
8 January 2009

Reference Number: 08/00127/LIB
Applicants Name: Mr Howarth
Application Type: Listed Building Application
Application Description: Installation of 5 replacement windows
Location: Upper Flat, 45 Charlotte Street, Helensburgh

SUPPLEMENTARY REPORT NO.1

1.0 Members will recall that the application was continued from the meeting of the Area Committee in November to allow for further discussion between the applicant, the Council and Historic Scotland. These discussions are ongoing and a potential solution has not yet been reached.

2.0 Since the application was considered a letter of support has been received from Doreen and George Sneddon, Wadi Millig, East Abercromby Street, Helensburgh (letter dated 11 November 2008). In this letter they draw attention to uPVC windows installed in 41 Charlotte Street and the formation of a window at 43 Charlotte Street, initially without planning or listed building consent although retrospective permission was subsequently sought and granted. They also support the applicant's attempt to improve his property, conserve energy and cure a long standing damp penetration problems

3.0 **RECOMMENDATION**

Members should note the above details and that the application should be continued for further discussions with the applicant and Historic Scotland.

Angus J Gilmour
Head of Planning
8 January 2009

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Appendix

DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
HELENSBURGH & LOMOND

Ward Number - Ward 10
Date of Validity - 16 January 2008
Committee Date - 04 November 2008

Reference Number: 08/00127/LIB
Applicants Name: Mr. Howarth
Application Type: Listed Building Application
Application Description: Installation of 5 replacement windows
Location: Upper Flat, 45 Charlotte Street, Helensburgh

(A) THE APPLICATION

(i) Development Requiring Listed Building Consent

Installation of 5 no. timber casement replacement windows

(ii) Other specified operations.

None

(B) RECOMMENDATION

It is recommended that listed building consent be refused for the reasons noted overleaf.

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

The property is part of a larger William Leiper (with later additions) Category B Listed Building which is located within the settlement boundary of Helensburgh and the Upper Helensburgh Conservation Area as defined by both the adopted and Draft Local Plans. Structure Plan Policy STRAT DC9 notes that development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted. Adopted Local Plan Policy BE10 is also relevant to the determination of this application.

Policy BE10 requires that in relation to works affecting Listed Buildings, special attention is paid to design and sympathetic choice of materials. It is considered that the replacement windows are inappropriate in this instance and therefore the proposal is contrary to Policy BE10.

Within the emerging Argyll and Bute Modified Finalised Draft Local Plan Policies LP ENV 13(a) maintains a similar approach to the adopted plan and the proposal would also be contrary to this policy. The Council's Design Guidance sets out to ensure that any proposed development is suitable for its context, and states that replacement windows in listed buildings should match the originals in every respect. The proposal is therefore also contrary to Argyll & Bute Council's Design Guidance.

(ii) Representations:

None

(iii) Consideration of the Need for Non-Statutory or PAN 41 Hearing:

Not required.

(iv) Reasoned Justification for a Departure to the Provisions of the Development Plan.

Not applicable

(v) Is the Proposal a Schedule 1 or 2 EIA development:

No

(vi) Does the Council have an interest in the site:

No

(vii) Need and Reason for Notification to Scottish Ministers.

Not required

(viii) Has a sustainability Checklist Been Submitted:

No

Author: Sandra Davies
Reviewing Officer: Angus Gilmour

Date: 10 September 2008
Date: 23 September 2008

Angus J Gilmour
Head of Planning
23 September 2008

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

REASON(S) FOR REFUSAL RELATIVE TO APPLICATION: 08/00127/LIB

1. The proposal will result in the loss of timber casement windows, which contribute to the character and integrity of this listed property. On the west elevation the replacement windows will introduce timber margins, the dimensions of the panes do not follow the original and the existing internal ornate opening mechanism will be lost. On the north elevation the existing five mullioned windows have a uniformity which contributes to the architectural character of the building as a whole. Two of these five windows will have thicker margins and smaller panes. As a result the uniformity which exists at present will be lost on what is a prominent street elevation. Consequently, the inclusion of 5 inappropriate windows will detract and undermine the character, appearance and architectural quality of this traditional Category B listed building. The proposal is therefore contrary to Policy STRAT DC9 of the Argyll and Bute Structure Plan, Policy BE10 of the adopted Dumbarton District Wide Local Plan and Policy LP ENV13a of the Argyll and Bute Finalised Modified Draft Local Plan which presume against developments which state, inter alia, that "in relation to any works affecting listed buildings or their setting, special attention is paid to design and the sympathetic choice of materials in order that the building's character and setting is not eroded. Proposals for alterations or extension which unacceptably detract from the character of the Listed Building will be resisted."
2. The proposal will result in the loss of timber casement windows, which contribute to the character and integrity of this listed property. On the west elevation the replacement windows will have thicker margins and the dimensions of the panes do not follow the original. On the north elevation the existing five mullioned windows have a uniformity which contributes to the architectural character of the building as a whole. Two of the five windows will have thicker margins and smaller panes. Consequently, the inclusion of 5 inappropriate windows will detract and undermine the character, appearance and architectural quality of this traditional Category B listed building. The proposal is therefore contrary to the Memorandum of Guidance on Listed Buildings and Conservation Areas which states inter alia that "The damage which may be caused by the replacement of any window which is historically and architecturally correct with a modern unit to a different design or with a different method of opening is potentially immense. Any proposal that would result in a diminution of architectural quality, no matter how small, should be refused."

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 08/00127/LIB

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, the following Development Plan Policies are applicable.

STRAT DC9 – HISTORIC ENVIRONMENT AND DEVELOPMENT CONTROL

“Protection and enhancement of the historic environment is promoted. Development that damages or undermines the historic or architectural merit of the historic environment will be resisted; particularly if it would affect a listed building.”

Dumbarton District, District Wide Local Plan

Policy BE10

“The Council will ensure that in relation to any works affecting listed building or their setting, special attention is paid to design and the sympathetic choice of materials in order that the building’s character and setting is not eroded. Proposals for alterations or extensions which unacceptably detract from the character of the listed buildings will be resisted. “

Argyll and Bute Modified Draft Local Plan

Policy LP ENV 13 (a)

Development Impact on Listed Buildings.

“Development affecting a listed building or its setting shall preserve the building or its setting, and any features of special architectural or historic interest that it possesses.”

“All developments that affect listed buildings or their settings must be of a high quality and conform to Historic Scotland’s Memorandum of Guidance on Listed Buildings and Conservation Areas 1998.”

Argyll & Bute Council; Sustainable Design Guidance 3

“Listed buildings will need replacement windows which match the originals in every respect”

“Avoid mixing different ‘types’ (opening patterns and materials) of windows on the same property. Traditional windows, especially timber sliding sashes, generally help maintain the character of older buildings. Non-traditional materials, especially uPVC, cannot easily match traditional timber windows.”

The Memorandum of Guidance on Listed Buildings and Conservation Area

The damage which may be caused by the replacement of any window which is historically and architecturally correct with a modern unit is potentially immense. Any proposal that would result in a diminution of architectural quality, no matter how small, should be refused.

Note (i): The applicable elements of the above Policies have not been objected to or have no unresolved material planning issues and are therefore material planning considerations.

Note (ii): The Full Policies are available to view on the Council’s Web Site at www.argyll-bute.gov.uk

(ii) SITE HISTORY

08/00122/DET – Installation of replacement windows (pending consideration as part of October Committee agenda).

(iii) CONSULTATIONS

Historic Scotland (letter dated 25 March 2008) – This is a Category B listed building by William Leiper, one of Scotland's most important 19th century architects. The Arts and Crafts movement looked to the past for inspiration. Elements employed at number 45 such as large hall windows, tiled roofs and leaded windows are part of this historicising exercise. We therefore consider them to be important elements which ought to be retained where possible.

The proportions of what is proposed do not match the existing, nor do the materials. For example, it is proposed to replace window B with thicker margins and the dimensions of the panes do not follow the original. The proposed changes to the groupings of 5 windows (E and F) will lose the uniformity that is currently there since 2 of the 5 windows will have thicker margins and smaller panes. We recommend that other options be considered such as secondary glazing if internal fittings will allow and whether the windows can be adapted to allow individual panes to open inwards.

(iv) PUBLICITY AND REPRESENTATIONS

The application was advertised as Development in the Conservation Area, under regulation 5 Listed Building Consent and as a potential departure from Policy BE10 of the adopted Local Plan (overall closing date 22 February 2008). No letters of representation have been received.

(v) APPLICANT'S SUPPORTING STATEMENT

The integrity of the lead in the windows has deteriorated allowing ingress of wind and rain during recent inclement weather. Because of their location no sunlight reaches any of the windows and as a result the house is cold even in summer. Heating costs are high and environmentally unsound. Secondary double glazing would exacerbate access problems and given the internal structure of the opening mechanisms would be impossible to fit.

We appreciate the need for matching any replacements with the originals as far as possible. Our deliberations determined that Everest offered the closest match. We are sure the proposed replacement windows offer an accurate reflection of the original structure and do not diminish the overall appearance of the building.

The advice given by the planners is that consideration has to be given to see if the existing windows can be repaired. Everest has advised that precedent has already been set in the Helensburgh area where owners of listed buildings have been granted permission to replace old with new windows.

APPENDIX B – RELATIVE TO APPLICATION NUMBER: 08/00127/LIB

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The application site is part of a larger Category B Listed Building by William Leiper which is located within the settlement boundary of Helensburgh in the Upper Helensburgh Conservation Area.

B. Location, Nature and Design of Proposed Development

Planning permission is sought to replace 5 timber casement windows which have leaded astragals. The property comprises the upper conversion of a larger 2 storey asymmetrical Arts and Crafts L-plan villa located within the conservation area.

In this case the proposed replacement windows are inappropriate units which will undermine the character of the building. Although it is proposed to replace 5 existing casement windows with new casement windows a number of changes are proposed which raise concerns. On the west elevation the replacement windows will introduce timber margins, the dimensions of the panes do not follow the original and the existing ornate opening mechanism will be lost. On the north elevation the existing five mullioned windows have a uniformity which contributes to the architectural character of the building as a whole. It is proposed to replace two of these five windows with windows which have thicker margins and smaller panes. As a result the uniformity which exists at present will be lost on what is a prominent street elevation. The appearance and character of any building depends to a great extent upon the design and detailing of the windows. Altering the appearance of the windows has a considerable impact upon the appearance and character of buildings. Consequently, the inclusion of 5 inappropriate windows of a different design and method of opening will detract and undermine the character, appearance and architectural quality of this traditional Category B listed building. The proposal would therefore be contrary to both the adopted and emerging Local Plans including the Council's Sustainable Design Guide.

C. Other Scottish Executive Advice

The proposal would go against Government Policy as set out in the Memorandum of Guidance on Listed Buildings and Conservation Areas and NPPG 18 – Planning and the Historic Environment. Government Policy is clear on the important contribution made by traditional windows to the overall character and quality of a building and stresses the need to retain them in situ wherever possible. It recommends that repair should always be considered before replacement, the latter only being acceptable when carried out on a like for like basis.

In particular, the Memorandum states, inter alia that "The damage which may be caused by the replacement of any window which is historically and architecturally correct with a modern unit made to a different design or with a different method of opening is potentially immense... Any proposal that would result in a diminution of architectural quality, no matter how small, should be refused."

D. Conclusion.

Altering the appearance of the windows has a considerable impact upon the appearance and character of buildings. In this case the proposed replacement windows are inappropriate units which will undermine the character of the building. For the reasons listed, the proposal is contrary to development plan policy, to the Council's Design Guidance, to the Memorandum of Guidance on Listed Buildings and Conservation Areas and is recommended for refusal.