

**Aberdeenshire**

COUNCIL



Infrastructure Services

## Banff & Buchan Area Committee Report – 16 June 2015

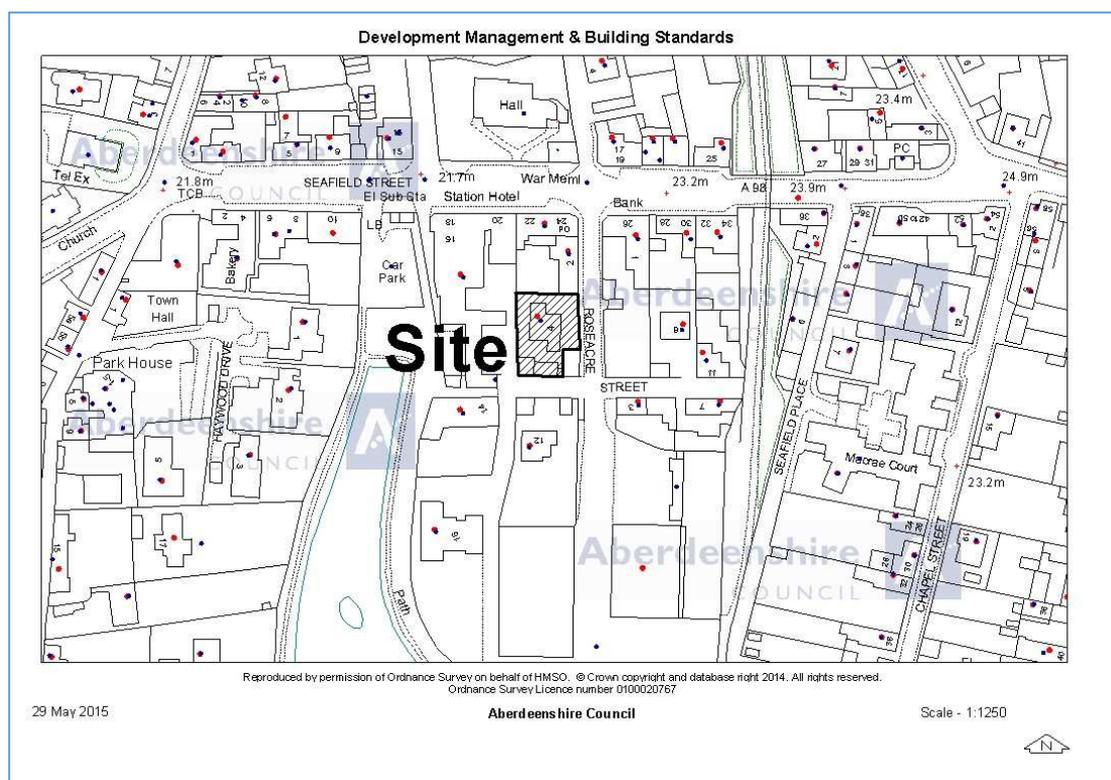
Reference No: APP/2015/0673

### Full Planning Permission for Installation of 18 no. Replacement Double Glazed Windows at Roseville, 4 Roseacre Street, Portsoy

Applicant: Mrs Jennifer Eddy, Roseville, 4 Roseacre Street, Portsoy

Agent: None

Grid Ref:	E:358939 N:865899
Ward No. and Name:	W01 – Banff and District
Application Type:	Full Planning Permission
Representations:	0
Consultations:	1
Relevant Proposals Map Designations:	Aberdeenshire Local Development Plan Rural Housing Market Area, Conservation Area
Complies with Development Plans:	No
Main Recommendation:	Refuse



## **1. Reason for Report**

1.1 The application is being referred to Area Committee because Cllrs Cox and Gray have requested that the application be referred to the Committee because:

- Cllr Cox – Refer to area committee for further consideration if the proposed windows will impact on the character of the conservation area
- Cllr Gray – Area committee for further discussion on condition of old and design of new windows

## **2. Background and Proposal**

2.1 Full planning permission is sought for the replacement of 18 no. windows at Roseville, 4 Roseacre Street, Portsoy.

2.2 The site lies within the conservation area of Portsoy towards the centre of the settlement. The property is a 1½ storey dwelling with dormer windows to the front (east), and flat roof extension to the north and south. The existing windows vary in design, 16 no. of which are timber sash and case windows with a white finish; 1 no. is a traditional casement timber window; one a fixed, white-painted timber window, and 1 no. brown upvc. Appendix 1 contains photographs of the property, illustrating the current windows installed and to be replaced.

2.3 Two large brown upvc windows on the flat roofed extension to the southern gable of the house are to be retained; 1 on the front (east) elevation and 1 on the south elevation. The dwelling is finished externally with traditional materials through the use of a slate roof and granite stone walls.

2.4 In terms of the surrounding area, the residential properties are of a similar traditional design and construction although the use of uPVC windows is present within them.

2.5 The application proposes replacement of 18 no. of the existing windows with white uPVC 'Rustique' windows of a tilt and turn design and 1 no. casement window.

## **3. Representations**

3.1 No valid letters of representation have been received.

## **4. Consultations**

4.1 **Infrastructure Services (Built Heritage)** object to the application in its current form.

## 5. Relevant Planning Policies

### 5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

### 5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Strategic Development Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

### 5.3 Aberdeenshire Local Development Plan 2012

Policy 13: Protecting, improving and conserving the historic environment  
SG Historic Environment 2: Conservation areas

### 5.4 Other Material Considerations

Scottish Historic Environment Policy and Historic Scotland's Managing Change in the Historic Environment guidance note series set out the policies principles for the protection of built heritage in Scotland including specific subjects including listed buildings and conservation areas.

Historic Scotland Managing Change in the Historic Environment (Windows) sets out the principles that apply to altering the windows of historic buildings. Windows make a contribution to the historic building and the character of historic streets and places. In the replacement of windows in the historic environment, consideration should be given to characteristics including form, glazing materials and patterns, framing, and method of opening and finish.

## **6. Discussion**

- 6.1 The key considerations in the application is the potential impact of the windows on the character of the conservation area.
- 6.2 SG Historic Environment 2: Conservation areas does not support development which would have a detrimental effect on the special character or setting of a conservation area. There is a presumption against the replacement of timber sash and case windows when they are capable of being repaired. If it can be demonstrated that the windows are beyond repair replacement timber sash and case windows are the preferred option of the Planning Service.
- 6.3 In this case, it would appear the existing timber windows are beyond repair however this has not been confirmed by a joiner or conservation accredited architect. The proposed windows use a non-traditional style, tilt and turn design or casement style, constructed of uPVC material with a white finish. Should appropriate replacement windows be proposed, i.e. timber sash and case, then the Planning Service would be willing to support the replacement of these windows in this instance.
- 6.4 There are other examples of uPVC windows in the area. Residential properties on Roseacre Street to the north (2 Roseacre Street) and south (3 Roseacre Street) of the property in question have uPVC windows. However, as these have not previously been supported by the Planning Service these examples are not a material consideration in the determination of this application. There are also examples of timber windows within the area specifically, no. 4 in addition to various outbuildings to the east of the property.
- 6.5 Infrastructure Services (Built Heritage) also request that any replacement windows are timber; of a vertically sliding sash and case mechanism to match the glazing pattern and dimensions of the existing windows as closely as possible. The proposed windows do not meet this criteria and are therefore not supported by this consultee.
- 6.6 The proposed windows are considered to have a negative impact on the character of the conservation area and do not comply with Policy 13 and related SG Historic Environment 2: Conservation areas. Accordingly the application is recommended for refusal.

## **7. Area Implications**

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.
- 7.2 There is currently a Conservation Area Regeneration Scheme running in Portsoy. The intension of this scheme is to restore and enhance the special historic character of the Portsoy Conservation Area and it is on this basis that funding has been given to the Council. Granting permission for works that do not comply with national (Historic Scotland) policy will undermine the works we are carrying out in Portsoy. Granting permission for such works could also undermine future funding bids to Historic Scotland.

## **8. Equalities and Financial Implications**

- 8.1 An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.
- 8.2 There are no financial implications arising from this report.

## **9. Sustainability Implications**

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

## **10. Departures, Notifications and Referrals**

### **10.1 Strategic Development Plan Departures**

None

### **10.2 Local Development Plan Departures**

Policy 13: Protecting, improving and conserving the historic environment  
SG Historic Environment 2: Conservation areas

- 10.3 The application is a Departure from the valid Local Plan (and/or) Structure Plan and has been advertised as such. Any representations received have been circulated as part of the agenda and taken into account in recommending a decision. The period for receiving representations has expired.
- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

- 10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

### **Recommendation**

#### **11.1 REFUSE for the following reasons:-**

1. The proposed windows are considered to have a negative impact on the character of the conservation area and do not comply with Policy 13 and related supplementary guidance SG Historic Environment 2: Conservation areas as contained in the Aberdeenshire Local Development Plan.

**Stephen Archer**  
**Director of Infrastructure Services**  
**Author of Report: Fiona Oldroyd**  
**28/05/2015**

**APPENDIX 1  
Windows to be Replaced**



