

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE : 11 JANUARY 2002**

**01/0785/LB: INSTALLATION OF REPLACEMENT WINDOWS TO FRONT OF  
EXISTING HOUSE 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 double-glazed uPVC casement windows. The proposed windows would have false transoms and georgian bars to reflect the style of the existing windows.

**2. RECOMMENDATION**

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

**3. CONCLUSIONS**

3.1 As is indicated at paragraph 5.1 of the report, there are no policies contained within the Adopted Cumnock and Auchinleck Local Plan relevant to the determination of this application and as such, greater weight should be given to other material considerations. As is indicated at Section 6 of the report, there are material considerations relevant to this application. 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 of 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 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 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 and Building Control, 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 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 recommended for refusal.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The site is located off the north side of the Muirkirk Road (A70) in Lugar and forms part of Craigston Square. The terraced dwellinghouse has a frontage to an access lane and field. The existing single storey dwellinghouse forms part of a Category B group listed building with the other terraced cottages at Craigston Square. The dwellinghouse also lies within Lugar Conservation Area. The dwellinghouse has timber sash and case windows on the front elevation, and uPVC casement 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 double-glazed uPVC casement windows. The proposed windows would have false transoms and georgian bars to reflect the style of the existing windows.

#### 3. CONSULTATIONS AND ISSUES RAISED

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

***Noted.***

3.2 The Architectural Heritage Society of Scotland has not responded to the consultation letter at the time of writing.

***Noted***

#### **4. REPRESENTATIONS**

4.1 No letters of representation have been received with regard to the proposed development.

#### **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 Cumnock and Auchinleck Local Plan (1992). The Adopted Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 There are no policies contained within the Adopted Cumnock – Auchinleck Local Plan relevant to the determination of this application and as such, greater weight should be attached to the “other material considerations” referred to in Section 6 of this report.

#### **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, Historic Scotland’s “Memorandum of Guidance on Listed Buildings and Conservation Areas (1998)”, consultation responses and the planning history of the area.

##### East Ayrshire Local Plan

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

## East Ayrshire Council Design Guidance

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.*

***Whilst the proposed replacement windows would have false transoms and georgian bars to reflect the existing windows, they would not be of traditional materials, nor would they be of the same method of opening. The replacement windows as proposed would therefore fail to comply with the above criteria, and are therefore contrary to the above guidance.***

(iii) *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 of the dwellinghouse, with non traditional methods of opening are contrary to the above guidance.***

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

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.***

## Consultation Responses

6.6 There are no consultation response that would indicate refusal of the application.

### Planning History

6.7 Planning History: 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 No.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 existing;
- (iii) 98/0034/LB – Listed Building Consent for replacement windows to the front and rear elevations 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 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;

***The only previous application for uPVC windows on the front elevation of Craigston Square was refused. 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 was considered that the use of uPVC would not be significantly detrimental to the character and appearance of the listed buildings. It is considered that 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.***

6.8 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 is indicated at paragraph 5.1 of the report, there are no policies contained within the Adopted Cumnock and Auchinleck Local Plan relevant to the determination of this application and as such, greater weight should be given to other material considerations. As is indicated at Section 6 of the report, there are material considerations relevant to this application. 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 of 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 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 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 and Building Control, 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 and Building Control  
6 December 2001  
VE/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. Cumnock and Auchinleck Adopted Local Plan
6. Approved Ayrshire Joint Structure Plan.
7. Memorandum of Guidance on Listed Buildings and Conservation Areas 1998.
8. Previous application CD/89/203 & CD/90/24 (No. 6 Craigston Square)
9. Previous application 98/0034/LB (Kirklea, Craigston Square).
10. Previous application 98/0562/LB (No. 1 Craigston Square).
11. East Ayrshire Council Design Guidance.

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

**Implementation Officer : Dave Morris**

Application no: 01/0785/LB

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Location	2 Craigston Square, LUGAR
Nature of Proposal:	Installation of replacement windows to front of existing house
Name and Address of Applicant:	Mrs Mary Todd 2 Craigston Square LUGAR KA18 3LG

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

The above LISTED BUILDING application should be refused on the following grounds.

1. The proposed installation of uPVC casement 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, Finalised Version with Modifications which 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.
2. 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 in respect of Category B Listed Buildings, windows shall be of traditional materials, style, design and methods of opening.
3. The proposed development would set an undesirable precedent for uPVC windows on the front elevation of other dwellinghouses within Craigston Square, Lugar.

**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**