

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 05 NOVEMBER 2004

**04/0908/LB: INSTALLATION OF REPLACEMENT WINDOWS IN EXISTING
FRONT ELEVATION AT 2 CRAIGSTON SQUARE, LUGAR.**

APPLICATION BY MRS TODD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Listed Building consent is sought for the replacement of two windows on the front elevation of the dwellinghouse. It is proposed to replace two existing timber sash and case (ten pane) windows with white double-glazed uPVC slide and sash style windows (two pane).

2. RECOMMENDATION

2.1 It is recommended that the application be refused for the reasons listed on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 As indicated in section 5 of the report, the application is not considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be refused unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application; however it is not considered that these are supportive of the application.

3.2 In this case, the dwellinghouse is listed as part of a Category B Group. The proposal is not consistent with the policy provisions for replacement windows in terms of the EALP or the Council's Design Guidance. Furthermore, the proposed windows are contrary to advice outlined in Historic Scotland's Memorandum of Guidance.

3.3 It is considered that the installation of uPVC white windows on the front elevation of the dwellinghouse would have a detrimental impact on the character and appearance of the Listed Building and of the Conservation Area. The front

elevations of the terraced buildings at Craigston Square are relatively unaltered and contribute significantly to the character of Lugar Conservation Area. It is considered that if this application were approved, a precedent would be set, and the unspoiled character of these buildings when viewed from the front, would be lost.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning, Development and Building Standards, the application would not require to be referred to the Development Services Committee as it would not be a significant departure from the East Ayrshire Local Plan.

Alan Neish
Head of Planning, Development and Building Standards

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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APPLICATION BY MRS TODD

Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a Listed Building Consent application which is to be considered by the Local Planning Committee under the scheme of delegation, as the proposal is contrary to policy and is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is located to the north side of the Muirkirk Road (A70) in the settlement of Lugar, forming part of Craigston Square. The terraced dwellinghouse has a frontage to a narrow access lane and field. The existing single storey dwellinghouse forms part of a Category B group listed building in association with the other terraced cottages at Craigston Square. The dwellinghouse also lies within the Lugar Conservation Area. The dwellinghouse has timber sash and case windows on the front elevation, and uPVC windows to the rear.

2.2 **Proposed Development:** Listed Building consent is sought for the replacement of two windows on the front elevation of the dwellinghouse. It is proposed to replace two existing timber sash and case (ten pane) windows with white double-glazed uPVC slide and sash style windows (two pane).

3. CONSULTATIONS AND ISSUES RAISED

3.1 Lugar and Logan Community Council has not responded to the consultation letter at the time of writing this report

Noted

3.2 The Architectural Heritage Society of Scotland objects to the proposal, stating that although the proposed uPVC windows are traditionally styled concerns are raised over the visual impact of the 'alien' plastic material which will detract from the quality that would be assured with a timber alternative.

It is considered that the installation of these uPVC windows on the front elevation of this listed building would be alien to the character and appearance of this listed building within Lugar Conservation Area.

3.3 Historic Scotland has objected to the proposal on the grounds that 2 Craigston Square is part of a Category B - listed row of miner's cottages and therefore the impact of uPVC windows not only on this cottage but on the row as a whole must be taken into account. In addition note is made to the proposal being contrary to Government Policy, as set out in the 'Memorandum of Guidance on Listed Buildings and Conservation Areas' (1998), Appendix 1, Sections 1.2.4 and 1.2.11 which is expanded in Section 6 of this report.

Comments as per 3.2 above.

4. REPRESENTATIONS

4.1 None.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 There are no policies contained in the structure plan which are especially relevant to the development.

East Ayrshire Local Plan

5.3 Policy ENV4 of the local plan states that the Council will seek to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to

preserve, enhance or incorporate features which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

The replacement of the existing windows with white uPVC windows as proposed is inappropriate for this Category B Listed Group of buildings and therefore the approval of this application would be contrary to the provisions expressed in Policy ENV4. It would set an undesirable precedent as approval would undoubtedly lead to further applications of this nature in a situation where use of uPVC replacement windows on the front elevations of properties in Craigston Square have so far been resisted.

5.4 Policy ENV7 requires that developers comply with the Council's Design Guidance relating to and advising on the particular type of development.

The design guidance relevant to this proposal advises that all new replacement windows must reflect the style, materials and proportion of windows appropriate to the architectural style and period of the property or area, particularly as regards the proportion of top-to-bottom sashes and the pattern of glazing bars and astragals. Although the proposed windows are of a sash and case design the white uPVC material would make the approval of this application contrary to the provisions expressed in Policy ENV7.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the consultation responses, Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas (1998) and the planning history of the area.

Consultations Responses

6.2 The two consultation responses received would indicate that the application should be refused.

Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas'

6.3 Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas, 1998' gives detailed advice on the consideration of Listed Building Consent cases. Paragraph 1.2.4 states that modern substitutes for timber windows should be firmly discouraged. Whilst paragraph 1.2.11 further states that the damage which may be caused by the replacement of the window,

which is historically and architecturally correct, with a modern unit made from a different material, to a different design or with a different method of opening is potentially immense. Any proposal which will result in the diminution of architectural quality, no matter how small should be refused.

The replacement windows would be contrary to the advice outlined in Historic Scotland's Memorandum of Guidance.

Planning History

6.4 Craigston Square has been the subject of previous applications for Listed Building Consent for uPVC windows on the front elevation of dwellings. This is summarised as follows:

(i) CD/89/203 Listed Building Consent for replacement uPVC windows to the front and rear of number 6 Craigston Square, Lugar was refused by the former Cumnock and Doon Valley District Council on 5 October 1989.

(ii) CD/90/24 Listed Building Consent for replacement windows to the side and rear of No. 6 Craigston Square, Lugar was approved by the former Cumnock and Doon Valley District Council on 7 June 1990. This involved the replacement of one window on the front elevation with a timber sash and case window to match the existing.

(iii) 98/0034/LB Listed Building Consent for replacement windows to the front and rear at Kirklea Craigston Square, Lugar was approved on 15 April 1998. The replacement windows to the front elevation were timber sash and case windows to match existing.

(iv) 98/0562/LB Listed Building Consent for the installation of replacement windows at 1 Craigston Square, Lugar was approved by the Southern Local Planning Committee on 9 October 1998. This involved the replacement of one window on the front elevation with a timber sash and case window to match existing.

(v) 01/0785/LB Listed Building Consent for the installation of replacement windows to the front elevation at 2 Craigston Square, Lugar was refused by the Southern Local Planning Committee on 11 January 2001.

There have been two previous applications for uPVC windows on the front elevation of Craigston Square both of which were refused, one of which was made by the same applicant in this application. All other applications which have been approved for replacement windows on the front elevation have been for timber sash and case windows which exactly replicate existing. UPVC windows have been approved to the rear elevations which are not readily visible from

public view and where it is considered that the use of uPVC would not be significantly detrimental to the character and appearance of the listed buildings. It is considered that the approval of uPVC windows on the front elevation of this property would set a very undesirable precedent, to the detriment of the listed buildings at Craigston Square.

6.5 Should the Committee be minded to approve the Listed Building Consent application, it will not require to be forwarded to the Scottish Ministers for a final decision as the property is a Category B group listed building.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As indicated in section 5 of the report, the application is not considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be refused unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application; however it is not considered that these are supportive of the application.

8.2 In this case, the dwellinghouse is listed as part of a Category B Group. The proposal is not consistent with the policy provisions for replacement windows in terms of the EALP or the Council's Design Guidance. Furthermore, the proposed windows are contrary to advice outlined in Historic Scotland's Memorandum of Guidance.

8.3 It is considered that the installation of uPVC white windows on the front elevation of the dwellinghouse would have a detrimental impact on the character and appearance of the Listed Building and of the Conservation Area. The front elevations of the terraced buildings at Craigston Square are relatively unaltered and contribute significantly to the character of Lugar Conservation Area. It is considered that if this application were approved, a precedent would be set, and the unspoiled character of these buildings when viewed from the front, would be lost.

9. RECOMMENDATION

9.1 It is recommended that the application be refused for the reasons listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning, Development and Building Standards, the application would not require to be referred to the Development Services Committee as it would not be a significant departure from the East Ayrshire Local Plan.

Alan Neish
Head of Planning, Development and Building Standards

22 October 2004
RG/RG/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. Adopted East Ayrshire Local Plan (2003).
5. Approved Ayrshire Joint Structure Plan (1999).
6. Memorandum of Guidance on Listed Buildings and Conservation Areas 1998
7. Previous Application CD/89/203 & CD/90/24 (No.6 Craigston Square)
8. Previous Application 98/0034/LB (Kirklea, Craigston Square)
9. Previous Application 98/0562/LB (No.1 Craigston Square)
10. Previous Application by applicant 01/0785/LB (No.2 Craigston Square)

Anyone wishing to inspect the above background papers should contact Mr Robin Ghosh on 01563 555483.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 04/0908/LB

Location	2 Craigston Square, LUGAR
Nature of Proposal:	Installation Of Replacement Windows In The Existing Front Elevation
Name and Address of Applicant:	Mrs Todd 2 Craigston Square, LUGAR
Name and Address of Agent	

DPO's Ref: Robin Ghosh
PPO's Ref: Hugh Melvin

The above LISTED BUILDING application should be refused for the following reasons:-

1. The proposed installation of uPVC windows on the front elevation of the dwellinghouse would be unsympathetic to and also detrimental to the character of the listed building and Lugar Conservation Area. The proposal is therefore contrary to Policy ENV4 of the East Ayrshire Local Plan which states that the Council will seek to ensure that all development within or affecting the setting of a Listed Building is sympathetic to the area or building concerned.
2. The proposed installation of uPVC windows of a non traditional material would be contrary to the Council's Design Guidance on New and Replacement Windows on Listed Buildings and Buildings within Conservation Areas, which states that in respect of Category B Listed Buildings, windows shall be of traditional materials, style, design and methods of opening.
3. The proposal would set an undesirable precedent for uPVC windows on the front elevation of other dwelling houses within Craigston Square, Lugar
4. The proposal would have a detrimental visual impact on the appearance of the front elevation of the collective properties at Craigston Square, Lugar

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