

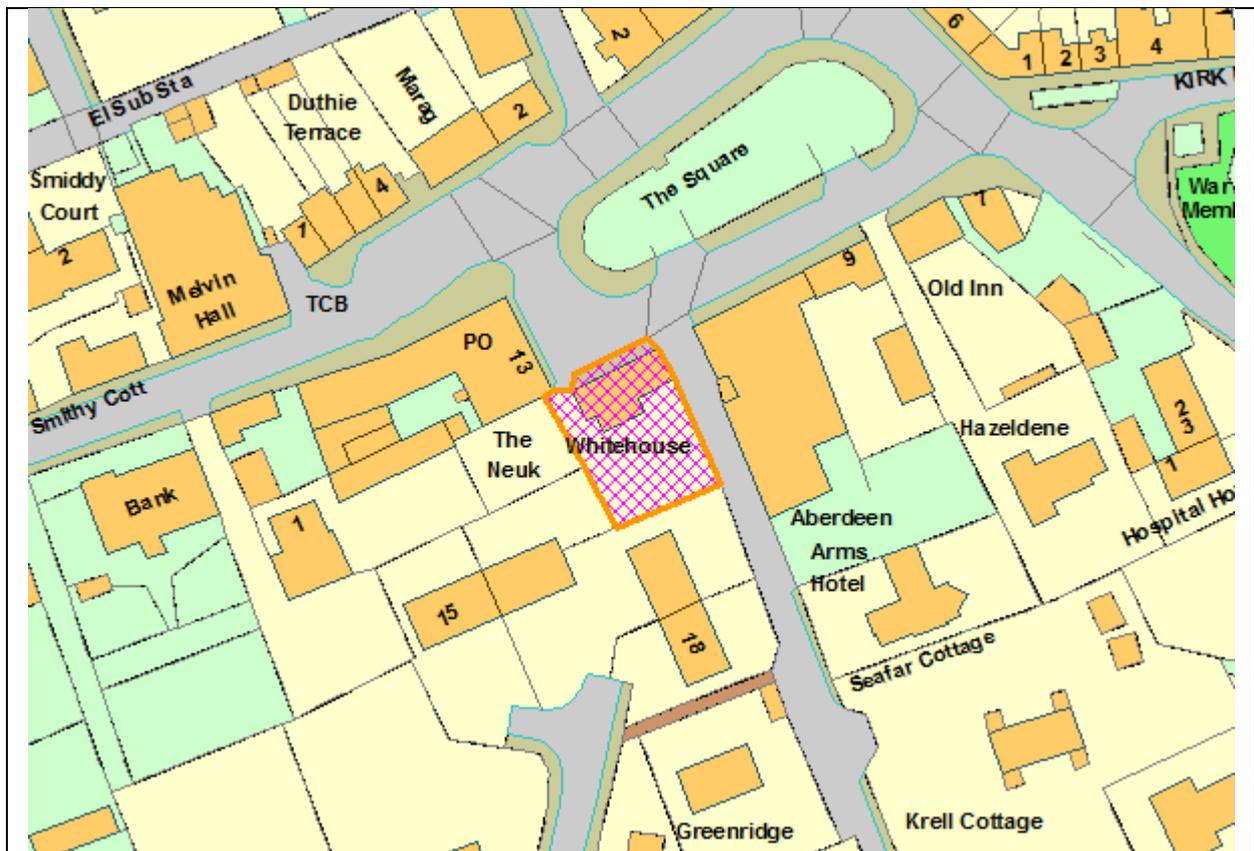
## Formartine Area Committee Report - 15 May 2018

Reference No: APP/2018/0567

**Full Planning Permission for Installation of Replacement Windows at  
Whitehouse, 11 The Square, Tarves, Aberdeenshire, AB41 7GX**

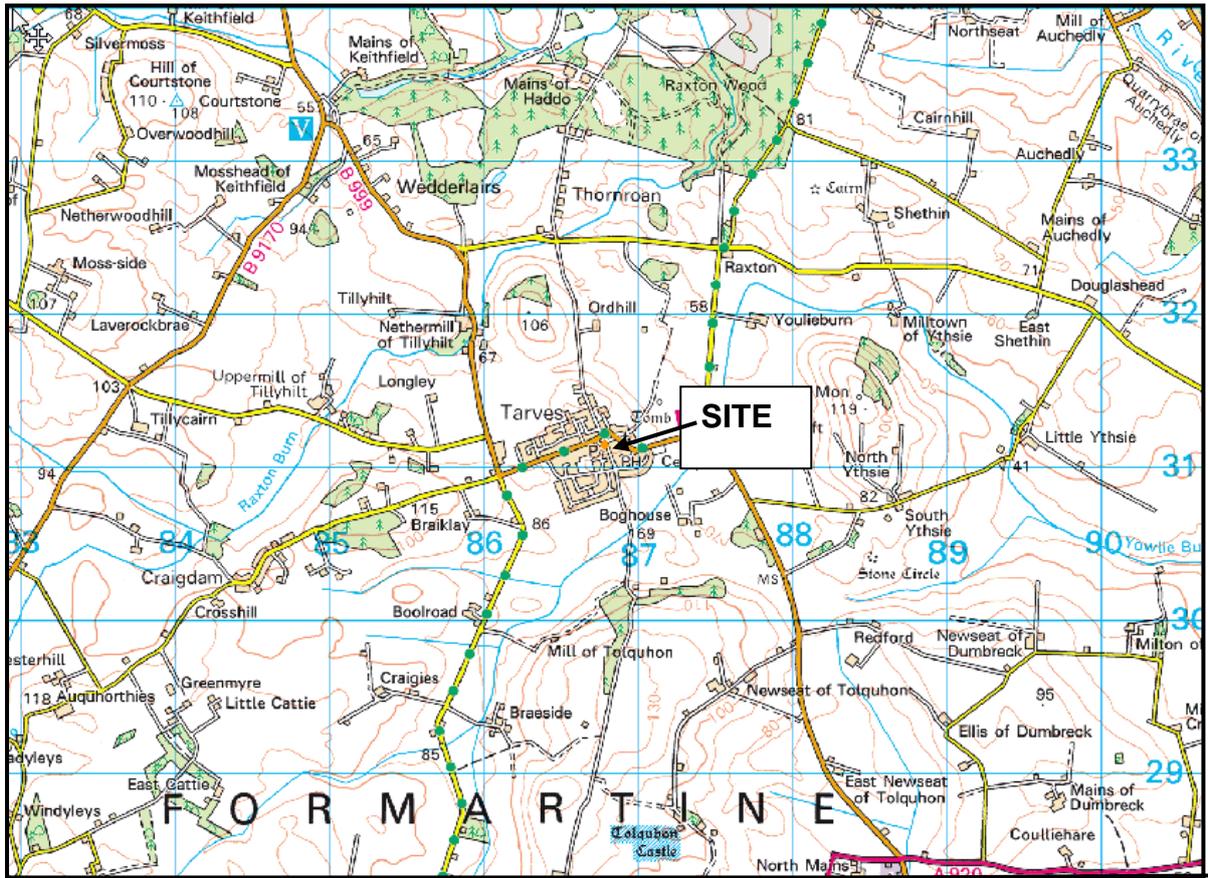
**Applicant:** Mrs A Keenan  
**Agent:** Thistle Windows & Conservatories

Grid Ref:	E:386776 N:831152
Ward No. and Name:	Mid-Formartine
Application Type:	Full Planning Permission
Representations:	0
Consultations:	2
Relevant Proposals Map:	Aberdeenshire Local Development Plan
Designations:	AHMA
Complies with Development Plans:	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.9.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from a consultee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

## **2. Background and Proposal**

- 2.1 This application seeks full planning permission for the installation of replacement windows to the rear (south elevation) of a 2 storey dwellinghouse at 11 The Square, Tarves. The dwellinghouse is located at the heart of the village's conservation area which has a traditional character. (Appendix 1 contains the location and site plan) The property overlooks The Square where there is a concentration of local services. The dwellinghouse is of granite blockwork with a grey render finish to the rear and a slate roof. The existing windows are not original but are brown in colour and constructed of timber. These windows have a top and bottom pane separated by a central horizontal bar. (Appendix 2 contains the existing windows on rear elevation) There is a narrow access lane from the Square that passes the garden of the property to the immediate east. The rear garden is bounded from the lane by a granite wall which is approximately 1½ metres in height.
- 2.2 The proposed windows are Rubislaw UPVC double glazed coloured Rosewood/white with satin silver handles. The precise colour of the windows has not been clarified at the time of writing. The arrangement of the windows is to remain unchanged except for a single window (W7) at the ground floor to the west of the rear elevation. This window would change from having a single vertical glazing bar down the centre to having 2 vertical glazing bars either side of the centre which in effect creates a central vertical section bounded on each side by half width vertical sections. Currently the windows open vertically however it is proposed that the new windows will also open outwards as well. (Appendix 3 contains proposed windows on rear elevation)
- 2.3 Planning history on the site includes:
  - ENQ/2017/2094 – Installation of replacement windows – Dwellinghouse is located within the Tarves Conservation Area. Brown timber sash and case windows with a mid-level transom is advised. UPVC windows are unlikely to be accepted. Traditional and natural materials are held in higher regard. Historic Environment Scotland guidance on windows and Tarves Conservation Area Appraisal was forwarded.

### 3. Representations

3.1 No valid letters of representation have been received.

### 4. Consultations

4.1 **Historic Environment Team** has stated that the proposals are not acceptable as it would result in the loss of a traditional material and be at odds with the general principle of conservation area status which is to 'preserve or enhance'.

4.2 **Tarves Community Council** has objected on the basis that the window marked W7 in drawing number 201 is inappropriate for the Tarves Conservation Area. (Appendix 4 showing response)

### 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.

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 Scotland - Managing change in the historic environment: Windows 2010

Tarves Conservation Area Appraisal 2011

**6. Discussion**

6.1 The main issues to consider is the likely impact on character and amenity of the surrounding area.

*Principle of development*

6.2 Policy P3 Infill and householder developments within settlements (including home and work proposals states that we will approve ancillary development associated with an existing house providing it respects both the character of the surrounding area and the design/scale of the existing house, and does not significantly reduce the amenity of neighbouring residents. The site is located within the settlement boundary and subject to further consideration of the character is compliant in basic principle in that it is ancillary development. The site is also located with the Tarves Conservation Area and consequently must be assessed against Policy HE2 Protecting historic and cultural areas.

*Tarves Community Council Objection*

6.3 Tarves Community Council have objected on the basis that the proposed ground floor window to the west side of the rear of the building (W7 on drawing 201) is not characteristic of the conservation area. They have stated that the existing window has in effect a mullion type central division, which gives the effect of two windows and creates vertical emphasis which is a characteristic of Tarves Conservation Area and that the proposed unit fails to do this. The window in question is the only such window whereby the arrangement is to be altered. The Planning Service agree with the Community Council that the arrangement would result in the loss of vertical emphasis and looks out of place. This proposed change would create an unacceptable impact upon the conservation area.

*Historic Environment Team response*

- 6.4 The Historic Environment planner has stated that the installation of non-timber windows in the Tarves Conservation Area conflicts with Policy HE2 Historic and cultural areas as the proposal would have a negative impact upon the character of the conservation area. This policy also requires that 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.
- 6.5 The Historic Environment Scotland guidance suggests that replacement windows should seek to match the original units as closely as possible in terms of design, construction and material finish. It is acknowledged that the windows to be replaced are not original and located on the rear elevation of the building but they will still be readily visible when passing the property on the Old Aberdeen Road. A proposal that would result in the loss of a traditional material and be odds with the general principle of conservation area status which is to 'preserve or enhance'.
- 6.6 The planning service are minded to agree entirely with this advice. It is acknowledged that the current windows are not original and that there are some garden trees which screen the back of the house from the lane however there the proposal would not preserve the character of the Tarves Conservation Area. The current windows are in reasonable repair at present. UPVC is not a natural or traditional material and the replacement of timber windows within the conservation area with UPVC is not considered acceptable in this instance. The windows are visible when viewed from the side lane and the building is located at the centre of the conservation area and adjacent to local services which are regularly used.

*Overall*

- 6.7 The use of UPVC windows is not considered appropriate at this site as it is not a traditional material and would be seen from a public lane near the centre of the conservation area. The change in the arrangement of window W7 is also unacceptable. It is considered that the development would negatively impact the character of the Tarves Conservation Area. The development is therefore not compliant with Policy P3 Infill and householder developments within settlements and Policy HE2 Protecting historic and cultural areas. 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

## **8. Implications and Risk**

- 8.1 An equality impact assessment is not required because the development is not considered to give rise to any differential impact on any of the 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 P3 Infill and householder developments within settlements (including home and work proposals)  
Policy HE2 Protecting historic and cultural areas

- 10.3 The application is a Departure from the valid Local Development Plan. The application has been advertised. 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**

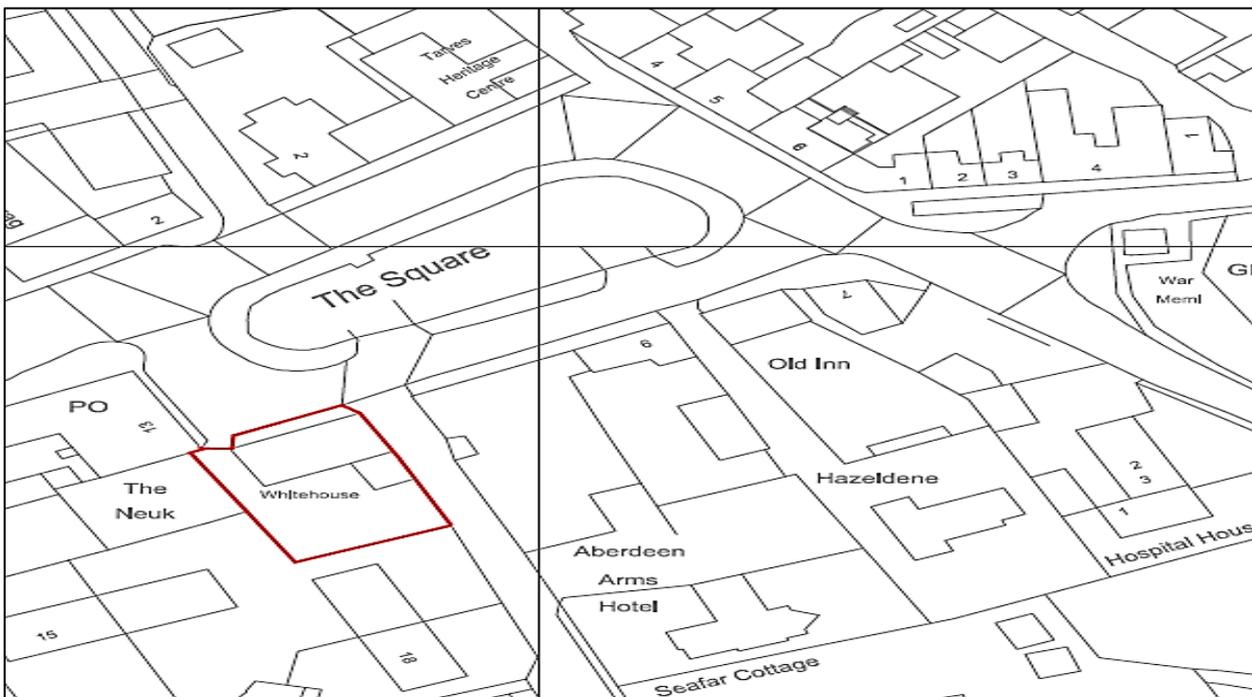
### **11.1 REFUSE for the following reason:-**

01. The development is not considered compliant with Policy P3 Infill and householder developments within settlements and Policy HE2 Protecting historic and cultural areas of the Aberdeenshire Local Development Plan 2017 in that the use of UPVC windows is not considered appropriate at this site as it is not a traditional material and would be seen from a public lane near the centre of the conservation area. The change in the arrangement of window W7 is also unacceptable. It is considered that the development would negatively impact the character of Tarves Conservation Area.

Stephen Archer  
Director of Infrastructure Services  
Author of Report: John Todd  
Report Date: 27 April 2018

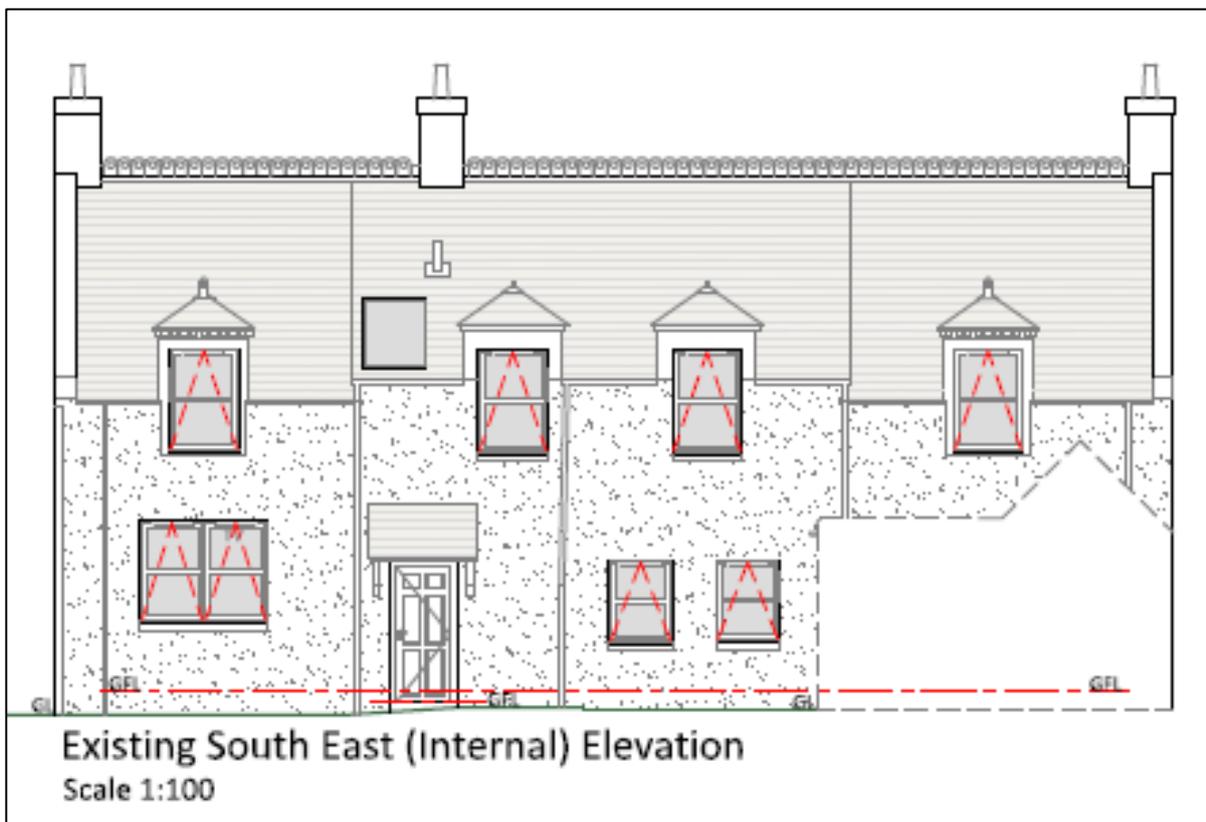
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Appendix 1  
Location & Site Plan



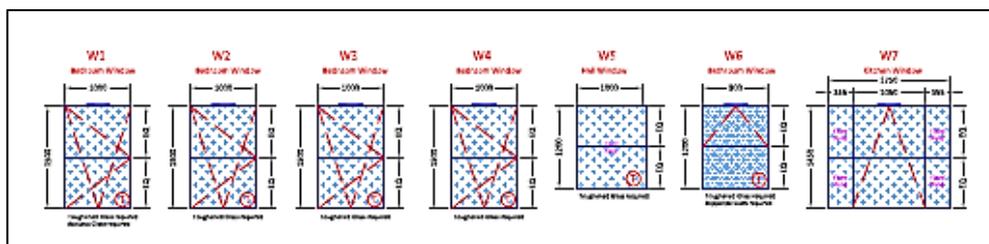
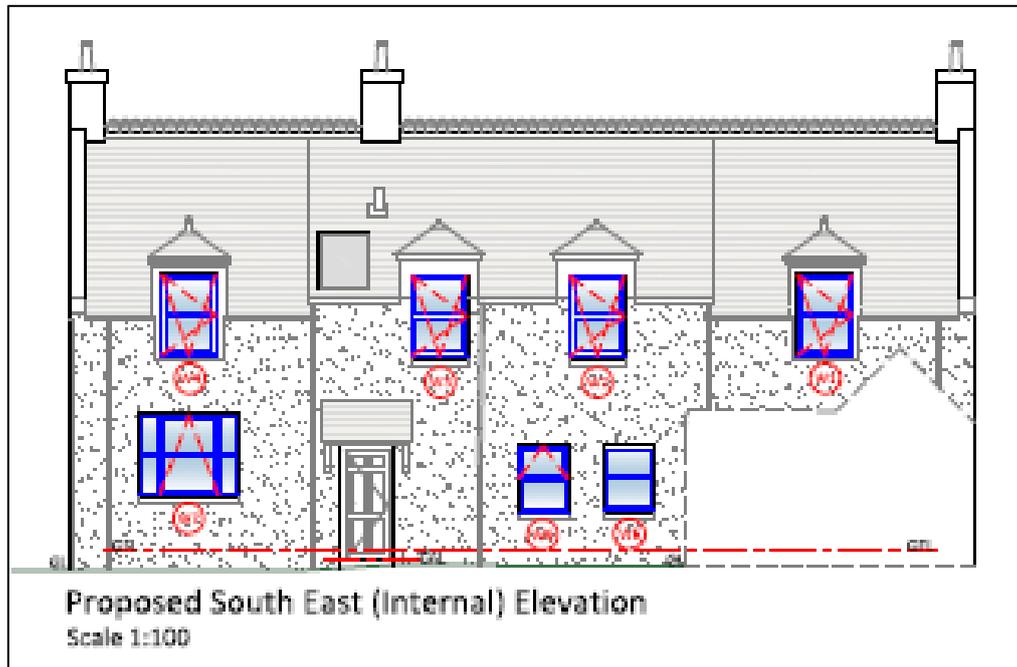
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Appendix 2  
Existing Windows on Rear Elevation



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Appendix 3  
Proposed Windows on Rear Elevation



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Appendix 4  
Tarves Community Council Response

## Tarves Community Council

Community Council Postbox  
Tarves Post Office  
The Square  
Tarves  
AB41 7GX  
2<sup>nd</sup> April 2018

Aberdeenshire Council  
P. & B. S. Formartine Area  
45 Bridge Street  
Ellon.

Dear Sir/Madam

**APP/2018/0567 Installation of Replacement Windows at the Whitehouse, 11, the Square, Tarves.**

Members discussed this application and resolved to object to the proposal for the following reasons.

W7 in drawing number 201

The proposed design for window number 7 is inappropriate for Tarves Conservation Area (CA) in that it is not characteristic. The existing window has in effect a mullion type central division, which gives the effect of two windows and creates vertical emphasis; - a characteristic of Tarves CA, The proposed unit fails to do this.

The use of UPVC windows in Tarves CA has been queried; however, we are aware that the Planning service has previously supported these in the CA.

Yours on behalf of the Community Council

Robert P. Davidson

Chairman.