

THE HIGHLAND COUNCIL

**NORTH PLANNING APPLICATIONS COMMITTEE –
14 January 2014**

Agenda Item	5.4
Report No	PLN/005/14

**12/04062/FUL & 12/04043/LBC : Mrs Karen Bell
7 Campbell Street, Thurso, KW14 7HA**

Report by Area Planning Manager

SUMMARY

Description : Replace windows on front and rear elevation with double glazed sash and case lookalike windows.

Recommendation - REFUSE

Ward : 02 - Thurso

Development category : Local Development – Listed Building (within Thurso Conservation Area)

Pre-determination hearing : None

Reason referred to Committee : Local member referral

1. PROPOSED DEVELOPMENT

- 1.1 Application is made for listed building consent and planning permission for the replacement of windows with double glazed sash and case lookalike windows to this B Listed property within Thurso Conservation Area. The proposed replacement windows are marketed as 'sash and case look-alike' and specified as tilt and turn with a 1 over 1 pane configuration in white painted timber. The windows proposed appear to be of a single unit design with a central horizontal bar.
- 1.2 Pre-application 12/01811/PREAPP was issued in June 2012 whereby the Council would support planning permission and listed building consent provided that a report concludes that the existing windows are beyond repair and that the replacement windows were sympathetic to the character and appearance of the listed building.
- 1.3 The applicant has written to confirm that the windows are beyond repair and should be replaced. A Supporting Statement was also provided by the applicant to indicate that the windows are beyond repair and should be replaced. The issues raised by the applicant relate to the existing windows being beyond repair, improved thermal reliability, noise dampening, crime prevention and health and safety implications of the windows.
- 1.4 **Variations:** None

2. SITE DESCRIPTION

- 2.1 Proposal relates to a Category 'B' Listed, 1820-30 2 storey, 3 bay end terrace house with centre door, harled, painted tooled ashlar margins and slate roof. Four pane sash and case windows to Campbell Street and Cowie Lane elevations. Recent casement windows to rear. The property was Listed on 21.02.1972 and is located within the Thurso Conservation Area.

3. PLANNING HISTORY

- 3.1 04/00113/LBCCA: Remove existing Caithness slate and replace with new Caithness slate. Granted LBC 09/07/2012
- 3.2 00/00316/LBCCA: Widening opening in rear wall to 2.4m to form vehicular access (retrospective). Granted LBC 13/11/2000

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Listed Building – Edinburgh Gazette
Representation deadline : 23.11.2012
- Timeous representations : 0
- Late representations : 0

5. CONSULTATIONS

- 5.1 **Historic Environment Team:** The replacement of windows in listed buildings must meet the specific national policy and guidance. This requires historic windows to be proven to be completely beyond repair before the local planning authority consider granting consent for their replacement. In this case the report presented suggests that the existing windows are probably capable of further repair.

However, the report submitted with the application also makes clear that the windows currently in the building are a later replacement and are not original. Additionally, many of the rear windows have been replaced with a later more modern window type. Therefore, in this case there may be the opportunity to allow the existing windows to be replaced without significant loss to the special interest of the listed building and to allow a more appropriate window form to be reinstated to the rear.

That said the current proposal for sash and case "look alike" windows is not acceptable for a listed building.

There are local joiners who are capable of creating a new sash and case window, traditionally constructed, which is identical in appearance but incorporates the desirable double glazing.

It was concluded that replacement of the existing windows would be supported were a more appropriate design of window, incorporating double glazing could be employed. The detail of the proposed window design was not supported and is considered to be contrary to both national policy and guidance.

6. DEVELOPMENT PLAN

The following policies are relevant to the assessment of the application

6.1 Highland-Wide Local Development Plan 2012

28	Sustainable Design
29	Design Quality and Place-Making
57	Natural, Built and Cultural Heritage

6.2 Caithness Local Plan 2002

Written Statement Thurso Chapter 12. A key objective is to 'safeguard the Outstanding Conservation Area and promote measures for its enhancement.'

Appendix VI Design Guidelines for Thurso Conservation Area.

7. OTHER MATERIAL CONSIDERATIONS

7.1 Highland Council Supplementary Planning Policy Guidance

Highland Historic Environment Strategy

HC Development Advice Note 3: Replacement Windows The most relevant sections are outlined below.

Listed Buildings

Listed Building Consent is required for any alterations other than the repair of and exact "like-for-like" replacements. Replacements will only be acceptable where it can be demonstrated that renovation of the original windows is not feasible.

- Where replacement of original windows are shown to be necessary they must be like-for-like in every detail (unless the windows have already been replaced with inappropriate windows, in which case replacements which better reflect the original style should be used).
- Sashes should slide vertically for opening (can hinge inwards for cleaning).
- All mullions should be retained.
- External finish should normally be white paint (unless original colour different).
- Windows should be timber (or material original to the building).

"Like-for-like" definition

In this context like-for-like means an exact replacement of the original windows in terms of materials, proportions, glazing pattern (fenestration), construction detailing, method of opening and decorative finish.

7.2 Scottish Government Planning Policy and Guidance

Scottish Historic Environment Policy (SHEP)

Scottish Planning Policy (SPP)

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 Development Plan Policy Assessment

Appendix VI Design Guidelines for Thurso Conservation Area of the Caithness Local Plan written statement, Sept. 2002 s4 Windows 4.5 provides guidance regarding retention of historical features and notes the requirement for application. In consideration of the applications at hand this guidance is of limited value as the Listed status of the building takes precedence to the wider area designation as a Conservation Area.

8.4 National policy, through the SPP and SHEP, state that planning permission should normally be refused for development to a Listed Building or within a conservation area that fails to preserve the historic fabric of the building or otherwise preserve and enhance the character or appearance of the conservation area.

8.5 Policy 57 of the Highland-wide Local Development Plan (HwLDP) states that the Council will allow developments only if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the heritage resource. Policy 28 states that proposals must demonstrate high quality design in keeping with local character and the historic and natural environment and make use of appropriate materials.

8.6 Material Considerations

As a Listed Building all works which alter the property in a way which would affect its character or its setting as a building of special architectural or historic interest, require listed building consent. The property is also located within a Conservation Area.

8.7 The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that conservation areas "are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". Local authorities have a statutory duty to identify and safeguard such areas. The Council has a statutory duty to protect Listed Buildings. As a Listed Building this property requires additional care to ensure that proposed works are in keeping with the character and recognized national importance of the building.

- 8.8 Strategic aim 6 of the Historic Environment Strategy states that listed buildings within Highland should be protected from harmful developments, including extension and alteration, which may affect their special architectural and historic interest.
- 8.9 The Historic Environment Team (Conservation Officer) are the Council's advisors with regards the impact of the development on built heritage. The Historic Environment Team has indicated that the replacement of windows in listed buildings must meet the specific national policy and guidance. This requires historic windows to be proven to be completely beyond repair before the local planning authority can consider granting consent for their replacement. In this case the report presented by the applicant suggests that the existing windows are probably capable of further repair.
- 8.10 The report submitted with the application makes clear that the windows currently in the building are a later replacement and are not original. Additionally, many of the rear windows have been replaced with a later more modern window type. Therefore, in this case there may be the opportunity to allow the existing windows to be replaced without significant loss to the special interest of the listed building and to allow a more appropriate window form to be reinstated to the rear. That said the current proposal for sash and case "look a like" windows are a type and design that are not acceptable for a listed building. There are local joiners who are capable of creating a new sash and case window, traditionally constructed, which is identical in appearance but incorporates the desirable double glazing. This is the key issue with regard to the proposed development the Conservation Officer has accepted the case for replacement windows on the basis that those currently in the building are not original however the proposed windows are not of an appropriate design to preserve or enhance the historic quality of the building and are therefore unacceptable. The proposed windows are of a design that differs significantly in terms of the appearance and opening method. The rationale for this is explained in the coming sections.
- 8.11 A key guidance document in the form of the Historic Scotland 'Managing Change in the Historic Environment, Windows.' document October 2010 states in section 3.10 - Method of Opening '***The way in which a window opens can contribute significantly to the authenticity and appearance of a historic building. All traditional sash and case windows open by sliding the sashes up or down in the same plane: in the open position they never project outwards from the building.***' The document also notes in s.4.2 '***The form, glazing materials and pattern, framing materials, method of opening, finish and associated fixtures of the window are important considerations.***' Further references are made in the document and it is clear that like-for-like replacement windows require to replicate not simply the 'look' of a sash and case window, but accurately reflect the proportion, opening window method, astragal dimensions and profiles, and fixing of the glass.
- 8.12 The applicant has responded to the concerns raised by the Conservation Officer indicating that the existing windows are beyond repair, will provide improved thermal gain and health and safety implications of the windows for cleaning

purposes. It is considered however that these arguments fail to justify the windows proposed in terms of the particulars of the design and the impact on the appearance of the building.

- 8.13 Whilst the Conservation Officer can accept the case for replacement of windows and the potential utilisation of double glazing however the application fails on the fundamental issue of respecting and conserving the character and appearance of a nationally significant building, recognised by its B Listed status, within a Conservation Area, with respect to the design and appearance of the proposed replacement windows.
- 8.14 In consideration of a recent appeal case for replacement windows for a Listed building within the Wick Pulteneytown Conservation Area the reporter noted '***It appears to me of paramount importance that the design of the further replacement windows and the materials employed should be appropriate to the character and appearance of the building in its context.***' Furthermore '***The understandable desire to achieve energy efficiency does not outweigh these considerations.***' This appeal case is included within the appended Committee paperwork. Whilst this appeal differed in the nature of replacement windows proposed, the context of policy and guidance remains the same. It is noted that particular reference was made to Historic Scotland's guidance note on managing change in the historic environment and the principles applied to the alteration of windows in listed buildings. This has similarly been noted in s.8.11 above.
- 8.15 The proposed replacement windows are marketed as 'sash and case look-alike' and specified as tilt and turn with a 1 over 1 pane configuration in white painted timber. The windows proposed appear to be of a single unit design with a central horizontal bar. As such the proposed windows in plan form appear to be significantly different from the traditional form and appearance of sash and case windows. The pane configuration is also different with the existing traditional windows in evidence on the Campbell Street and Cowie Lane elevations being 2 over 2, 4 pane sash and case timber windows of traditional design. Number of modern casement windows are likewise to be replaced – 4 to the rear of the property and a smaller ancillary window on the Cowie Lane elevation.
- 8.16 This application is not supported by national policy and guidance in relation to design and the historic environment. The profile, bulk, frame detailing and opening mechanism is not comparable to historically accurate and appropriate windows. This current application should be seen as an opportunity to reinstate some of the buildings original character and detail with a more appropriate alternative. The replacement windows should be of a traditional timber sash and case design appropriate to the age and style of the listed building. The proposed windows, would have an adverse affect on the historic character and appearance of the listed building, the surrounding planned townscape, may impact on the amenity of adjacent buildings and would not preserve nor enhance the character and appearance of the conservation area. As such this development proposal cannot be supported.

3. The proposal is contrary to the aims of Scottish Planning Policy, Historic Scotland's 'Managing Change in the Historic Environment – Windows' 2010, and to Policies 29 and 57 of the Highland-wide Local Development Plan, in that lookalike tilt and turn sash and case windows, as specified, fail to enhance the character or appearance of the conservation area.

Signature: Dafydd Jones
Designation: Area Planning Manager North
Author: David Barclay
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location & Elevation Plan
Appendix 1 – Proposed Replacement Window

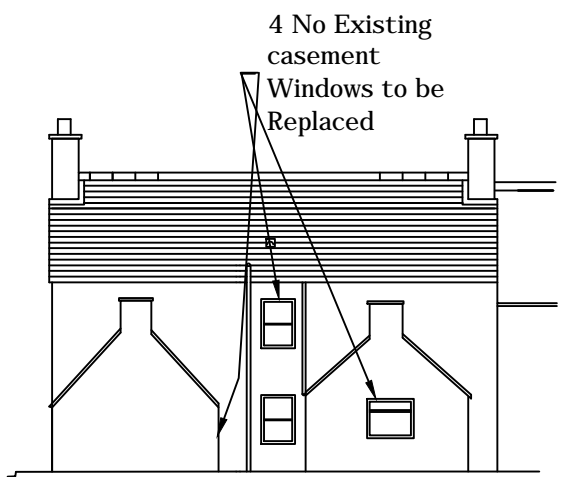
Replacement Windows
are to be Nordan
Timber Sash & Case
Lookalike
Conservation Area
Windows, in a White
Finish



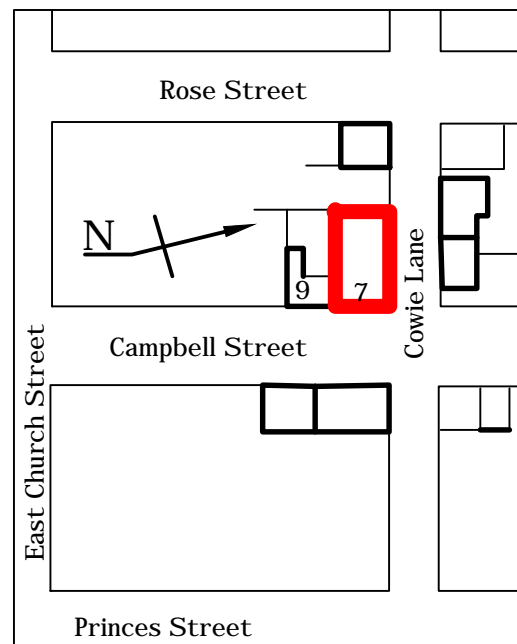
Elevation To Campbell Street



Elevation To Cowie lane



Rear Elevation



Location Plan, 1:1250

7 Campbell Street
Thurso
Proposed
Replacement
Windows

Scale 1:200
Drawn : SMB
Date : April 2012

Drg No 1

SASH & CASE LOOK-ALIKE

(RL) Inward opening



■ Ventilation position, interior view

OPERATION

For ventilation, the two side handles can be easily opened, allowing the sash to tilt approximately 100mm. For cleaning, the sash opens into the turn position by firstly opening the side handle and then the bottom handle. The sash opens inwards (opening approximately 67° from the frame) to allow easy access to the external glass. The cleaning position can also be used for emergency escape depending on size and location.

CONSTRUCTION

FRAME AND SASH

The 92mm deep frame and 67mm sash offers a solid, high performance construction. Timber is double vacuum impregnated for protection and has full PEFC chain of custody accreditation.

DOUBLE GLAZED SEALED UNIT

Improved energy saving unit contains low emissivity glass and argon filled cavities: 6mm +16mm Argon + ES4mm. Many other glazing options are available. Warm edge technology is employed in the spacer bars to improve the thermal efficiency of the sealed unit.

IRONMONGERY

The seven locking points ensure that the sash is tightly closed against the gasket, making the window both secure and extremely weather-tight.

RESTRICTORS

A metal restrictor stay is standard and fitted adjacent to the side handle. An alternative high density polymer child restrictor is available to order.

OPTIONS

TRICKLE VENT

Being independent of the sash, the vent can operate even when the window is securely closed. NorDan's integral ventilation system means there is no unsightly external vent hood.

FURTHER OPTIONS

- Mullions and transoms
- Removable handles
- Locking handles
- Additional restrictor stays
- Factory pre-finished to any colour from the classic RAL range

AVAILABLE SIZES

Min width	388 mm
Max width	2088 mm
Min height	388 mm
Max height	2188 mm
Max width + height	3300 mm

NOTE: Size limitations also depend on the weight of the glazing, for further information please contact your nearest NorDan office.



Cleaning position, interior view



Closed position, interior view



Closed position, exterior view standard timber

■ Based on the 3 handled tilt & turn construction