

APPEAL DECISION (LRB)
Appeal Reference
LRB 490
Planning Reference
APP/2019/2505
Planning Proposal
Full Planning Permission for the Installation of Replacement Windows and Door
Summary of Decision
<p>The Local Review Body (LRB) agreed to uphold the Notice of Review and reverse the decision reviewed by it and GRANT Full Planning Permission.</p> <p>The main determining issue for the Review was whether the proposed replacement windows and door were appropriate in relation to the character of the existing dwellinghouse and the potential impact of the proposal on the character and setting of the Oldmeldrum Conservation Area in respect of Policy P3: Infill and householder developments within settlements (including home and work proposals) and Policy HE2: Protecting historic and cultural areas of the ALDP 2017.</p> <p>The LRB agreed that the Appointed Officer had identified the relevant Aberdeenshire Local Development Plan 2017 (ALDP) policies, and those were as follows: Policy P3: Infill and householder developments within settlements (including home and work proposals); and Policy HE2: Protecting historic and cultural areas.</p> <p>The LRB considered the quality of PVC-u windows proposed today and the mixture of materials in place at the property as existing. The LRB considered that it is difficult to assess the difference between the existing golden oak PVC-u and timber windows from a distance. The LRB were unanimous in their view that while Policy HE2 seeks to protect historical cultural areas, the proposal would enhance the Conservation Area as the quality and style, imitating wooden was of such a quality, that it would improve the property and by virtue of this complies with Policy P3: Infill and householder developments within settlements (including home and work proposals).</p> <p>After due consideration, the LRB unanimously agreed to reverse the decision of the Appointed Officer and GRANT Full Planning Permission for the reasons set out above.</p>

Policy Issues

<p>While Policy HE2 seeks to protect historical cultural areas, the installation of the proposed PVCu windows in this instance was considered to enhance the Conservation Area as their quality and style in imitating wood was of such a quality, that it would improve the property. This is a matter of consideration on an case by case basis taking into consideration the specifics of the application however timer windows and doors will remain a strong preference in Conservation Area.</p>
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Additional Points

Actions

<p>Note Decision.</p>

Aberdeenshire Council Local Review Body

Reference LRB 490 APP/2019/2505

Review Decision Notice

Decision by Aberdeenshire Council Local Review Body (LRB)

- Site address: Gordon Cottage, Urquhart Road, Oldmeldrum, AB51 0EX.
- Application for review by Mr David and Mrs Karen McKechnie against the decision by an Appointed Officer.
- Application reference APP/2019/2505 for Full Planning Permission for the Installation of Replacement Windows and Door, refused by Decision Notice dated 17 February 2020.
- Application drawings: Location Plan; Elevations.
- No site inspection took place.

Date of Decision: 20 October 2020

Decision

The Local Review Body (LRB) agrees to uphold the Notice of Review and reverse the decision reviewed by it and GRANT Full Planning Permission for the reason set out in paragraph 4.0 below.

1.0 Preliminary

- 1.1 This Notice constitutes the formal decision notice of the Local Review Body as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The LRB reviewed the determination of the above application for Full Planning Permission at its meeting held on 31 July 2020. The LRB was attended by Councillors R Cassie (Chair), I Davidson, P Gibb, J Hutchison and A McKelvie.
- 1.3 The LRB was shown projected plans and photographs by the Planning Adviser. Those showed the application property and its existing windows.
- 1.4 The LRB agreed that there was sufficient information before it to determine the Notice of Review and that no further information was required.

2.0 Proposal

- 2.1 The application was for Full Planning Permission for the for the installation of replacement windows and door.
- 2.2 The site is located centrally within Oldmeldrum being at the junction between Urquhart Road (A947) and Wyverie Court, which lie to the east and south respectively. The residential properties of 2 and 6 Wyverie Court lie immediately to the east, while 33 Urquhart Road lies immediately to the north. The property is located in the Oldmeldrum Conservation Area.
- 2.3 The property is a traditional built, 1½ storey detached property, with dry dash walls and slate tile roof. It has previously been altered by the addition of a single storey extension to its side (south-west) elevation and a porch to its rear (north-east) elevation. Its principle elevation (south-east) features two bay windows at ground-floor level and two dormer windows on the slate roof. A further dormer window is located on the slate roof above the porch to the buildings rear. The dormer windows (and their surrounds), the main entrance door, and the ground-floor windows on the rear elevation are all 'golden oak' coloured PVC-u units. The six windows that make up the two bay windows, the window in the ground floor extension, and the window and door in the rear porch are all light brown painted timber units. The front of the house is prominent whilst the rear of the house is not generally visible from the public realm.
- 2.4 The application sought to replace the timber windows in both of the front bay windows, and the window and door in the rear porch with 'golden oak' coloured PVC-u units - a total of seven windows and one door. The windows in the bay windows would be vertical sliding case and sash style units and the window in the rear porch would have a fixed lower pane with top-hung casement above same. The porch door would be a solid composite PVC-u door.
- 2.4 Information to accompany the application included:
- Photographs
 - Windows Condition Survey
 - Cross Section of the Window Design
- 2.6 No valid representations were received against this application.
- 2.7 In terms of consultees responses received for this application, Infrastructure Services (Environment) commented that although efforts were made to ensure that the new proposed windows would replicate what was existing and to make them sash and case, the use of PVC-u in a conservation area would not be justified. The service further advised that the timber windows to the front of the property did not appear to be in a poor condition which would justify their replacement and as such they could not support the proposal.

3.0 Reasoning

- 3.1 The main determining issue for the Review was whether the proposed replacement windows and door were appropriate in relation to the character of the existing dwellinghouse and the potential impact of the proposal on the

character and setting of the Oldmeldrum Conservation Area in respect of Policy P3: Infill and householder developments within settlements (including home and work proposals) and Policy HE2: Protecting historic and cultural areas of the ALDP 2017; and whether the existing windows are beyond economic repair.

- 3.2 The LRB agreed that the Appointed Officer had identified the relevant Aberdeenshire Local Development Plan 2017 (ALDP) policies, and those were as follows:

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

- 3.3 Other material considerations included as follows:

- Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
- Aberdeenshire Towns Partnership, Oldmeldrum Conservation Appraisal, April 2012
- Guidance on Conservation Areas, Historic Environment Scotland, 2019

- 3.4 In response to questions raised, the Planning Adviser confirmed that the difference between wood and plastic windows came down to design and finish, and in relation to Policy HE2 timber windows are considered more appropriate for traditional properties in conservation areas to preserve and enhance its character and setting, and advised that plastic was a non-traditional alien feature on a traditional building in a historic environment. The Planning Adviser confirmed that the historic environment policy was last updated as part of the Aberdeenshire Local Development Plan 2017 which states that the design and materials should be of a high quality, as supported by Historic Environment Scotland Guidance from 2019.

- 3.5 The LRB agreed that they had enough information before them and proceeded to determine the Notice of Review. A site visit or hearing was considered, but it was determined that neither were required.

- 3.6 During discussion the LRB considered the quality of PVC-u windows today and expressed empathy for the applicant in terms of the mixture of materials in place at the property as existing, acknowledging that the proposal seeks to reflect this. The LRB considered that it is difficult to assess the difference between the existing golden oak PVC-u and timber windows from a distance. The LRB were unanimous in their view that while Policy HE2 seeks to protect historical cultural areas, the proposal would enhance the Conservation Area as the quality and style, imitating wooden was of such a quality, that it would improve the property. The LRB also considered the development complies with Policy P3: Infill and householder developments within settlements (including home and work proposals)

3.7 After due consideration, the LRB unanimously agreed to reverse the decision of the Appointed Officer and GRANT Full Planning Permission for the reason set out in paragraph 4.0 below.

4. Reason for approval

01. The development complies with Policy P3: Infill and householder developments within settlements (including home and work proposals) and Policy HE2: Protecting historic and cultural areas of the Aberdeenshire Local Development Plan as it would enhance the conservation area and property as the style is of high quality.

Head of Legal and Governance