

Appeal Decision Notice

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Decision by J Alasdair Edwards, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-270-2104
- Site address: 7 Campbell Street, Thurso, KW14 7HA
- Appeal by Mrs Karen Bell against the decision by The Highland Council
- Application for planning permission 12/04062/FUL dated 21 October 2012 refused by notice dated 22 January 2014
- The development proposed: replace windows on front and rear elevation with double glazed sash and case lookalike windows
- Date of site visit by Reporter: 6 June 2014

Date of appeal decision: 4 July 2014

Decision

I dismiss the appeal and refuse planning permission.

Preliminary matters

(i) The appellant is in discussions with the planning authority about a modified window design (Blairs Box Sash and Case). However, my remit in determining this appeal is to address the acceptability of the proposal applied for and refused, not any subsequent modifications sought.

(ii) The appellant has also submitted a listed building consent appeal (LBA-270-2003). A decision on that appeal has been issued separately.

Reasoning

1. I am required by statute to determine this appeal in accordance with the development plan, unless material considerations indicate otherwise. I am also required to have special regard to the desirability of preserving the listed building or its setting and any features of historic or architectural interest which it possesses; and have special regard to the preservation or enhancement of the character or appearance of the conservation area.

2. The appeal property is B listed and is located within the Thurso Conservation Area. The development plan in this area comprises the Caithness Local Plan (as continued in force, 2012), the Highland-Wide Local Development Plan (2012), and relevant



supplementary guidance. For the appeal proposal supplementary guidance on the Historic Environment Strategy (2013) is relevant.

3. Having regard to the provisions of the development plan, and the special considerations set out above, the main issues in this appeal are whether the proposal would:

- preserve the B listed building, its setting, or any features of historic or architectural interest which it possess
- preserve or enhance the character or appearance of Thurso Conservation Area.

4. The appeal property is located in a prominent position on the corner of Campbell Street and Cowie Lane. Built in 1836 the special features of the listed building include its position, and traditional building materials (render facing, cast iron pipework, wooden sash and case windows, a wooden front entrance door, slate roofing, and painted window sills and lintels).

5. It is proposed to replace all the windows in the appeal property with inward opening Nordan timber sash and case lookalike conservation area windows in a white finish. The proposal would replace five 4-pane sash and case windows on the principal Campbell Street elevation; two 4-pane sash and case windows and one single-pane casement window on the Cowie Lane elevation; and four 2-pane casement windows on the rear.

6. The appellant has provided sufficient evidence to suggest that the current windows are beyond repair. Therefore, the need to replace the windows is not in dispute. However, the detail of the replacements is of concern to the council.

7. Although designed for conservation areas it is clear from the Nordan specifications that the proposed replacement windows would not be like-for-like in every detail. The tilt and turn opening mechanism would be at odds with the vertical movement of the sash and case windows. Unlike the existing overlapping arrangement of the sash and case windows, the replacements would install a single unit design. The replacements would also have a single bar across the middle of the window alien to the current 4-pane sash and case arrangement. As stated in the council's non-statutory development advice note on replacement windows double glazing can occasionally be accommodated into C-listed buildings but is discouraged A and B listed buildings.

8. I recognise that the replacement of the casement windows with the Nordan windows would not significantly alter the current arrangement. However, as stated in the replacement window advice note, replacing windows provides an opportunity to better reflect the original style (and special interest) of the listed building. Therefore, I agree with the council that a window design that respects the listed building is appropriate.

9. Considering the above, I find that the design and opening mechanism of the Nordan replacement windows would not preserve a special feature of the listed building. The original features would not be replicated contrary to the provisions of Appendix VI of the Caithness Local Plan. The proposal would not be in keeping with the historic environment

contrary to policy 28 (sustainable design) of the Highland Wide Local Development Plan, and strategic aim 6 of the Historic Environment Strategy. The replacements would not make a positive contribution to the architectural and visual quality of the area contrary to local development plan policy 29 (design quality and place-making); or an acceptable impact on a heritage resource contrary to policy 57 (natural, built and cultural heritage) of that plan.

10. Thurso Conservation Area is characterised by historic buildings faced in traditional materials. There is some evidence of modern windows being installed but overall the conservation area retains an authentic and attractive historic environment. The design of the Nordan windows would appear incongruous with the surroundings, failing to conserve or enhance the character or appearance of the conservation area contrary to local development plan policies 28, 29 and 57.

11. I note that the appellant is concerned about safety (building escape), security (window breakages), human health (mould from condensation), and energy efficiency. However, in my experience (and as described in Historic Scotland's 'Managing Change in the Historic Environment – Windows' document) suitably designed, fitted and maintained sash and case timber windows can provide sufficient escape opportunities, security (e.g. hinge locks), ventilation, and energy conservation. In any event, I do not consider that any of these matters would be sufficient to outweigh the impact of the proposal on the listed building or conservation area.

12. I have considered all the matters raised but find that none lead me to conclude other than that the proposal is contrary to the development plan and that there are no material considerations which would justify a departure from the plan. The proposal would fail to preserve a special feature of the listed building, and would harm the character and appearance of the conservation area.

J Alasdair Edwards

Reporter