

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 12 APRIL 2002**

**02/0079/LB AND 02/0080/FL: PROPOSED REPLACEMENT OF ALL EXISTING SINGLE GLAZED WINDOWS WITH WHITE DOUBLE GLAZED WINDOWS TO MATCH EXISTING DESIGN AT 14-26 MILL SQUARE, 2-12 BRIDGE STREET AND 1- 3 FORD STREET, CATRINE**

**APPLICATION BY LINK GROUP LTD**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission and Listed Building Consent are sought for the replacement of the existing windows with double glazed, vertical sliding wooden sash and case windows with a six over six arrangement, finished in white. Notwithstanding the difference in colour, the only other difference relates to the double glazing. This requires astragals that are slightly thicker than those on the existing windows.

**2. RECOMMENDATION**

**2.1 It is recommended that both applications be approved.**

**3. CONCLUSIONS**

3.1 As is indicated at Paragraph 5.1 of the report, there are no specific policies contained within the Adopted Catrine and Sorn Local Plan relevant to the determination of either application.

3.2 Given the age of the Adopted Local Plan, the Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications) should be considered as a prime material consideration in the determination of both applications. As is indicated at Paragraph 6.3 of the report, the proposal accords with the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications).

3.3 It is considered that this replacement window proposal accords with the provisions of the Council's Design Guidance for Listed Buildings and Buildings in Conservation Areas. Although the proposal does not fully meet the provisions of Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas', it is considered that the proposed timber, sash and case double glazed replacement units provide an excellent, acceptable alternative to the existing windows.

3.4 There have been no adverse consultation replies that would preclude the granting of planning permission and Listed Building Consent and the points raised in the letter of objection are not considered to be of sufficient weight as to justify a refusal of the application for planning permission.

### **CONTRARY DECISION NOTE**

Should the Committee agree that either application be refused contrary to the recommendation of the Head of Planning and Building Control, the applications will not require to be referred to the Development Services Committee as such a decision would represent only a minor departure from the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications)

**Alan Neish**  
**Head of Planning and Building Control**

**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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**02/0079/LB AND 02/0080/FL: PROPOSED REPLACEMENT OF ALL EXISTING SINGLE GLAZED WINDOWS WITH WHITE DOUBLE GLAZED WINDOWS TO MATCH EXISTING DESIGN AT 14-26 MILL SQUARE, 2-12 BRIDGE STREET AND 1- 3 FORD STREET, CATRINE**

**APPLICATION BY LINK GROUP LTD**

### **Report by Head of Planning and Building Control**

#### **1. PURPOSE OF REPORT**

1.1 The purpose of this report is to present jointly for determination a full planning application and an associated Listed Building Consent application which are to be considered by the Local Planning Committee under the Scheme of Delegation as the application for full planning permission is subject to an objection.

#### **2. APPLICATION DETAILS**

2.1 **Site Description:** The application site comprises three terraces of locally traditional Category C-listed two-storey flatted dwellings. The terrace on Mill Square comprises the majority of the buildings on the southwest part of the square. The terrace on Bridge Street comprises the buildings on the west side of the street, whilst that on Ford Street relates to two dwellings on the east side of the street. The existing windows on each of the terraces are single glazed, vertical sliding wooden sash and case windows with a six over six pane arrangement, currently painted black. All of these residential properties lie within Catrine Conservation Area.

2.2 **Proposed Development:** Full planning permission and Listed Building Consent are sought for the replacement of the existing windows with double glazed, vertical sliding wooden sash and case windows with a six over six arrangement, finished in white. Notwithstanding the difference in colour, the only other difference relates to the double glazing. This requires astragals that are slightly thicker than those on the existing windows.

#### **3. CONSULTATIONS AND ISSUES RAISED**

3.1 Catrine Community Council has not responded to the consultation letter in respect of either application at the time of writing this report.

***Noted.***

3.2 The Scottish Civic Trust has not responded to the consultation letter in respect of the application for Listed Building Consent at the time of writing this report.

***Noted.***

3.3 The Architectural Heritage Society of Scotland whilst not objecting to the proposal, has advised that it has misgivings about the build up of the heavier appearance of the thicker glazing bars.

***It is considered that the added thickness of the glazing bars would have only a minimal impact on the character of these terraces and consequently would not justify a refusal of the applications.***

#### **4. REPRESENTATIONS**

4.1 One letter of representation has been received in respect of the full planning application. The grounds of objection can be summarised as follows:-

4.2 The windows, if painted white, will no longer match the appearance of the surrounding properties.

***The objection relates to the terrace of buildings on the southwest part of Mill Square. The proposed replacement window programme being undertaken does not, however, include Nos. 10 and 12 Mill Square, which are presently painted black, matching the existing windows. However, numbers 10 and 12 form a section of the façade that is distinct from the main terrace by reason of its architectural detailing. Whilst the majority of the buildings within that terrace will have windows finished in white, it is not considered that this would have a significant detrimental impact on the character of the terrace and appearance of the Conservation Area to an extent that would justify a refusal of the applications.***

#### **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 and applications for Listed Building Consent be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of these applications, the development plan comprises the Approved Ayrshire Joint Structure Plan (1999) and the Adopted Catrine and Sorn Local Plan (1984). The Adopted Local Plan was prepared within the context of the then emerging Strathclyde Structure Plan. However, in this instance there are no specific

policies contained within the Adopted Local Plan relevant to the determination of this application.

***Noted.***

## **6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS**

6.1 The other principal material considerations relevant to the determination of the applications are the East Ayrshire Local Plan (Finalised Version with Modifications) 2001, government guidance on listed buildings as contained within the Memorandum of Guidance on Listed Buildings and Conservation Areas, the Council's Design Guidance for Listed Buildings and Buildings within Conservation Areas, the consultation responses and representations received.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications), (EALP) should be considered as a prime material consideration in the determination of the applications.

### East Ayrshire Local Plan (Finalised Version with Modifications)

6.3 Both applications require to be considered with regard to Policy ENV7 of the EALP which states:-

*All developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed. Developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.*

***The Design Guidance is discussed in paragraph 6.4 of the report. The proposal is considered to accord with the provisions of the Design Guidance and as such, accords with the provisions of Policy ENV7 of the East Ayrshire Local Plan (Finalised Version with Modifications).***

### Design Guidance

6.4 The East Ayrshire Council Design Guidance for Listed Buildings and Buildings within Conservation Areas is of relevance in the determination of both applications. Section 10(d) of the Guidance provides that:-

*All new or 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.*

***The applicant has indicated on the submitted plans and application forms that the proposed replacement windows are timber vertical sliding sash and case windows, double glazed with a six over six pane arrangement. This style is identical to that which is proposed to be removed, notwithstanding the double glazing, and is considered to be appropriate to the period of the buildings. Although the double glazing requires the astragals and glazing bars to have a thicker profile than on the single glazed units, it is considered that this would have a minimal impact on the character and appearance of the Listed Buildings and the Conservation Area. It is therefore considered that the proposal accords with the Design Guidance.***

#### Consultation Replies

6.5 There are no consultation replies that indicate that the applications should be refused.

#### Government Guidance

6.6 Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas' provides that replacement windows should match the originals in every respect. This would include retaining the original proportions and pattern of glazing bars.

***The proposed replacement windows do not match the original windows in every respect. Notwithstanding the thicker appearance of the glazing bars to accommodate the double glazed panes and colour, it is considered that the replacement windows provide an excellent match to the originals, such that the character and appearance of the buildings and of the Conservation Area is maintained.***

#### Representations

6.7 It is considered that the point of objection relative to the colour of the proposed windows is not of significant weight to justify refusal of the applications.

### **7. FINANCIAL OR LEGAL IMPLICATIONS**

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

***Noted.***

## **8. CONCLUSIONS**

8.1 As is indicated at Paragraph 5.1 of the report, there are no specific policies contained within the Adopted Catrine and Sorn Local Plan relevant to the determination of either application.

8.2 Given the age of the Adopted Local Plan, the Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications) should be considered as a prime material consideration in the determination of both applications. As is indicated at Paragraph 6.3 of the report, the proposal accords with the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications).

8.3 It is considered that this replacement window proposal accords with the provisions of the Council's Design Guidance for Listed Buildings and Buildings in Conservation Areas. Although the proposal does not fully meet the provisions of Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas', it is considered that the proposed timber, sash and case double glazed replacement units provide an excellent, acceptable alternative to the existing windows.

8.4 There have been no adverse consultation replies that would preclude the granting of planning permission and Listed Building Consent and the points raised in the letter of objection are not considered to be of sufficient weight as to justify a refusal of the application for planning permission.

## **9. RECOMMENDATION**

**9.1 It is recommended that both applications be approved.**

### **CONTRARY DECISION NOTE**

Should the Committee agree that either application be refused contrary to the recommendation of the Head of Planning and Building Control, the applications will not require to be referred to the Development Services Committee as such a decision would represent only a minor departure from the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications)

Alan Neish  
Head of Planning and Building Control  
DS/HM/SMB  
26 March 2002  
FV/DVM

## **LIST OF BACKGROUND PAPERS**

1. Application form and plans
2. Statutory notices and certificates
3. Consultation replies
4. Representation
5. East Ayrshire Local Plan (Finalised Version with Modifications)
6. Approved Ayrshire Joint Structure Plan
7. Adopted Catrine and Sorn Local Plan
8. East Ayrshire Council Design Guidance
9. Memorandum of Guidance on Listed Buildings and Conservation Areas

Any person wishing to inspect the background papers listed above, should contact Mr Derek Scott on 01563 555483.

**Implementation Officer: Dave Morris**

Application no: 02/0080/FL

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|--------------------------------|---|
| Location                       | 14-26 Mill Square, 2-12 Bridge Street, 1-3 Ford Street<br>CATRINE<br>KA5 6RS                            |
| Nature of Proposal:            | Replacing all existing single glazed windows with white double glazed windows to match existing designs |
| Name and Address of Applicant: | Link Group Ltd<br>45 Albany Street<br>EDINBURGH<br>EH1 3QY  |
| Name and Address of Agent      | Thomas & Adamson<br>5 Woodside Terrace<br>GLASGOW<br>G3 7UY   |

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DPO's Ref: Derek Scott ]  
PPO's Ref; [ ]

The above FULL application should be granted.

Application no: 02/0079/LB

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|--------------------------------|---|
| Location                       | 14-26 Mill Square, 2-12 Bridge Street, 1-3 Ford Street<br>CATRINE<br>KA5 6RS                            |
| Location                       | Replacing all existing single glazed windows with white double glazed windows to match existing designs |
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| Name and Address of Applicant: | Link Group Ltd<br>45 Albany Street<br>EDINBURGH<br>EHJ1 3QY   |
| Name and Address of Agent      | Thomas & Adamson<br>5 Woodside Terrace<br>GLASGOW<br>G3 7UY   |

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DPO's Ref: Derek Scott ]  
PPO's Ref; [ ]

The above LISTED BUILDING CONSENT application should be granted.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 555320.**

**AGENDA**