

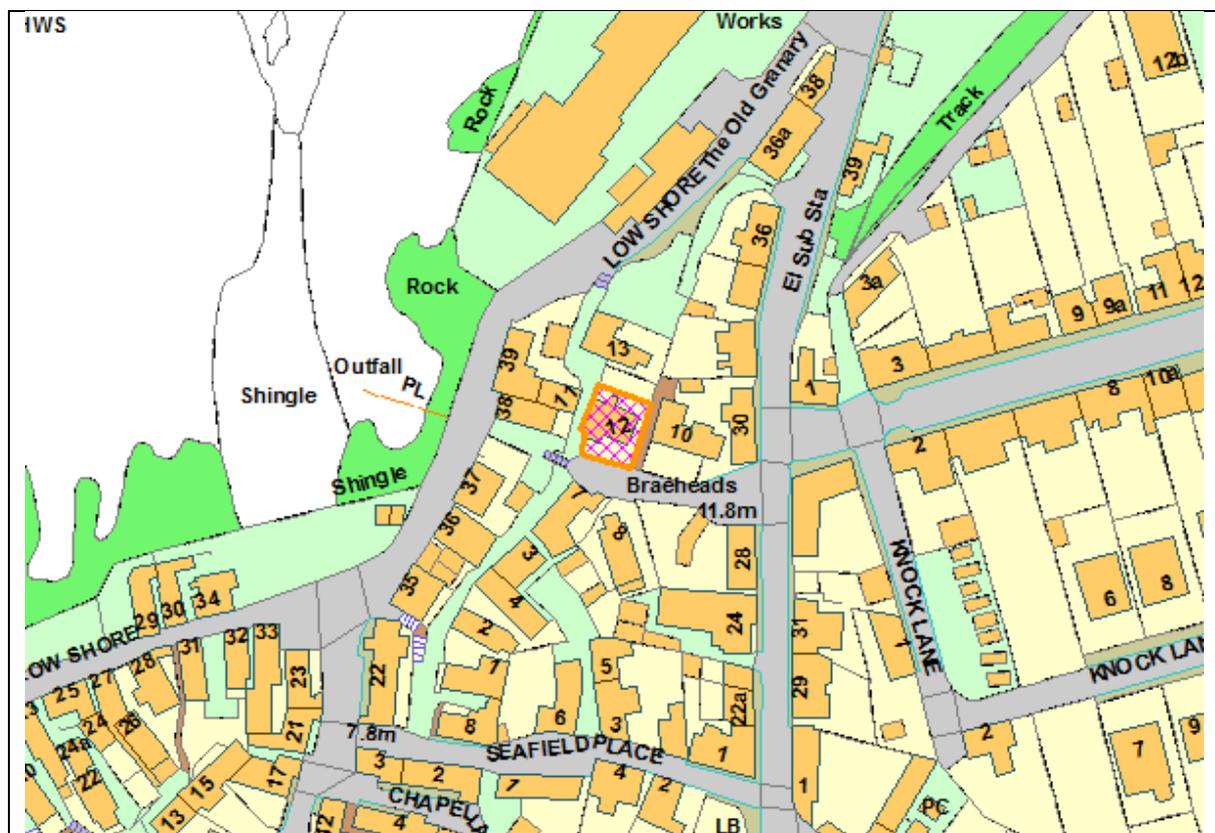
Banff & Buchan Area Committee Report – 26 November 2019

Reference No: APP/2019/1837

Full Planning Permission for Replacement of 7 Windows and 2 Doors at 12 Braeheads, Whitehills, Aberdeenshire, AB45 2NP

Applicant: Mr Thom
Agent: None

Grid Ref: E:365484 N:865509
Ward No. and Name: W01 - Banff And District
Application Type: Full Planning Permission
Representations: 0
Consultations: 1
Relevant Proposals Map: Aberdeenshire Local Development Plan 2017
Designations: Within Settlement Boundary and Conservation Area
Complies with Development Plan: No
Main Recommendation: Refuse



NOT TO SCALE

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1. Reason for Report

1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1i of Part 2C Planning Delegations of the Scheme of Governance as the application is recommended for refusal but at least two Local Ward Members in the Ward in which the development is proposed, have requested that the application be referred to the Area Committee.

- Cllr John Cox - To consider impact of new windows in conservation area
- Cllr Glen Reynolds - Further consideration of regeneration and planning interpretation surrounding reason for refusal.

1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

2.1 The application relates to an unlisted building sited within the Whitehills Conservation Area. A location plan is attached as **Appendix 1**, and a site plan as **Appendix 2**. The house is a non-vernacular building but is of a scale, design and appearance reflecting that of the traditional houses found in the immediate vicinity of the site. It is proposed to replace all the existing double glazed dark brown timber windows with double glazed white PVCu units of the same size and configuration and with the same means of opening. The two existing wooden doors would also be replaced with turquoise coloured PVCu composite doors. An illustration of the current and proposed elevations is attached as **Appendix 3**.

2.2 The house is set in a modestly sized plot in the conservation area with houses and gardens to all sides, some separated by footpaths or narrow roads. There are no listed buildings in the immediate vicinity of the site.

2.3 There is no recent relevant planning history relating to this site.

3. Representations

3.1 No valid letters of representation have been received.

4. Consultations

4.1 **Infrastructure Services (Environment)** advises that the proposed replacement of the existing timber doors and windows with PVCu fittings would conflict with the principles of conservation area status which is to 'preserve or enhance'. It is acknowledged that the existing timber windows are not of traditional design or appearance but there should still be a presumption

in favour of their retention or if proven to be beyond repair, replaced with new timber units.

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 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.

From the 29 March 2019, the Strategic Development Plan 2014 went beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

In terms of assessment against the Strategic Development Plan, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

5.3 Aberdeenshire Local Development Plan 2017

Policy P3: Infill and householder developments within settlements (including home and work proposals)
Policy HE2: Protecting historic and cultural areas

5.4 Other Material Considerations

Historic Environment Policy for Scotland

The Historic Environment Policy for Scotland (HEPS) is a policy statement produced by Historic Environment Scotland that is a material consideration for proposals that may affect the historic environment. The policy advises that, wherever possible, special characteristics should be protected, conserved or enhanced and in making decisions, the focus should be on avoiding or minimising adverse impact. Intervention should be kept to the minimum; changes to a site or place should be proportionate to its cultural significance; less detrimental alternatives should be considered if they can deliver the same objectives and opportunities for mitigation should be identified. The historic environment has to be managed in a sustainable way by taking different interests and needs into account. Decision-makers may need to manage conflicting needs but if there is no way of being confident about what the impact of an action will be, the only way to be certain that there will be no damage is to avoid the action.

6. Discussion

Impact on amenity of neighbours

- 6.1 Under Policy P3 an extension or an ancillary development associated with an existing house or flat will be approved providing it respects both the character of the surrounding area and the design and scale of the existing property and does not significantly reduce the amenity of neighbouring residents.
- 6.2 The proposals would replace existing features and would have no adverse impact on the amenities of the neighbouring properties in terms of privacy, sunlighting or daylighting. As such, the proposed windows would comply with Policy P3 in terms of the potential impact on the amenity of the neighbouring residents.

Principle - Built Heritage

- 6.3 Policy HE2 does not allow development, including change of use or demolition that would not preserve or enhance the character or appearance of a conservation area. This applies both to developments within the conservation area and proposals outwith that would affect its setting. The design, scale, layout, siting and materials used in development within a conservation area must be of the highest quality and respect the individual characteristics for which the conservation area was designated.
- 6.4 With regard to windows in conservation areas it is preferable to repair components on a like-for-like basis, which would better maintain the character and historic fabric of the windows and the building as a whole. There may be grounds for the removal of existing windows and their replacement with new, thermally efficient windows. Normally this would only be considered where the existing windows are inappropriate, or incapable of reasonable economic repair and the new windows are of an appropriate design and appearance.
- 6.5 In a letter of support the applicant has made the following comments:
- The house is not a traditional fisherman's cottage and was built in the 1970's.
 - The existing windows are of casement design and not traditional sash and case with different frame styles and ironmongery.
 - The windows are of an old-fashioned design, not draught proof or efficient against heat loss.
 - The exterior doors are in a poor state of repair and need replaced.
 - a high percentage of houses in Whitehills, including traditional cottages, have PVCu windows and doors installed, even on listed properties.
 - PVCu requires little or no maintenance.
 - Timber windows and doors of Local Authority housing stock has been systematically phased out in preference of PVCu replacements.
 - Attitudes must surely change to reflect climate change and our need to conserve energy through better household thermal efficiency.
- 6.6 In this case and notwithstanding the comments from the applicant, the existing windows and doors appear to be in reasonably good condition and not beyond economic repair. No formal condition survey has been submitted justifying the removal of the windows and doors. Furthermore, the proposed replacement windows and doors are not of a suitable material, design or appearance. PVCu is not a traditional material and its use would detract from the conservation area status of the surrounding area. The design, scale, layout, siting and materials used in development in a conservation area must

be of the highest quality and respect the individual characteristics which the conservation area was designated.

- 6.7 It is accepted that a large number of properties within the Whitehills Conservation Area have PVCu windows, but these were installed prior to the introduction of the Town & Country Planning (General Permitted Development) (Scotland) Amendment Order 2011. This legislation was introduced by the Scottish Government partly to address the problem of unsympathetic alterations such as the installation of PVCu doors and windows eroding the character of conservation areas.
- 6.8 While there would be no objection in principle to the replacement of the existing windows (subject to a supporting condition report) this would only be acceptable if the new windows were of an appropriate design and appearance. In this case, the replacement windows and doors would be PVCu units, which would be non-traditional in nature and would detract from the character and appearance of the conservation area and further erode its historic status. Appropriately designed and thermally efficient double glazed timber windows are readily available and, while potentially requiring more regular maintenance over their lifetime compared with PVCu units, timber windows can more readily be repaired, giving such windows a significantly extended life as evidenced by the many historic buildings which still have significant parts of their original timber window frames intact. If a PVCu window unit fails, it is usually the case that the whole unit has to be replaced at much greater cost than a simple repair.

Conclusion

- 6.9 In summary, the proposals would detract from the character and appearance of the Whitehills Conservation Area, which would not be preserved or enhanced by the development. As such, the works would not comply with HEPS or the relevant policies set out in the Aberdeenshire Local Development Plan and the application is therefore 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.

8. Implications and Risk

- 8.1 An equality impact assessment is not required because it is considered that the proposed development would not have an adverse differential impact on anyone with protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the

application as the Planning Authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

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 HE2: Protecting historic and cultural areas

- 10.3 The application is a Departure from the valid Local Development 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.

11. Recommendation

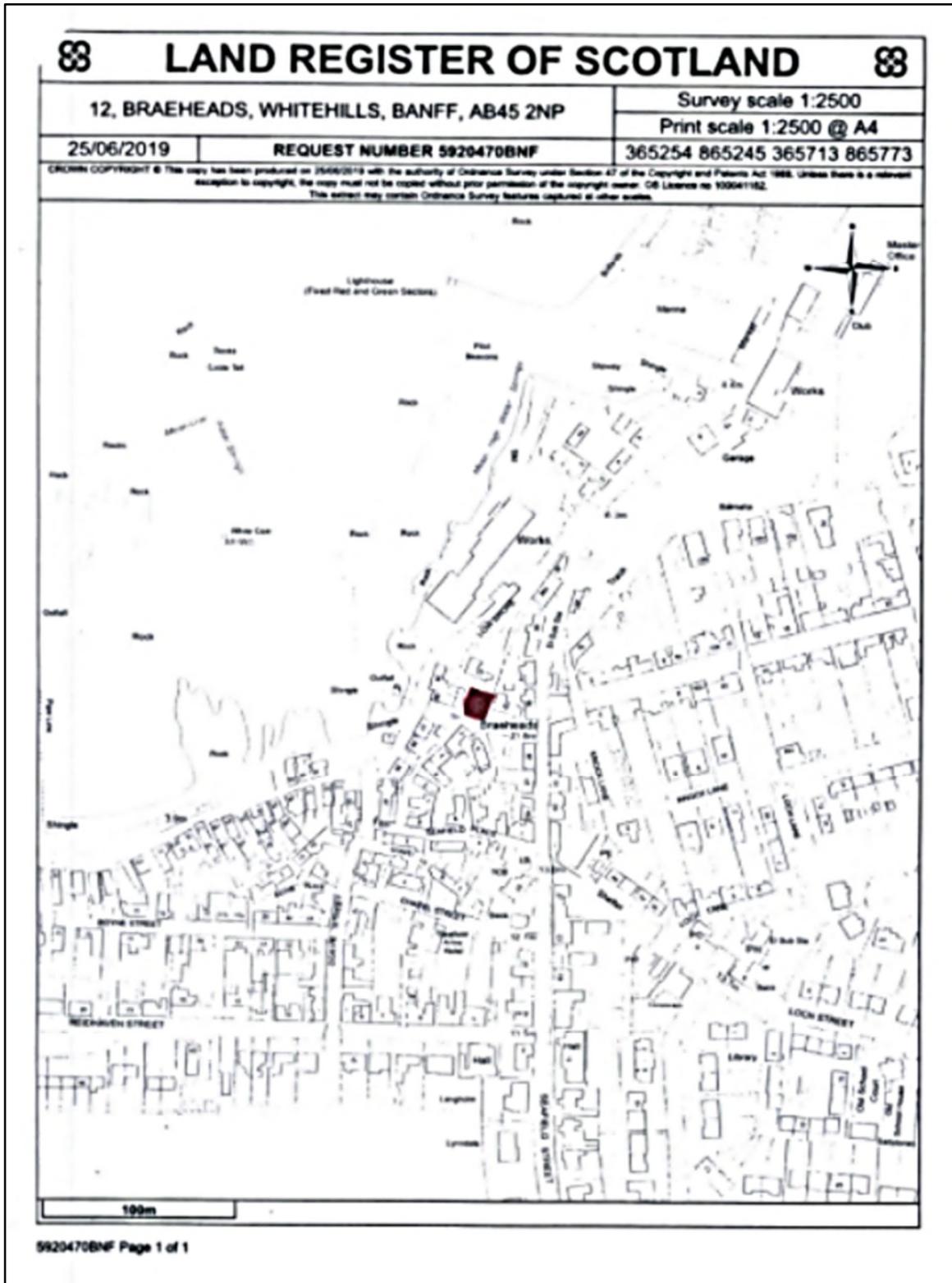
11.1 REFUSE for the following reason: -

01. The proposed development would result in the unnecessary loss of existing timber windows in this building within the Whitehills Conservation Area. The existing timber windows are not beyond reasonable economic repair and their replacement by non-traditional PVCu components would result in harm to the character and appearance of the conservation area and would set an undesirable precedent for similar proposals elsewhere within the conservation area. As such the proposed development would not comply with HEPS and Policy HE2 of the Aberdeenshire Local Development Plan 2017.

Stephen Archer
Director of Infrastructure Services
Author of Report: Bob Peacock
Report Date: 08 November 2019

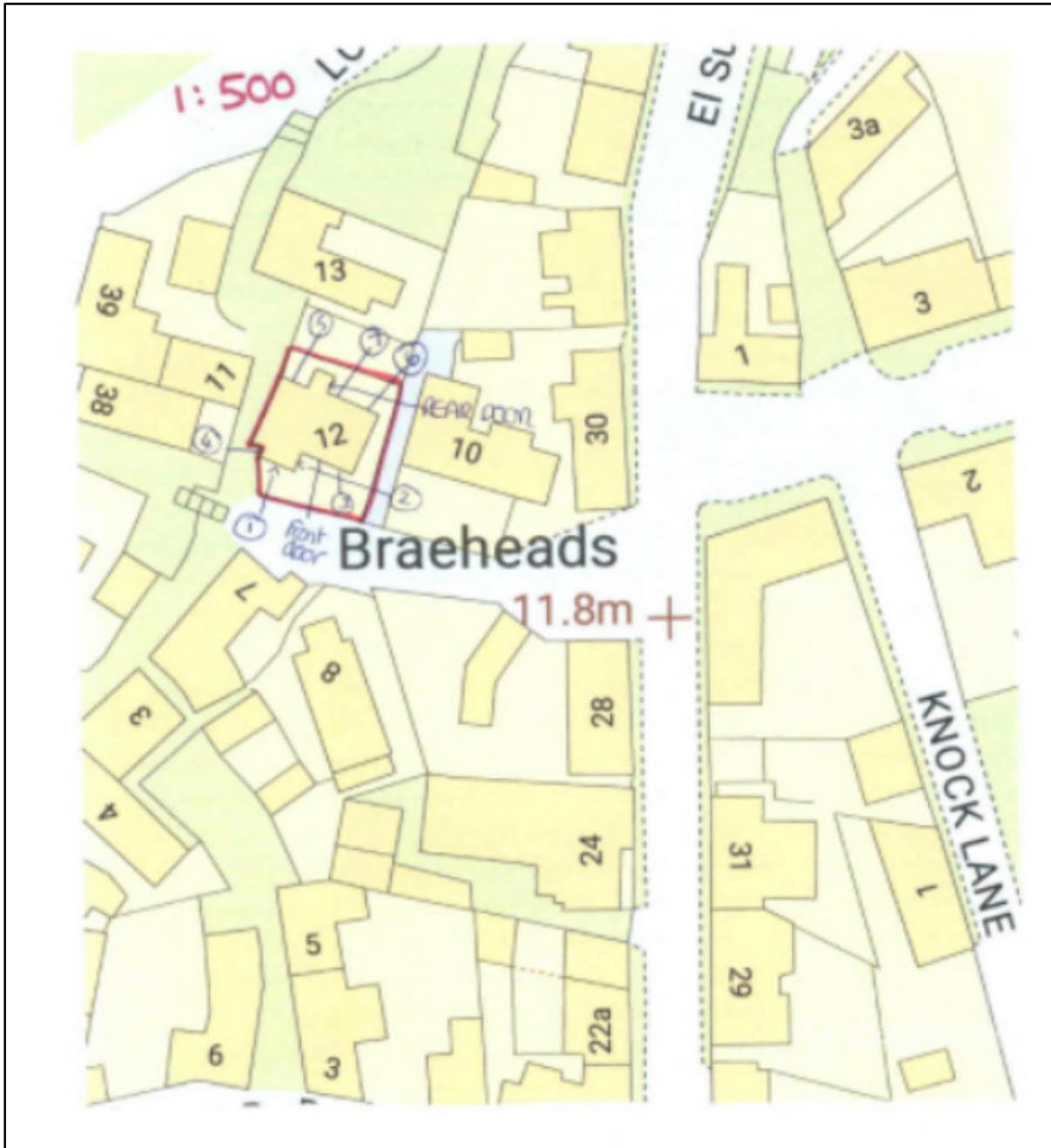
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APPENDIX 1
Location Plan



APP/2019/1837

APPENDIX 2
Site Plan



APP/2019/1837

APPENDIX 3
Existing & Proposed Elevations

EXISTING FRONT ELEVATION

PROPOSED FRONT ELEVATION (NO DESIGN CHANGE)

EXISTING REAR ELEVATION (NO DESIGN CHANGE)

EXISTING SOUTH ELEVATION

EXISTING NORTH ELEVATION (NO DESIGN CHANGE)

PROPOSED SOUTH ELEVATION (DOOR DESIGN CHANGE)

NOTES:-

EXISTING TIMBER CASHEMENT D/G WINDOWS REMOVED AND REPLACED WITH UPVC CASHEMENT D/G WINDOWS TO ORIGINAL PATTERN IN WHITE

EXISTING FRONT AND REAR DOORS REMOVED AND REPLACED WITH UPVC COMPOSITE DOORS TO DESIGN SHOWN COLOUR TURQUOISE BLUE

1	1800 x 1500 (2)	TOP HUNG OPENING CASEMENTED 300MM HIGH
2	870 x 1100 (1)	" " " " " "
3	800 x 1100 (2)	" " " " " "
4	" " " (1)	" " " " " "
5	870 x 1100 (1)	" " " " " "
6	1100 x 1000 (1)	SIDE " " " " AT 50%
7	1800 x 1000 (2)	TOP " " " " 300MM HIGH

SCALE 1:100
AUGUST 2018

12 BRAEHEADS - WHITEHILLS

Bob Peacock

From: Gladys Thom <gladysthom5@gmail.com>
Sent: 19 October 2019 18:10
To: Bob Peacock
Subject: Ref No: APP/2019/1837

Thank you for the e-mail informing me that my application has been forwarded to the committee for further consideration.

I should like the committee to be made aware of the following:

- 1) The house is not a traditional fisherman's cottage (was built in the 70's).
- 2) The existing windows are of casement design and not traditional sash and case. There are 3 different frame styles out of the 7 windows in total and following from this the ironmongery is also of varying types.

The windows are not draught proof, the seals incorporated in the windows are suspect to the point that the North facing opening casement has been permanently screwed shut.

The double glazing units are of old fashioned 8mm spacer bar and are therefore not efficient against heat loss.

- 3) The front exterior door is in a poor state of repair and will certainly need replaced.

The back door similar to front but with the added disadvantage of a cat flap entrance incorporated.

- 4) I have noted that a high percentage of houses in Whitehills, including traditional cottages, have UPVC windows and doors installed even on listed properties and would respectfully point out that the house directly opposite my property and the one immediately behind both have UPVC windows and doors.

There is also a question of maintenance whereby UPVC requires none, other than a quick wipe with a cloth or brush whilst cleaning the glass as opposed to the time and expense of regular painting for timber.

It has not gone unnoticed that the timber windows and doors of the Local Authority housing stock has been systematically phased out in preference of UPVC replacement, presumably for future expense of maintenance,

Finally, with the current legislation on climate change and our need to conserve energy through better household thermal efficiency and the preservation of forestry, attitudes must surely change to accommodate.

Bill Thom