

TCP/11/16(515) – 17/01488/FLL – Installation of replacement windows, Woodend Cottage, Fairmount Road, Perth, PH2 7AW

INDEX

- (a) Papers submitted by the Applicant (***Pages 457-484***)
- (b) Decision Notice (***Pages 487-488***)
 - Report of Handling (***Pages 489-497***)
 - Reference Documents (***Pages 475-482***)

**TCP/11/16(515) – 17/01488/FLL – Installation of
replacement windows, Woodend Cottage, Fairmount Road,
Perth, PH2 7AW**

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

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 SIMON PARKINSON + RACHEL LETBY

Address WOODEND COTTAGE
FAIRMOUNT ROAD
PERTH

Postcode PH2 7AW

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name WOODSIDE PARKER KIRK ARCHITECTS

Address 37 FERRY ROAD
EDINBURGH

Postcode EH6 4AF

Contact Telephone 1 07523 963 395

Contact Telephone 2

Fax No

E-mail* ADMIN@WOODSIDEPARKER-KIRK.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

Planning authority's application reference number

17/01488/FLL

Site address

WOODEND COTTAGE, FAIRMOUNT ROAD, PERTH, PH2 7AW

Description of proposed
development

REPLACEMENT OF EXISTING WINDOWS

Date of application

12/9/17

Date of decision (if any)

20/10/17

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:

FURTHER SUBMISSION REQUIRED TO CLARIFY AND RESPOND TO POINTS DETAILED IN THE DELEGATED REPORT. A SITE INSPECTION WOULD GIVE A BETTER UNDERSTANDING OF THE SITE, ITS CONTEXT AND THE LOCATION OF THE PROPOSED REPLACEMENT WINDOWS

Site inspection

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

- | | Yes | No |
|--|--------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

ACCESS TO THE PROPERTY + GROUNDS WOULD BE THROUGH A PRIVATE GATE

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 ATTACHED STATEMENT WHICH INCLUDES FURTHER DETAILS ON:-

- CHARACTER OF BUILDING
- IMPACT ON THE AREA
- SURROUNDING CONTEXT
- WINDOW DETAILING AND SPECIFICATION
- PLANNING POLICIES

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.

FURTHER DETAILS ON THE PROPERTY AND ITS CONTEXT IN RESPONSE
TO COMMENTS BY THE APPOINTED OFFICER

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.

SUPPORTING STATEMENT
 REVIEW STATEMENT
 EXISTING + PROPOSED ELEVATIONS
 EXISTING WINDOW DETAIL
 LOCATION + SITE PLANS
 PHOTOGRAPHS
 PROPOSED WINDOW DETAILS

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:

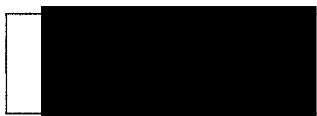
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

18/01/18

8th January 2018

Woodend Cottage – Proposal: Installation of replacement windows

Our application for permission to change a number of windows at Woodend Cottage was recently declined. We wish to appeal against that decision for reasons described in the following text.

1.0 Character of the Building

In the Delegated Report it states that:

“the house has three main character areas; the historic, linear, single storey block, the recent single storey extension and the two storey Victorian block”.

This is a simplistic view of the property which does not consider the orientation and relationship to the street, the historic boundary wall or the second contemporary extension. Please see illustrated aerial photograph below.

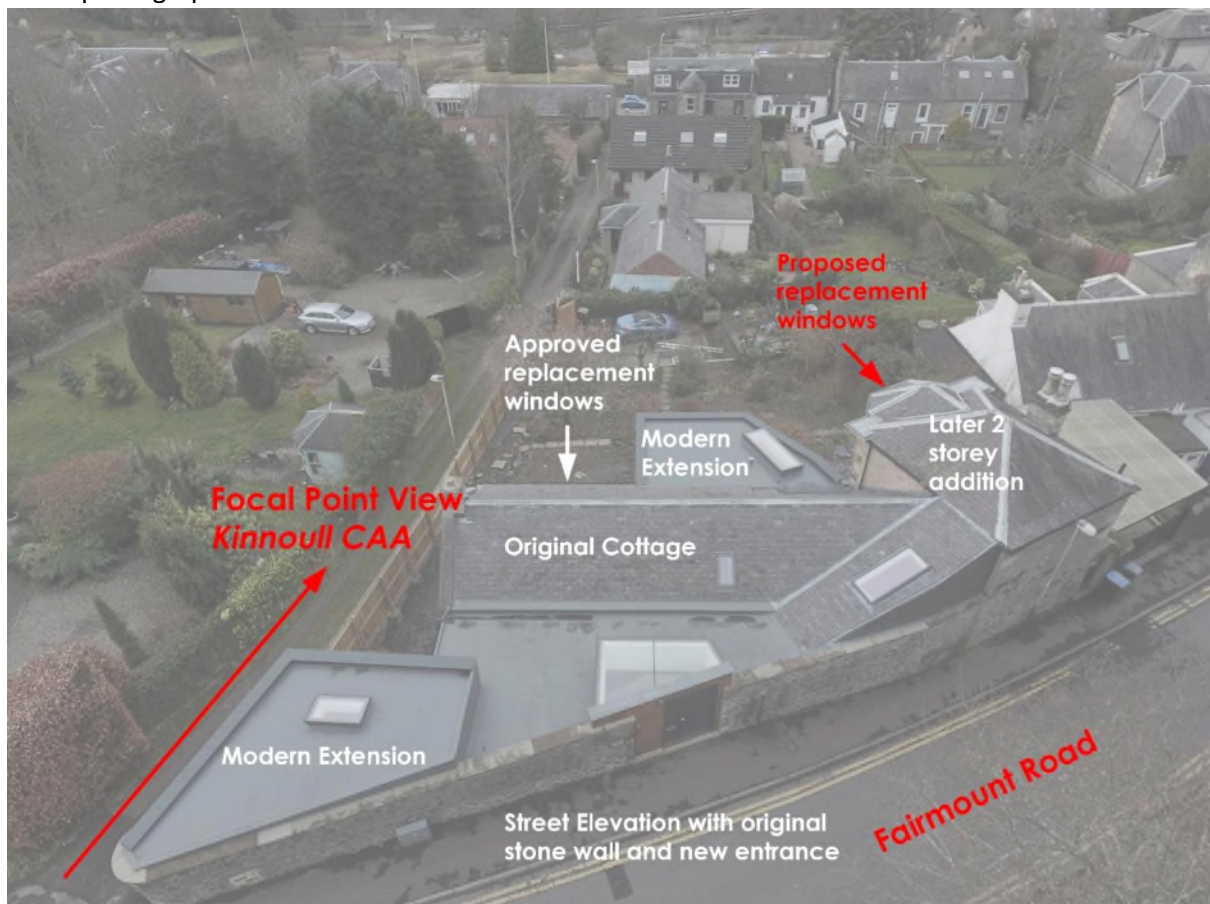


Fig 1.1 – Aerial Photograph looking West to Perth from Fairmont Road

The pre-app response (reference: 17/00497/PREAPP) makes the comment:

“In my view, the character of the two storey block should be maintained as it has a distinctly separate character from the rest of the property”.

However in counter argument to this, Woodend Cottage won an award in 2017 from the Dundee Institute of Architects who cited:

“this ambitious extension connected several stand-alone buildings into one coherent house where spaces flow naturally into each other. The judges were impressed by its clever solution to a difficult design problem and the way old and new blend seamlessly together”.

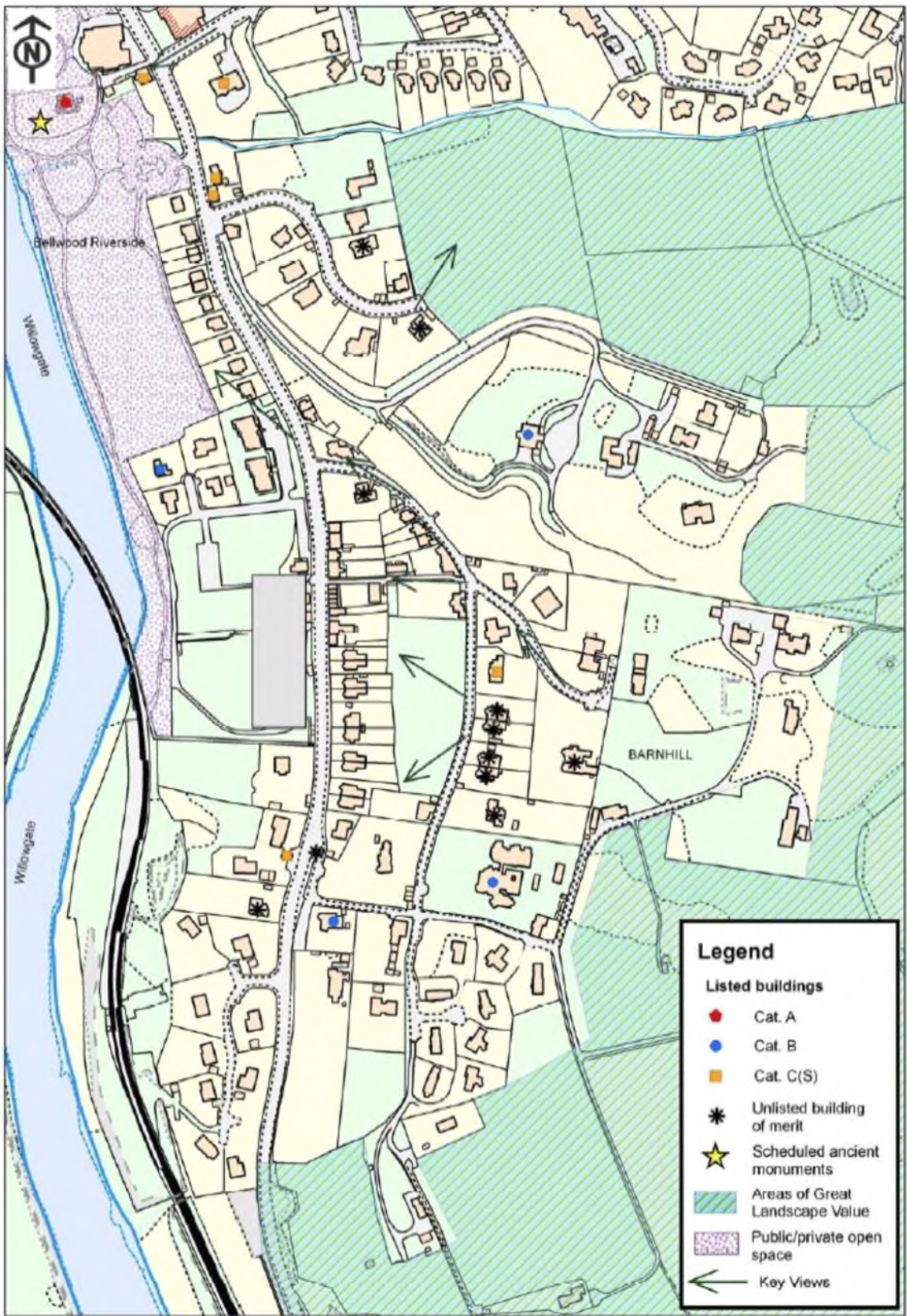
2.0 Impact on the Area

As was pointed out in the Report of Handling, 11th November 2017:

- “Woodend Cottage is an unlisted ... dwelling house”;
- “Woodend Cottage is ... a detached dwelling house”
 - so has no impact on connecting dwelling houses

Woodend Cottage is located on the lower part of Fairmount Road in the Barnhill area (Kinnoull Conservation Area Appraisal, see fig 1.2 below). The properties on this part of the street face west with little or no street frontage, most have the stone boundary wall facing onto the street, some also have carports or driveway access. Woodend has no windows facing onto Fairmount Road only the recently approved new entrance addresses the street. The ground level falls from the road down to the west and the private gardens.

Map 8: Townscape analysis - Barnhill



© Crown copyright and database right (2010). All rights reserved. Ordnance Survey Licence number 100016971.

Fig 1.2 Map taken from Kinnoull Conservation Area Appraisal page 11.



Fig 1.3 Enlarged extract of map taken from Kinnoull Conservation Area Appraisal page 11.

The maps above in Fig 1.2 and 1.3 from the Kinnoull Conservation Area Appraisal show Woodend Cottage in its context as well as Key Views as described by the document. The Key View relating to Woodend is clearly from Fairmount Road down the adjacent lane. The proposed window replacement has no impact on this view.



Fig 1.4 Photograph looking west down the lane past Woodend Cottage

Woodend is screened from the lane which runs along the southern boundary by a timber fence and bi fold gates, ref 15/01255/FLL (See Fig 1.4 above). The windows in question are on west elevation facing onto the garden, at the northern end of the property, furthest from the lane. The two storey element is further screened by the original cottage and the recent extension, ref 13/02340/FLL.

Visibility of this part of the property, especially the ground floor, is extremely limited. The justification for allowing the replacement of the windows on the original cottage appears to be that the new extension screens it, this part of the property is in fact much closer to the lane and therefore more visible by the public.

- “has recently undergone alterations and extensions under a previously approved planning application (Ref: 13/02340/FLL)” Delegated Report
 - This included permission for windows of the same specification as in this application
 - This permission allowed for the windows both in the new extension and the original cottage to be changed to this specification

3.0 Surrounding Context

Properties on upper Fairmount Road are a collection of modern dwellings in a variety of styles. Window material, detailing, construction and style also varies. These includes upvc conservatories which are quite clearly visible from the street. Along Fairmount Terrace properties are more traditional with some listed buildings. Properties to the south and west along the lane are also of varying age and style, most have render walls with upvc windows.



Fig 1.5 Looking up Fairmount Road from Woodend Cottage.



Fig 1.6 Property on upper Fairmount Road



Fig 1.7 Properties on upper Fairmount Road



Fig 1.8 Looking South along Fairmount Terrace



Fig 1.9 Properties on the Lane, Woodend is beyond these further up the hill

6.0 Window Detailing and Specification

The existing timber sash and case windows are not original. They have been adapted with 'modern' double glazing units as well as one of the bay windows being altered to form a door, this would not have been an original feature.

The handling report states that no details of the existing or proposed were submitted, this is not the case, drawings of both circumstances were included in the application. The current windows and door are now in a poor condition and beyond economic repair. At no point throughout the application was a conditions report for the existing windows requested, this can be submitted as required.

The architectural windows proposed are extremely high quality thermally broken aluminium windows which achieve a very high thermal performance. A great deal of work has been carried out to make Woodend Cottage a modern, efficient and award winning home. The wish is to continue this by replacing the current defective windows which are beyond repair. One of the existing timber windows has been altered in the past to form a door in the bay window.

The proposed aluminium windows are a much higher specification than inferior upvc replacements. Aluminium windows are also maintenance free and have a greater life span than a well maintained timber window.

5.0 Planning Policies

Reference was also made to a number of Planning Documents (Table 1). Table 1 describes our response to those points.

Reference Document	Extract from the Reference	Response
TAYPlan Strategic Development Plan 2016-2032, Approved October 2017	Policy 2: Shaping better quality places "... understanding, incorporating and enhancing present natural and historic assets ..."	We would contend that the citation by the Dundee Institute of Architects demonstrates that these <u>are</u> enhancements.

	Policy 3: Managing TAYplan's assets "... preferably enhances these assets"	
--	--	--

Perth & Kinross Placemaking Guide	<p>“... in all cases, full details will be required before an alteration or extension proposal can be considered ... The proposed windows are of an inappropriate type ...”</p>	<p>Full details were provided when permission was sought for the refurbishment of Woodend Cottage. This included this specification of window for the original cottage. Permission was given and so a precedent was set. This proposal adheres to the precedent and would ensure that a consistent and appropriate set of windows are installed throughout Woodend Cottage.</p>
Perth & Kinross Local Development Plan 2014	<p>Policy RD1 – Residential Areas: “... residential amenity will be protected and where possible, improved.... Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of the area”</p> <p>Policy PM1A – Placemaking “... contribute positively to the quality of the surrounding ...”</p> <p>Policy PM1B – Placemaking</p> <p>Policy HE3A – Conservation Areas “... must preserve or enhance its character or appearance ... should be appropriate to its appearance, character and setting”</p>	<p>Fairmount Road is a mix of modern and historic residences with a variety of styles as a consequence. Woodend Cottage is an example of melding old and new through consistent use of styles, for example: type of cladding, use of stone. An inconsistent style of window detracts from this.</p>
Scottish Planning Policy 2014	<p>“Proposal for development within conservation areas should preserve or enhance the character and appearance for the conservation area”</p>	<p>A consistent set of windows for Woodend Cottage would be an enhancement whilst preservation of the existing windows would be incongruous with the majority of the dwelling house.</p>
Managing Change in the Historic Environment - Windows	<p>“The windows of a historic building for an important element in defining its character”</p>	<p>Woodend Cottage is now a clearly defined coherent house - as articulated by the judges from the Dundee Institute of Architects. A set of windows that are inconsistent with the majority of the house detracts from its coherency and results in an ill defined character.</p>

Table 1

7.0 Conclusion

We request that a site visit be made as we believe that this will demonstrate that Woodend Cottage is one coherent building and as a consequence, requires consistent of approach throughout the building, including window styles.

In summary, we propose that the appeal should be upheld and the windows given permission to be replaced because:

- Woodend Cottage is not listed
- Woodend Cottage is detached
- All of the windows face into the garden and have no roadside appearance
- A precedent has been set for these windows through the permission being given on an earlier planning application for windows on the original cottage
- It is one coherent building so a variation in window styles would detract from enhancing the conservation area
- The conservation area has no one style of build but consists of a variety of dwelling homes – age, building materials, windows, roofing (as evidenced by the included photographs)

SUPPORTING STATEMENT

REPLACEMENT WINDOWS AT WOODEND COTTAGE, FAIRMOUNT ROAD, PERTH, PH2 7AW

Approval is sought to replace the remaining timber windows with Aluminium windows to create a consistent aesthetic approach to fenestration and glazing throughout Woodend Cottage. The property has had many alterations which are a mixture of scale, proportions and architectural style.

A recent planning approval in 2013 set out to rationalise the house, adding clarity to the room layout and the architectural styling. The approved proposal allows the individual architectural elements to be interpreted, but also allows them to interact, function and flow as a single property.

As part of the works the timber windows in the original cottage were replaced with aluminium windows, the same profile and style as the windows in the new extensions. For economic reasons, the windows in the two storey element could not be replaced at that time.

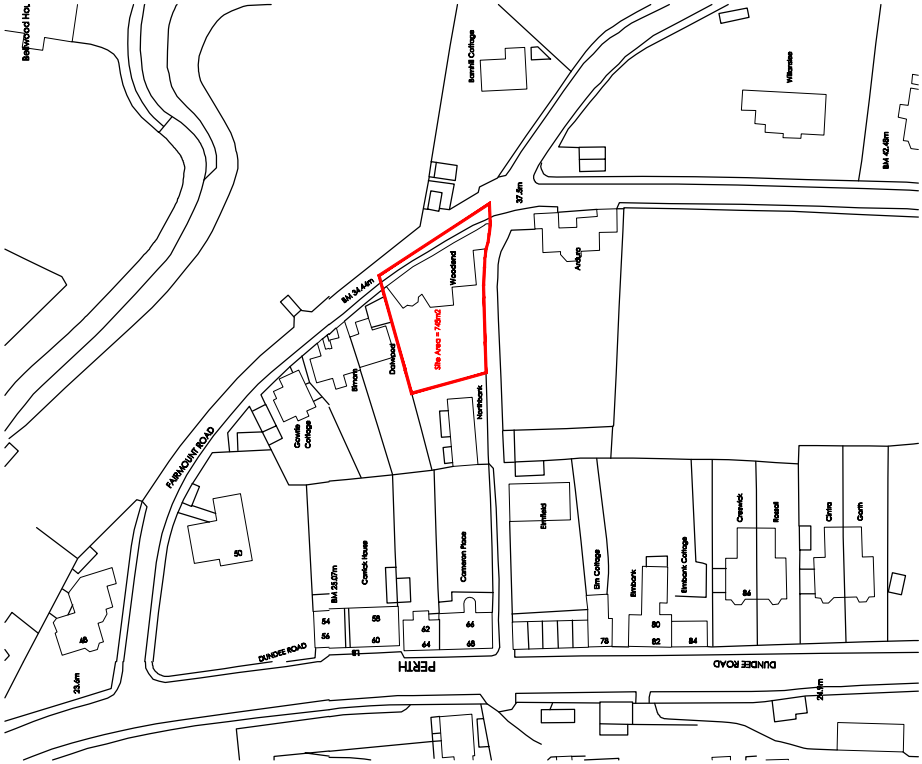
The two storey part of the house is not in keeping with the original cottage both in scale and detailing, it is much more grand than the simple cottage. As the existing windows on this part of the house are now in a poor condition they need to be replaced. The new high performance windows would provide a far greater level of insulation, in line with the extensive modernisation already carried out within the property.

As stated previously it is important that there is a consistent thread to property by having the same windows throughout. This ties the elements of the property together rather than appearing as a collection of completely individual architectural elements. As it has already been approved for windows in the oldest part of the property to be replaced, it would be a consistent approach to replace the remaining windows in the later addition.

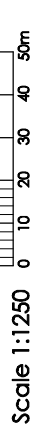
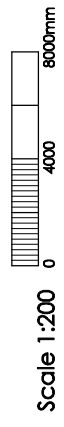
All windows discussed are on the west facing garden elevation and are not visible from Fairmount Road.


Woodside Parker Kirk architects

26/08/2016



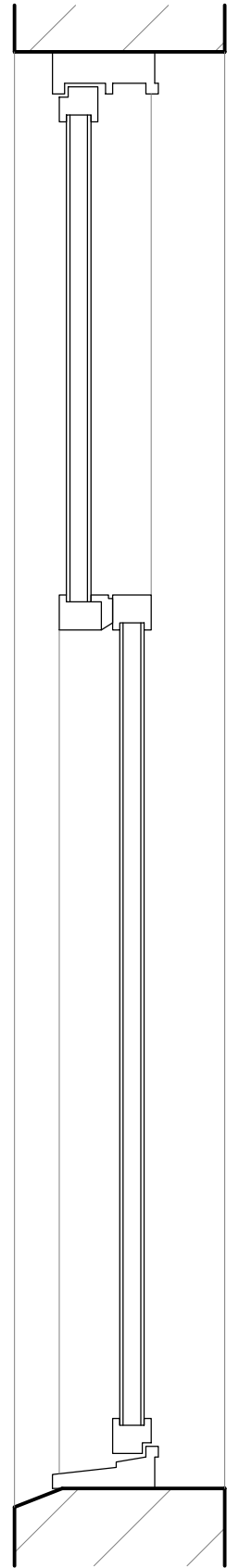
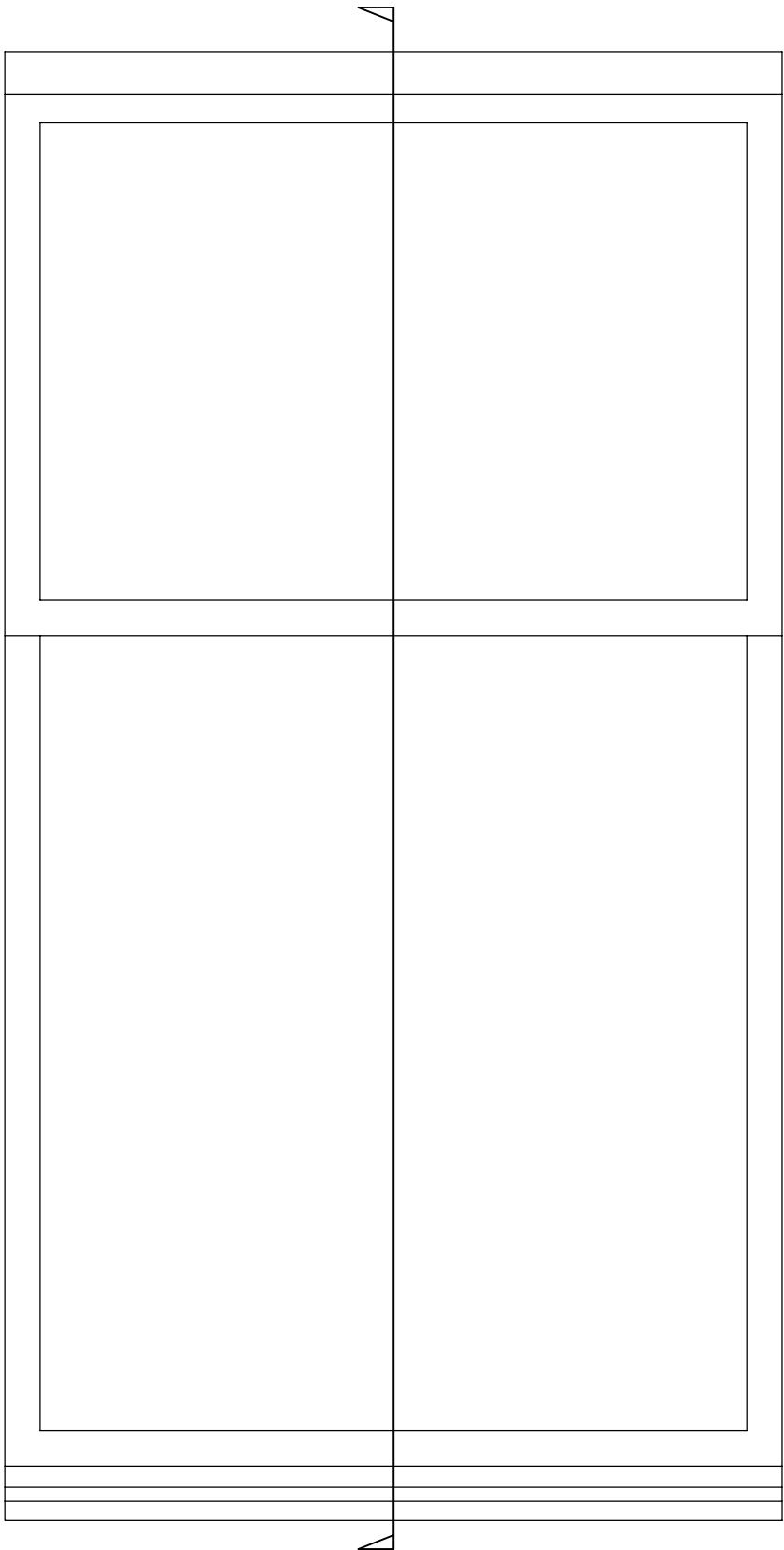
LOCATION PLAN
Scale 1:1250



<div>North</div> <div>1</div>	A3	Site	Planning	Sheet	Do Not Scale Drawing For Construction Purposes	Copyright ©		
	20-07-17		Date	Scale			1:200, 1:1250	
LOCATION AND SITE PLANS								
Replacement windows at Woodend Cottage, Fairmount Road, Perth, PH2 7AW					Project Name	Rev	Date	Amendment
Mr S Parkinson and Ms R Letby					Client	 Woodside Parker Kirk Ltd 37 Ferry Road, Edinburgh, EH6 4AF 07523 963 395 admin@woodsideparker-kirk.co.uk www.woodsideparker-kirk.co.uk		
					4242 - 46			
Drawing No.					Woodside Parker Kirk architects			


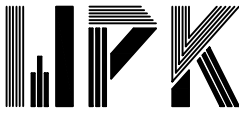


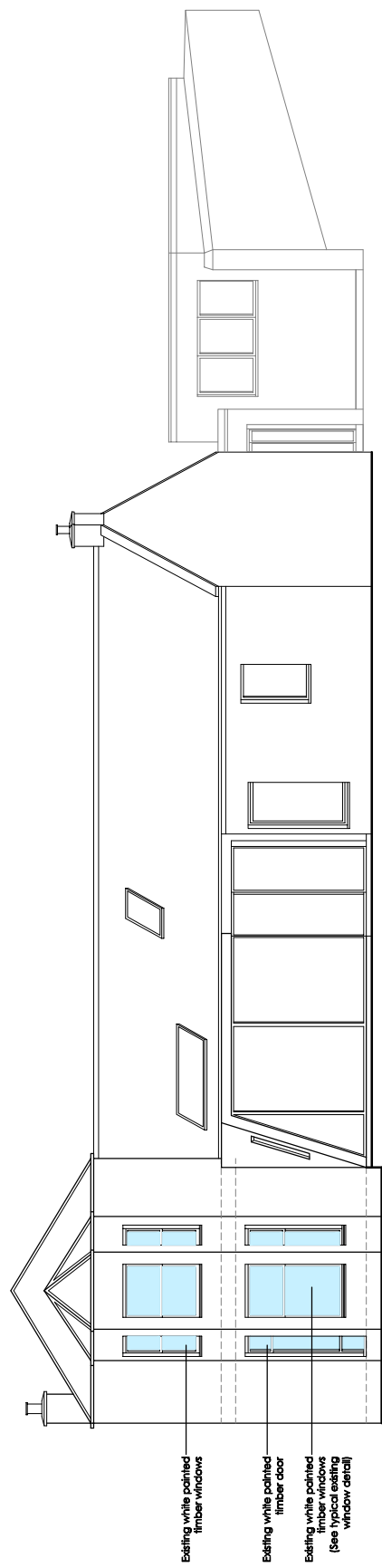
SITE PLAN
Scale 1:200



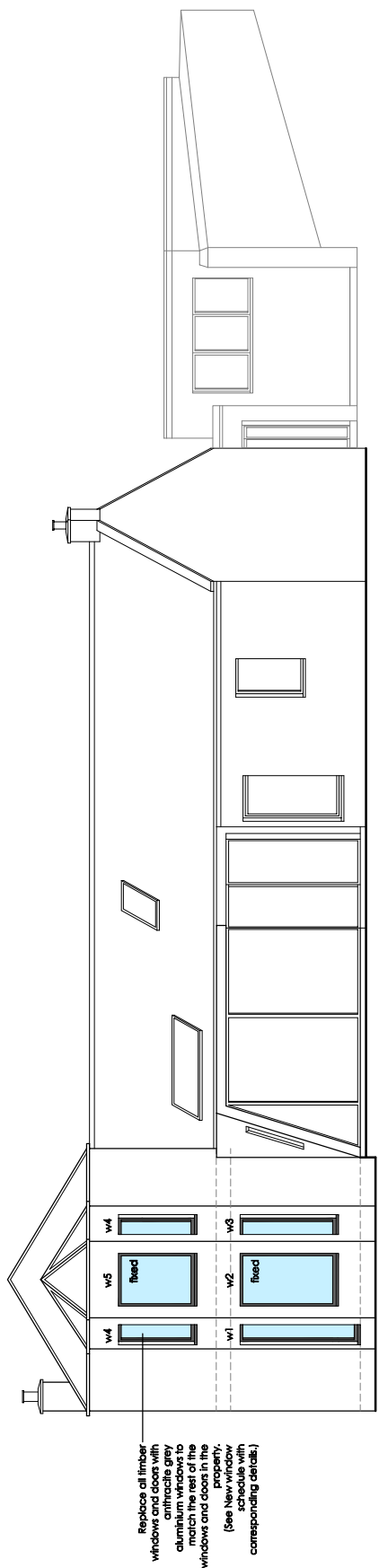
TYPICAL EXISTING WINDOW ELEVATION
AND SECTION (1:10)

Scale 1:10 0 200 400mm

	North	A3	Size	Planning	Status	Do Not Scale Drawing For Construction Purposes		Copyright ©
		30-07-17	Date	1:10	Scale			
TYPICAL EXISTING WINDOW DETAILS					Drawing Name			
Replacement windows at Woodend Cottage, Fairmount Road, Perth, PH2 7AW					Project Name			
Rev		Date		Amendment		 <div>Woodside Parker Kirk Ltd 37 Ferry Road, Edinburgh, EH6 4AF 07523 963 395 admin@woodsideparker-kirk.co.uk www.woodsideparker-kirk.co.uk</div>		
Mr S Parkinson and Ms R Letby		Client		4242 - 48				
					Woodside Parker Kirk architects			



EXISTING WEST FACING GARDEN ELEVATION

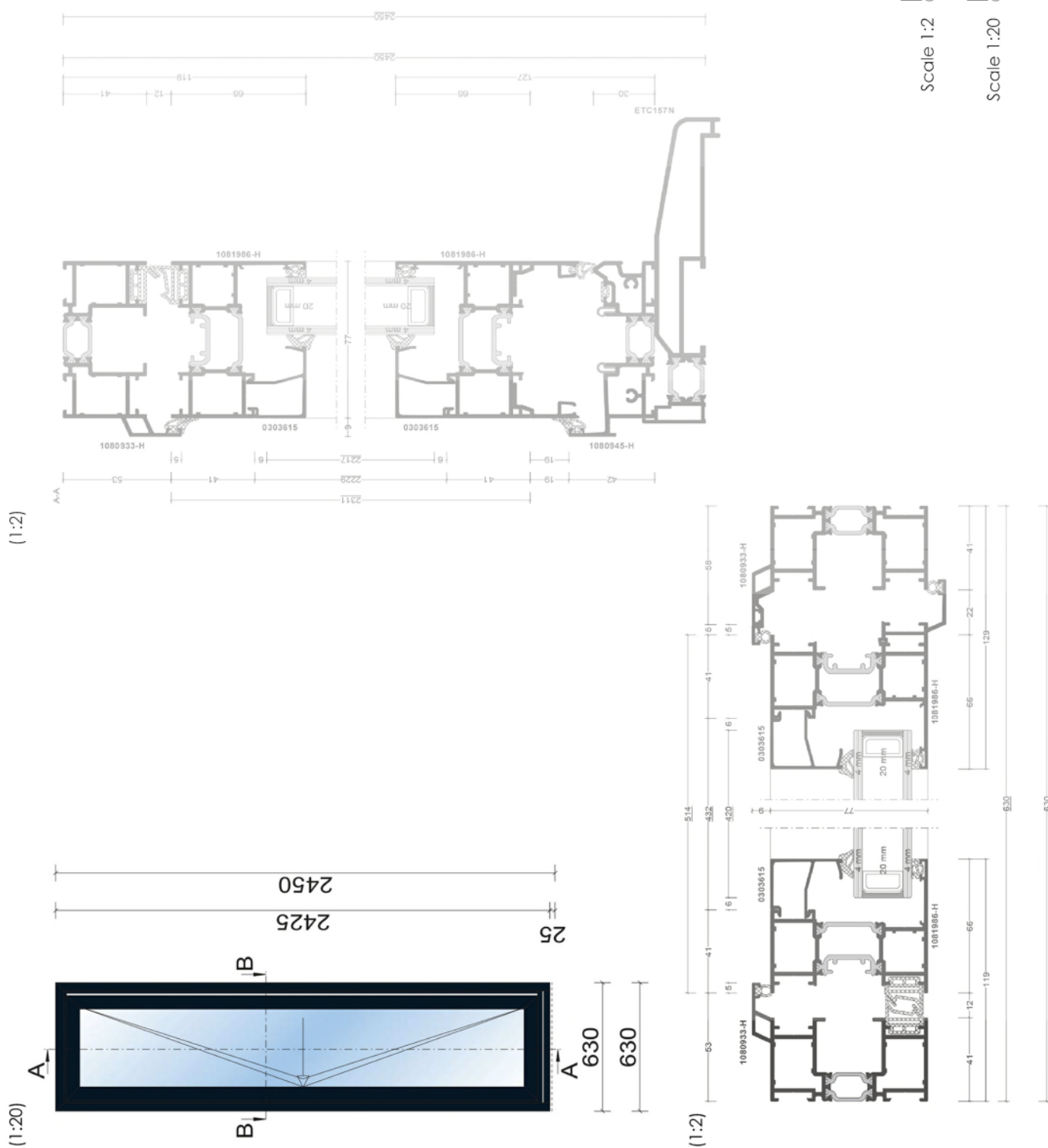


PROPOSED WEST FACING GARDEN ELEVATION

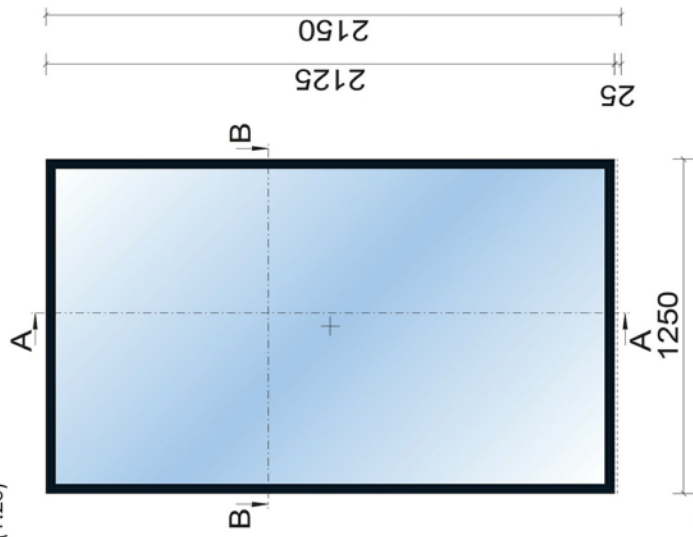
Scale 1:100

0 2000 4000mm

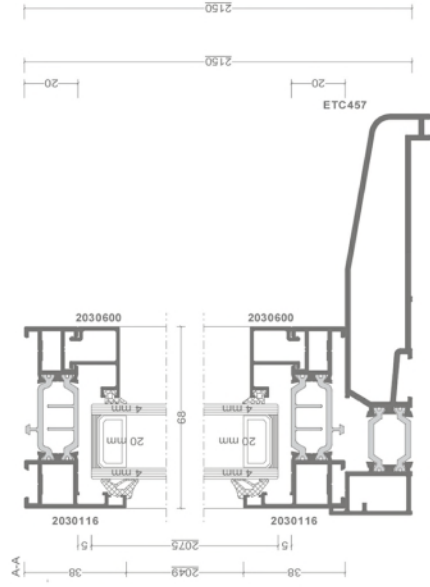
North	A3	Rev	Planning	20-07-17	Date	1:100	Scale	Drawing Name	Status	Do Not Scale Drawing For Construction Purposes	Copyright ©
ELEVATIONS AS EXISTING AND PROPOSED									Rev	Date	Amendment
Replacement windows at Woodend Cottage, Fairmount Road, Perth, PH2 7AW									Woodside Parker Kirk Ltd 37 Ferry Road, Edinburgh, EH6 4AF 07523 963 395 admin@woodsideparker-kirk.co.uk www.woodsideparker-kirk.co.uk		
Mr S Parkinson and Ms R Letby									Client	4242 - 47	Drawing No.
Woodside Parker Kirk architects											



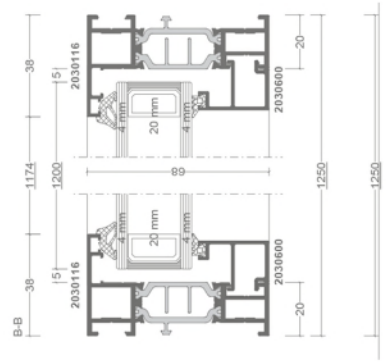
(1:20)



(1:2)



(1:2)



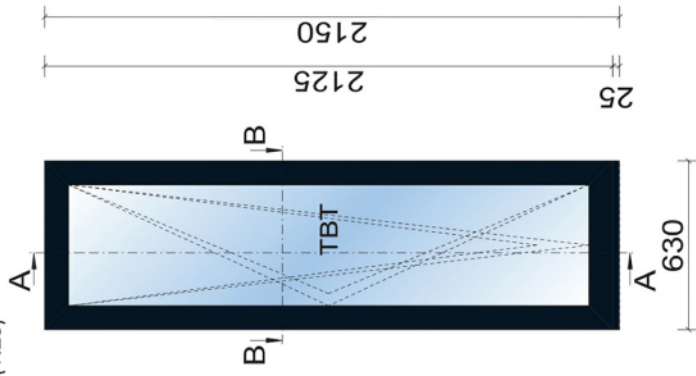
Scale 1:20



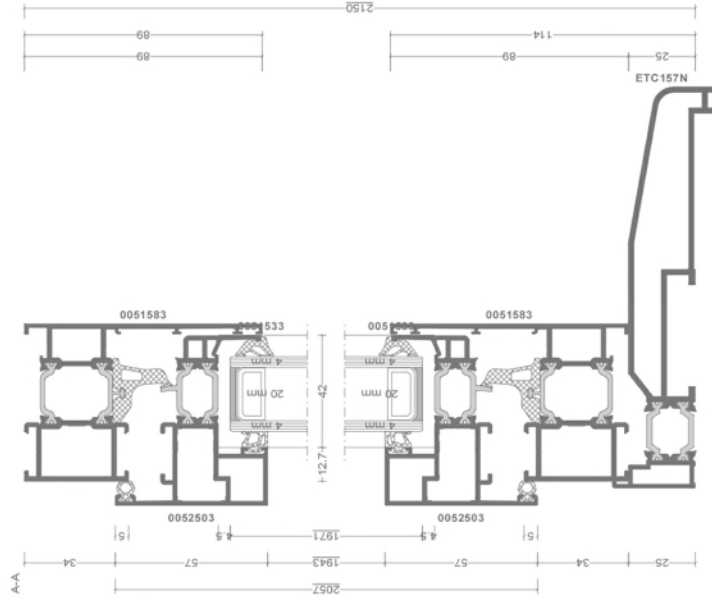
Scale 1:2

W2

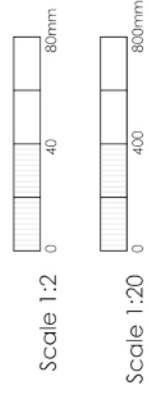
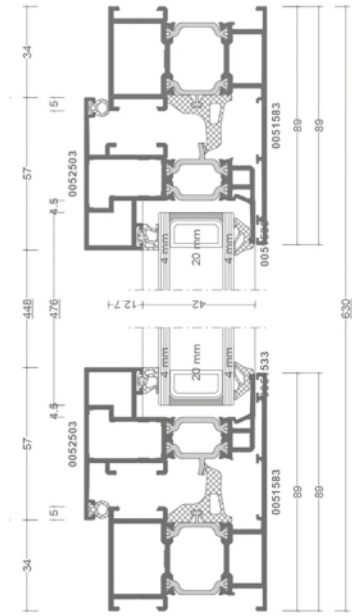
(1:20)



(1:2)

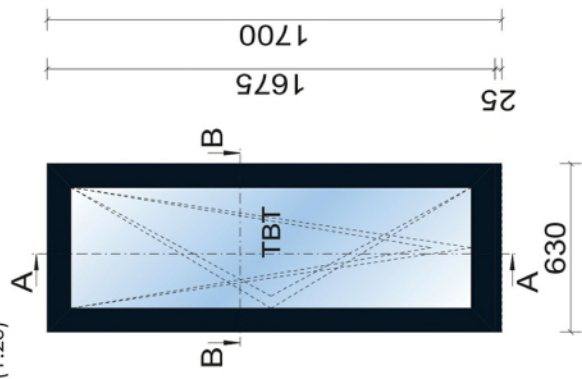


(1:2)

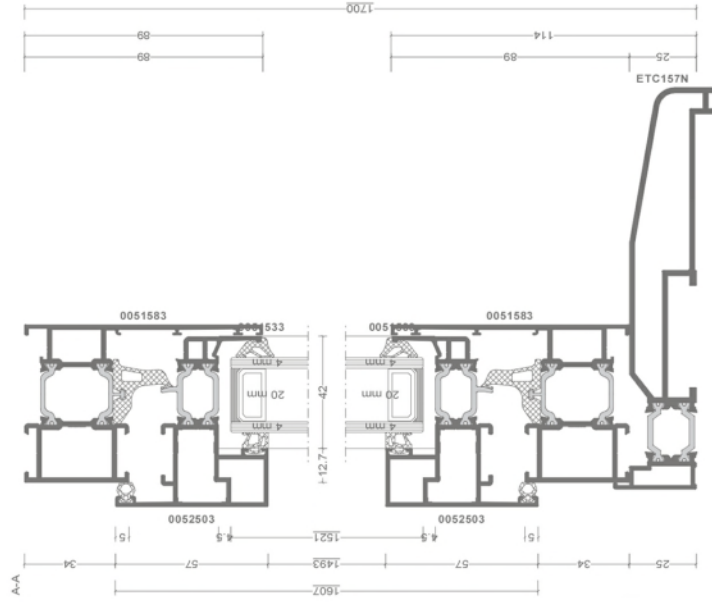


W3

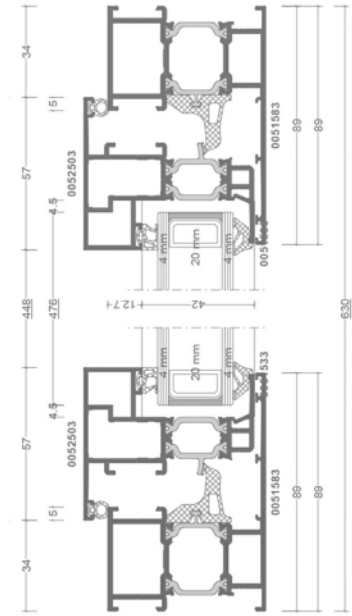
(1:20)



(1:2)



(1:2)

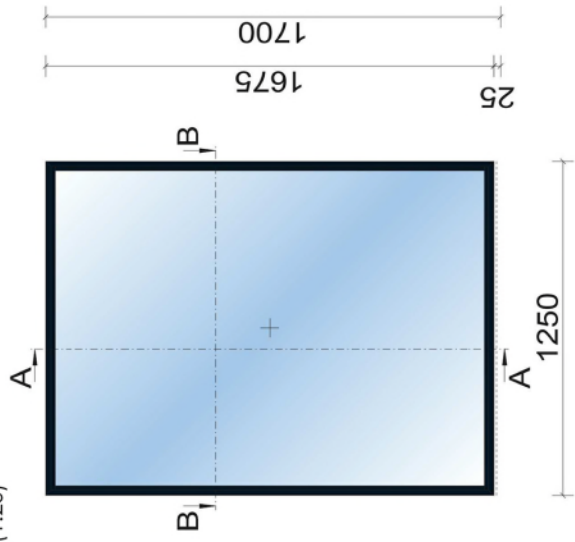


Scale 1:2
0 40 80mm

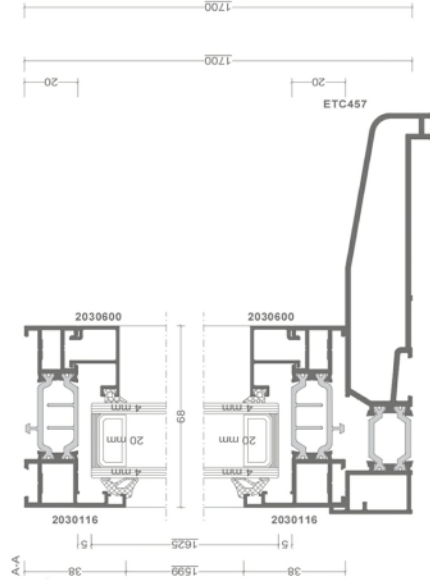
Scale 1:20
0 400 800mm

W4

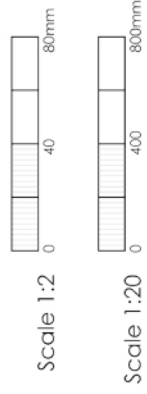
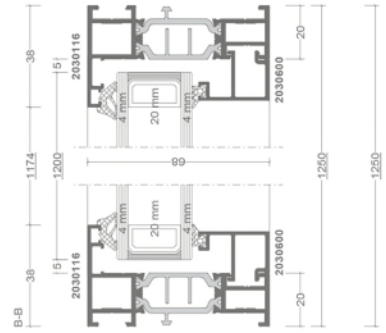
(1:20)



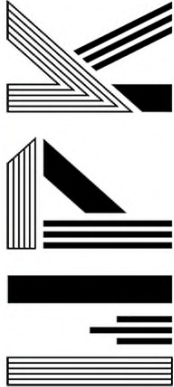
(1:2)



(1:2)



W5



Woodside Parker Kirk Ltd
37 Ferry Road, Edinburgh,
EH6 4AF
07523 963395
admin@woodsideparker-kirk.co.uk
www.woodsideparker-kirk.co.uk

© Copyright Woodside Parker Kirk Ltd

A3 Drawing Do Not Scale Drawing For Construction Purposes

PHOTOGRAPHS
Woodend Cottage, Fairmount Road, Perth PH2 7AW
25.08.17

Woodside Parker Kirk architects

TCP/11/16(515) – 17/01488/FLL – Installation of replacement windows, Woodend Cottage, Fairmount Road, Perth, PH2 7AW

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 475-482)*

PERTH AND KINROSS COUNCIL

Mr Simon Parkinson
c/o Woodside Parker Kirk Architects
Gavin Kirk
37 Ferry Road
Edinburgh
EH6 4AF

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 20th October 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/01488/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 September 2017 for permission for **Installation of replacement windows Woodend Cottage Fairmount Road Perth PH2 7AW** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The removal of the historic windows is not justified as it has not been demonstrated that they are beyond repair, beyond economic repair or that any attempt has been made to retain the historic windows. Approval would therefore be contrary to the Perth & Kinross Placemaking Guide, Policies PM1 and HE3 of the Perth & Kinross Local Development Plan 2014, Historic Scotland's "Managing Change in the Historic Environment" 2010 and "Historic Environment Policy Statement" 2016 and Scottish Planning Policy 2014, all of which seek to safeguard the historic built environment.

2. Notwithstanding the lack of justification for the removal of the historic windows, the proposed windows are of an inappropriate type as they do not replicate the design, appearance, proportion, opening method or astragal detail. Approval would have a detrimental impact on the character and appearance of the Conservation Area and would therefore be contrary to Policies 2 and 3 of TAYplan, the Perth & Kinross Placemaking Guide, Policies PM1 and HE3 of the Perth & Kinross Local Development Plan 2014, Historic Scotland's "Managing Change in the Historic Environment" 2010 and "Historic Environment Policy Statement" 2016 and Scottish Planning Policy 2014, all of which seek to safeguard the historic built environment.

Justification

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

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

17/01488/1

17/01488/2

17/01488/3

17/01488/4

17/01488/5

17/01488/6

17/01488/7

17/01488/8

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/01488/FLL	
Ward No	P12- Perth City Centre	
Due Determination Date	11.11.2017	
Case Officer	Gillian Peebles	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Installation of replacement windows

LOCATION: Woodend Cottage Fairmount Road Perth PH2 7AW

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.

DATE OF SITE VISIT: 21 September 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Woodend Cottage is an un-listed detached dwellinghouse which is located on Fairmount Road, Perth. The property is located within the Kinnoull Conservation Area and has recently undergone alterations and extensions under a previously approved planning application (Ref: 13/02340/FLL). Planning permission was also obtained recently for the erection of a timber boundary fence and a pair of bi-fold vehicular access gates along the southern (side) boundary.

As part of previous planning approval 13/02340/FLL replacement windows on the original cottage were replaced with aluminium windows, the same profile and style as the windows in the new extension.

Full planning consent is now sought for replacement windows on the west facing garden elevation of the two storey element. The existing windows sought for replacement are timber framed and the proposal is to replace these with aluminium framed windows to match the remainder of the property.

SITE HISTORY

13/02340/FLL Alterations and extension (Application Permitted)

15/01255/FLL Erection of fence and gates (Application Permitted)

PRE-APPLICATION CONSULTATION

Pre application Reference: 17/00497/PREAPP

An extract of the pre-app response is provide below:

The house has three main character areas; the historic, linear, single storey block, the recent single storey extension and the two storey Victorian block. In my view, the character of the two storey block should be maintained with timber sash and case windows as it has a distinctly separate character from the rest of the property. Maintenance and repair of the windows would not require planning permission.

NATIONAL POLICY AND GUIDANCE

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

Managing Change in the Historic Environment – Windows

The windows of a historic building form an important element in defining its character... The contribution of the windows in a historic building to its character must be understood before considering alteration. The size, shape and proportion of a window, the reflective sparkle and irregularities of old glass, the pattern of design, the materials and details of construction, the method of opening, the finish, and associated fixtures typically contribute to the character of a historic window.

Maintenance and appropriate repair is the best means of safeguarding the historic character of a window. In almost all cases, repair of components on a like-for-like basis is preferable to replacement of a whole unit, as this will best maintain the character and historic fabric of the window.

Where a window is beyond repair, replacements must match the original window design as closely as possible. Significant improvements in energy efficiency can be achieved by discreet draught-stripping, internal secondary glazing and use of shutters/curtains at night. Double-glazing may be acceptable either where the existing windows are beyond repair and the new windows will match the original joinery, or where it can be incorporated within the original joinery.

Where there is no alternative to the replacement of historic windows or elements of their joinery or glazing, the new elements should match the original. This should include replication of the proportion, opening method, astragal dimensions and profiles, and fixing of the glass (e.g. putty). Historic glass should be reused where this contributes to a building's character. Changes in framing materials or types of glazing (e.g. from clear glass to wired glass), the adoption of different opening methods, the insertion of extractor fans and other similar features, or the use of planted-on or sandwiched astragals should be avoided.

Scottish Planning Policy (2014)

Proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area (paragraph 143).

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2032 - Approved October 2017

Within the approved Strategic Development Plan, TAYplan 2016, the primary policies of specific relevance to this application are Policies 2 and 3.

Policy 2: Shaping Better Quality Places

Part F of Policy 2 seeks to 'ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets... and local design context, and meet the requirements of Scottish Government's Designing Places and Designing Streets'.

Policy 3: Managing TAYplan's Assets

Policy 3 seeks to safeguard townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets.

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy RD1 - Residential Areas

In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy HE3A - Conservation Areas

Development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of a 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 the details should be used to guide the form and design of new development proposals.

OTHER POLICIES

Perth & Kinross Council's Placemaking Guide

Conservation areas are places of special character where tighter controls apply over developments in order to protect the recognised importance of the existing buildings within or immediately adjacent to the conservation area. These areas may include a space or a street of a settlement, a group of buildings around a space or street of particular townscape merit. Extensions and alterations which might be permitted elsewhere can be unacceptable in conservation areas.

Successful development within conservation areas and within the curtilage of listed buildings depends on the quality of the detailing and materials used. In all cases, full details will be required before an alteration or extension proposal can be considered.

The proposed windows are grey aluminium framed which do not reflect the historic windows in terms of their material and detailing. The proposed windows are of an inappropriate type as they do not replicate the material, design, appearance, proportion, opening method or astragal detail.

Unlisted buildings in conservation areas.

Existing historic windows and doors should be retained and repaired where possible. Replacement historic windows and doors in conservation areas should match the originals as closely as possible in design, detail, materials and opening mechanism.

Historic Environment Policy Statement 2016 (replacement of SHEP)

This policy statement is a document to which planning authorities are directed in their consideration of applications for conservation area consent, listed building consent for buildings of all three categories and their consideration of planning applications affecting the historic environment and the setting of individual elements of the historic environment.

CONSULTATION RESPONSES

None required

REPRESENTATIONS

None at time of report.

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	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 for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

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 and a site notice has been erected at the site on 21 September 2017.

The determining issues in this case 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 the 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.

Policy Appraisal

The site is located within the settlement boundary of Perth where Policies RD1: Residential Areas, Policy PM1A and B: Placemaking and HE3: Conservation Areas are directly applicable. Policy RD1 states that residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area. Policy PM1A of the Local Development Plan seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place, whilst Policy HE3 seeks to ensure that proposals protect and enhance the Conservation Area. The proposal development is not considered to comply with the above policies for the reasons stated elsewhere in this report.

Design, Visual Amenity and Impact on Conservation Area

The existing dwellinghouse has three main character areas; the historic, linear single storey cottage, the recent single storey extension and the two storey Victorian block. The windows within the new extension are grey aluminium framed and as part of the new extension, replacement windows were also installed in the single storey cottage to match. This part of the dwellinghouse is largely hidden by the new extension and is read independently from the traditional 2 storey element. The remaining two storey Victorian villa has traditional timber sash and case windows, painted white

The application proposes replacement of the 5 historic timber sliding sash and case windows and one door on the west facing (garden elevation) of the two storey Victorian block.

Timber sash windows have a very long life if they are well made, using good quality materials, correctly installed and properly maintained. Many have been in place for at least 100 years, in some cases for considerably longer, and continue to give good service.

Those which are defective are often capable of repair, and this is always preferable to replacement (and frequently much less expensive).

Modern draught-stripping systems are available which now make it possible to deal quickly and effectively with windows which rattle or are draughty. Often double glazing can be installed into the existing frames where this does not result in the loss of historic glass.

Where it is shown that the existing windows are not repairable, or are incapable of economic repair, then replacement windows may be allowed. However, replacements will be required to match the material, design, proportion, opening method, astragal dimensions and profiles, and fixing of the existing historic windows.

In order to make a full and proper assessment of the proposal the replacement of historic windows requires being justified giving consideration as to whether or not they are repairable or are incapable of economic repair.

In this case, no condition survey has been provided with the application for assessment, nor have comparative costings associated with the maintenance and repair of the historic windows, set against the cost of their replacement.

The submission therefore fails to justify the removal of the historic windows.

The proposed windows are grey aluminium framed which do not reflect the historic windows in terms of their material and detailing. The proposed windows are of an inappropriate type as they do not replicate the material, design, appearance, proportion, opening method or astragal detail. This would be entirely unacceptable, even if there was sufficient justification for the removal of the historic windows, as it would adversely affect the historic interest of the building and the character and appearance of the Conservation Area. There are timber framed double glazed windows which would be of a fine enough detail that would be supported in this instance if there was sufficient justification for their removal.

The supporting statement submitted within the application stipulates the two storey part of the house is not in keeping with the original cottage in scale and detailing and it is important to have consistency throughout the property by having the same windows which would tie the elements of the property together rather than appearing as a collection of completely different architecture elements.

In response to the supporting statement submitted, the new extension features a contemporary design in order to provide a contrast between the existing historic character of the property and the new addition, thereby providing differential architectural elements. The design of the extension although modern and contrasting in nature, is sympathetic to the character of the original traditional house and the use of appropriate materials allows the traditional two storey and subsequent enlargements to be “read” separately.

In my view, the contemporary extension has been purposely designed and constructed to read separately and the character of the two storey block should be maintained with timber sash and case windows as it has a distinctly separate character from the rest of the property, which was the original intention.

As such it is not considered to be a justification for over-riding planning policies at both a national and local level in order to replace the windows in this case.

Accordingly, with insufficient justification for the removal of the existing windows and inappropriate proposed windows, I am unable to offer my support of the application.

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.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

1. The removal of the historic windows is not justified as it has not been demonstrated that they are beyond repair, beyond economic repair or that any attempt has been made to retain the historic windows. Approval would therefore be contrary to the Perth & Kinross Placemaking Guide, Policies PM1 and HE3 of the Perth & Kinross Local Development Plan 2014, Historic Scotland's "Managing Change in the Historic Environment" 2010 and " Historic Environment Policy Statement" 2016 and Scottish Planning Policy 2014, all of which seek to safeguard the historic built environment.
2. Notwithstanding the lack of justification for the removal of the historic windows, the proposed windows are of an inappropriate type as they do not replicate the design, appearance, proportion, opening method or astragal detail. Approval would have a detrimental impact on the character and appearance of the Conservation Area and would therefore be contrary to Policies 2 and 3 of TAYplan, the Perth & Kinross Placemaking Guide, Policies PM1 and HE3 of the Perth & Kinross Local Development Plan 2014, Historic Scotland's "Managing Change in the Historic Environment" 2010 and " Historic Environment Policy Statement" 2016 and Scottish Planning Policy 2014, all of which seek to safeguard the historic built environment.

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

N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/01488/1
17/01488/2
17/01488/3
17/01488/4
17/01488/5
17/01488/6
17/01488/7
17/01488/8

Date of Report 17 October 2017

