

<p>LRB-2023-13 22/02137/FLL – Installation of replacement windows, Glengarth, Ferntower Place, Crieff, PH7 3DD</p>

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LRB-2023-13

**22/02137/FLL – Installation of replacement windows,
Glengarth, Ferntower Place, Crieff, PH7 3DD**

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100609248-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: John Gordon Associates Ltd

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1
(Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="Glengarth"/>
First Name: *	<input type="text" value="I"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Younger"/>	Address 1 (Street): * <input type="text" value="Ferntower Place"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Crieff"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PH7 3DD"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="GLENGARTH"/>
Address 2:	<input type="text" value="FERNTOWER PLACE"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="CRIEFF"/>
Post Code:	<input type="text" value="PH7 3DD"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="722013"/>	Easting	<input type="text" value="286713"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Installation of replacement windows

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

SEPARATE DOCUMENT ATTACHED

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

APPLICATION DRAWINGS; REFUSAL NOTICE; APPLICATION FORM; REASONS FOR REVIEW;

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/02137/FLL

What date was the application submitted to the planning authority? *

02/12/2022

What date was the decision issued by the planning authority? *

03/03/2023

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

SITE VISIT SUGGESTED TO OBSERVE PROPERTY IN ITS SURROUNDINGS

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☐ Yes ☒ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

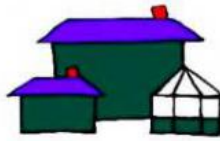
Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr John Gordon

Declaration Date: 10/03/2023

JOHN GORDON ASSOCIATES LTD



ARCHITECTURAL DESIGN &
CONSTRUCTION MANAGEMENT

Reasons for Review

Proposed Replacement Windows & Door
at
Glengarth, Ferntower Place, Crieff, PH7 3DD.

The existing property is a ground floor flat within a sub-divided, semi-detached building, situated within the Crieff Conservation Area. The property frontage faces Southwest onto Ferntower Place, the rear of the property faces Northeast onto Rectory Road and the side of the property faces Northwest onto Ferntower Road. The properties which make up Ferntower Place and Ferntower Road are of the varying styles and sizes, most are of similar stone constructions with some more modern, rendered, detached properties.



Glengarth, Southwest Elevation



Glengarth, Northeast Elevation



Glengarth, Northwest Elevation



Glengarth, Northwest Elevation (From Ferntower Road)



Ferntower Place (From Ferntower Road)

The windows currently installed at Glengarth are of timber construction and the windows are of sliding sash opening styles. The windows are all white in colour.

Travelling up and down Ferntower Road will reveal varying styles and colours of windows from one property to the next. Whilst most of the windows are white in colour, some are timber sliding sash, some are timber casement, some are UPVC casement, some are UPVC sliding sash, others are Aluminium, and even UPVC tilt and turn! Particular note should be made of the building within which the application property is located, where all of the other flats would appear to have UPVC windows fitted.

As can be seen from the above photographs the application property is largely hidden from view from Ferntower Road, with some of the more prominent windows being the UPVC tilt and turn windows of the first floor flat.

The proposal seeks to replace five windows with white UPVC casement windows. The proposed windows would match those installed on the adjacent ground floor flat in terms of colour, material, proportions and method of operation, meaning the windows would blend in seamlessly within the overall building.

To conclude it is our opinion that a precedent has already been set in the Conservation Area, particularly within the building itself, and in light of the surrounding dwellings which are already fitted with UPVC products, the proposed windows in this instance would not look out of place and would easily blend in to the street scene as a whole, whilst maintaining a high standard of quality and appearance which has been ignored in many of the other, poorer examples.



Mr I Younger
c/o John Gordon Associates Ltd
John Gordon
3 Dean Acres
Comrie
Dunfermline
KY12 9XS

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **3rd March 2023**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **22/02137/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 2nd December 2022 for Planning Permission for **Installation of replacement windows Glengarth Ferntower Place Crieff PH7 3DD**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, are detrimental to the character and appearance of the Crieff Conservation Area.

Approval would therefore be contrary to Policy 7(d) Historic Assets and Places of the National Planning Framework 4, contrary to Policy 28A Conservation Areas: New Development of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

2. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, have not been designed to improve the quality of the urban area.

Approval would therefore be contrary to Policy 14(a) Design, Quality and Place of the National Planning Framework 4.

3. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, have a detrimental impact on the character and environmental quality of the application property and the surrounding area.

Approval would therefore be contrary to Policy 16(g)(i) Quality Homes of the National Planning Framework 4

4. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, do not respect the traditional character of the existing flat.

Approval would therefore be contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2.

5. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, do not complement their surroundings.

Approval would therefore be contrary to Policy 1B(c) Placemaking of the Perth and Kinross Local Development Plan 2.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Notes

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

01

02

03



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100609248-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Installation of replacement windows

Has the work already been started and/ or completed? *

☒ No ☐ Yes - Started ☐ Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	John Gordon Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:		Address 2:	Comrie
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Glengarth
First Name: *	I	Building Number:	
Last Name: *	Younger	Address 1 (Street): *	Ferntower Place
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Crieff
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	PH7 3DD
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

GLENGARTH

Address 2:

FERNTOWER PLACE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

CRIEFF

Post Code:

PH7 3DD

Please identify/describe the location of the site or sites

Northing

722013

Easting

286713

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: John Gordon

On behalf of: Mr I Younger

Date: 02/12/2022

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☐ Existing and proposed floor plans.
- ☒ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☐ Roof plan.
- ☒ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☐ Yes ☒ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr John Gordon

Declaration Date: 02/12/2022

Payment Details

Online payment: 624184

Payment date: 02/12/2022 14:37:03

Created: 02/12/2022 14:37



Mr. I. Younger,
Glengarth, Ferntower Place,
Crieff. PH7 3DD.

Location Plan

Scale: 1:1250

28/11/22

Ref: 35417/LP

srjwindows
conservatories. sunrooms. windows. doors.

SRJ (Scotland) Ltd.
Macintosh House,
Innova Campus, Viking Way,
Rosyth, Fife. KY11 2UU.



Southwest Elevation As Existing



Northeast Elevation As Existing



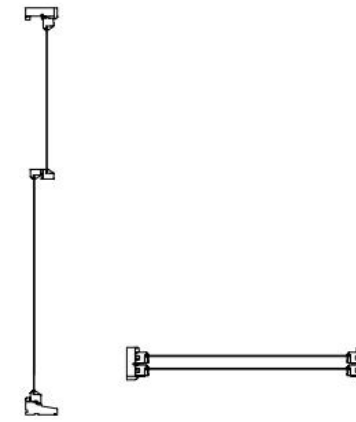
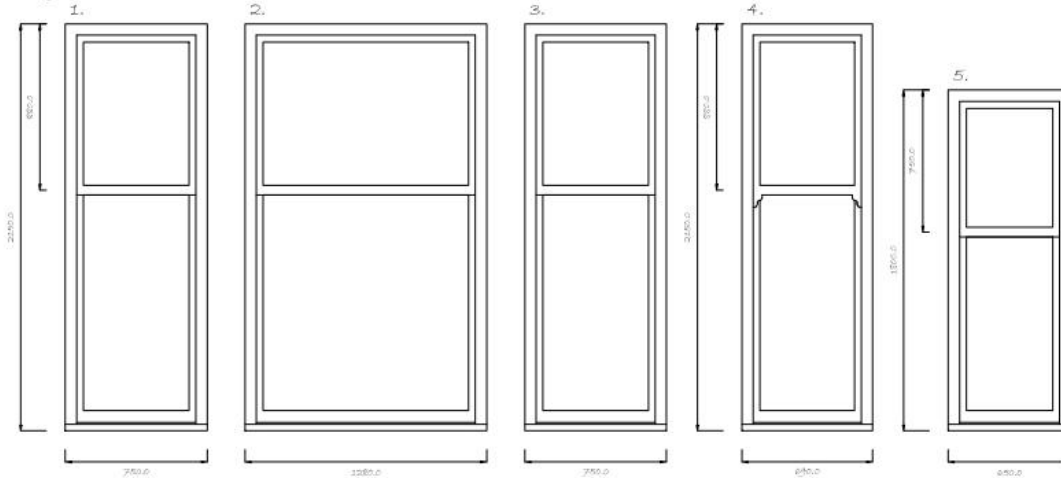
Southwest Elevation As Proposed



Northeast Elevation As Proposed

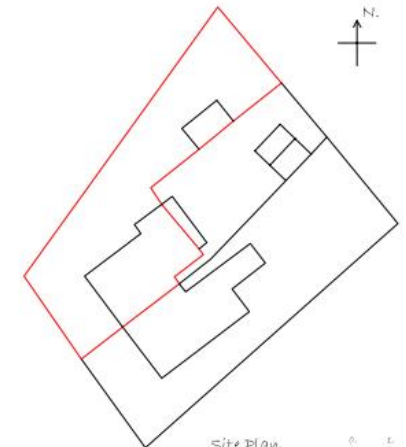
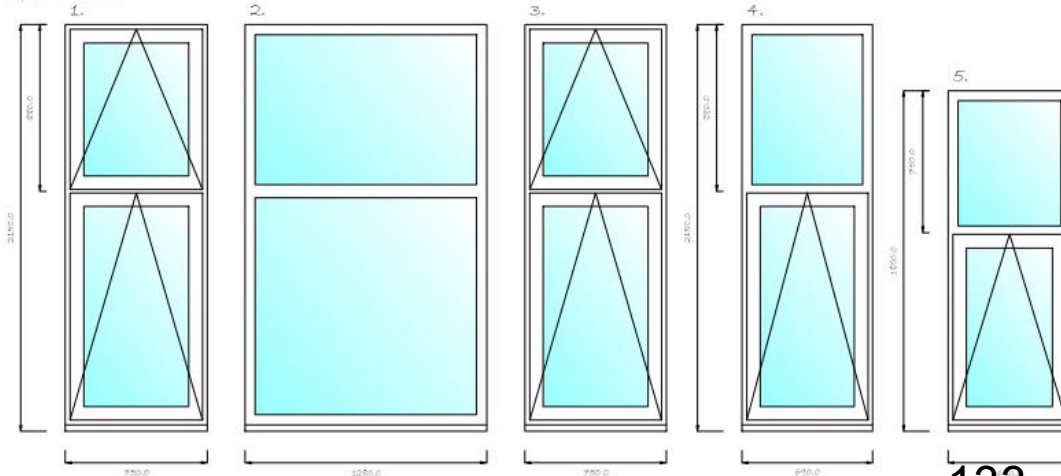
5 windows to be replaced in total.
Existing windows are white painted timber.
Proposed windows are white UPVC, double glazed.

Existing Windows:



Existing Sections:

Proposed Windows:



Site Plan
1:500



Southwest Elevation



Northeast Elevation

Mr. I. Younger,
Glengarth, Ferntower Place,
Crieff, PH7 3DD.

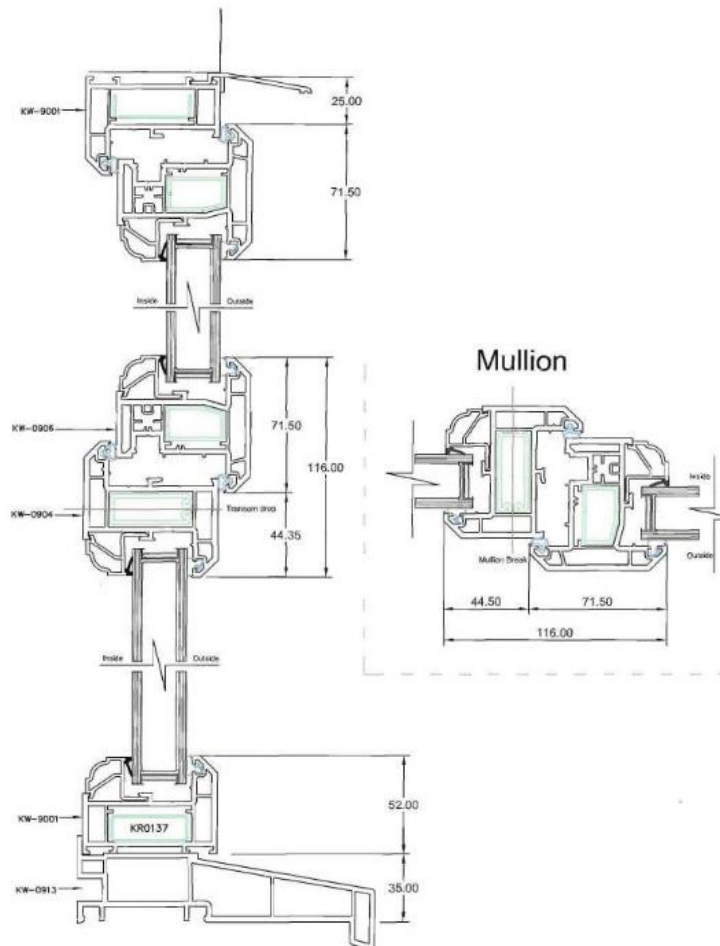
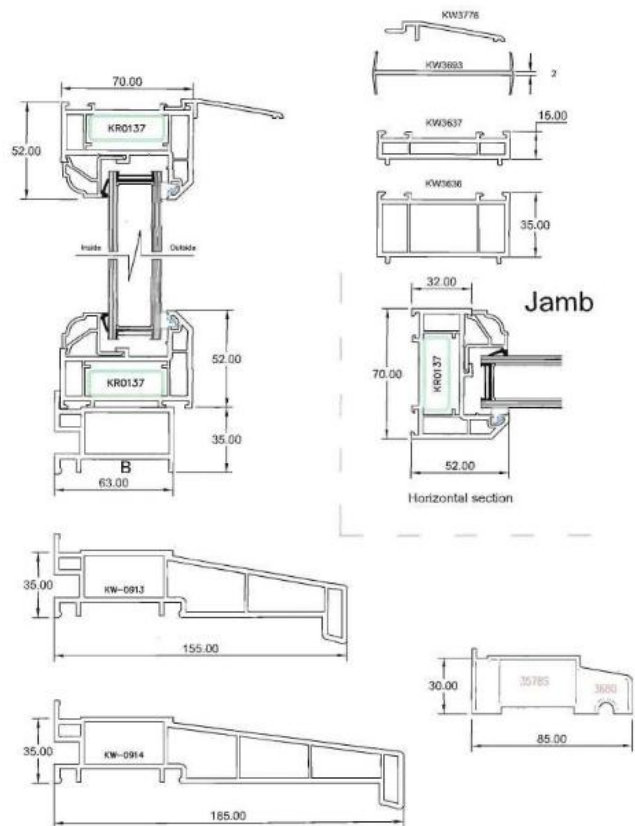
Proposed Replacement Windows

Scale: 1:100, 1:20 28/11/22

Ref: 35417/1

srjwindows
commercial, domestic, windows, doors

SRJ (Scotland) Ltd.
Macintosh House,
Innova Campus, Viking Way,
Rosyth, Fife. KY11 2HU.



0 20 40 60
Scale bar (mm) 1:2

Mr. I. Younger,
Glengarth, Ferntower Place,
Crieff, PH7 3DD.

Proposed Cross Sections

Scale: 1:2 28/11/22

Ref: 35417/CS

srjwindows
consultants suppliers windows doors

SRJ (Scotland) Ltd.
Macintosh House,
Innova Campus, Viking Way,
Rosyth, Fife. KY11 2HU.

LRB-2023-13

**22/02137/FLL – Installation of replacement windows,
Glengarth, Ferntower Place, Crieff, PH7 3DD**

PLANNING DECISION NOTICE *(included in
applicant's submission, pages 124-125)*

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's
submission, pages 132-134)*

REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/02137/FLL	
Ward No	P6- Strathearn	
Due Determination Date	1st February 2023 Extended to 1st March 2023	
Draft Report Date	28th February 2023	
Report Issued by	DR	Date 1 st March 2023

PROPOSAL: Installation of replacement windows

LOCATION: Glengarth Ferntower Place Crieff PH7 3DD

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

The application property is a ground floor flat situated in a residential area of Crieff. The flat is one of four flats in a building that has the appearance of a pair of semi-detached traditional villas. The property lies within the Crieff Conservation Area.

Full planning permission is sought to replace the windows on the southwest (front) and northeast (rear) elevations of the application property.

SITE HISTORY

11/00645/FLL Erection of a garden store 30 June 2011 Application Approved

19/01612/TW Tree Works 7 February 2020 Application Approved

PRE-APPLICATION CONSULTATION

Pre application Reference: n/a

DEVELOPMENT PLAN

The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

National Planning Framework 4

The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4:

Policy 7: Historic Assets and Places

Policy 14: Design, Quality and Place

Perth and Kinross Local Development Plan 2 – Adopted November 2019

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 16: Quality Homes

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 17: Residential Areas

Policy 28A: Conservation Areas: New Development

Statutory Supplementary Guidance

- [Supplementary Guidance - Placemaking](#) (adopted in 2020)

OTHER POLICIES

Non-Statutory Guidance

- [Conservation areas](#)

NATIONAL GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, Planning Advice Notes, Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

Planning Advice Notes

The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:

- PAN 40 Development Management

CONSULTATION RESPONSES

No consultations were required

REPRESENTATIONS

No representations were received.

Additional Statements Received:

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	Habitats Regulations AA Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, involving considerations of the Council's other approved policies and supplementary guidance, these are discussed below only where relevant.

In this instance, Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

Alterations to an existing residential property are generally considered to be supportable in principle. Nevertheless, consideration must be given to the scale, form, massing, design, position, proportions, and external finishes of the proposed development, within the context of the application site, and whether it would have an adverse impact upon visual or residential amenity.

Assessment of the proposal against the relevant policies is provided below.

Design, Visual Amenity and Conservation Considerations

Currently, the application property has white timber framed sash and case windows. The existing windows are an asset to the character and appearance of the building and the surrounding area.

For replacement windows in conservation areas, the Placemaking Supplementary Guidance advises the following:

- Ensure that replacement windows on the front and all sides of the building visible to the public match the original as closely as possible.
- If windows have deteriorated to the extent that repair is no longer viable, replacement windows should replicate the original in every respect. They should be fitted in the same plane as the originals, made up of timber sections (the profile and dimension of which match the originals), and have the meeting rails in the same position as the originals.
- Where the work relates to a tenement or flat it should be ensured that new windows are in keeping with the original scheme, in order to retain uniformity.
- Take the opportunity of installing appropriate new windows where the existing windows are modern replacements not in keeping with the building or area.

The proposed replacement windows are double glazed with white uPVC frames. On the southwest (front) elevation which is visible from the public realm, the central window in the bay window is to have two fixed panes and a central astragal that is 69mm wide. The windows on each side of the bay window are to have top-hung opening upper and lower sections, resulting in the uPVC across the middle of these windows being 161mm wide. To the right of the front door, the proposed window is to have a fixed upper pane and a top-hung opening lower section, resulting in the uPVC across the middle of this window being 116mm wide.

The frames down the sides of the central bay window are 50mm wide, whilst the frames down the sides of the two windows on the sides of the bay are 93mm wide. The frames down the sides of remaining window are 55mm wide for the upper section and 97mm wide for the lower section.

The change from timber to uPVC frames; the change from sash and case to a mix of fixed pane and top-opening; and the variations in the widths of the framing are detrimental to the traditional character of the application property and are detrimental to the character and appearance of the surrounding conservation area.

The three other flats in the building have replacement windows that detract from the character of the building and the area. The presence of these windows does not give justification for the installation of inappropriate windows in the application property. Indeed, if the windows in the other flats were to be replaced, there would be an expectation that they would be upgraded to match the existing sash and case windows in the current application property.

It is proposed to replace one window on the northeast (rear) elevation of the application property. The proposed window is to have a fixed upper pane and a top-hung opening lower section, which does not replicate the existing window. However, as it is on the rear of the building in a location that is not highly visible, the proposed window on the northeast (rear) elevation is acceptable.

Due to impacts associated with the proposed windows on the southwest elevation, the proposal is contrary to Policies 7(d), 14(a) and 16(g)(i) of NPF4 and contrary to Policies 1A, 1B and 28A of LDP2.

Residential Amenity

Due to the nature of the proposal, the proposal does not affect the residential amenity of the application property or neighbouring properties. As such, the proposal is in accordance with Policy 16(g)(ii) of NPF4 and Policy 17 of LDP2.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the Development Plan.

Accordingly the proposal is refused on the grounds identified below.

Reasons for Refusal

1. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, are detrimental to the character and appearance of the Crieff Conservation Area.

Approval would therefore be contrary to Policy 7(d) Historic Assets and Places of the National Planning Framework 4, contrary to Policy 28A Conservation Areas: New Development of the Perth and Kinross Local Development Plan 2, and contrary to the Perth & Kinross Placemaking Supplementary Guidance 2020.

2. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, have not been designed to improve the quality of the urban area.

Approval would therefore be contrary to Policy 14(a) Design, Quality and Place of the National Planning Framework 4.

3. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, have a detrimental impact on the character and environmental quality of the application property and the surrounding area.

Approval would therefore be contrary to Policy 16(g)(i) Quality Homes of the National Planning Framework 4

4. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, do not respect the traditional character of the existing flat.

Approval would therefore be contrary to Policy 1A: Placemaking of the Perth and Kinross Local Development Plan 2.

5. The proposed windows on the southwest elevation, by virtue of their uPVC frames, opening methods and varying frame widths, do not complement their surroundings.

Approval would therefore be contrary to Policy 1B(c) Placemaking of the Perth and Kinross Local Development Plan 2.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

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02

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