

Comments for Planning Application 24/00048/FULM

Application Summary

Application Number: 24/00048/FULM

Address: Field 300M West Of Grange Of Berryhill Invergowrie

Proposal: Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended) for the installation of a solar photovoltaic array (PV) with an export capacity of not more than 49.9MW and associated infrastructure subject to different conditions than those attached to planning permission appeal: PPA-120-2060. Specifically, the application seeks variation of condition 1 to extend the timescale for implementation of the planning permission until a date not later than 21 September 2027

Case Officer: Stephanie Porter

Customer Details

Name: Mrs Anne Elliott

Address: Burnside Cottage Binns Dundee DD2 5LL

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As I am one of the several families who are directly impacted by this planning I object. It is hard enough to have to accept that this planning was passed when it is less than 6 metres from my front door. The stress this application has generated within our family is immense and not taken into consideration by the planners, and I feel it is very unfair and thoughtless of this planning team to ask for additional time which would prolong the stress and inconvenience we are currently experiencing.

I personally feel that it is NOT right or proper to now amend this initial planning to allow the construction team involved additional time.

I believe that a planning application, having been submitted, must adhere to the time limits they set on application, and should not therefore be allocated extra time to fulfill this, and if they cannot meet this time deadline then the planning should not be permitted to go ahead.

If this application is granted additional time, it may lead to other companies throwing together quick applications with scant attention to the time details, knowing this can easily be amended at a later date, and this it makes a mockery of the system set up.

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Case Officer: Stephanie Porter

Customer Details

Name: Mrs Susan Lumsden

Address: Grieves Cottage Loch of Liff Road, Liff Dundee Dd2 5NE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This cannot be allowed to go ahead. The loss of top grade farm land alone should be enough reason to stop this madness never mind the road congestion and negative impact to wild life. Once this farm land is gone, its gone forever. Please think of the long term impact

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Case Officer: Stephanie Porter

Customer Details

Name: Mr Michael Donald

Address: The Brambles, Binns, By Fowlis Dundee DD2 5LL

Comment Details

Commenter Type: Miscellaneous

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the proposed extension of permission as the decision was made using NFP3 and ALDP 2016 and associated guidance.

The current NFP4 was published on 13 Feb 2023 and replaces all previous Scottish Planning policy. It allows 2 years for Local plans to align. Even under the NFP3 plan the ALDP would require renewal by 2026.

The primary purpose of a time bound consent or condition is to ensure that it is carried out under the framework it was agreed upon. The proposed extension could enable a development contrary to current guidance by its implementation in September 2027. Therefore a new submission should be requested.

Supplementary remarks;

The current ALDP and its associated Low Carbon technology guidance will be obsolete within the life of this proposed extension. There were many comments for and against, which were judged under these planning framework documents which, only after appeal, were finally approved.

Within the timeframe of the current application, solar technology, market demand and political aspirations around this type of development have advanced.

In specific terms, the land required for an economically viable 49.9MW array is significantly less than was calculated using the modelling at the point of application due to technology advances. This could significantly alter the amount of space required and the concerns raised during the

application and appeal process, while maintaining the national energy interest and the commercial concerns of the applicant.

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Case Officer: Stephanie Porter

Customer Details

Name: Mr Denis Speedie49

Address: 18. Benvie Road Fowlis Dundee DD2 5SA

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I fully support and endorse those comments submitted by Mr Michael Donald on 5/3/24.

I would wish to add the following observations:

* The first condition of the successful appeal for this planning application was that the development of a solar array at Berryhill was subject to a time limit of three years. The appellant is effectively appealing an appeal which I and other members of the public can only challenge in the High Court on a point of law.

* The applicant had already been refused a time extension for this planning application prior to this being refused a second time by the Reporter.

* I would also draw your attention to an article on time limits for planning permission in Scotland and section 42 of the Town and Country Planning (Scotland) Act 1997 which was written by Gordon Clark, Planning Lawyer, and published on 22/5/23. A section of this article reads:

" In the circular world of the Scottish planning system, following the latest reforms and the implementation of section 32 of the Planning (Scotland) Act 2019 on 1. October 2022, duration of planning permissions is once again regulated by condition. Any permission granted after this date can again have its duration varied by use of section 42 of the 1997 Act. Crucially though, permissions granted between 3 August 2009 and 1 October 2022 remain subject to a time limit direction and are incapable of being extended using section 42.

The appeal which upheld this planning application was granted in September 2022.

Comments for Planning Application 24/00048/FULM

Application Summary

Address: Field Mee Road, Merrichill, Derry

Original: The applicant seeks permission to demolish the existing building and erect a new building for residential use. The proposed building is a three-story structure with a total floor area of approximately 1,500 sqm. The applicant has submitted a detailed site plan and a list of proposed materials. The applicant also states that the proposed building will be built in accordance with the relevant building regulations and will be a permanent structure. The applicant has also stated that the proposed building will be built in accordance with the relevant building regulations and will be a permanent structure.

Case Officer: E. H. O'Rourke

Customer Details

Name: Sarah O'Connell

Address: 100 Riddell Road, Derry, DD1 1AA

Comments Details

Commenter Name: Mr. J. O'Connell

Address: 100 Riddell Road, Derry, DD1 1AA

Reason: The applicant has not provided sufficient information to support the application.

The applicant has not provided sufficient information to support the application. The applicant has not provided a detailed site plan or a list of proposed materials. The applicant has also not provided any information regarding the proposed building's height or the proposed building's use. The applicant has also not provided any information regarding the proposed building's location or the proposed building's proximity to other buildings. The applicant has also not provided any information regarding the proposed building's impact on the surrounding area. The applicant has also not provided any information regarding the proposed building's impact on the surrounding area. The applicant has also not provided any information regarding the proposed building's impact on the surrounding area.

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