

TCP/11/16(200)

Planning Application 12/00689/FLL – Installation of replacement windows at 3 Lawers View, Taybridge Road, Aberfeldy, PH15 2FG

**PAPERS SUBMITTED
BY THE
APPLICANT**

13 JUL 2012

RECEIVED

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTSTHE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name MRS DUNAS.

Address 3 LAWERS VIEW
TAYBRIDGE ROAD
ABERFELDY.
Postcode PH15 2FG.Contact Telephone 1 [REDACTED]
Contact Telephone 2 [REDACTED]
Fax No [REDACTED]

E-mail* [REDACTED]

Agent (if any)

Name MURRAY FAUGHMAN

Address CR SMITH
GARDENERS STREET
DUNFERMLINE
Postcode KY12 0RNContact Telephone 1 01383 732181.
Contact Telephone 2 [REDACTED]
Fax No [REDACTED]

E-mail* MURRAY.FAUGHMAN@CRSMITH.CO.UK

Mark this box to confirm all contact should be
through this representative: ☒Yes ☒ No ☐

* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

PERTH & KINROSS COUNCIL.

Planning authority's application reference number

12/00689/FL

Site address

3 LAWERS VIEW, TAYBRIDGE ROAD, ABERFELDY, PH15 2FG

Description of proposed
development

PROPOSED REPLACEMENT WINDOWS.

Date of application

12/04/12.

Date of decision (if any)

11/06/12.

Note. This notice must be served on the planning authority within three months of the date of the decision
notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

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.

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

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☒

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

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

1. Can the site be viewed entirely from public land? ☒ Yes ☐ No
2. 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:

Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

PLEASE SEE ENCLOSED GROUNDS OF APPEAL DOCUMENT.

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

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.

Grounds of Appeal Document,
Shedframe Product Brochure.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

12/07/12



home sweeter home

Grounds of Appeal

On behalf of

Mrs Dundas

**Replacement PVCu windows at 3 Lawers View,
Taybridge Road, Aberfeldy, PH15 2FG**

**Planning ref – 12/00689/FLL
Date of refusal – 11/06/12**

Property History & Introduction

The following statement is to be read in conjunction with our appeal against the ***refusal of replacement windows at 3 Lawers View, Taybridge Road, Aberfeldy***. The proposals are to replace existing white timber casement windows with new white PVCu casement windows.

The planning department has rejected our application to replace the windows on the grounds that the proposed materials will adversely affect the character of the building and the conservation area. The client's property is a traditional stone built Victorian property, which has been converted into flats and is located within the Aberfeldy Conservation Area.

The property at present has timber casement windows. However, as the window surround is made of timber, years of repair and upkeep have still left the windows inefficient. They allow draughts to pass through the building and cause a great amount of heat loss.

Grounds of Appeal

It has been brought to our attention that there are examples of PVCu already present on the Lawers View building, and several other properties in the street have had their windows replaced with PVCu (*Please see enclosed photos of PVCu windows present on Taybridge Road*). There are also numerous other examples of PVCu windows present on buildings in the surrounding streets, which make up the Aberfeldy Conservation Area.

The acknowledged existence of PVCu on the property at present, contrary to the planning refusal, has clearly set a precedence for the installation of PVCu windows in Lawers View. There is a PVCu window above one of the proposed replacement windows (numbered 1 on the planning application drawings), and PVCu french doors in the flat below proposed windows 2 & 3. It should be noted that Mrs Dundas' property is to the rear of the building, set back from the street, and accordingly no windows directly fronting a road would be replaced.

During the neighbour consultation period, the only comment from neighbours was the request that the proposed windows not detract from the appearance of the existing windows to the

detriment of the rest of the building. As all proposed windows are intended to replicate the style and proportions of the existing windows, this concern has been appropriately addressed.

As a company, CR Smith has always been faced with difficulties in having PVCu windows accepted within conservation areas. We appreciate that as a window framing material, timber can have a certain presence and appeal if specified correctly. However, timber windows are much more expensive than PVCu options, are not draught proof and do not perform as well as PVCu under the current U-value or WER (Window Energy Ratings) system.

Mrs Dundas' decision to choose PVCu was a holistic approach taking into account;

- Sustainability
- Current & future energy costs
- Desire to maintain the existing window style/dimensions
- Actual window performance – U Value
- Cost of ongoing maintenance

Perhaps a negative attitude towards PVCu has been developed due to inappropriate designs, rather than the actual material.

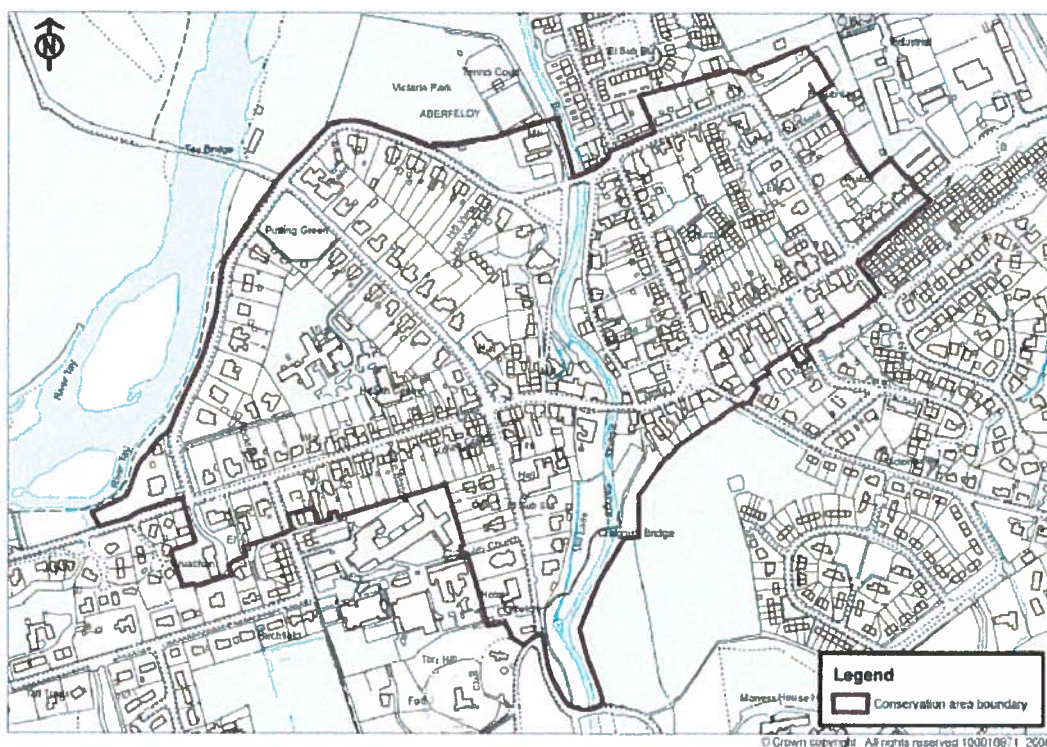
Conclusion

We believe our replacements not only improve the general aesthetic of the building, but they are also an environmentally friendly option. As there numerous examples of PVCu windows being present in the street already, it is clear that approval for these would be far from setting a precedence for the installation of PVCu in the street, and conservation area as a whole. Mrs Dundas has specifically chosen the proposed windows with the intention of replicating the existing windows' proportions to retain the aesthetic of the property and ensure the character of the conservation area is not affected.

We do not believe that the refusal should be over-ruled on the basis that possibly illegal replacements already exist, but we do firmly believe that our PVCu units will not compromise the character of the building. Furthermore, the existing window units allow for an unacceptable level of draft and heat loss and have already begun to deteriorate.

I have included a brochure from Sheerframe, our window frame supplier. I have also included a selection of photographs below, showing examples of varying style of PVCu windows present in properties on Taybridge Road, as well as other streets within the Aberfeldy Conservation Area.

- **Aberfeldy Conservation Area**



- Mrs Dundas' property (PVCu french doors present in flat below)



- PVCu window above door



- Examples of PVCu present on Taybridge Road



- Examples of PVCu present in Aberfeldy Conservation Area

Taybridge Terrace



Chapel Street



Dunkeld Street



Kenmore Street



Home Street

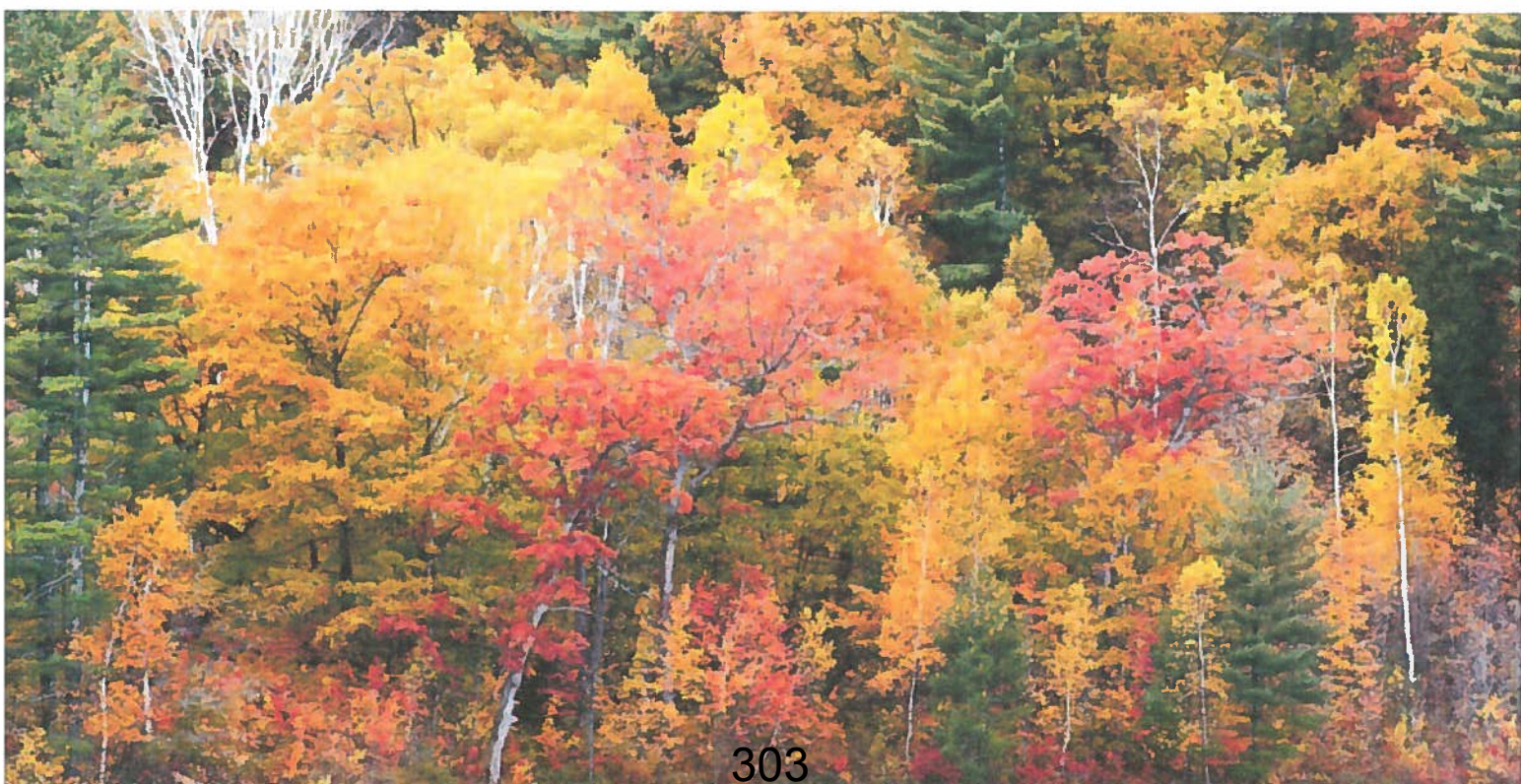


The environmental window

A guide to sustainable windows,
doors & conservatories



SHEERFRAME®





The sustainability challenge

"Sustainable development meets the needs of the present without compromising the ability of future generations to meet their own needs."

The World Commission on Environment and Development (1987)

The materials and components we use to create our new buildings and refurbish existing ones are coming under the spotlight more than ever before as we strive towards a highly sustainable society.

The battle against climate change is constant and buildings are a major CO₂ contributor. Nationally in the UK, around 40% of all carbon emissions result from energy used to power our buildings and in London that figure is as high as 70%*.

To ensure our buildings are energy efficient in the long term and created using materials that have not cost the earth to produce, product selection and specification must take into account the whole life cycle and consider post-use disposal.

Unlike other materials used in window frames, PVC performs extremely well in terms of sustainability. PVC is extremely resource-efficient in its manufacture and in the case of Sheerframe, creates windows which offer excellent thermal performance over a long lifetime. In addition, when PVC frames are eventually replaced, they can be easily collected and recycled compared with other materials.

*According to the London Climate Change Agency June 2005.

Choosing what's best

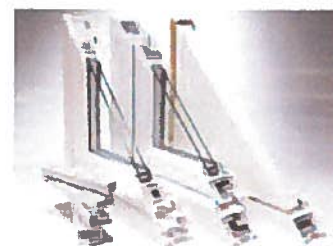
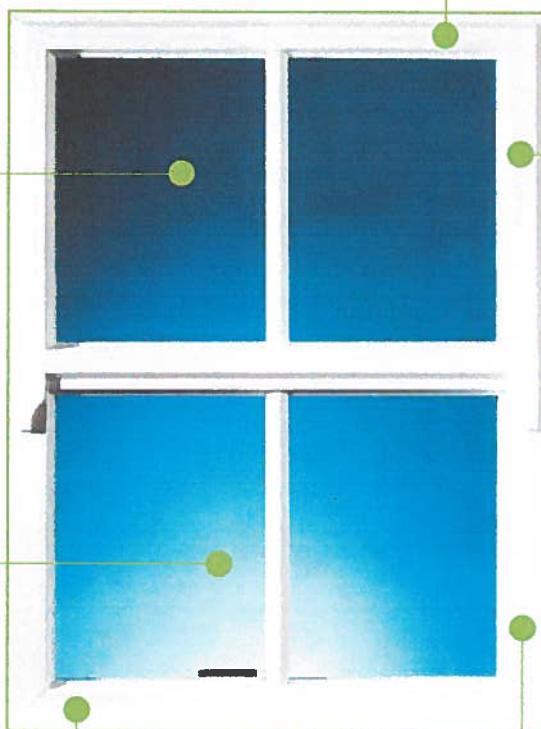
The nature of the glass has an important bearing, especially the perimeter spacer bar, the presence or absence of gas, and the emissivity and clarity of the glass, and the effect all these points have on solar gain and heat retention.

Heat retention during the window's lifetime, combined with low toxicity materials in manufacture and the cleaning up of waste products without compromising performance is key to the 'environmental window'.



The excellent performance of Sheerframe in-use is complemented by the PVC being organically stabilised.

Recycling waste materials without compromising the technical performance of the end product is also a valuable achievement. In the PVC industry, like other forward thinking industries such as glass and metals, both the end of life and manufacturing process waste materials are routinely recycled to eradicate any unnecessary waste.



Sheerframe windows now lead the industry in combining an optimum arrangement of thermoplastics recyclate being used in a unique encapsulation process for reinforcement – Thermlock®. This delivers strength and additional insulation without corrupting performance.

The use of thermal reinforcement within the new British Standards for Extrusions, BS EN 12608, when combined with Class A wall thickness (2.8mm minimum) means the insulation thickness of thermoplastic, from inside to outside, is between 13mm and 16mm. Combining Class A with Thermlock® gives more than twice the insulation value from the thermoplastic.



SHEERFRAME™

The benefits of PVC



PVC is very resource-efficient in its production and most importantly, throughout its long life span, a PVC frame will maximise the energy retention within a building. This is unlike low performing thermally inefficient metal windows or timber windows, which have traditionally been poor at keeping the weather out and the heat in. With 50 years or more durability and 100% recyclability, the PVC frame represents an energy store which can be retrieved and reprocessed at any time in the future.

Sheerframe windows are designed to deliver the highest performance in-use. A continuous development programme ensures that Sheerframe is always one step ahead of government legislation, beating the thermal performance requirements of Part L of the Building Regulations and Part J in Scotland.

PVC windows are amongst the most rigorously tested and approved of all construction products. Unlike some self-governing approval schemes run by the timber industry, the PVC sector believes in the values of independence and continuity of assessment carried out by the British Standards Institute (BSI) and the British Board of Agrément (BBA).



BS7412
(KM21785)



BS EN 1279
(KM24911)



BS EN ISO 9001 2000
FM 01727



BS7950/7413
(KM33522)



BS EN 12608
(KM12877)



PAS 23
KM57120



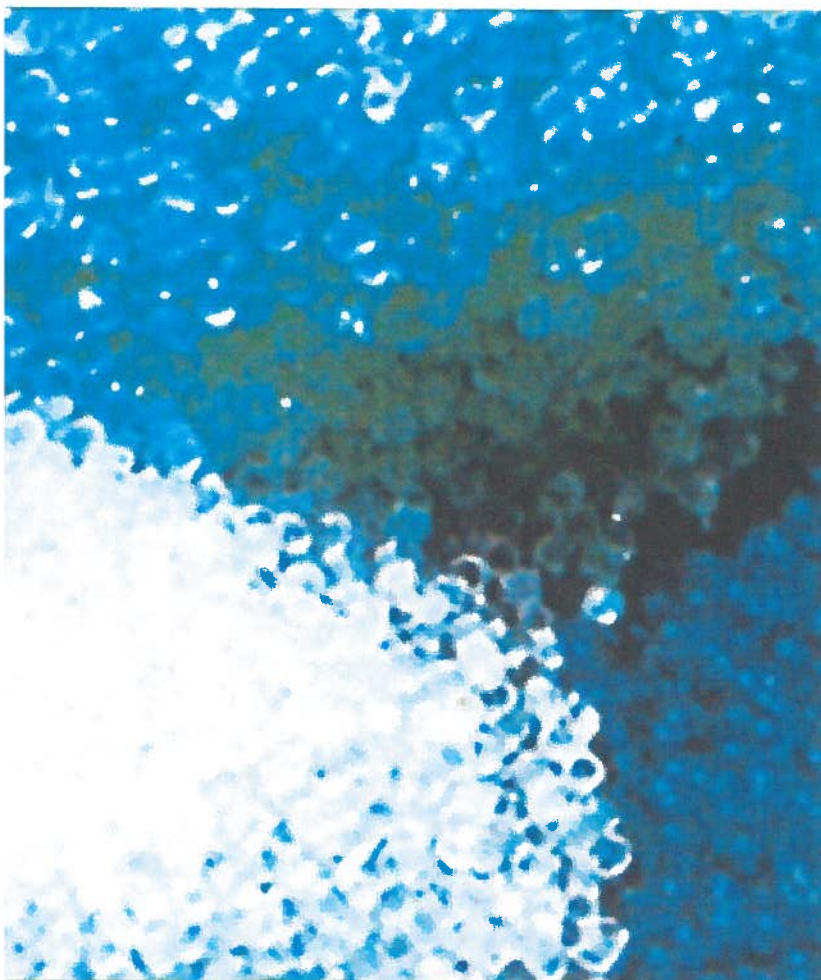
PAS 24
KM57121



BS7950/7412
(KM33521)



Material matters



The raw materials that are used to produce Sheerframe windows are carefully selected to ensure any risk to humans or the environment – whether perceived or actual – is kept to an absolute minimum.

Sheerframe windows were amongst the first PVC windows to become lead-free, with the use of lead additives phased out as a precautionary measure and replaced with calcium organic stabilisers. It is steps like this that ensure the health of the people that manufacture Sheerframe windows and Sheerframe customers can be assured of total safety.

What is PVC?

Polyvinyl chloride (PVC) is a major thermoplastic material used in a very wide variety of applications and products. The essential raw materials for PVC are derived from salt and oil. The electrolysis of salt water produces chlorine, which is combined with ethylene, obtained from oil, to form vinyl chloride monomer (VCM). Molecules of VCM are polymerised to form PVC resin, to which appropriate additives are incorporated to make a customised PVC compound.

PVC can be plasticised to make it flexible for use in flooring and vital medical products or rigid "PVC-U", the U stands for "unplasticised" – which is used extensively in building applications including window frames.

PVC is used for hundreds of life saving and healthcare products every day – products used in surgery, pharmaceuticals, drug delivery and medical packaging, for example. It is also used to manufacture packaging for food and to make numerous components in the automotive industry – resource-efficient products which enable manufacturers to mass produce the things we demand in today's world and improve our everyday lives.



Recycling



With its manufacture process already extremely resource-efficient, PVC fits perfectly with the approach of reducing, reusing and recycling.

The Vinyl 2010 Voluntary Charter across Europe ensures that the production and disposal of PVC is carried out with total environmental responsibility.

More specifically, the PVC window industry as a whole has made some major advances in recycling, setting and achieving targets that other industries would find it hard to achieve. It already recycles 50% of the collectable end of use frames and is working hard to keep increasing this figure.

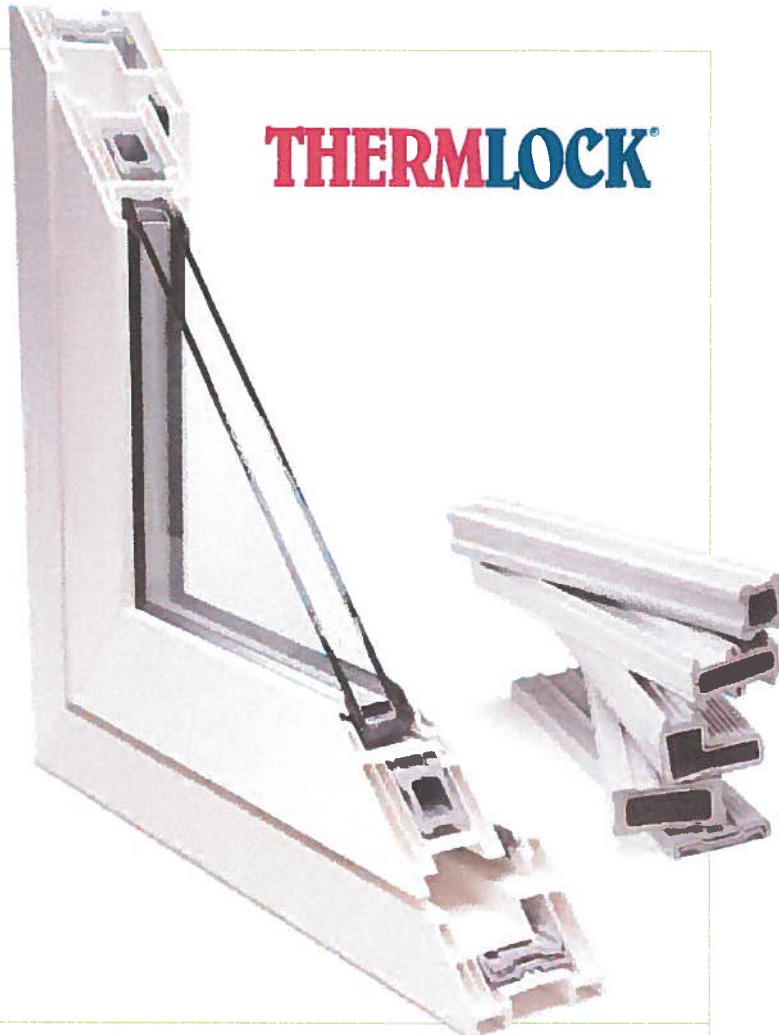
On the contrary, recycling of end of use timber windows is more troublesome. Timber frames can be contaminated with a vast range of preservatives, fillers, cements, paints and solvents. Despite this pollution danger, 61%^{**} of timber from demolition sources goes straight into landfill.

PVC is a much more straightforward process thanks to the presence of the chlorine molecule. This means PVC can be easily identified and separated from other plastics for recycling.

^{**} According to CIRIA / Defra figures quoted in Window of opportunity published by WWF-UK.



Uniquely optimising energy efficiency



Throughout its life, Sheerframe PVC windows offer exceptional performance. The system's advanced design to BS EN 12608 ensures the highest quality windows through a series of design innovations.

Superior weathersealing

Co-extruded weatherseals ensure maximum air and water tightness and prevent heat being lost easily through draughts. This is one of the most underrated measures of energy efficiency, but one of the most important to any householder.

Multiple chamber profile

Sheerframe windows feature four or five chamber profiles, increasing the honeycomb effect of the frame to reduce thermal conductivity.

Thermlock® reinforcement

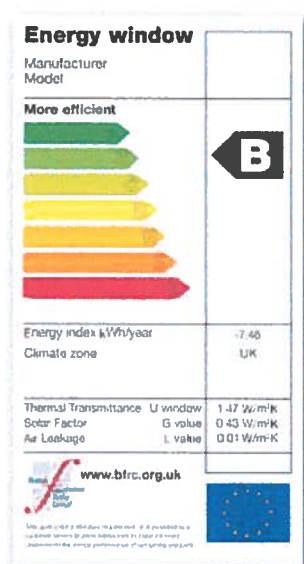
Steel and aluminium reinforcement often let down the overall thermal performance of the window. Sheerframe PVC windows are different. They feature Thermlock®, developed by encapsulating the metal in a specialist insulating thermoplastic compound.

Intelligent glass combination

The glass has a significant bearing on the window's performance. Sheerframe's design maximizes the role of the glass to take advantage of the positive contribution made by solar gain and heat retention.

Top energy ratings

This combination of design innovations delivers a window capable of achieving very good ratings under the Bfrc window energy rating system. Depending on the configuration, Sheerframe windows can achieve B ratings – even when reinforced – representing an exceptional energy efficiency performance.





SHEERFRAME™



Choice of styles



A wide range of Sheerframe window and door styles means homeowners, housebuilders and Registered Social Landlords can take advantage of PVC's sustainability benefits whatever the property.

The range reflects traditional British window and door styles and caters for almost any architectural design. Balance and modernity, as well as an acknowledgement to historical detail, provide original and elegant design solutions.

From pivot and fully reversible windows to tilt and turns and traditional casements, Sheerframe windows are designed for maximum visual appeal. But it is the Sheerframe vertically sliding sash window that really is in a league of its own.

The Sheerframe vertically sliding sash is widely acknowledged by architects, specifiers and planners as the most stylish design in its class. It is a truly unique window which dispels the myth that traditional timber sash windows cannot be replicated in PVC. Planners love it too, with the Sheerframe VS increasingly being approved for use within conservation areas across the UK and Ireland.



The advanced design of Sheerframe windows brings nothing but a positive aesthetic impact. White PVC is the most popular choice, but Sheerframe windows also come in a wide variety of colours including woodgrain finishes which perfectly replicate the look of different timber grainings.

SHEERFRAME™

L.B. Plastics Ltd,

Firs Works, Nether Heage,

Derby, DE56 2JJ.

Tel: 01773 852311 Fax: 01773 857080

Email: sheerframe@lbplastics.co.uk

Website: www.sheerframe.co.uk



This information booklet is produced on recycled paper.

TCP/11/16(200)

Planning Application 12/00689/FLL – Installation of replacement windows at 3 Lawers View, Taybridge Road, Aberfeldy, PH15 2FG

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS

PERTH AND KINROSS COUNCIL

Mr Dundas
c/o CR Smith Glaziers
Gardeners Street
Dunfermline
KY12 ORN

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 11th June 2012

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/00689/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 12th April 2012 for permission for **Installation of replacement windows 3 Lawers View Taybridge Road Aberfeldy PH15 2FG** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to Policy 5 of the Highland Area Local Plan 2000 as the use of uPVC as a material for the replacement windows will adversely affect the traditional character of the building. It is not appropriate in this location and is not in keeping with its surroundings.
2. The proposal is contrary to Policy HE3 of the Perth and Kinross Proposed Local Plan (2012) in that the use of uPVC for the replacement windows will have a significant and harmful impact on the character and appearance of the Conservation Area.
3. Approval would be contrary to the Planning Authority's statutory duties in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to pay special attention to the desirability of preserving the character of a Conservation Area (Section 64(1)).

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 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

12/00689/2

12/00689/3

REPORT OF HANDLING

DELEGATED REPORT

Ref No	12/00689/FLL
Ward No	N4- Highland

PROPOSAL: Installation of replacement windows

LOCATION: 3 Lawers View Taybridge Road Aberfeldy PH15 2FG

APPLICANT: Mr Dundas

RECOMMENDATION: REFUSE THE APPLICATION

SITE INSPECTION: 26 April 2012



OFFICERS REPORT:

Full planning permission is sought for the installation of replacement windows at 3 Lawers View, Taybridge Road, Aberfeldy. Lawers View is a Victorian villa and former Council school's hostel building that was converted into flats (works completed in 2009). It is located within the Aberfeldy Conservation Area (designated autumn 2008).

The proposals entail the replacement of two windows on the north-west elevation and one replacement is proposed on the south-west elevation. The existing windows are timber and it is proposed to replace these with uPVC units. Both elevations can be seen from the public street.

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The adopted development plan that is applicable to this area comprises the Perth and Kinross Structure Plan 2003 and the Highland Area Local Plan 2000. The Perth and Kinross Proposed Local Plan (2012) is a material consideration.

In accordance with Section 65 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Act 1997 the application has been advertised in the Local Press as potentially affecting the character or appearance of a conservation area, a site notice was erected on the 26th April 2012.

In this case the determining issues are:- the statutory requirement under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which requires the Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of that area; whether the proposal complies with development plan policy; whether the proposal complies with supplementary planning guidance; or if there are any other material considerations which justify a departure from policy.

The Conservation Officer is concerned over the use of uPVC within the Conservation Area and objects to the application. The replacement windows should replicate the original material as well as being a traditional design. uPVC as a non-traditional material is not encouraged in the conservation area and is generally unacceptable. The purpose of a conservation area is to preserve and also to enhance the townscape character using traditional material and good quality materials in visual terms. Visually the uPVC windows are different in profile, moulding, texture and finish to traditional timber sash and case or casement windows.

The Aberfeldy Conservation Area Appraisal illustrates examples of traditional windows throughout the Conservation Area. One of the key objectives of the appraisal is to prevent erosion of character through small-scale change. The appraisal also indicates how the key objectives should be implemented, including materials and detailing to be in accordance with design guidelines prepared by the local planning authority. The Council's Placemaking Guide illustrates the importance of indigenous materials and materials being sensitive to their environment.

The insertion of uPVC windows in the property will adversely affect the traditional character of the building and will have a significant and harmful impact on the character of the Aberfeldy Conservation Area. The existence of a small amount of uPVC on one window and a French door on the building does not alter this opinion. The majority of windows are of timber and contribute to the character of the building and the Conservation Area. The use of uPVC on a small part of the building does not set a precedent and may be unauthorised.

The use of uPVC for the replacement windows does not preserve or enhance the Conservation Area and I recommend that the application is refused.

DEVELOPMENT PLAN

Perth and Kinross Council Structure Plan 2003

Environment and Resources Policy 8

The Council will seek to ensure that the rich and varied cultural heritage resources of Perth and Kinross are recognised, recorded, protected and enhanced as appropriate. New development which would adversely affect Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Historic Gardens and Designed Landscapes or their settings will not be permitted unless there is a proven public interest where social, economic or safety considerations outweighs the cultural interest in the site.

Highland Area Local Plan 2000

H_005 Highland Design

The Council will require high standards of design for all development in the Plan Area. In particular encouragement will be given to: -

- (a) The use of appropriate and high quality materials.
- (b) Innovative modern design incorporating energy efficient technology and materials.
- (c) Avoidance of the use of extensive underbuilding on steeply sloping sites .
- (d) Ensuring that the proportions of any building are in keeping with its surroundings.
- (e) Ensuring that the development fits its location.

The design principles set out in the Council's Guidance on the Design of Houses in Rural Areas will be used as a guide for all development proposals.

OTHER POLICIES

Perth and Kinross Proposed Local Plan (2012)

Policy HE3: Conservation Areas

Policy HE3A: New Development

There is a presumption in favour of development within a Conservation Area that preserves or enhances its character or appearance. The design, materials, scale and siting of new development within a conservation area, and development outwith an area that will impact upon its special qualities should be appropriate to its appearance, character and setting.

Where a Conservation Area Appraisal has been undertaken for the area, the details contained in that appraisal should be used to guide the form and design of new development proposals.

Applications for Planning Permission in Principle in Conservation Areas will not be considered acceptable without detailed plans, including elevations, which show the development in its setting.

The Scottish Historic Environment Policy (SHEP) 2011 - the combined Scottish Planning Policy and Historic Scotland's Managing Change in the Historic Environment guidance note series.

Para. 2.37 Conservation areas are defined as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.

2.44. Duty of the planning authority and any other authority concerned, including Scottish Ministers, to pay special attention to the desirability of preserving or enhancing the character and appearance of the area when exercising their powers under the planning legislation and under Part I of the Historic Buildings and Ancient Monuments Act 1953.

Aberfeldy Conservation Area Appraisal.

SITE HISTORY

06/02678/FUL Proposed residential sub-division of existing property into 4 flats and maisonette and provision of associated car parking 30 March 2007 Application Permitted

CONSULTATIONS/COMMENTS

Conservation Team	Objection. The insertion of uPVC windows in this property will adversely affect the traditional character of the building and will have a significant and harmful impact on the character and appearance of the Conservation Area.
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TARGET DATE: 12 June 2012

REPRESENTATIONS RECEIVED:

Number Received: 2

Summary of issues raised by objectors:

- 1 General comment - no objection as long as:
 - a) the changes do not conflict in appearance to the detriment of the rest of the Lawers View building.
 - b) owner of Flat 3 bears all of the window replacement cost. Would have preferred that the Property Manager (Factor) be informed in the first instance, in order to advise the management company of the owner's intentions and then subsequently provide details to his neighbours in Lawers View, according to the Deeds of Conditions.
- 2 Objection from Architectural Heritage Society – unacceptable to use uPVC in a conservation area. New windows should be timber, like the originals.

Response to issues raised by objectors:

- 1a) I consider that the proposals will adversely impact on the character of the building. Application is recommended for refusal.
- b) Notification of management company is not a planning matter but for flat owners and the management company.
- 2 Agree that use of uPVC in this location is unacceptable. Application is recommended for refusal.

Additional Statements Received:

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	None
Report on Impact or Potential Impact	None submitted.

Legal Agreement Required: - n/a

Direction by Scottish Ministers - n/a

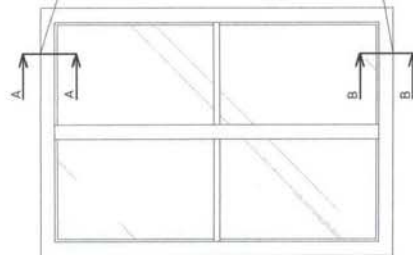
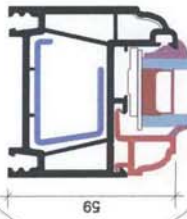
Reasons:-

- 1 The proposal is contrary to Policy 5 of the Highland Area Local Plan 2000 as the use of uPVC as a material for the replacement windows will adversely affect the traditional character of the building. It is not appropriate in this location and is not in keeping with its surroundings.
- 2 The proposal is contrary to Policy HE3 of the Perth and Kinross Proposed Local Plan (2012) in that the use of uPVC for the replacement windows will have a significant and harmful impact on the character and appearance of the Conservation Area.
- 3 Approval would be contrary to the Planning Authority's statutory duties in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to pay special attention to the desirability of preserving the character of a Conservation Area (Section 64(1)).

Justification

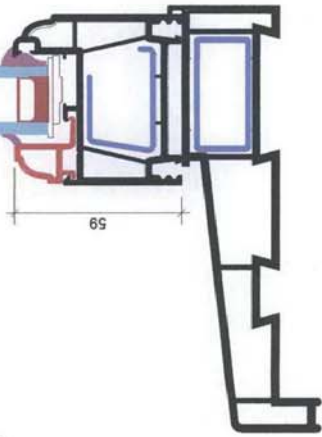
The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Detail A-A
Scale 1:2

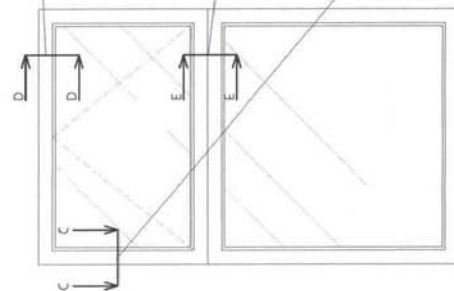
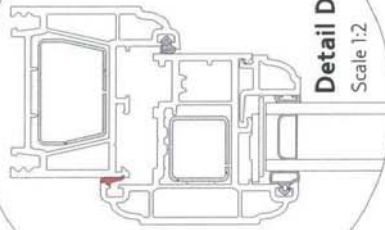


Proposed replacement window 1 (Fixed)
Scale 1:20

Detail B-B
Scale 1:2

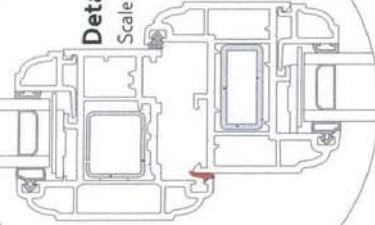


Detail D-D
Scale 1:2

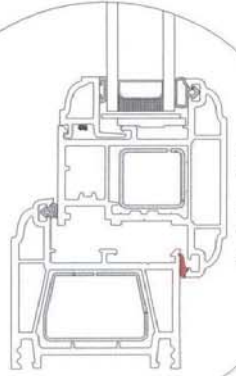


Proposed replacement windows 2 & 3
Scale 1:20

Detail E-E
Scale 1:2



Detail C-C
Scale 1:2



PERTH AND KINROSS COUNCIL

DRAWING REF: 12/0088/12

CR SMITH

home sweeter home
This drawing is for illustration purposes only therefore nothing contained herein shall constitute or form any part of any contract

CLIENT Mrs Dundas
3 Lawers View
Tay Bridge Road
Aberfeldy POSTCODE PH15 2FG
TELEPHONE 0141 942 5914

PROJECT SPECIFICATION
Proposed PVCu conservatory to be erected

CONTRACT No 53214603	DRAWING No 002
DRAWING BY Murray Faughnan	
SCALE As illustrated	DATE 07/04/12
REVISIONS	

murray.faughnan@crsmith.co.uk

WE CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAN OF THE WORKS REFERRED TO IN THE APPLICATION FOR WARRANT / PLANNING CONSENT.

SIGNED: [Redacted]

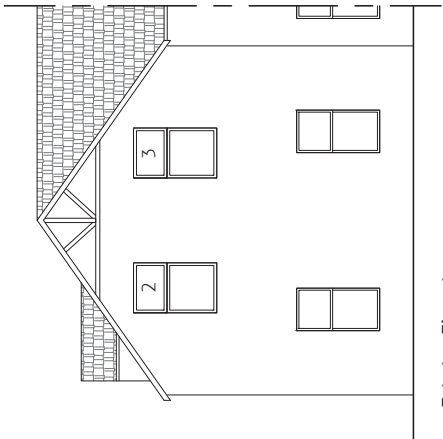
DATE: 07/04/12

Window Specification

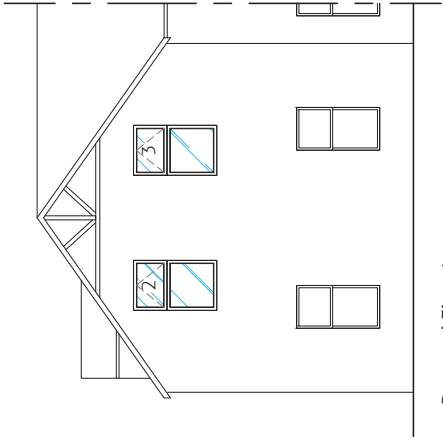
Existing windows (numbered 1-3) to be replaced with new white PVCu double-glazed casement windows.

New windows to be fully glazed (4/16/4) with laminated and toughened glass to BS6262 part 4: 2005 and BS6206. Glazing to be low E with argon filled cavity. Windows to be draught stripped and weathersealed.

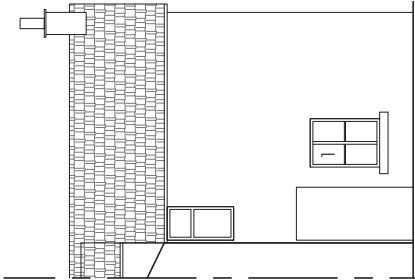
Windows fitted with trickle vents to heads and provide a U-Value of 1.0w/m²k.



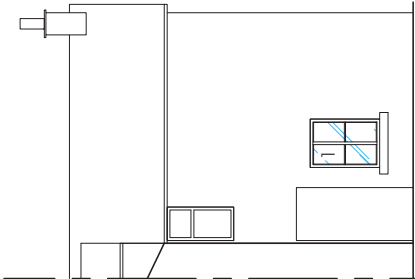
**Existing Elevation
(North-West Facing)**
Scale 1:100



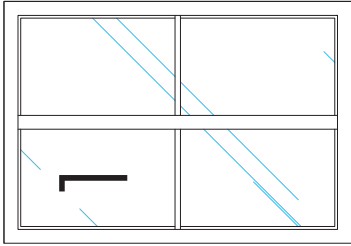
**Proposed Elevation
(North-West Facing)**
Scale 1:100



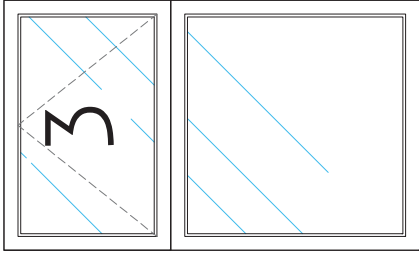
**Existing Elevation
(South-West Facing)**
Scale 1:100



**Proposed Elevation
(South-West Facing)**
Scale 1:100



Proposed replacement windows
Scale 1:20



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CLIENT Mrs Dundas 3 Lawers View Tay Bridge Road Aberfeldy		POSTCODE PH15 2FG	
TELEPHONE 0141 942 5914			
PROJECT SPECIFICATION Proposed PVCu conservatory to be erected			
CONTRACT No 53214603		DRAWING No 001	
DRAWING BY Murray Faughnan			
SCALE As illustrated		DATE 07/04/12	
REVISIONS			
murray_faughnan@crsmith.co.uk WE CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAN OF THE WORKS REFERRED TO IN THE APPLICATION FOR WARRANT / PLANNING CONSENT.			
SIGNED:.....		DATE:.....	

TCP/11/16(200)

Planning Application 12/00689/FLL – Installation of replacement windows at 3 Lawers View, Taybridge Road, Aberfeldy, PH15 2FG

REPRESENTATIONS

- Objection from the Architectural Heritage Society of Scotland, dated 30 April 2012
- Representation from Christopher Hopkins, dated 5 May 2012
- Objection from Conservation Officer, dated 22 May 2012
- Representation from Christopher Hopkins, dated 21 July 2012

AHSS National Office
The Glasite Meeting House
33 Barony Street
Edinburgh
EH3 6NX

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THE ARCHITECTURAL
HERITAGE SOCIETY
OF SCOTLAND

*For the study and
protection of Scottish
architecture*

email: wbeaton@talktalk.net
Telephone 01577 862 807

Head of Development Standards,
Department of Planning & Transportation,
Perth & Kinross Council,
Pullar House,
35 Kinnoull Street,
Perth,
PH1 5GD



30th. April, 2012

Your ref: 12/00689/FLL
Our ref: 1/6

Dear Sirs,

INSTALLATION OF REPLACEMENT WINDOWS AT 3 LAWERS VIEW, TAYBRIDGE ROAD,
ABERFELDY

We have examined the plans and are familiar with the site of the replacement windows.

We note the intention to make the replacements from "UPVC." In a Conservation Area this is unacceptable. The new windows should be made from timber, like the originals.

Yours faithfully,



For The Architectural Heritage Society of Scotland

From: Christopher Hopkins

Sent: 05 May 2012 17:08

To:

Cc: Development Management - Generic Email Account

Subject: Planning Application - 3 Lawers View, Taybridge Road, Aberfeldy, PH15 2FG

Good Afternoon Bill,

Gillian Clarke of Flat 1 Lawers View has sent me the letter sent to her by Perth and Kinross Council detailing the planning application to replace windows proposed by Mr. Dundas of Flat 3 Lawers View. I have attached all 3 pages.

We have no objection to Mr. Dundas replacing his windows as long as:

i) the changes do not conflict in appearance to the detriment of the rest of the Lawers View building.

ii) Mr. Dundas, the owner of Flat 3 bears all of the window replacement cost.

In hindsight, it would have been prudent if Mr. Dundas had contacted you as our Property Manager (Factor), in the first instance, in order to advise your company of his intentions and then subsequently provide details to his neighbours in Lawers View, according to the Deeds of Conditions / Burdens.

With Best Regards

Christopher and Gennet Hopkins
owners of Flat 4, Lawers View

Memorandum

To Persephone Beer
Planning Officer

From Richard Welch, Conservation Officer,
Business and Community Projects (Conservation)
Section

Your ref 12/00689/FLL

Our ref

Date 22 May 2012

Tel No 76598

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Installation of replacement windows: 3 Lawers View, Taybridge Road, Aberfeldy (12/00689/FLL)

Conservation Officer comments

Lawers View is located within the Aberfeldy Conservation Area. It is a traditional stone built property with a good degree of historic and architectural character.

The proposed replacement windows are uPVC, described on one plan as casement design. Two replacement windows are proposed on the north-west elevation and one replacement is proposed on the south-west elevation. Both elevations can be seen from the public street.

The replacement windows should replicate the original material as well as being a traditional design. UPVC as a non-traditional material is not encouraged in the conservation area and is generally unacceptable. The purpose of a conservation area is to preserve and also enhance the townscape character using traditional materials and good quality materials in visual terms. In visual terms uPVC windows are different in profile, moulding, texture and finish to traditional timber sash and case or casement windows.

The Aberfeldy Conservation Area Appraisal illustrates examples of traditional windows throughout the conservation area. One of the key objectives of the appraisal is to prevent erosion of character through small-scale change. The appraisal also indicates how key objectives should be implemented, including materials and detailing to be accordance with design guidelines prepared by the local planning authority. The Council's Placemaking Guide illustrates the importance of indigenous materials and materials being sensitive to their environment.

The insertion of uPVC windows in this property will adversely affect the traditional character of the building and will have a significant and harmful impact on the character and appearance of the conservation area. Consequently the Business and Community Projects (Conservation) Section lodges an objection to this planning application.

Richard Welch
Conservation Officer
Business and Community Projects

Audrey Brown - Democratic Services

From: Christopher Hopkins [REDACTED]
Sent: 21 July 2012 12:21
To: CHX Planning Local Review Body - Generic Email Account
Cc: bmcdonald41@hotmail.com
Subject: Re: TCP/11/16(200) - 3 Lawers View, Taybridge Road, Aberfeldy

Dear Ms Taylor,

On 14th July I met Mr. Dundas, the owner of 3 Lawers View, and understand from him that the replacement windows will be white framed and similar to other UPVC framed windows or similar to other wooden framed windows in the Lawers View building. Therefore, I have no objection.

Christopher Hopkins
Owner of 4 Lawers View

