

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 10 AUGUST 2001

01/0357/LB: INSTALLATION OF REPLACEMENT WINDOWS AT 80 MAIN STREET, OCHILTREE

APPLICATION BY MISS MCCURDIE

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Listed Building Consent is sought for the replacement of two windows on the front elevation (both of which are timber sash and case) and three on the rear elevation (all of which are timber casement). It is proposed to replace each window with top hung double-glazed uPVC windows.

2. RECOMMENDATION

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

3. SUMMARY OF ANALYSIS

3.1 As is indicated at paragraph 5.1 in the report, the application is considered to be contrary to the development plan. Therefore, give the terms of Section 25 and 37 (2) of the Town and Country Planning 1997, the application should be refused unless material considerations indicate otherwise. As is indicated in Section 6 in the report, there are material considerations relevant to this application.

3.1 In this case, the dwellinghouse is Listed as a Category B Group. The proposal is not consistent with the policy provisions for replacement windows in terms of the EALP or of the Council's Design Guidance. The proposed windows are also contrary to advice outlined in Historic Scotland's Memorandum of Guidance. Furthermore, the use of uPVC windows is objected to by the Architectural Heritage Society of Scotland.

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

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 subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located on the north side of Main Street Ochiltree and forms part of a row of single storey terraced cottages. The dwellinghouse forms part of a Category B group listed building with the other terraced cottages. The dwellinghouse also lies within Ochiltree Conservation Area.

2.2 **Proposed Development:** Listed Building Consent is sought for the replacement of two windows on the front elevation (both of which are timber sash and case) and three on the rear elevation (all of which are timber casement). It is proposed to replace each window with top hung double-glazed uPVC windows.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Ochiltree Community Council has not responded to the consultation letter at the time of writing.

Noted.

3.2 The Architectural Heritage Society of Scotland indicates that Historic Scotland's guidelines on the use of uPVC presume against its use for listed buildings. Profiles are flatter, broader and in a brash white colour. In practical terms such windows are non-sustainable, subject to unit failure, degrade in ultra-violet light, warp and discolour. The material is also a pollutant on disposal. As their concern is primarily an aesthetic one, they object to this

proposal on its inappropriate appearance. It is therefore recommended that the original timber windows be repaired and upgraded or replaced like for like.

In determination of this application regard must be had to the character of the listed building and the visual amenity of the Ochiltree Conservation Area. The windows proposed do not replicate the windows currently in place.

4. REPRESENTATIONS

4.1 One letter of objection, from the Architectural Heritage Society of Scotland, has been received. This is summarised in Paragraph 3.2 above.

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 (1999) and the Adopted Mauchline – Dronagan - Ochiltree Local Plan (1993). The Adopted Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the proposal would fall to be considered against Policy ENV11 which states that the Council will ensure that any proposed development in the central areas of Mauchline and Ochiltree is in keeping with the character and appearance of the areas in terms of its size, scale, design, siting, materials used etc.

In terms of materials to be used, the proposal is not considered sympathetic to the provisions of this policy and is therefore contrary to the Adopted Plan.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan, Finalised Version with Modifications (2001), East Ayrshire Council's Design Guidance and Historic Scotland's "Memorandum of Guidance on Listed Buildings and Conservation Areas (1998)".

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. The site is affected by Environment Policies.

6.3 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 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 the type of proposed uPVC windows is inappropriate for this Category B Listed Building and the approval of this application would be contrary to the provisions of Policy ENV4.

6.4 The Council's Design Guidance on Listed Buildings and Buildings within Conservation Areas has specific advice on new and replacement windows. The Guidance states that all new or replacement windows on a listed building or a building within a Conservation Area must meet the following criteria:

(i) 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 replacement windows as proposed would fail to comply with the above criteria, and are therefore contrary to the above guidance. The applicants agent was requested to consider amending the design of the windows on the front elevation to include horizontal glazing bars, in order to reflect the style of the existing sash and case windows. No such amended plans have been received at the time of writing.

(ii) In respect of Category A and B listed buildings, windows shall be of traditional materials, style, design and methods of opening. The use of high quality uPVC windows, exactly replicating timber and with traditional methods of opening may be considered acceptable in locations where the planning authority consider the windows not to have a detrimental impact on the character and appearance of the listed building.

The property is a Category B group listed building. The proposed uPVC windows, on the front elevation, with non traditional methods of opening is contrary to the above guidance.

It is considered that the timber casement windows to the rear elevation are of little merit to the building itself or to Ochiltree Conservation Area. Furthermore, this elevation is not readily visible from the nearest public road. It is therefore considered that an exception to the above guidance could have been made in

relation to the windows on the rear elevation, however the proposal also includes the replacement of the traditional sash and case windows on the front elevation. The replacement of these windows with uPVC windows of non-traditional methods of opening, is contrary to the above guidance.

There are other properties within this Category B Group and within Main Street, Ochiltree that have uPVC windows installed. These appear however to have been installed without the appropriate consents and do not justify use of uPVC in this instance.

6.5 Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas, 1998' gives detailed advice on consideration of Listed Building Consent cases. 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 replacement windows would be contrary to advice outlined in Historic Scotland's Memorandum of Guidance.

6.6 Planning History: 00/0316/LB – Listed Building Consent for the installation of a replacement white uPVC window was approved at 80 Main Street. This proposal was recommended for approval, given that it replaced a timber casement window which was of little merit to the building itself or to the Conservation Area, and was located on a rear extension which was not readily visible from the public road. The application was subsequently approved at the Southern Local Planning Committee of 11 August 2000.

6.7 Should the Committee be minded to approve the listed building consent application, it will not require to be forwarded to the Scottish Minister for a final decision as the property is a Category B group listed building. Approval would not represent a significant departure from policy and the application would not require to be referred to the Development Services Committee under the scheme of delegation.

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 is indicated at paragraph 5.1 above, the application is considered to be contrary to the development plan. Therefore, give the terms of Section 25 and 37 (2) of the Town and Country Planning 1997, the application should be refused unless material considerations indicate otherwise. As is indicated in Section 6 above, there are material considerations relevant to this application.

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

9. RECOMMENDATION

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

Alan Neish
Head of Planning and Building Control
20 July 2001
VE
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. East Ayrshire Local Plan, Finalised Version with Modifications.
5. Mauchline – Drongan - Ochiltree Adopted Local Plan.
6. Approved Ayrshire Joint Structure Plan.
7. Memorandum of Guidance on Listed Buildings and Conservation Areas 1998.
8. Previous application 00/0316/LB.
9. East Ayrshire Council Design Guidance.
10. Approved Strathclyde Structure Plan.

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

Implementation Officer : Dave Morris

Application no: 01/357/LB

Location	80 Main Street, Ochiltree
Nature of Proposal:	Installation of Replacement Windows
Name and Address of Applicant:	Miss McCurdie 80 Main Street OCHILTREE

DPO's Ref:	[VE]
PPO's Ref;	[]

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

1. The proposed installation of uPVC windows would not be in keeping, in terms of their design and materials used, with the character and appearance of Ochiltree Conservation Area. The proposed windows are therefore contrary to Policy ENV11 of the Mauchline-Drongan-Ochiltree Adopted Plan (1993).
2. The proposed installation of uPVC windows would be unsympathetic to and also detrimental to the character of the listed building and Ochiltree Conservation Area. The proposal is therefore contrary to Policy ENV4 of the East Ayrshire Local Plan, Finalised Version with Modifications which states that there shall be protection of heritage resources requiring conservation from unsympathetic developments.
3. The proposed installation of uPVC windows with a non-traditional method of opening 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 the use of high quality uPVC windows, exactly replicating timber and with traditional methods of opening may be considered acceptable in locations where the planning authority consider the windows not to have a detrimental impact on the character and appearance of the listed building. In this case, both the material and the method of opening would have a such detrimental impact.

AGENDA