

THE HIGHLAND COUNCIL

**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE – 23 OCTOBER 2007**

Agenda Item	4.1
Report No	24/07

07/00823/LBCRC

Report by Area Planning and Building Standards Manager

SUMMARY

The Listed Building proposal is being made retrospectively for the installation of replacement windows to a house at 17 High Street, Alness.

The recommendation is to REFUSE Listed Building Consent.

Applicant: Mrs Kathleen Lohse

Ward No: 7 – Cromarty Firth

1. PROPOSAL

- 1.1 The retrospective application comprises the installation of five white PVCu tilt and turn windows on the front elevation of the house at 17 High Street, Alness. The applicant's property forms part of an early nineteenth century three bay building which has its frontage hard onto the footpath at the western end of Alness High Street. The property has been divided between numbers 15 and 17 and the windows which have been replaced comprise the bipartite windows on the ground floor to the right of the door, the window in the right hand bay at first floor level, together with the two dormers in the attic. The remaining three windows on the front elevation remain traditional timber sliding sash and case as they now form part of another property in separate ownership.

2. PLANNING HISTORY

- 2.1 There are no previous Planning or Listed Building applications relating to this site.

3. PUBLIC PARTICIPATION

- 3.1 The application was advertised for a 21 day period expiring on 31 August. No representations have been received.

4. CONSULTATIONS

Director of Planning & Development (Conservation Architect) – the following advice is given:-

- The criteria for considering late applications for Listed Building Consent should be no less vigorous than the criteria for assessing a standard application for Listed Building Consent. If the works are not of a suitable type of standard, consent should be refused and, if appropriate, enforcement action taken - Section 40 of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997.
- 17 High Street, Alness has been Listed at Category C(S) since 31 August 1983, where it is described as being dated at 1825 and containing timber sliding sash and case windows with four pane glazing in its three bay frontage.
- The property has been divided between No 15 and No 17 High Street, whereby the applicant's property comprises the centre door, the bipartite windows on the ground floor to the right of the door, the window on the right hand bay above and the two attic dormers. As a consequence only these windows have been involved in the alterations and therefore affected directly by the works.
- The applicant contends that the replacement windows in white PVCu tilt and turn maintain the look of the unaffected timber sliding sash and case windows in the remainder of the three bay listed property. Beyond the reference to white, the windows differ significantly in their material, profile and method of opening sufficiently to affect the character and appearance of the Listed Building adversely.
- The windows which have been installed are unacceptable substitutes being in PVCu, double glazed with their heavier un-moulded sections, dummy astragals and tilt and turn operation. They lack the refinement and elegance of traditional sliding sash and case single glazed timber windows.

5. POLICY

5.1 The following policies are relevant to the assessment of the proposal

Highland Structure Plan

- *Policy G2: Design for Sustainability*
- *Policy G6: Conservation and Promotion of the Highland Heritage*
- *Policy BC5: Listed Buildings and Conservation Areas*

Ross and Cromarty East Local Plan

- *Policy GSP1: Design and Sustainable Construction*
- Alness Settlement C1 – Town Centre

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP), National Planning Policy Guidelines (NPPG), and Planning Advice Notes (PAN).

- SPP1 The Planning System
- NPPG 18 Planning and the Historic Environment

6. PLANNING APPRAISAL

- 6.1 **Determining issues** – Section 59 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that where considering proposals for development which affect a Listed Building or its setting, the Planning Authority shall have special regard to the desirability of preserving the building or its setting or any special features of special architectural or historic interest which it possesses.
- 6.2 The proposal requires to be assessed against the appropriate policies of the Development Plan, supplementary guidance and National Planning Policy and Guidelines as referred to in the Policy section. In particular, the proposal requires detailed assessment of the following fundamental issues:
- whether the principle of development is appropriate in terms of policy
 - the impact on the amenity of the area and residents
- 6.3 **Policy** – National, Strategic and Local Plan Policies seek to protect the integrity of Listed Buildings. This includes the fenestration. Where replacement is required, the original features should be replicated. Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas (1998) offers the following general principles which should be adhered to in this regard:
- As a general rule, original doors and windows should be retained. Only where repair is clearly out of the question should replacement be accepted and then only on condition that the replacements match the originals in every respect.
 - The original proportions of door and window openings must always be retained. If they are changed the architectural integrity of the building will be severely compromised.
 - Where replacement is unavoidable, modern substitutes for timber sash windows should be very firmly discouraged, especially those which do not replicate the outward projection of the upper sash over the lower. Top-hung mock sash and case windows may look reasonably satisfactory when closed, but they are as disruptive of the original character as any other substitute when open.
 - Great care should be taken to ensure that replacement sash and case windows match the originals in every respect. They should be fitted in the same plane, be made up from timber sections of the same profile and dimensions, and have the meeting rails in the same position. This is especially important where the windows of only one property in a tenement or terrace block are being replaced.
 - Where a traditional timber sash and case window has to be replaced, it is not sufficient that the new unit opens in the same way. The replacement must match the original unit exactly in all respects. This is particularly important where the window is in a principal elevation.

- Most replacement units, whether manufactured from timber or from other materials such as PVCu, are built up from heavy unmoulded sections. Where astragals are present, they are usually too thick and the wrong profile. Such units inevitably lack the refinement and elegance of the traditional sash and case. They are consequently not convincing substitutes and should be avoided. Replacement windows which open in a different manner are never visually satisfactory and should be avoided.

6.4 It is therefore submitted that the retrospective proposal to replace the timber sash and case units with tilt and turn units in PVCu do not comply with policy nor guidance from Historic Scotland.

7. CONCLUSION

7.1 The issue in this case is whether or not the replacement windows which have been installed detract from the integrity and appearance of the listed building and the streetscape in which it is located. As noted above, the alterations have been carried out to the principal façade of the building located immediately to the rear of the footpath in the heart of Alness town centre. The Council's policies and Historic Scotland's guidance make it clear that the type of windows which have been installed should not be permitted. The replacement windows lack the elegance of traditional sash and case and are visually unsatisfactory, especially in their method of opening and their PVCu construction. This is particularly the case on a principal elevation of a prominent building where only some of the windows are affected.

7.2 In support of the application, the applicant states that she was advised in 2000 by the Highland Council, when she was contemplating replacing the windows, that the property was not listed. The Council has no record of such exchange and the applicant has not produced any evidence to the contrary or been specific to the date of the enquiry or the Service of the Council the enquiry was directed to. The applicant also advised that she checked the Historic Scotland website, however a current search of the website reveals quite clearly that the property is listed category C (S) and has been since 31 August 1983.

7.3 Accordingly, it is considered that to approve this late application would not only condone the installation of inappropriate PVCu windows generally but also undermine approved national and Council policy designed to protect the built environment and specifically listed buildings within the Council area.

RECOMMENDATION

Refuse listed building consent for the following reasons:

1. The replacement windows are inappropriate in their material and method of opening and are therefore detrimental to the character and integrity of this category C(S) listed building and to the overall streetscape in which it is located.

2. The proposal is contrary to Structure Plan Policies G2, G6 and BC5 and associated adopted Ross and Cromarty East Local Plan Policy GSP1 in that it does not demonstrate high quality design and use of appropriate materials in respect of the built environment.
3. The proposal is contrary to the advice offered by Historic Scotland in its Memorandum of Guidance on Listed Buildings and Conservation Areas (1998) with specific regard to Appendix 1 Section 1.2.0 Openings:doors and windows, particularly 1.2.1 General principles; 1.2.4 Timber sash windows; and 1.2.11 Modern forms of window and glazing.

If Members accept the recommendation to refuse the application then it is recommended that enforcement action is pursued to secure the removal of the unauthorised windows and their reinstatement with appropriate substitutes to match those which previously existed.

Alan J. Todd

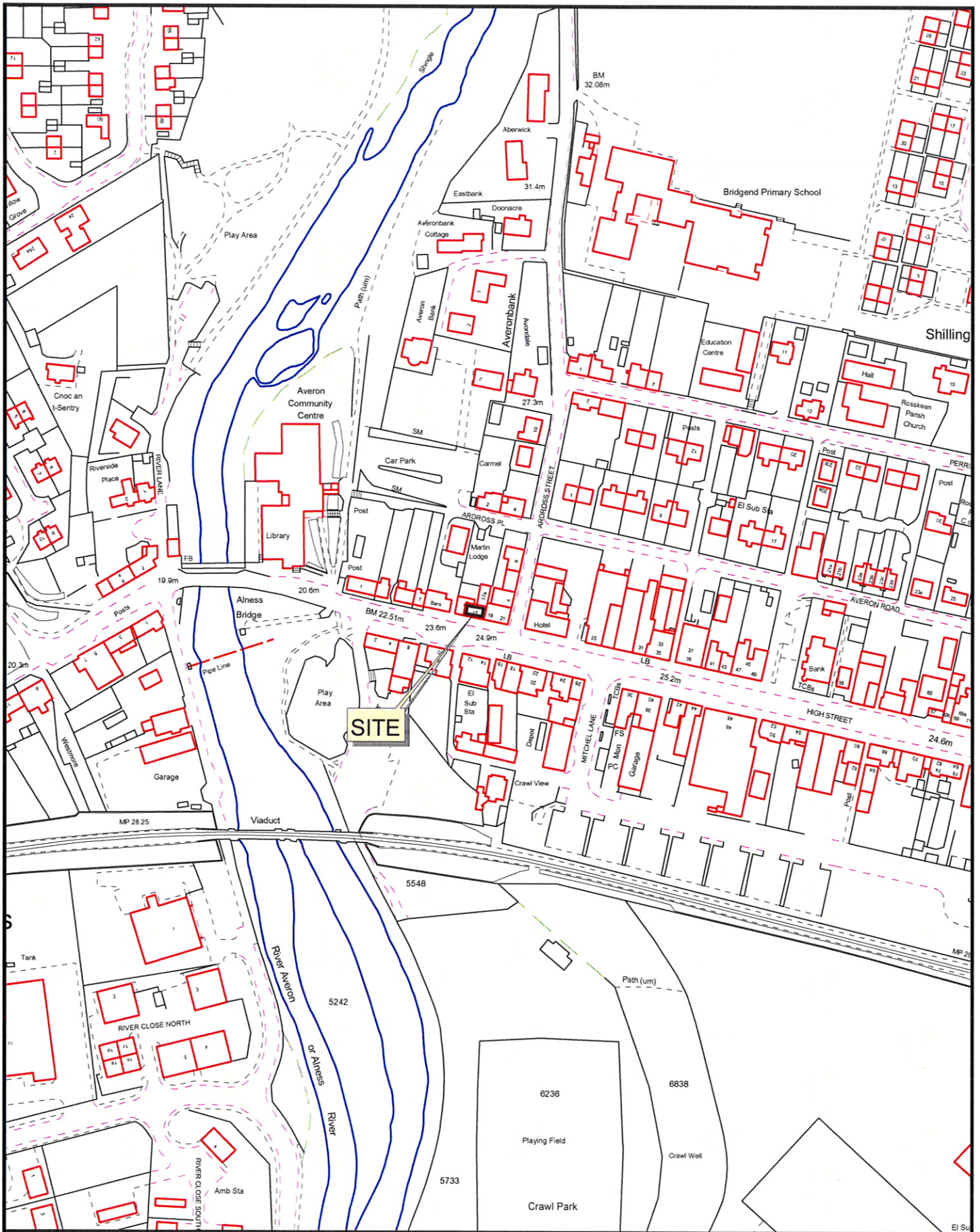
Signature: 

Designation: Area Planning & Building Standards Manager

Author: Dorothy Stott (01349) 864991

Background Papers: As referred to in the report above and case file reference number 07/00823/LBCRC

Date: 4 October 2007



17 High Street, Aleson

07/00823/LBCRC

Centre coordinates: 265588mE 869615mN

SUPPLIED BY THE HIGHLAND COUNCIL



Scale
1:2500

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