

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE :  
11 AUGUST 2000**

**00/379/LB: PROPOSED INSTALLATION OF REPLACEMENT WINDOWS  
AT 85 MAIN STREET, OCHILTREE**

**APPLICATION BY MR & MRS DOUGALL**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Listed Building Consent is sought for the replacement of all the timber windows on the rear extension, with white uPVC. It is proposed to replace the existing top hung timber windows with a mixture of both side hung and top hung uPVC windows.

**2. RECOMMENDATION**

**2.1 It is recommended that the application be approved.**

**3. SUMMARY OF ANALYSIS**

3.1 In terms of the East Ayrshire Local Plan, Finalised Version and the Design Guidance of the Finalised Cumnock and Doon Valley District Wide Local Plan, the proposed development conflicts with the provisions of policies contained therein. Furthermore, the proposal is contrary to the guidance given in the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 and the Architectural Heritage Society have objected the use of uPVC in this Listed Building.

3.2 However, given that the existing windows are timber casement and not of traditional design and are on an enclosed rear extension, it is considered that they are of little merit to the building itself or to Ochiltree Conservation Area. It is also considered that the use of UPVC in this instance, is acceptable, given the location of the windows.

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

**1. PURPOSE OF REPORT**

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 subject to objection and contrary to policy.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The application site is located on the south side of Main Street Ochiltree and forms part of a row of terraced dwellinghouses. The dwelling has been previously extended to the rear. The extension has a flat roof and timber casement windows and is completely enclosed from the Main Street. Furthermore, due to trees and shrubs, the extension is not visible from either of the two adjoining dwellings. The front of the dwellinghouse, which faces onto Main Street, has timber sash and case windows.

2.2 The existing dwellinghouse forms part of a Category B group of listed building with other properties. The dwellinghouse also lies within Ochiltree Conservation Area.

2.3 **Proposed Development:** Listed Building Consent is sought for the replacement of all the timber windows on the rear extension, with white uPVC. It is proposed to replace the existing top hung timber windows with a mixture of both side hung and top hung uPVC windows.

**3. CONSULTATIONS AND ISSUES RAISED**

3.1 Ochiltree Community Council has not responded to the consultation letter.

***Noted.***

3.2 The Architectural Heritage Society of Scotland have objected to the application. The use of uPVC is not suitable for a conservation village, even when limited to the rear of the building. As this building is also listed, we would expect to see timber windows.

***The installation of windows constructed of uPVC is normally considered inappropriate in a Listed Building and detrimental to the character of the building. In this instance however, as the rear extension is not visible from the Main Street, and the rear garden area is completely enclosed from the neighbouring properties and the field to the rear, it is considered that the use of UPVC would not be detrimental to the visual amenity of this B Listed Group or Ochiltree Conservation Area.***

#### 4. REPRESENTATIONS

4.1 The Architectural Heritage Society of Scotland has objected to the proposed development, as outlined in Section 3.2 of the Report.

#### 5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan, Finalised Version. Environment Policy ENV4 states that the Council will seek to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance of 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.

***In terms of design and materials to be used, the proposal is not considered to be sympathetic and would be contrary to the provisions of this policy.***

5.2 Design Guidance for the East Ayrshire Local Plan has yet to be agreed. The relevant design guidance is therefore contained within the Finalised Cumnock and Doon Valley District Wide Local Plan. Appendix 17 of the District Wide lists development control policy documents, one of which refers to Listed Buildings and Buildings within Conservation Areas. There are specific policies regarding replacement windows which state that:-

(i) all replacement windows must be of traditional design and have traditional methods of opening;

(ii) all replacement windows must be of timber construction with window frames being painted in colours to be agreed with the Planning Authority;

(iii) all replacement windows must reflect the style and proportion of original windows being replaced. In particular the proportion of top-to-bottom sashes and the pattern of glazing bars and astragals must be retained and reproduced;

(iv) all replacement windows on the front elevation of listed buildings or on other elevations which are open to view must meet the criteria above. Only in exceptional cases where it can be reasonably justified will consideration be given to the use of uPVC or aluminium windows and only then if the windows are located on elevations of the building which are not readily visible. In all cases, windows that are proposed in non-traditional materials must still be of traditional style and design.

***The proposed replacement window would fail to meet all of the above criteria and would therefore be contrary to the Design Guidance. However, given that the rear elevation is completely enclosed from public view and that the windows to be replaced are not of traditional design, it is considered that although it is contrary to policy, the proposal is acceptable and an exception to policy can be made in this instance.***

## **6. OTHER PLANNING CONSIDERATIONS**

6.1 Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas, 1998' gives detailed advice on consideration of Listed Building Consent cases.

6.2 Paragraph 1.2.4 states that modern substitutes for timber windows should be firmly discouraged. 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 rear extension is only visible from the rear garden area, and the windows to be replaced are not of traditional design. It is therefore considered that the proposal is acceptable.***

## **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 In terms of the East Ayrshire Local Plan, Finalised Version and the Design Guidance of the Finalised Cumnock and Doon Valley District Wide Local Plan, the proposed development conflicts with the provisions of policies contained therein. Furthermore, the proposal is contrary to the guidance given in the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 and the Architectural Heritage Society have objected the use of uPVC in this Listed Building.

8.2 However, given that the existing windows are timber casement and not of traditional design and are on an enclosed rear extension, it is considered that they are of little merit to the building itself or to Ochiltree Conservation Area. It is also considered that the use of UPVC in this instance, is acceptable, given the location of the windows.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved.**

Alan Neish  
Head of Planning and Building Control  
24 July 2000  
VE/SMB  
FV/AN

### **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. East Ayrshire Local Plan, Finalised Version.
5. Cumnock and Doon Valley District Wide Local Plan.
6. Memorandum of Guidance on Listed Buildings and Conservation Areas 1998.

Any person wishing to inspect the background papers listed above should contact Miss Vivien Emery on 01563 555485.

**Implementation Officer : Pamela Clifford**

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0379/LB

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Location	85 Main Street, OCHILTREE KA18 2PE
Nature of Proposal:	Proposed installation of replacement windows
Name and Address of Applicant:	Mr & Mrs Dougall 85 Main Street, OCHILTREE KA18 2PE
Name and Address of Agent	Zenith Windows Unit 7, 1 Hagmill Crescent COATBRIDGE ML5 4NS

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DPO's Ref: [VIVIEN EMERY ]  
PPO's Ref; [ ]

The above LISTED BUILDING application should be granted.

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**AGENDA**