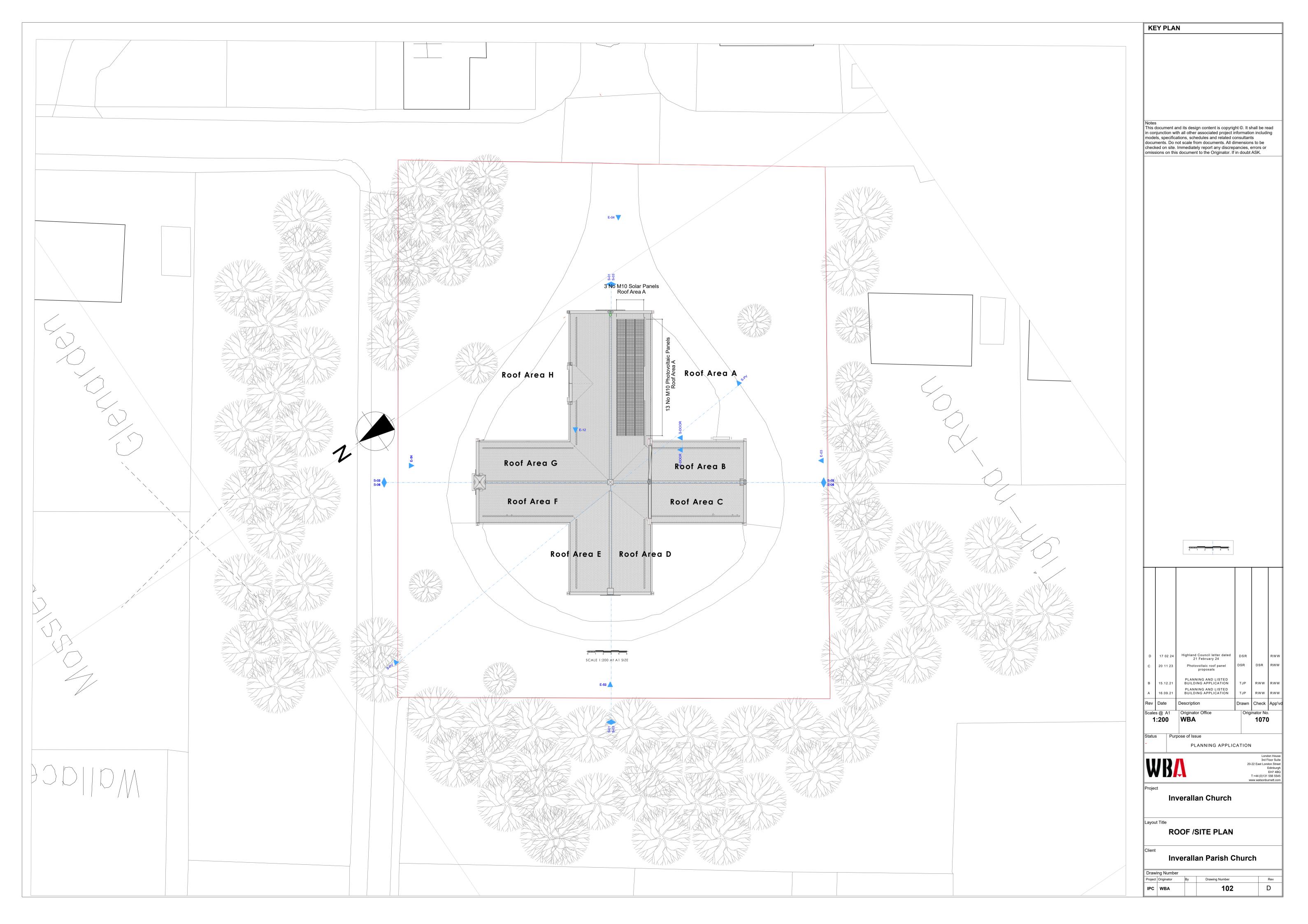
Plan 5 - 112 REV A General Plan – Photovoltaic Effectiveness

Plan 6 - 120 Visual Information - Front Entrance

Plan 7 - 121 General Plan - Photovoltaic Technical Sheet

Plan 8- 122 Section Plan





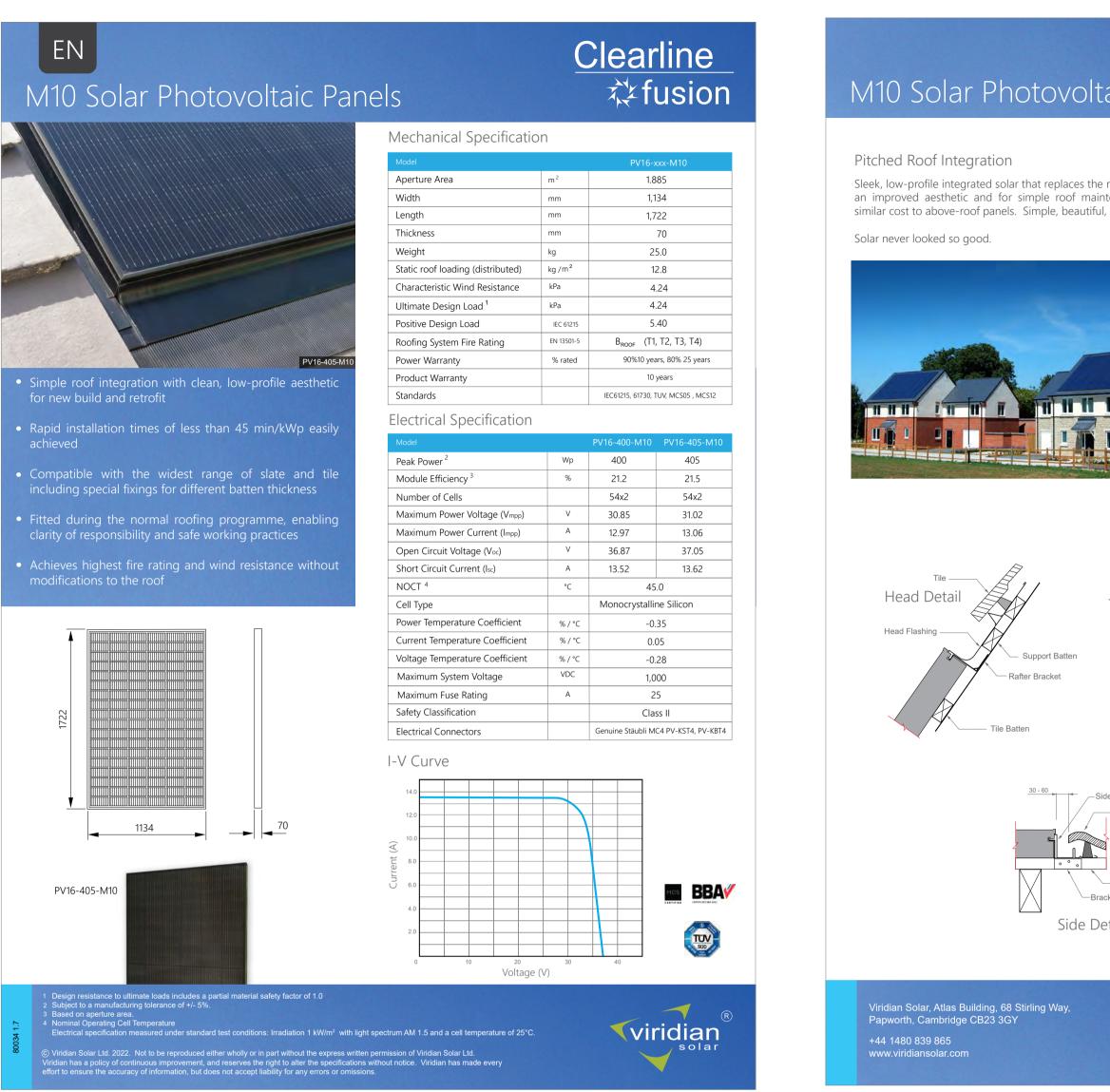


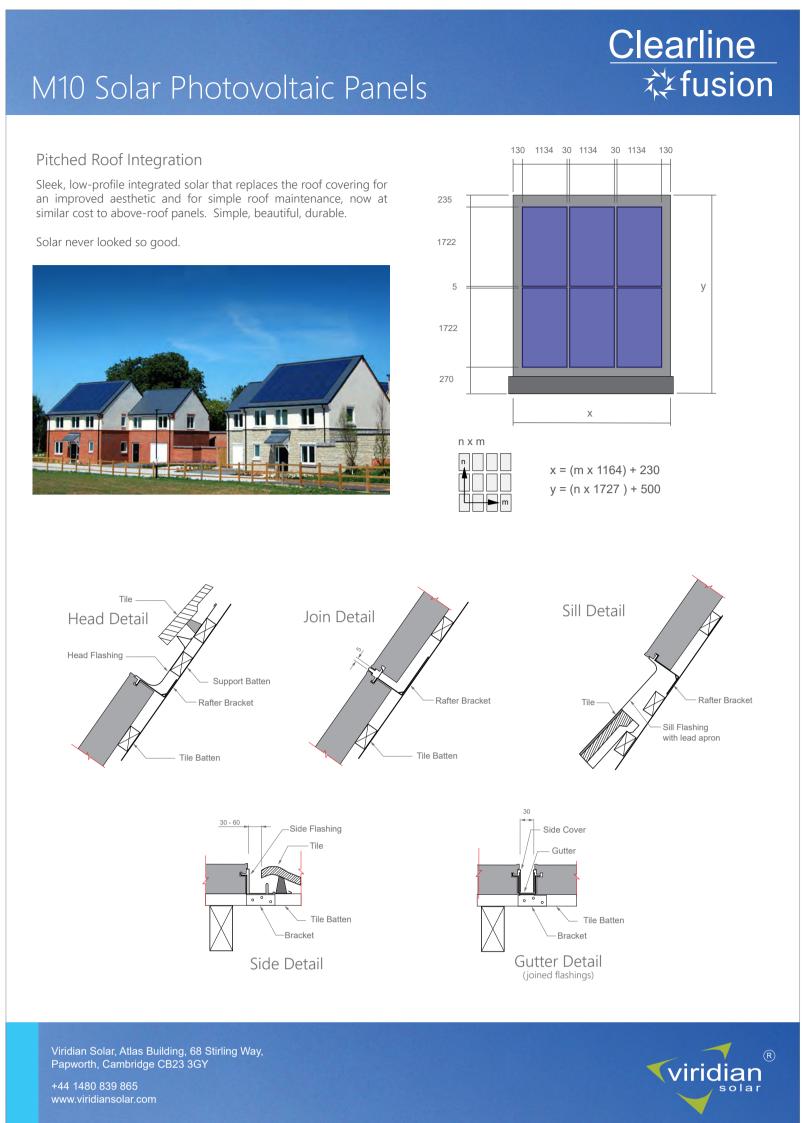
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Entrance View from Mossie Road

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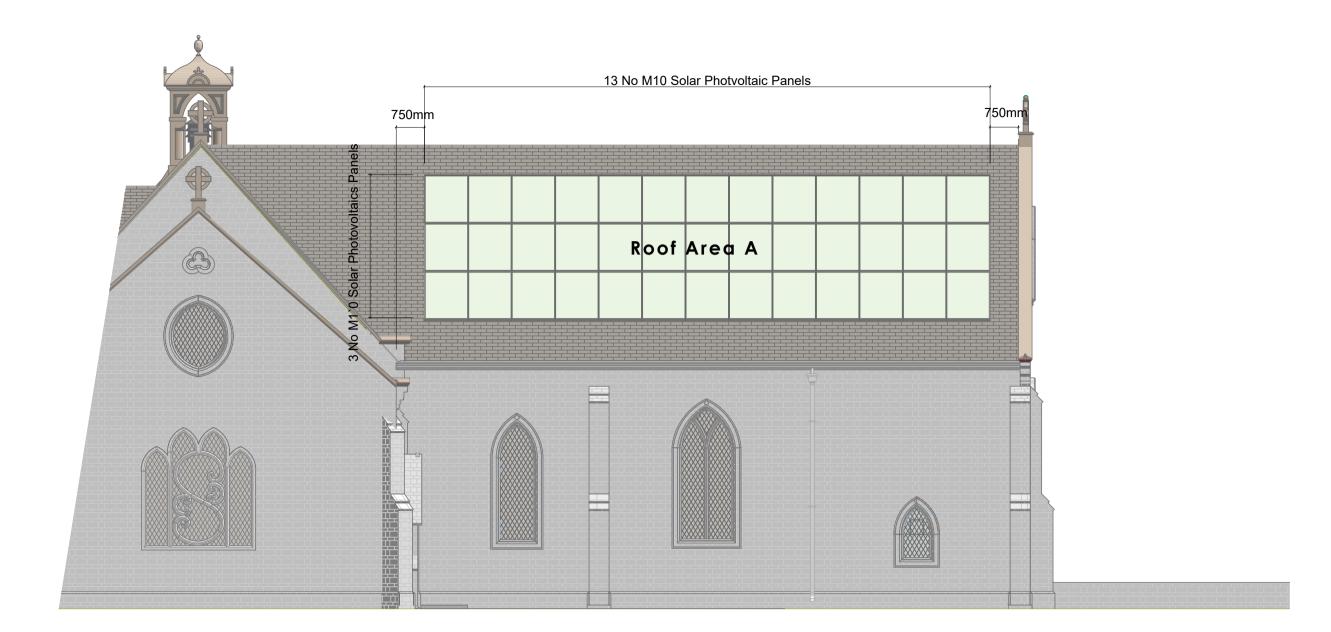




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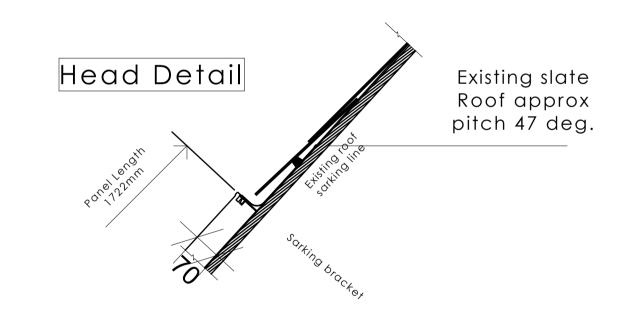
KEY PLAN This document and its design content is copyright ©. It shall be read in conjunction with all other associated project information including models, specifications, schedules and related consultants documents. Do not scale from documents. All dimensions to be checked on site. Immediately report any discrepancies, errors or omissions on this document to the Originator. If in doubt ASK. Photovoltaic roof panel proposals Rev Date Description Scales @ A1 Originator Office 1:100 WBA London House 3rd Floor Suite 20-22 East London Street Edinburgh EH7 4BQ T:+44 (0)131 556 5545 **Inverallan Church** Layout Title Photovoltaic Technical Sheet **Inverallan Parish Church** Drawing Number 121

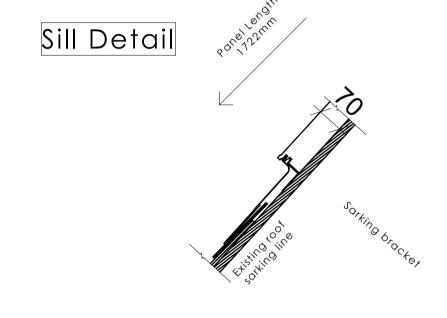




South West Elevation

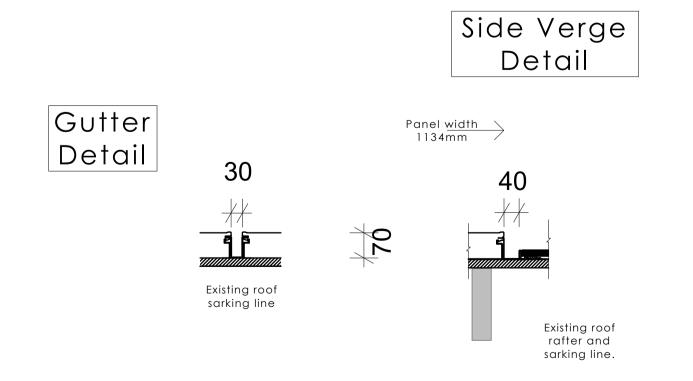
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1:100

1:10 Head Flashing



AV Panel Butt Joint Detail.

Sill Detail

1:10

1:10 Gutter and Side Verge Detail

1:10 Panel Joint Detail

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Description

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WBA London House 3rd Floor Suite 20-22 East London Street Edinburgh EH7 4BQ T:+44 (0)131 556 5545 www.watsonburnett.com Inverallan Church **Cross Section Technical Detail Sheet 1** Inverallan Parish Church Drawing Number 122