

Agenda item	5.3
Report no	PLN/063/18

THE HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 11 October 2018

Report Title: 18/03301/FUL Cruachan, 6 Cooper Street, Plockton,

Report By: Area Planning Manager – North

1. Purpose/Executive Summary

1.1 Applicant: Mr Roderick Campbell

Proposal: Installation of uPVC windows.

Ward: 05 - Wester Ross, Strathpeffer and Lochalsh

Category: Householder Developments

Reason referred to Committee: Application called in by local members

All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

2. Recommendation

2.2 Members are asked to agree the recommendation to refuse as set out in section 11 of the report.

3. PROPOSED DEVELOPMENT

- 3.1 The application seeks permission for the replacement of original timber sliding sash and case windows with uPVC tilt and turn windows.
- 3.2 The site lies with the Plockton Conservation Area.
- 3.3 **Pre Application Consultation:** None
- 3.4 **Supporting Information:** Photographs of existing windows
Supporting statement
- 3.5 **Variations:** None

4. SITE DESCRIPTION

- 4.1 The site consists of a 1½ storey detached house located within the Conservation Area of Plockton. The house sits at the junction of Cooper Street and a secondary public road.
- 4.2 During the site visit it was noted the dwelling has previously had solar pv panels installed to its roof. A retrospective application will be requested for these in order to bring their installation under planning control.

5. PLANNING HISTORY

- 5.1 None

6. PUBLIC PARTICIPATION

- 6.1 Advertised : West Highland Free Press - Section 65 – Affecting the Setting of the Conservation Area
Representation deadline : 24th August 2018
Timeous representations : None
Late representations : None

7. CONSULTATIONS

- 7.1 **Historic Environment Team** : Objection
- 7.2 The application is contrary to policy and cannot be supported.
- 7.3 The building is a good quality traditional building with surviving sash and case windows, located prominently within the Plockton Conservation Area.
- 7.4 The presence of uPVC windows in nearby or adjacent buildings does not set a precedent for installation of uPVC windows (as is clearly set out in adopted Council guidance). In the majority of cases uPVC windows were installed prior to the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, which removed permitted development rights for householders located

in Conservation areas, coming into force. If the windows referred to in the supporting statement have been installed after this date they are unauthorised and again do not set a precedent.

- 7.5 The existing windows appear to be original/historic, timber sliding sash and case units. A full and detailed window survey that clearly demonstrates that they are beyond repair is required before replacement units can be considered or justified. It is always the preference that the existing units are repaired where necessary, overhauled and upgraded. This is generally a less expensive option than replacement, and upgrading can result in u-values comparable with modern units. If replacement windows can be justified, new units will match the original windows in every detail, including material, opening method, design (2x2), profile etc. We would consider double glazing where this can be shown not to affect the character of the window.
- 7.6 As it stands the proposal will neither preserve nor enhance the character and appearance of the Conservation Area and is contrary to Windows and Doors in Listed Buildings and Unlisted Buildings in Conservation Areas: Planning Guidance

8. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

8.1 Highland Wide Local Development Plan 2012

28	Sustainable Design
29	Design Quality & Place-making
34	Settlement Development Areas
57	Natural, Built & Cultural Heritage
61	Landscape

9. OTHER MATERIAL CONSIDERATIONS

9.1 Highland Council Supplementary Planning Policy Guidance

Highland Historic Environment Strategy (Jan 2013)
Historic Windows and Doors (May 2017)
Sustainable Design Guide (Jan 2013)

9.3 Scottish Government Planning Policy and Guidance

Scottish Historic Environment Policy (SHEP)

Scottish Planning Policy (SPP)

Valuing the Historic Environment

Appendix 1 Guidelines for the detailed consideration of Listed Building Consents and Conservation Area Consents

9.4 **Scottish Historic Planning Policy**

10. **PLANNING APPRAISAL**

10.1 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.

10.2 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.

10.3 **Development Plan Policy Assessment**

10.4 The site falls within the Plockton Conservation Area in respect of which Development Plan Policy 57.1 states that developments will be supported where they can be shown not to have an unacceptable impact upon the natural environment, identified protected amenity and heritage resource. Development Plan Policy 28 requires high quality design in keeping with local character and historic and natural environments, and the use of appropriate materials.

10.5 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that,

“...In the exercise, with respect to any buildings or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area...”

10.6 The application also requires to be considered against the adopted Supplementary Guidance document ‘Historic Environment Strategy Appendix 1 – Historic Windows and Doors’.

10.7 No report has been submitted indicating that the existing windows are beyond repair. From an examination of the windows on site, it appears that these are the original windows. National Planning Policy, through the SPP and SHEP, states that planning permission should normally be refused for development within a Conservation Area that fails to preserve or enhance the character or appearance of the Conservation Area. Without the benefit of a conditions report the principal of replacing the windows has not been demonstrated. Moreover the proposed windows would be bulkier and thicker in appearance, due to their uPVC construction, opening mechanism and appearance, an adverse effect on the historic character and appearance of the building as well as the wider character and appearance of the Conservation Area. The use of the proposed windows is contrary to both national and local policy guidance by virtue of their profile, bulk, materials and opening mechanisms.

10.8 The house occupies a prominent location within the Conservation area. These concerns were raised with the applicant who was advised that the development as currently proposed could not be supported by the Planning Authority. The applicant was advised that windows which were consistent with the design, style and detail appropriate to the age and architectural style of the building would be supported.

10.9 The application mentions other houses within the Conservation Area in close proximity to the site which have uPVC windows installed. However, it is considered that these do not set a precedent for uPVC windows within the area (as clearly stated within the Supplementary Guidance document 'Historic Environment Strategy Appendix 1 – Historic Windows and Doors') as these may have been installed prior to 2011 when the removal of permitted development rights for households within Conservation Areas came into force.

10.10 **Material Considerations**

The key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) impact upon the character and appearance of the conservation area
- c) any other material considerations.

10.11 **Other Considerations – not material**

None

10.12 **Matters to be secured by Section 75 Agreement**

None

11. CONCLUSION

11.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

It is recommended that permission be refused.

12. IMPLICATIONS

12.1 Resource – Not applicable

12.2 Legal –Not applicable

12.3 Community (Equality, Poverty and Rural) –Not applicable

12.4 Climate Change/Carbon Clever –Not applicable

12.5 Risk – Not applicable

12.6 Gaelic – Not applicable

13. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers	N
Notification to Historic Scotland	N
Conclusion of Section 75 Agreement	N
Revocation of previous permission	N

Subject to the above, it is recommended the application be **Refused** subject to the following reasons for refusal:

1.	The proposal is contrary to Policies 28 and 57 of the Highland-wide Local Development Plan, the associated Highland Historic Environment Strategy Appendix 1 and s.64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, in that it fails to conserve the buildings' historic character. The profile, bulk, frame and materials proposed are not comparable to historically accurate and appropriate windows. The design as proposed fails to demonstrate a sensitive and appropriate approach to material alteration of a building within a Conservation Area.
2.	The proposal is contrary to Scottish Historic Environment Policy (SHEP) December 2011, in that it fails to conserve the buildings historic character. The profile, bulk, frame and materials proposed are not comparable to historically accurate and appropriate windows. The design as proposed fails to demonstrate a sensitive and appropriate approach to material alteration of a building within a Conservation Area.

Designation: Area Planning Manager - North
 Author: Chris Hallas
 Background Papers: Documents referred to in report and in case file.
 Relevant Plans: Plan 1 - Location Plan
 Plan 2 - Existing Elevation Plan (North)
 Plan 3 - Existing Elevation Plan (South)
 Plan 4 - Existing Elevation Plan (West)
 Plan 5 - Proposed Elevation Plan (North)
 Plan 6 - Proposed Elevation Plan (South)
 Plan 7 - Proposed Elevation Plan (West)
 Plan 8 - Site Layout Plan

Appendix – Letters of Representation

None



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The Highland Council
Comhairle na Gàidhealtachd

Planning and Development Service

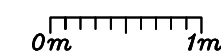
Location Plan
18/03301/FUL
Installation of uPVC windows

October 2018

Scale:



*Proposed Window replacement in White UPVC@
Cruachan Cooper Street, Plockton, IV52 8TJ
Existing North elevation*

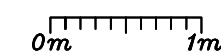


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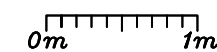
*Proposed Window replacement in White UPVC@
Cruachan Cooper Street, Plockton, IV52 8TJ
Existing South elevation*



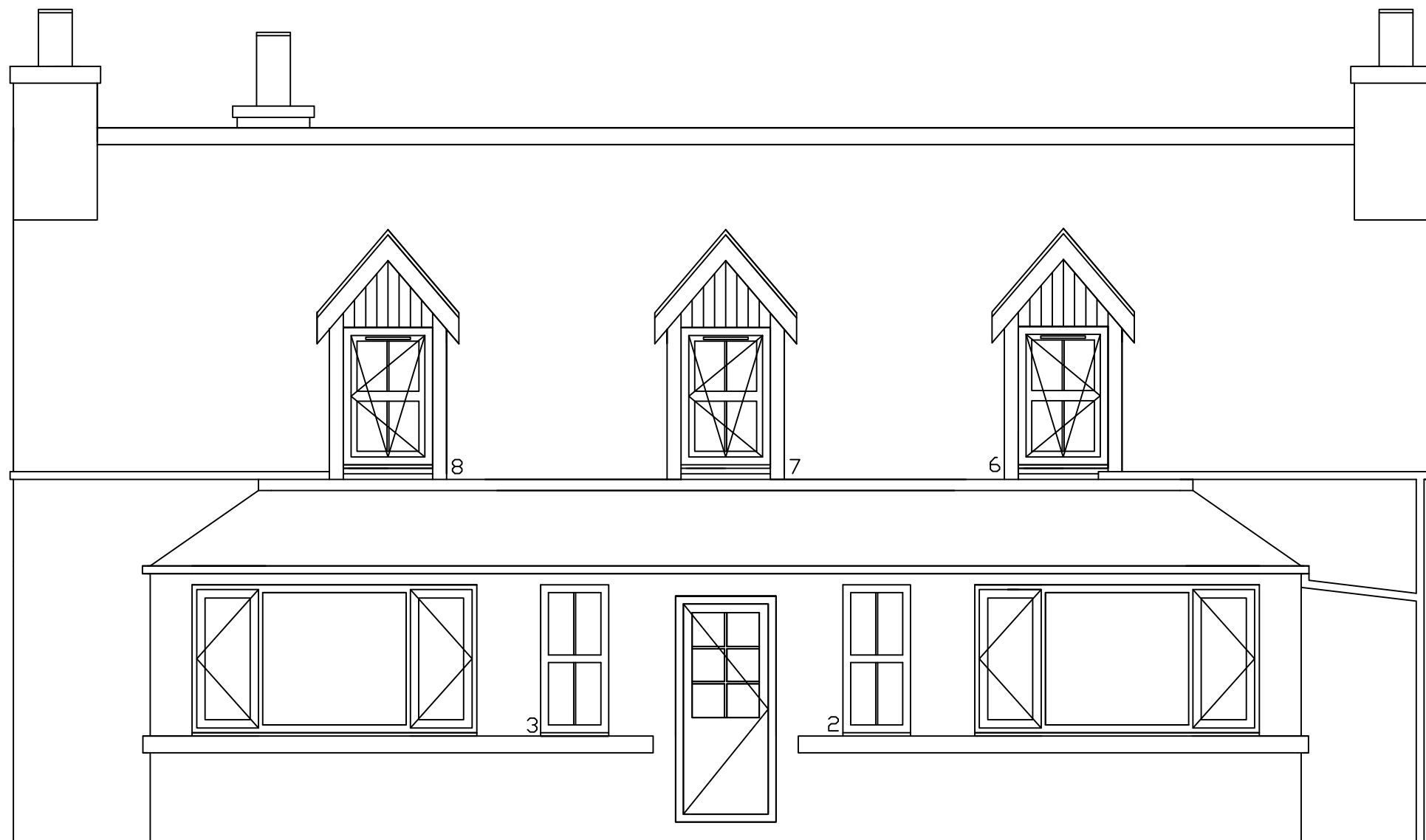
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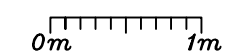
*Proposed Window replacement in White UPVC@
Cruachan Cooper Street, Plockton, IV52 8TJ
Existing West elevation*



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*Proposed Window replacement in White UPVC@
Cruachan Cooper Street, Plockton, IV52 8TJ
Proposed North elevation*

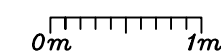


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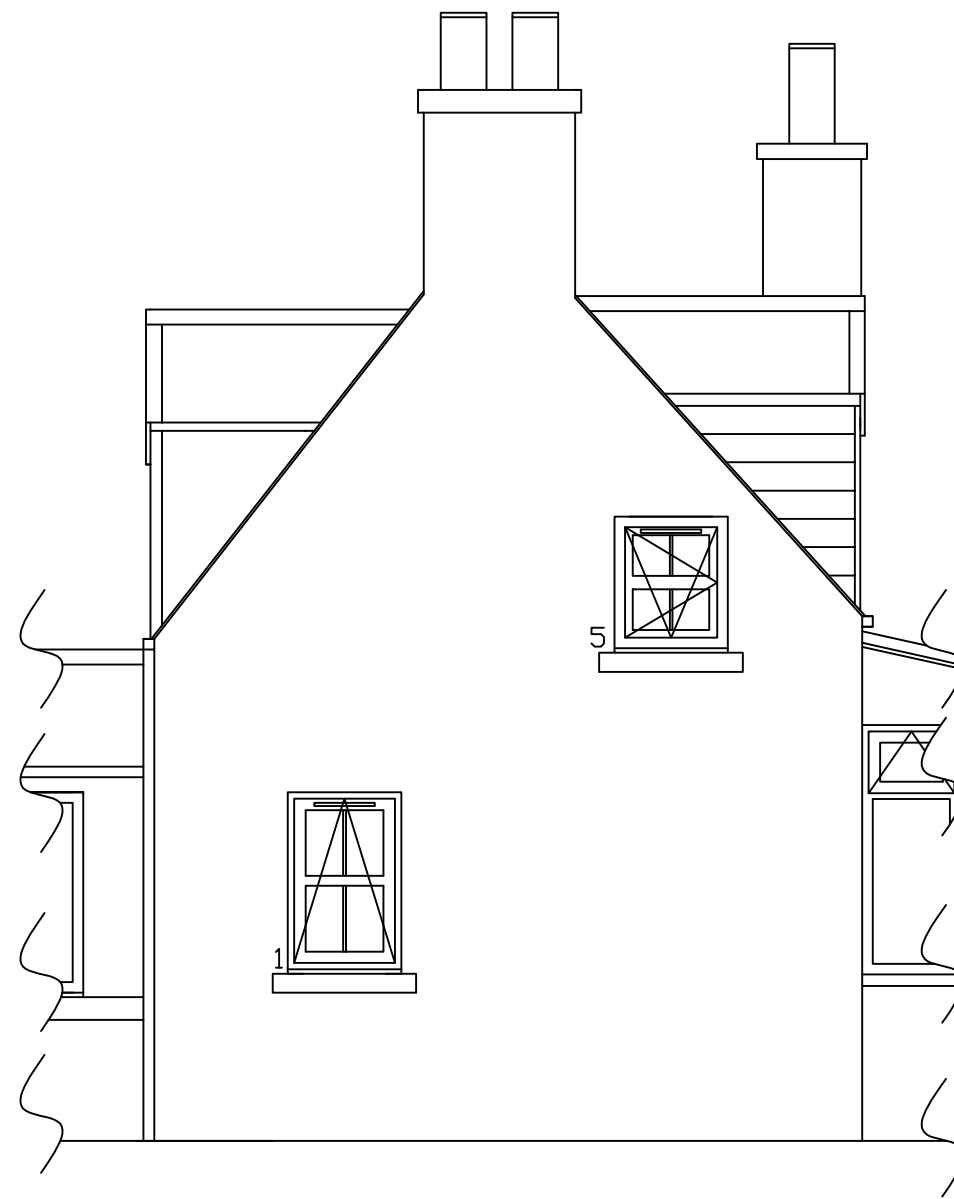




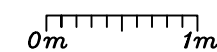
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Proposed South elevation*



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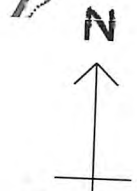


*Proposed Window replacement in White UPVC@
Cruachan Cooper Street, Plockton, IV52 8TJ
Proposed West elevation*

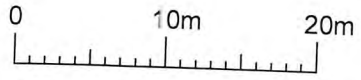


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Camus an t-Salainn



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Rhu Mor
View

Uig
Cottage

The Pink
House

Sabhail-
na-Mara

COOPER STREET

LB

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PO

Tigh an Fhainc

Carver's
craft

