



**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**

*Executive Director: Douglas Hendry*

*Kilmory, Lochgilphead, PA31 8RT*  
*Tel: 01546 602127 Fax: 01546 604435*  
*DX 599700 LOCHGILPHEAD*  
*7 November 2019*

**NOTICE OF MEETING**

A meeting of the **ARGYLL AND BUTE LOCAL REVIEW BODY** will be held in the **COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD** on **THURSDAY, 14 NOVEMBER 2019** at **9:30 AM**, which you are requested to attend.

Douglas Hendry  
Executive Director

**BUSINESS**

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST (IF ANY)**
- 3. CONSIDER NOTICE OF REVIEW REQUEST: 63 JOHN STREET, HELENSBURGH, G84 9JZ (REF: 19/0006/LRB)**
  - (a) Notice of Review and Supporting Documentation (Pages 3 - 44)
  - (b) Comments from Interested Parties (Pages 45 - 64)
  - (c) Comments from Applicant (Pages 65 - 74)

**ARGYLL AND BUTE LOCAL REVIEW BODY**

Councillor Rory Colville  
Councillor Alastair Redman

Councillor Robin Currie

Contact: Lynsey Innis, Senior Committee Assistant; Tel: 01546 604338

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Ref: AB1

ARGYLL AND BUTE COUNCIL  
[www.argyll-bute.gov.uk/\\*\\*](http://www.argyll-bute.gov.uk/**)

OFFICIAL USE  
04/10/19  
L. Innis.  
Date Received

NOTICE OF REVIEW

Notice of Request for Review under Section 43(a)8 of the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

**Important** – Please read the notes on how to complete this form and use Block Capitals. Further information is available on the Council's website.

You should, if you wish, seek advice from a Professional Advisor on how to complete this form.

(1) APPLICANT FOR REVIEW

(2) AGENT (if any)

Name **DR. NICHOLAS DUNN**  
and **DR. WILLIAN DUNN**  
Address **63 JOHN STREET**  
**HELENSBURGH**  
  
Post Code **G84 9JZ**  
Tel. No.   
Email

Name **CHRIS DOAK ARCHITECT**  
Address **5 SHAFTESBURY STREET**  
**ANDERSTON**  
**GLASGOW**  
Post Code **G3 8UN**  
Tel. No. **0141 248 4263**  
Email

(3) Do you wish correspondence to be sent to you  or your Agent

(4) (a) Reference Number of Planning Application

**18/02163/PP**

(b) Date of Submission

**27 September 2018**

(c) Date of Decision Notice (if applicable)

**9 July 2019**

(5) Address of Appeal Property

**(received 7 August 2019)**

**63 JOHN STREET**  
**HELENSBURGH**  
**G84 9JZ**

(6) Description of Proposal **REPLACEMENT OF TIMBER SASH AND CASEMENT WINDOWS (UNOPENABLE CONDITION) WITH UPVC P/G WINDOWS TO MATCH IN APPEARANCE, PROPORTION, AND OPENING METHOD. FORMATION OF PATIO DOORS AT REAR, AND FORMATION OF NEW WINDOW OPENING IN GABLE WALL. NOTE: NON-LISTED BUILDING WITHIN CONSERVATION AREA**

(7) Please set out detailed reasons for requesting the review:-

**SEE ATTACHED SHEET**

If insufficient space please continue on a separate page. Is this attached?

Please tick to confirm



(8) If the Local Review Body determines that it requires further information on "specified matters" please indicate which of the following procedure you would prefer to provide such information:-

- (a) Dealt with by written submission
- (b) Dealt with by Local Hearing
- (c) Dealt with by written submission and site inspection
- (d) Dealt with by local hearing and site inspection

*NB it is a matter solely for the Local Review Body to determine if further information is required and, if so, how it should be obtained.*

(9) Please list in the schedule all documentation submitted as part of the application for review ensuring that each document corresponds to the numbering in the sections below:-

Schedule of documents submitted with Notice of Review (Note if posting your paperwork 3 paper copies of each of the documents referred to in the schedule below must be attached):

No	Detail
1	APPLICATION FOR PLANNING PERMISSION FORM, DATED 27 SEPTEMBER 2018
2	REFUSAL OF PLANNING PERMISSION, DECISION NOTICE OF 9 JULY 2019
3	COPY OF THE APPLICATION DRAWINGS, STAMPED 'REFUSED'
4	PHOTOGRAPHS OF THE EXTERIOR OF 63 JOHN STREET
5	PHOTOGRAPH OF FRONT BAY WINDOW, SHOWING OVER-PAINTED ASTRAGALS AND FRAMING
6	COPY OF PLANNING PERMISSION DECISION NOTICE AND DRAWINGS FOR 59 JOHN STREET, DATED 24 SEPT. 2018
7	PHOTOGRAPHS OF TYPICAL UPVC SASH WINDOWS FROM THE MANUFACTURER'S WEBSITE.
8	PHOTOGRAPHS OF UPVC REPLACEMENT SASH WINDOWS IN A GROUND FLOOR FLAT, BROUGHAM STREET, GREENOCK
9	
10	

If insufficient space please continue on a separate page. Is this attached?  
Please tick to confirm

Submitted by  
(Please sign)

Dated

2 October 2019

**Important Notes for Guidance**

- (1) All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review
- (2) All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review **UNLESS** further information is required under Regulation 15 or by authority of the Hearing Session Rules.
- (3) Guidance on the procedures can be found on the Council's website -:  
<http://www.argyll-bute.gov.uk/planning-and-environment/local-review-body>
- (4) In in doubt how to proceed please contact 01546 604392/604269 or email:  
[localreviewprocess@argyll-bute.gov.uk](mailto:localreviewprocess@argyll-bute.gov.uk)
- (5) Once completed this form can be either emailed to  
[localreviewprocess@argyll-bute.gov.uk](mailto:localreviewprocess@argyll-bute.gov.uk) or returned by post to *Committee Services, (Local Review Body), Kilmory, Lochgilphead, Argyll, PA31 8RT*
- (6) You will receive an acknowledgement of this form, usually by electronic mail (if applicable), within 14 days of the receipt of your form and supporting documentation.

If you have any queries relating to the completion of this form please contact Committee Services on 01546 604392/604269 or email: [localreviewprocess@argyll-bute.gov.uk](mailto:localreviewprocess@argyll-bute.gov.uk)

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**For official use only**

Date form issued

Issued by (please sign)

(7) . DETAILED REASONS FOR REQUESTING THE REVIEW:

The Applicants, Dr Nicholas Dunn and Dr Gillian Dunn, are long-term residents of Helensburgh. With a large family, and in need of a bigger home with additional accommodation, they moved into 63 JOHN STREET, HELENSBURGH in 2017. In order to make the house look more visibly appealing to buyers, the previous owners had employed someone to paint the windows on both the outside and the inside. The painting was carried out in a rushed and irresponsible manner, and no attempt was made to ensure that the windows could be subsequently opened. The windows of the house are a mixture of timber sash and case, and timber casement. All are single glazed. The house is cold in winter, and warm and stuffy in summer, and difficult to safely clean at any time. Attempts to free the windows have revealed multiple areas of rot in the cills and frames, indicating that they cannot be economically repaired.

63 JOHN STREET is a Non-Listed Building within the Conservation Area, and many of its neighbours have replacement windows in UPVC - but not always aesthetically-pleasing, we concede. Dr and Dr Dunn take seriously their stewardship of a house within the Conservation Area, and they have extensively researched and identified companies who are able to manufacture exact replicas of their windows in maintenance-free UPVC, with the addition of the heat-saving benefits of double glazing.

The Application for Planning Permission was made on 27 September 2018, not only for the replacement of the windows, but also for formation of a new window opening in the north gable, and formation of patio doors linking the rear of the house to the garden. Three days before our Application, Argyll & Bute Council Granted Planning Permission at 59 JOHN STREET, HELENSBURGH for "the replacement of 7 no. timber, single-glazed windows to UPVC double-glazed, of the same style and appearance".

Throughout the long assessment period of the Application, we supplied the Case Officer with detailed manufacturer's technical information on the replacement windows, but Permission was Refused on 9 July 2019. For reasons unknown, the Council delayed sending out the Decision Notice for another four weeks.

Dr and Dr Dunn, and myself as Agent, are disappointed that the Council does not seem to be aware of the continuing development of window technology, manufacturing, and appearance, and that they were seemingly unsatisfied by the requested manufacturer's information that supplied to them. The Dunns intend to replace their windows with those from the Rehau Heritage Sash range, and these are widely recognized as the most authentic UPVC sash windows available. Rehau are able to replace timber traditional timber windows, so that they are virtually identical to the original style.

For the Reviewers' benefit, I enclose photographs showing examples of replacement sash windows from a manufacturer's website, where the Rehau range has been utilized. Additionally, for a more local example (albeit on the other side of the River), I enclose photographs of the replacement sash windows in a Ground Floor Flat at BROUGHAM STREET, GREENOCK - within the West End Conservation Area of the town.

Thirty windows at 63 JOHN STREET are stuck and unopenable, and to reinstate them with timber replacements would require a hefty financial outlay from the Applicants. Double glazed units installed in new timber sashes require bigger and more robust stiles and astragals, and a slimmer profile can often only be provided by UPVC frames - and at a considerably less cost.

I thank you for your Assessment of my clients' Application for Review.

CHRIS DOAK ARCHITECT

2 October 2019





# HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997  
 The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application  
**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title		Ref No.	
Forename	NICHOLAS + GILLIAN	Forename	
Surname	DUNN	Surname	
Company Name		Company Name	CHRIS DOAK ARCHITECT
Building No./Name	63	Building No./Name	5
Address Line 1	JOHN STREET	Address Line 1	SHAPTESBURY STREET
Address Line 2		Address Line 2	ANDERSTON
Town/City	HELENSBURGH	Town/City	GLASGOW
Postcode	G84 9JZ	Postcode	G3 8UN
Telephone		Telephone	0141 248 4263
Mobile		Mobile	
Fax		Fax	
Email		Email	

**3. Address or Location of Proposed Development (please include postcode)**

63 JOHN STREET  
 HELENSBURGH  
 G84 9JZ

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

**4. Describe the Proposed Works**

Please describe accurately the work proposed:

REPLACEMENT OF TIMBER SASH AND CASEMENT WINDOWS (UNOPENABLE CONDITION) WITH UPVC D/G WINDOWS TO MATCH IN APPEARANCE, PROPORTION, AND OPENING METHOD. FORMATION OF PATIO DOORS AT REAR, AND FORMATION OF NEW WINDOW OPENING IN GABLE WALL. NOTE: NON-LISTED BUILDING WITHIN CONSERVATION AREA

Have the works already been started or completed Yes  No

If yes, please state date of completion, or if not completed, the start date:

Date started:  Date completed:

If yes, please explain why work has already taken place in advance of making this application.

[Empty box for explanation]

**5. Pre-Application Discussion**

Have you received any advice from the planning authority in relation to this proposal? Yes  No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting  Telephone call  Letter  Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes  No

Please provide a description of the advice you were given and who you received the advice from:

Name:  Date:  Ref No.:

[Empty box for description of advice]

**6. Trees**

Are there any trees on or adjacent to the application site? Yes  No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

**7. Changes to Vehicle Access and Parking**

Are you proposing a new altered vehicle access to or from a public road? Yes  No

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes  No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

Approx. 10

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces)

Approx. 10

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

**8. Planning Service Employee/Elected Member Interest**

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes  No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes  No

If you have answered yes please provide details:

**DECLARATION**

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes  No  N/A

Signature:

Name:

**CHRIS DOAK ARCHT.**

Date:

**27 Sept 2018**

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.



REC. 7.8.19



38 East Clyde Street Helensburgh G84 7PG

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND) REGULATIONS 2013**

**REFUSAL OF PLANNING PERMISSION**

**REFERENCE NUMBER: 18/02163/PP**

**Nicholas And Gillian Dunn  
Chris Doak Architect  
5 Shaftesbury Street  
Anderston  
Glasgow  
G3 8UN**

I refer to your application dated 2nd October 2018 for planning permission in respect of the following development:

**Installation of replacement windows from timber sash and case to white uPVC double glazed sash and case windows to include formation of rear patio door, replacement door to side elevation and new window opening in gable wall (kitchen area)**

**AT:**

**63 John Street Helensburgh Argyll And Bute G84 9JZ**

Argyll and Bute Council in exercise of their powers under the above mentioned Act and Regulations hereby refuse planning permission for the above development for the **reasons(s) contained in the attached appendix.**

Dated: 9 July 2019

Fergus Murray  
Head of Development and Economic Growth

[www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)



**REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER: 18/02163/PP**

1. The windows proposed replacement windows will have non-traditional frames and surface mounted astragals, which by virtue of their inappropriate uPVC material will have an unacceptable impact upon the appearance and the architectural and historic interest of the conservation area. They would fail to preserve the character of the conservation area and are contrary to the policy position expressed in Scottish Planning Policy and Managing Change in the Historic Environment.

The council's Technical Working Note Argyll & Bute Windows specifically sets out which buildings can be classed as Prime Townscape Blocks. This building, by virtue of its high visibility within the conservation area, its largely unaltered windows and set between two traditional villas who have also retained their original windows is considered to be one. Within prime townscape blocks, only refurbishment/repair or like for like timber replacement will be permitted. The introduction of uPVC windows, although the same style and method of opening, lack the elegance and refinement of traditional timber windows and as such would appear visually intrusive, visually discordant and would detract from the character and appearance of the existing building and the wider conservation area.

The development is therefore contrary to LDP STRAT 1, LDP 3, LDP 9 of the Local Development Plan and SG LDP ENV 17 of the Supplementary Guidance which presumes against development which does not preserve or enhance the character or appearance of a the built environment, including Conservation Areas. The proposal is not consistent with the expectations of HES through their Managing Change in the Historic Environment guidance of the Councils Technical Working Note Argyll & Bute Windows April 2018.

2. For the purpose of clarity it is advised that this decision notice relates to the details specified on the application form dated 18/04/2018 and the refused drawing reference numbers;

- 1/16 - Location Plan and Site Plan. Drawing Number 01
- 2/16 - Front Elevation as Existing. Drawing Number 05, Rev B
- 3/16 - Rear Elevation as Existing. Drawing Number 07, Rev B
- 4/16 - Side Elevation as Existing. Drawing Number 06, Rev B
- 5/16 - Side Elevation as Existing. Drawing Number 08, Rev B
- 6/16 - Ground Floor Plan as Existing. Drawing Number 02, Rev B
- 7/16 - First Floor Plan as Existing. Drawing Number 03, Rev B
- 8/16 - Elevations and Dimensions of Windows Existing. Drawing Number 16
- 9/16 - Ground Floor Plan as Proposed. Drawing Number 09, Rev B
- 10/16 - First Floor Plan as Proposed. Drawing Number 10, Rev B
- 11/16 - Front Elevation as Proposed. Drawing Number 12, Rev B
- 12/16 - Side Elevation as Proposed. Drawing Number 13, Rev C
- 13/16 - Rear Elevation as Proposed. Drawing Number 14, Rev B
- 14/16 - Side Elevation as Proposed. Drawing Number 15, Rev B
- 15/16 - Elevations and Dimensions of Windows (Proposed) Drawing Number 17
- 16/16 - Details of Proposed Replacement Windows. Drawing Number 18

**NOTES TO APPLICANT (1) RELATIVE TO APPLICATION NUMBER 18/02163/PP**

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. A Notice of Review request must be submitted on an official form which can be obtained by contacting The Local Review Body, Committee Services, Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT or by email to [localreviewprocess@argyll-bute.gov.uk](mailto:localreviewprocess@argyll-bute.gov.uk)
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, and it cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the landowner's interest in the land, in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Appendix relative to application 18/02163/PP

- (A) Has the application been the subject of any "non-material" amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing?

N

- (B) The reason why planning permission has been refused.

The windows proposed replacement windows will have non-traditional frames and surface mounted astragals, which by virtue of their inappropriate uPVC material will have an unacceptable impact upon the appearance and the architectural and historic interest of the conservation area. They would fail to preserve the character of the conservation area and are contrary to the policy position expressed in Scottish Planning Policy and Managing Change in the Historic Environment.

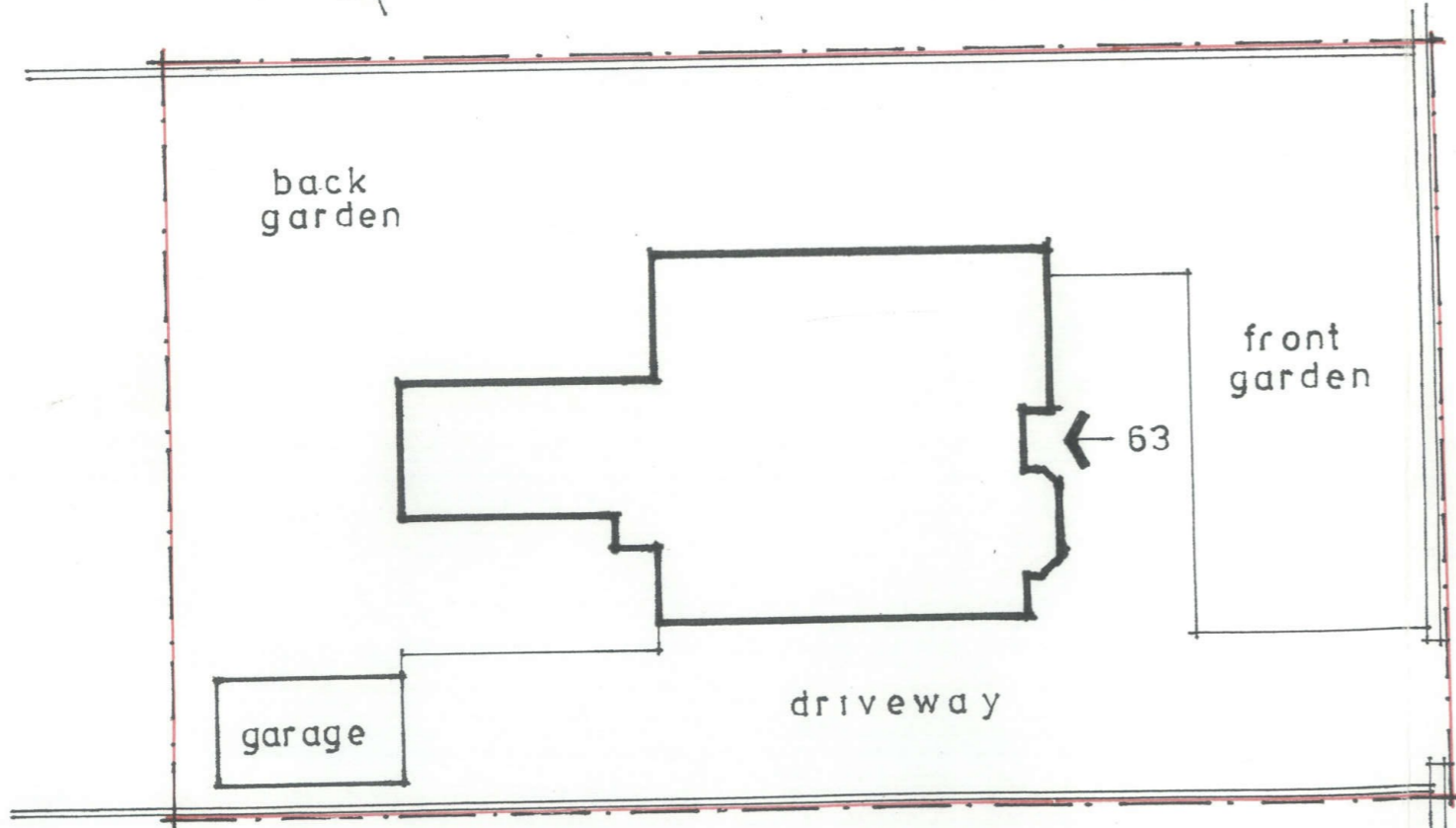
The council's Technical Working Note Argyll & Bute Windows specifically sets out which buildings can be classed as Prime Townscape Blocks. This building, by virtue of its high visibility within the conservation area, its largely unaltered windows and set between two traditional villas who have also retained their original windows is considered to be one. Within prime townscape blocks, only refurbishment/repair or like for like timber replacement will be permitted. The introduction of uPVC windows, although the same style and method of opening, lack the elegance and refinement of traditional timber windows and as such would appear visually intrusive, visually discordant and would detract from the character and appearance of the existing building and the wider conservation area.

The development is therefore contrary to LDP STRAT 1, LDP 3, LDP 9 of the Local Development Plan and SG LDP ENV 17 of the Supplementary Guidance which presumes against development which does not preserve or enhance the character or appearance of a the built environment, including Conservation Areas. The proposal is not consistent with the expectations of HES through their Managing Change in the Historic Environment guidance of the Councils Technical Working Note Argyll & Bute Windows April 2018.





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scale 1.200

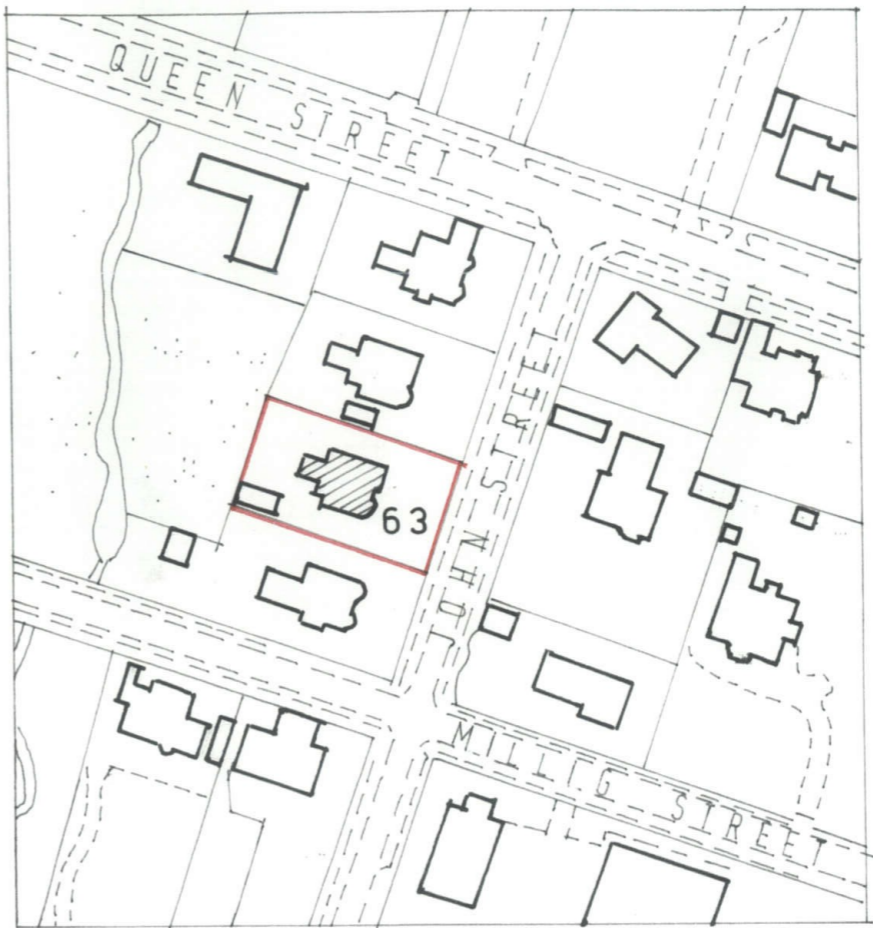


Site Plan

1.200



0 10 20 30 40 50  
scale - 1.1250



Location Plan

1.1250

ARGYLL AND BUTE COUNCIL

REFUSED by PLANNING AUTHORITY  
Relative to Application No: 18/02163/PP

Head of Development and Economic Growth  
Date: 9 JUL 2019

Argyll and Bute Council  
Planning and Regulatory  
Services  
Application ref no: 18/02163/PP  
received: 3/11/18  
11/6  
SS

DATE 27 Sept 18  
SCALE 1:1250  
ORG. NO. 01

JOB ALTERATIONS TO 63 JOHN STREET, HELENSBURGH

A3

DRAWING Location Plan and Site Plan

CHRIS DOAK  
Chartered architect

Christopher A. M. Doak, RIAS  
5 Shaftesbury Street,  
Anderston, Glasgow G3 8UN  
0141 248 4263  
doak.architect@yahoo.co.uk



REVISIONS  
 A. APP for PP 27 sept 2018  
 B. Window ref. nos. added 18 Oct 2018

Application ref no: 18/02163/PP  
 received: 2/11/18  
 2/16  
 55

DATE	5 Sept 18
SCALE	1.50
ORG. NO. rev	05 B

ALTERATIONS TO 63 JOHN STREET, HELENSBURGH

DRAWING

Front Elevation as Existing

63

ARGYLL AND BUTE COUNCIL  
 REFUSED by PLANNING AUTHORITY

relative to Application No: 18/02163/PP

Director of Development and Economic Growth

Date: 9 JUL 2019

Front Elevation  
 (Existing)

**CHRIS DOAK**  
 chartered architect

Christopher A. M. Doak, RIAS  
 5 Shaftesbury Street,  
 Anderston, Glasgow G3 8UN  
 0141 248 4263  
 doak.architect@yahoo.co.uk

Argyll and Bute Council  
 Planning and Regulatory  
 Services



REVISIONS  
 A. App. for PP 27 sept 2018  
 B. Window ref. nos. added 18 Oct 2018

ARGYLL AND BUTE COUNCIL  
 REFUSED by PLANNING AUTHORITY  
 Relative to Application No. 18/02163/PP

Head of Development and Economic Growth  
 Date: 9 JUL 2019

Argyll and Bute Council  
 Planning and Regulatory  
 Services  
 Application ref no: 18/02163/PP  
 received: 3/11/18  
 3/16  
 SS

Rear Elevation  
 (Existing)

DATE	3 Sept 18
SCALE	1:50
DRG. NO. rev.	07 B

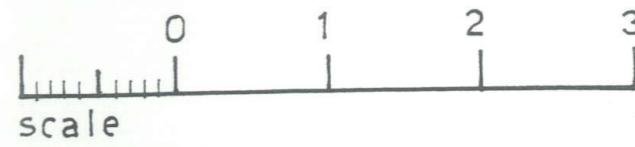
JOB ALTERATIONS TO 63 JOHN STREET  
 DRAWING

LENSBURGH

Rear Elevation as Existing

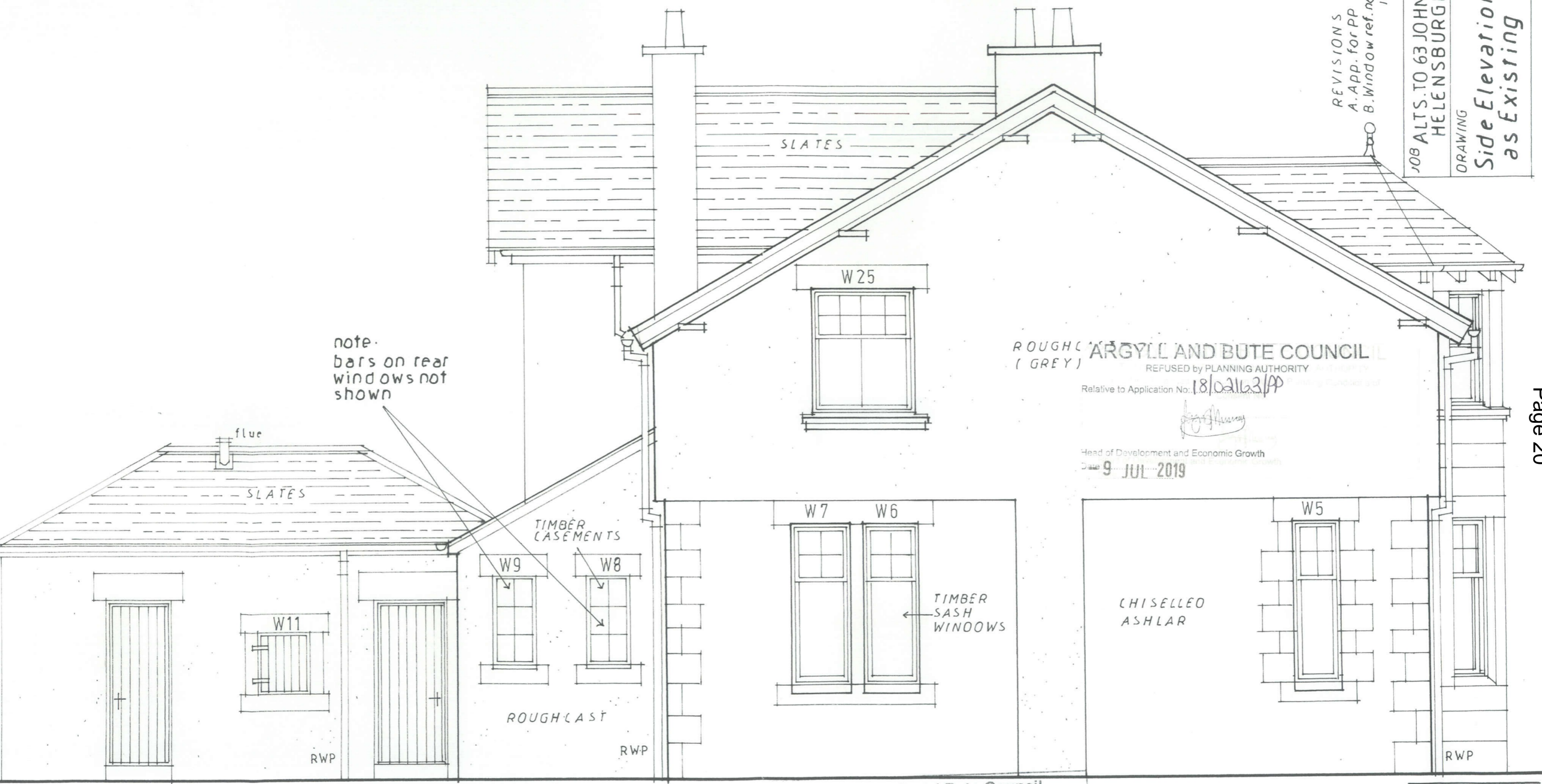
CHRIS DOAK  
 chartered architect

Christopher A. M. Doak, RIAS  
 5 Shaftesbury Street  
 Anderston, Glasgow G3 8UN  
 0141 248 4263  
 doak.architect@yahoo.co.uk



REVISIONS  
 A. App. for PP 27 Sept 2018  
 B. Window ref. nos. added. 18 Oct 2018

JOB	ALTS. TO 63 JOHN ST. HELENSBURGH	DATE	5 Sept 18	ORG. NO. rev	06 B
DRAWING	Side Elevation as Existing	SCALE	1:50		



ROUGHCAST ARGYLL AND BUTE COUNCIL  
 (GREY) REFUSED by PLANNING AUTHORITY

Relative to Application No: 18/02163/AP

Head of Development and Economic Growth  
 Date 9 JUL 2019

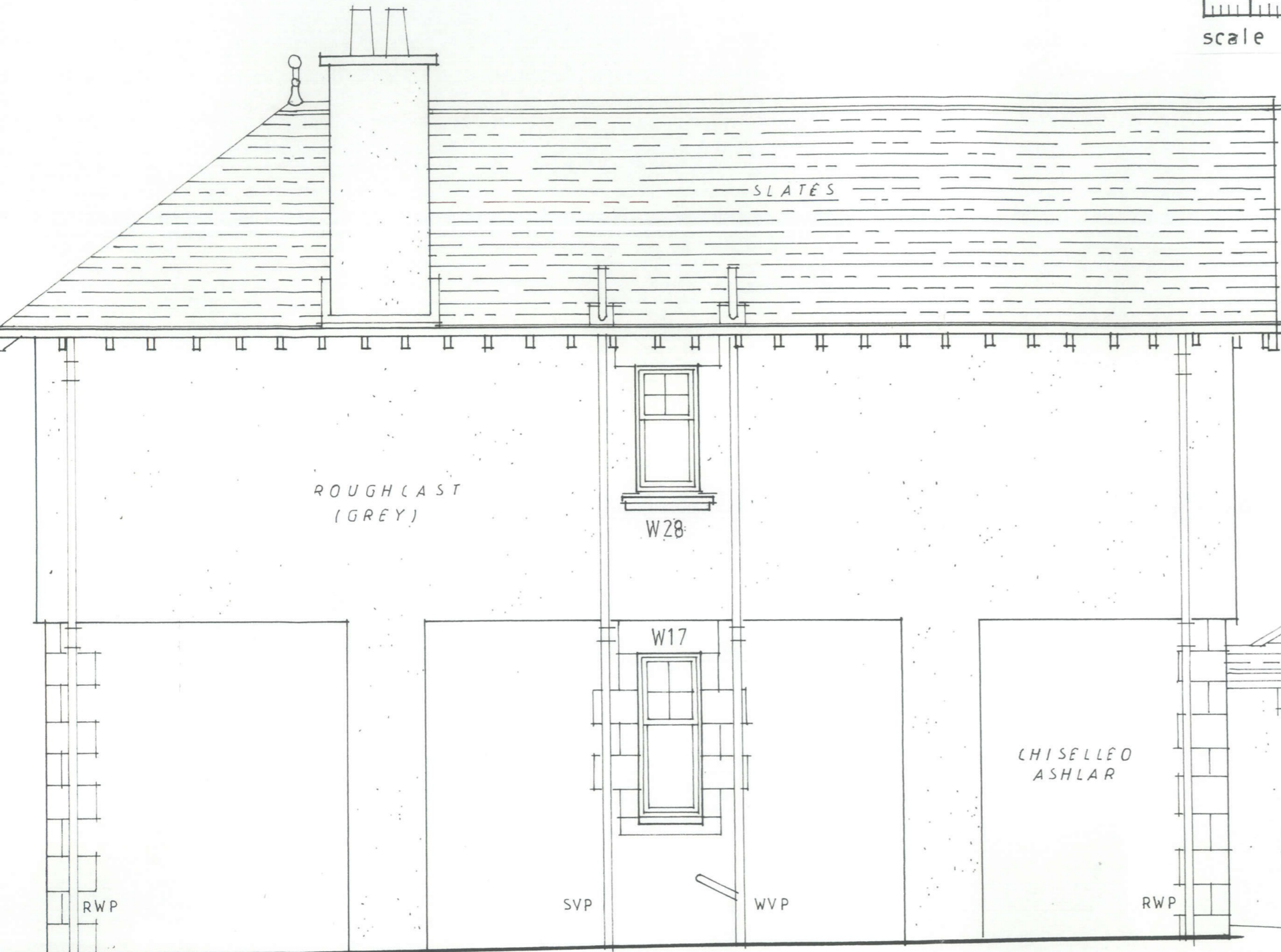
Page 20

Argyll and Bute Council  
 Planning and Regulatory  
 Services

Application ref no: 18/02163/AP Side Elevation  
 Date received: 3/11/18 (Existing)  
 Plan no: 4/16  
 P.O. initials: SS

**CHRIS DOAK**  
 chartered architect

Christopher A. M. Doak, RIAS  
 5 Shaftesbury Street,  
 Anderston, Glasgow G3 8UN  
 0141 248 4263  
 doak.architect@yahoo.co.uk



Argyll and Bute Council  
 Planning and Regulatory  
 Services

Application ref no: 18/02163/PP  
 Date received: 3/11/18

Plan no: 5/16  
 P.O. initials: SS

REVISIONS  
 A. App for PP 27 Sept 2018  
 B. Window ref. nos. added. 18 Oct.

DATE	3 Sept 18
SCALE	1:50
DRG. NO. REV.	08 B

JOB ALTERATIONS TO  
 63 JOHN STREET, HELENSBURGH

DRAWING  
 Side Elevation  
 as Existing

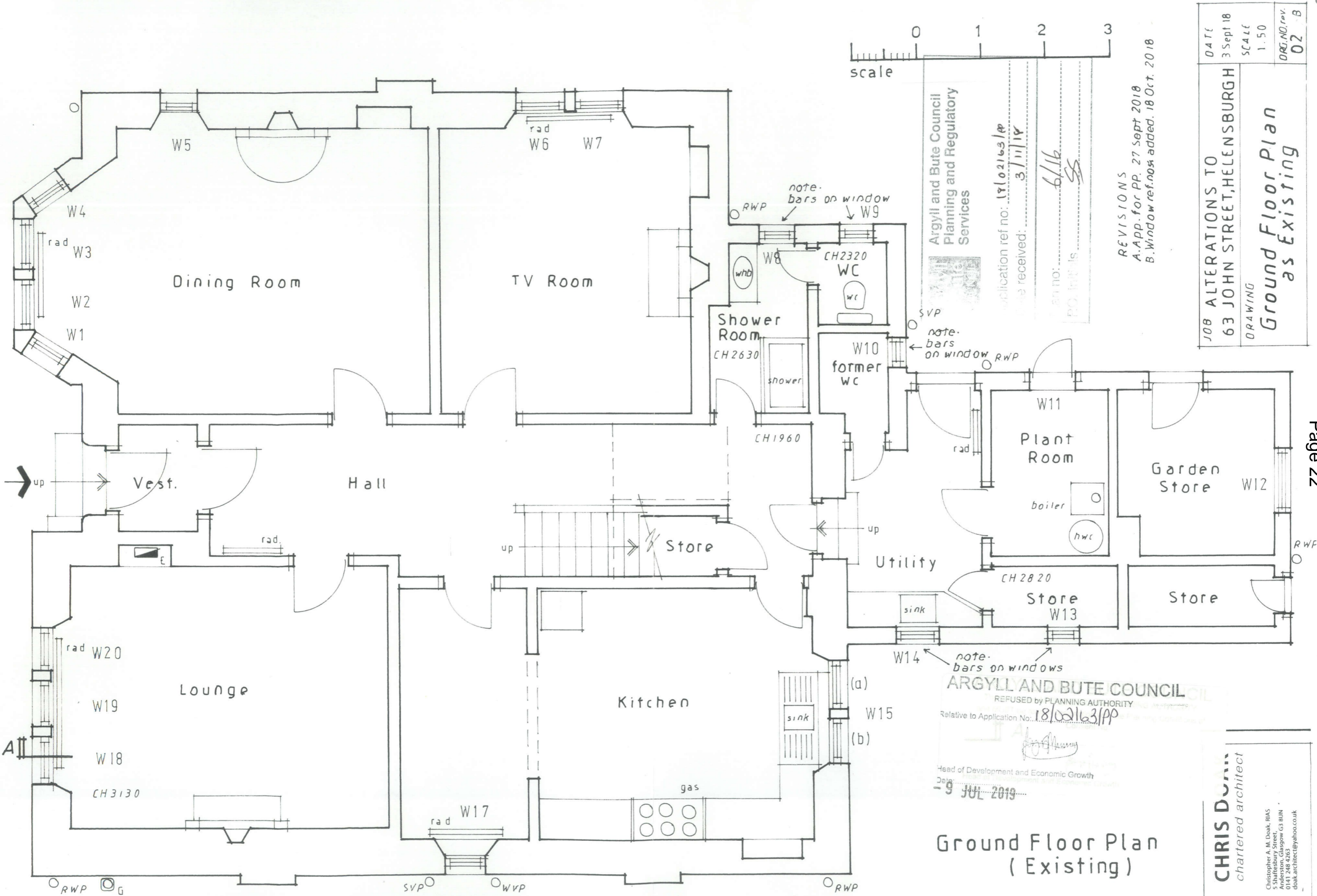
ARGYLL AND BUTE COUNCIL  
 This plan REFUSED by PLANNING AUTHORITY  
 and MUST be read in conjunction with the Conditions of  
 Refusal to Application No. 18/02163/PP

Head of Development and Economic Growth  
 Date: 9 JUL 2019

Side Elevation  
 (Existing)

CHRIS DOAK  
 chartered architect

Christopher A. M. Doak, RIAS  
 5 Shaftesbury Street,  
 Anderson, Glasgow G3 8UN  
 0141 2481205  
 doak.architect@yahoo.co.uk



Argyll and Bute Council  
 Planning and Regulatory  
 Services

Application ref no: 18/02163/AP  
 Date received: 3/11/18

Plan no: b/hk  
 PO initials: SS

REVISIONS  
 A. App. for pp. 27 Sept 2018  
 B. Window ref. no% added. 18 Oct. 2018

DATE	3 Sept 18
SCALE	1:50
DRAWING NO. REV.	02 - B
JOB ALTERATIONS TO 63 JOHN STREET, HELENSBURGH	
DRAWING Ground Floor Plan as Existing	

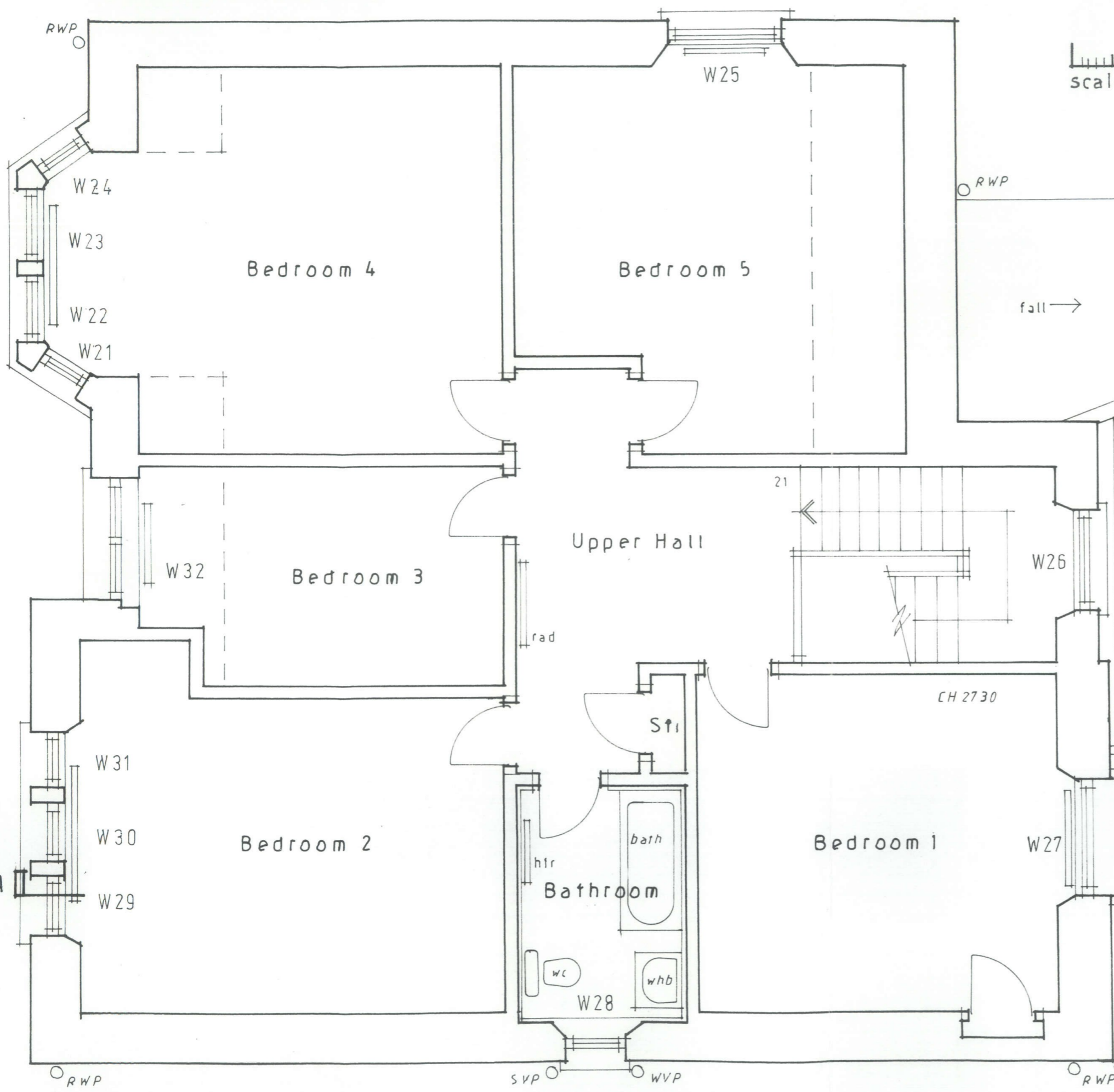
ARGYLL AND BUTE COUNCIL  
 REFUSED by PLANNING AUTHORITY  
 Relative to Application No. 18/02163/AP

Head of Development and Economic Growth  
 Date: 19 JUL 2019

Ground Floor Plan  
 (Existing)

**CHRIS DOAK**  
 chartered architect

Christopher A. Doak, RIAS  
 5 Shaftesbury Street,  
 Anderston, Glasgow G3 8JN  
 0141 248 4263  
 doak.architect@yahoo.co.uk



Argyll and Bute Council  
Planning and Regulatory  
Services

Application ref no: 18/02163/PP  
Date received: 3/11/18  
Plan no: 7/16  
P.O. Initials: SS

REVISIONS  
A. App for PP. 27 Sept 2018  
B. Window ref. nos. added 18 Oct 2018

DATE	3 Sept 18
SCALE	1:50
DRG. No. rev.	03 B

JOB ALTERATIONS TO  
63 JOHN STREET, HELENSBURGH

DRAWING  
**First Floor Plan**  
as Existing

ARGYLL AND BUTE COUNCIL  
REFUSED by PLANNING AUTHORITY

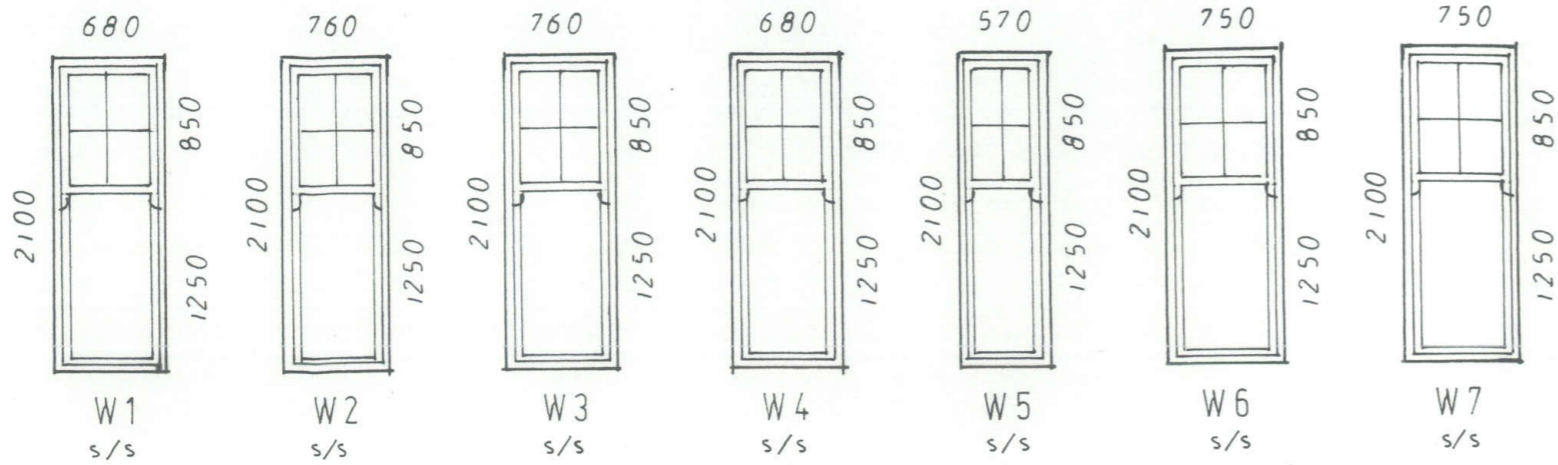
Relative to Application No. 18/02163/PP

Head of Development and Economic Growth  
9 JUL 2019

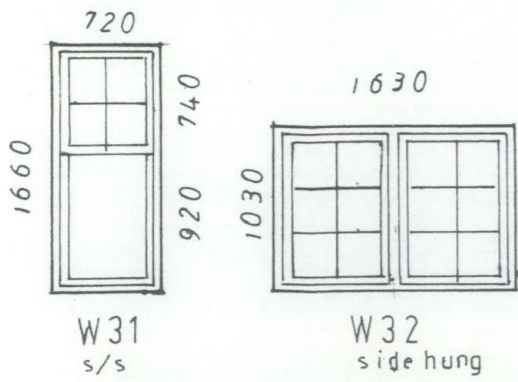
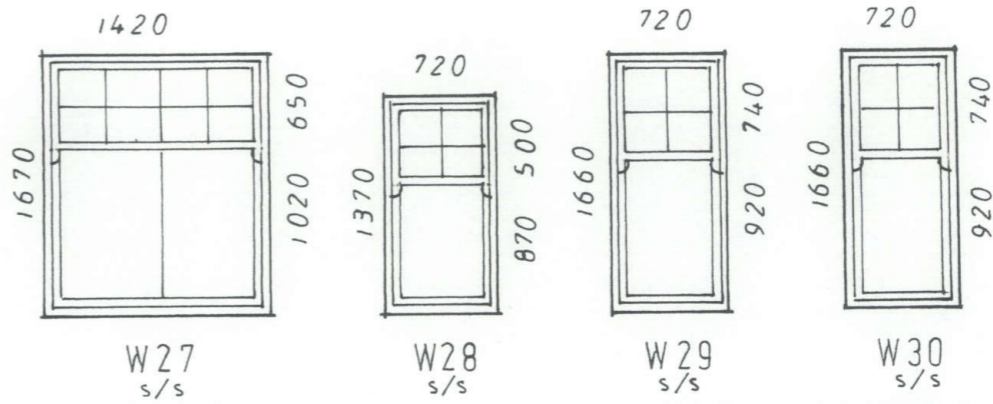
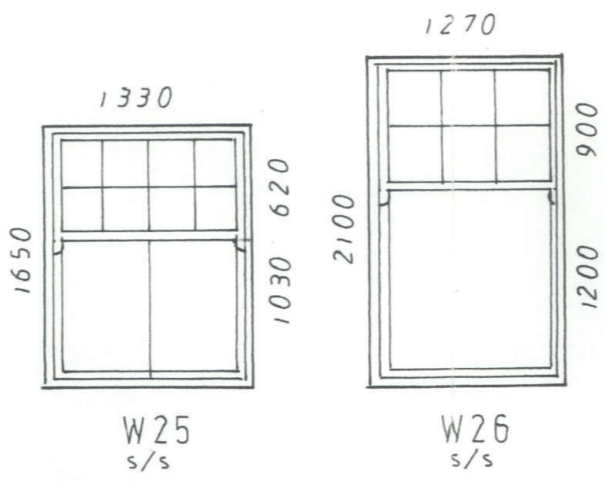
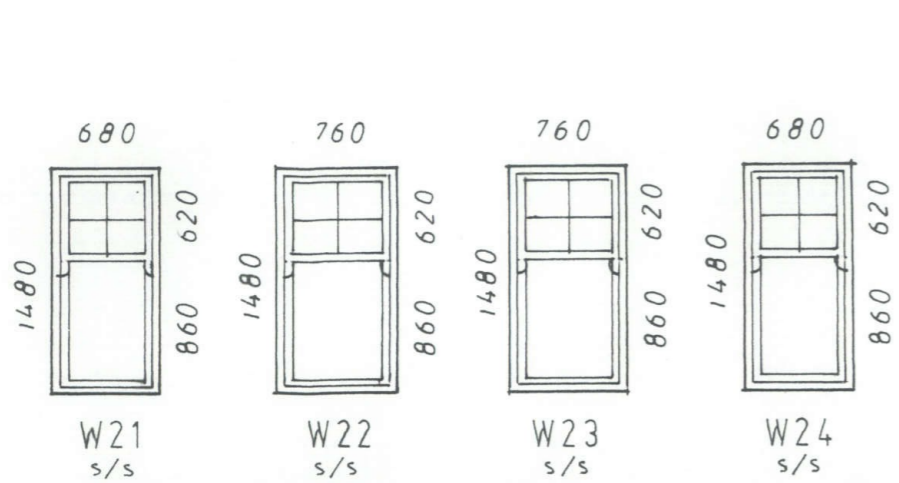
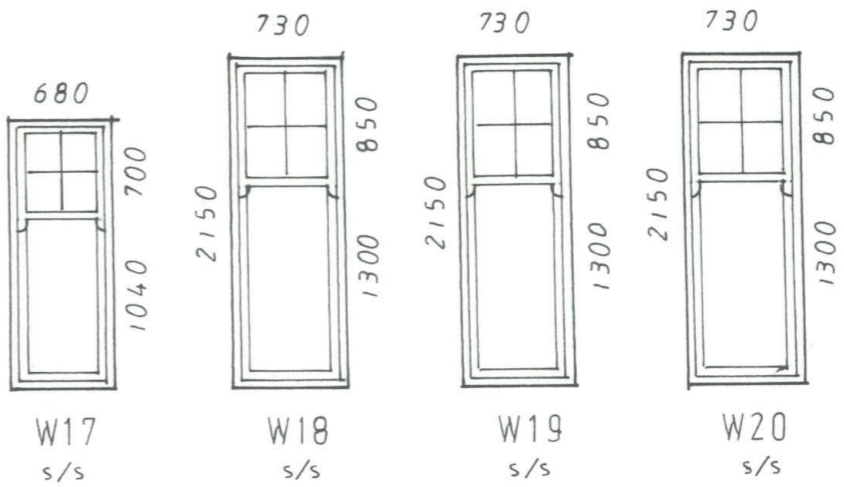
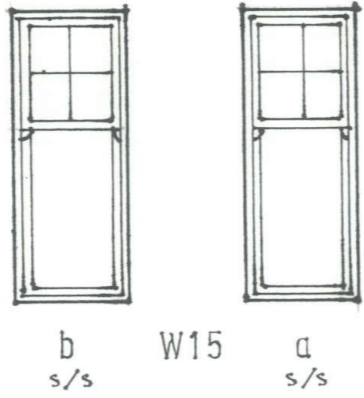
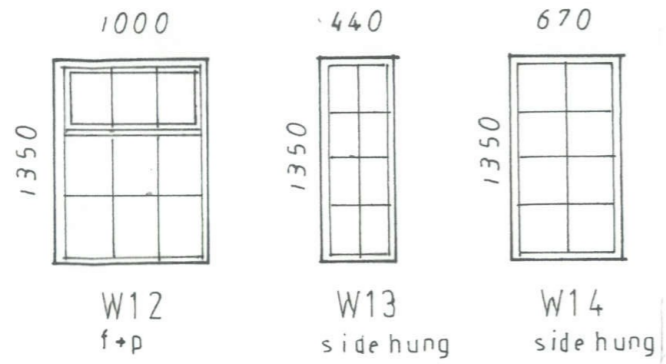
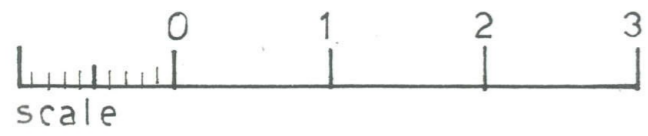
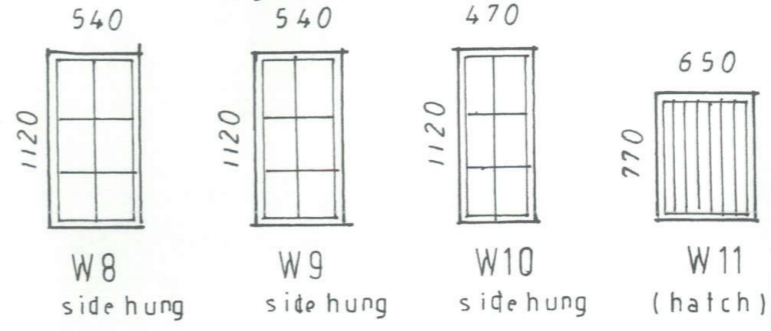
First Floor Plan  
(Existing)

**CHRIS DOAK**  
Chartered architect

Christopher A. M. Doak, RIAS  
5 Ardrosson Street  
Ardrosson, Glasgow G3 8JN  
0141 248 4263  
doak.architect@yahoo.co.uk



**legend**  
 s/s = sliding sash  
 sideh = side hung  
 f+p = fixed, with pivot hopper  
 NOTE:  
 astragals are shown by a single line



**note**  
 all existing windows are timber, single-glazed and painted white.  
 all top sashes have a horn

Argyll and Bute Council  
 Planning and Regulatory Services

Application ref no: 18/02163/PP  
 Date received: 3/11/18

DATE: 18 Oct 2018  
 SCALE: 1:50  
 ORG. NO. rev: 16

ALTERATIONS TO 63 JOHN STREET, HELENSBURGH

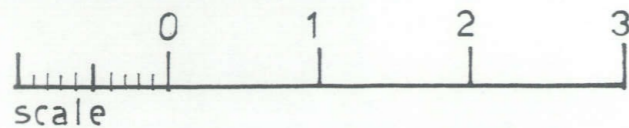
**Elevations and Dimensions of Windows (Existing)**

CHRIS DOAK  
 chartered architect

**ARGYLL AND BUTE COUNCIL**  
 REFUSED BY PLANNING AUTHORITY  
 Relative to Application No: 18/02163/PP  
 Date: 9 JUL 2019

**WINDOW ELEVATIONS (EXISTING)**





\* note.  
all the existing timber sliding sash and casement windows are to be replaced with white upvc, double-glazed, sliding sash windows to match existing in appearance and proportion

VISIONS  
APP for PP. 27 Sept 2018  
window ref. numbers added. 8 Oct 2016

JOB ALTERATIONS TO 63 JOHN STREET, HELENSBURGH DRAWING	DATE	04 Feb
	SCALE	1:50
	DRG. NO. REV.	09 B

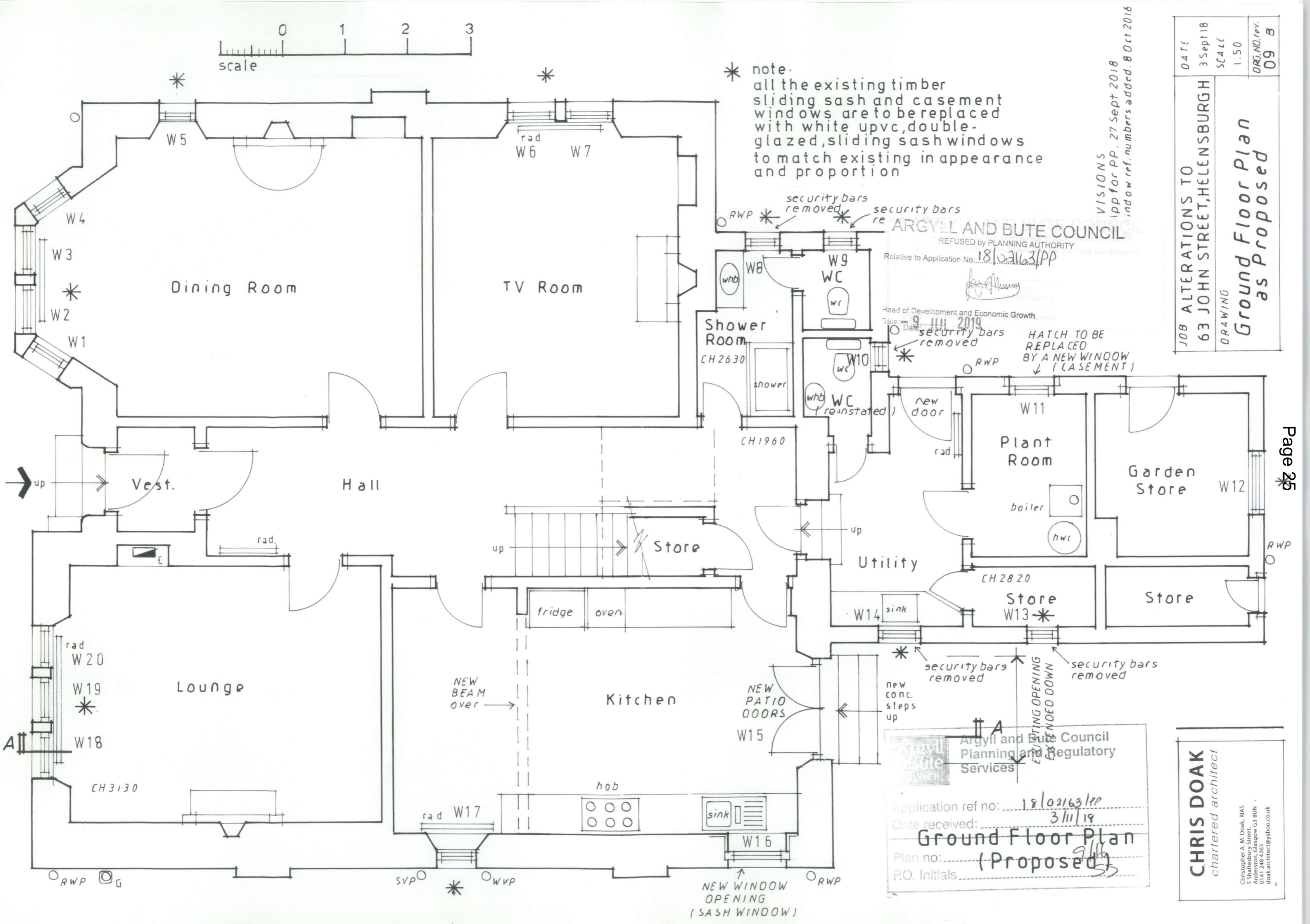
**Ground Floor Plan  
as Proposed**

ARGYLL AND BUTE COUNCIL  
REFUSED by PLANNING AUTHORITY

Relative to Application No. 18/02163/PP

Head of Development and Economic Growth  
Date: 9 July 2019

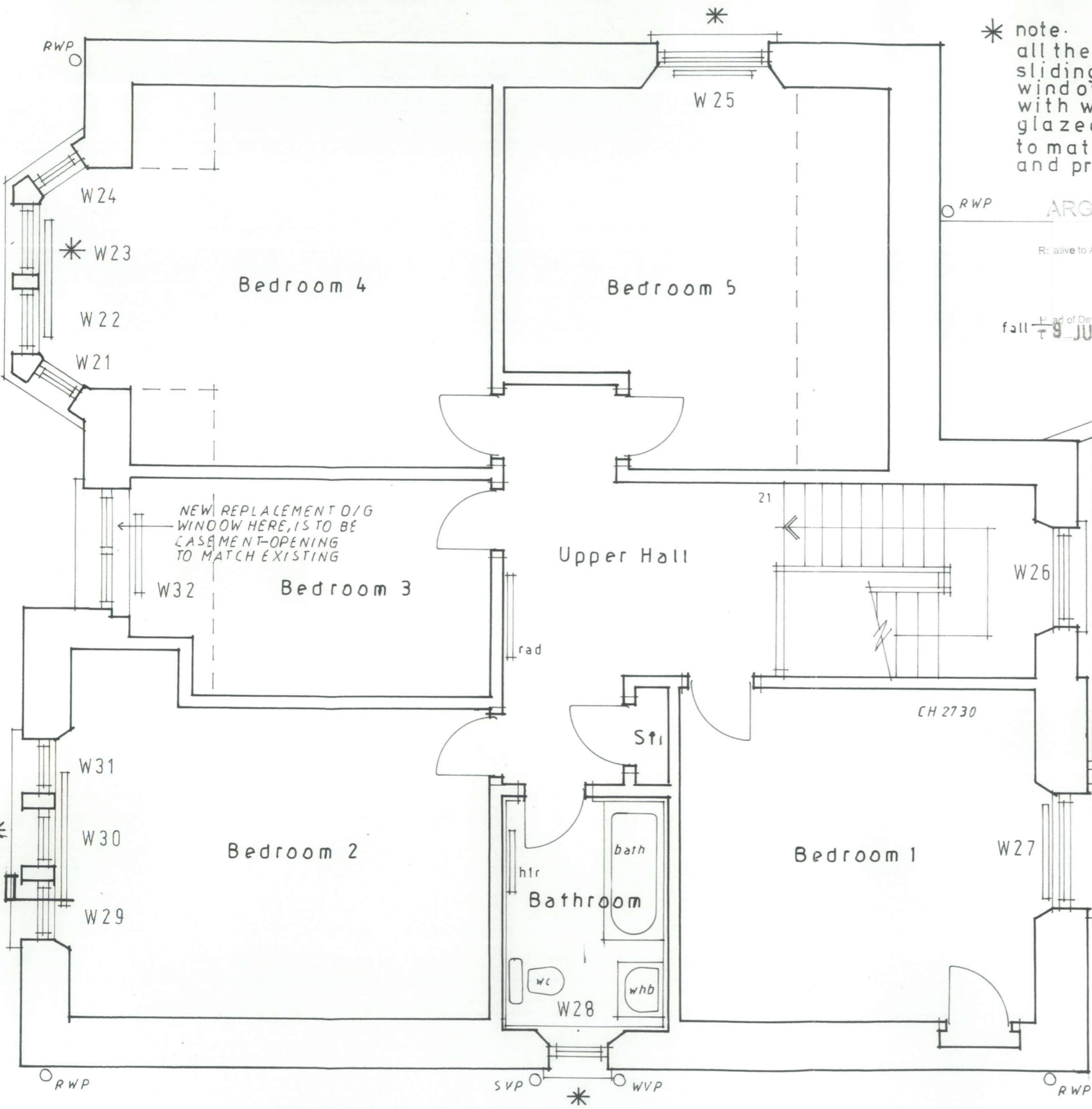
HATCH TO BE REPLACED BY A NEW WINDOW (CASEMENT)



Argyll and Bute Council  
Planning and Regulatory  
Services

Application ref no: 18/02163/PP  
Date received: 3/11/18  
**Ground Floor Plan  
(Proposed)**  
Plan no: 9/16  
P.O. Initials: SS

**CHRIS DOAK**  
Chartered architect  
Christopher A. M. Doak, RIAS  
5 Shattersbury Street,  
Anderson, Glasgow G3 8UN  
0141 246 4263  
doak.architect@yahoo.co.uk

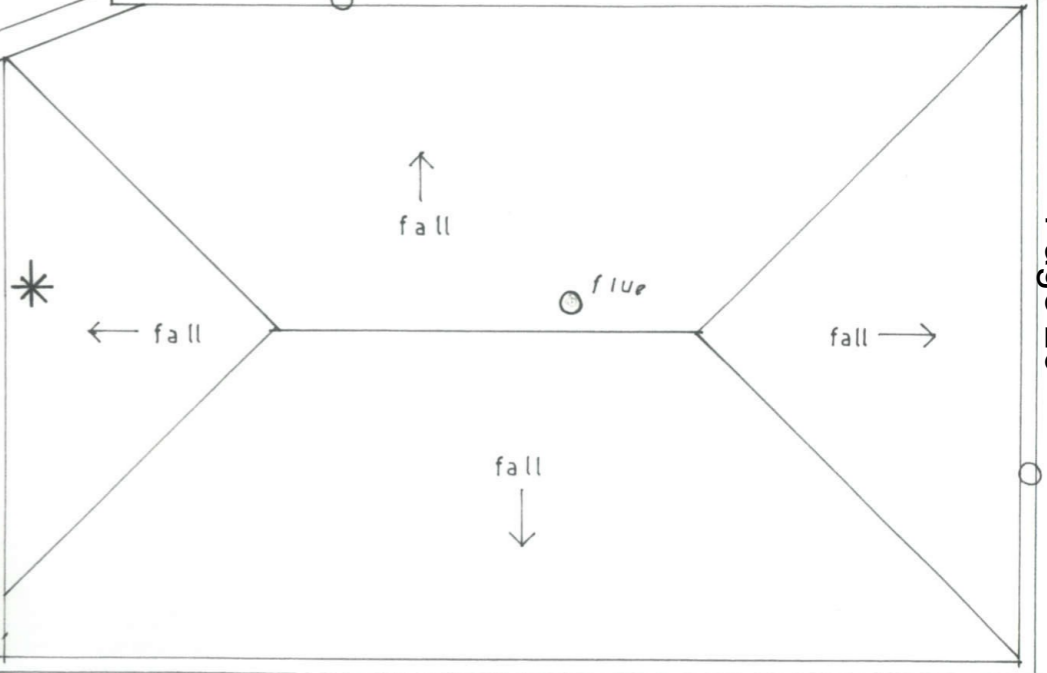


\* note:  
all the existing timber sliding sash windows are to be replaced with white upvc, double-glazed, sliding sash windows to match existing in appearance and proportion

ARGYLL AND BUTE COUNCIL  
REFUSED by PLANNING AUTHORITY  
Relative to Application No: 18/02163/PP  
Date: 9 JUL 2019  
Head of Development and Economic Growth

REV.  
A. App for PP 25 Sept 2018  
B. Window ref. numbers added. 8 Oct 2018

JOB	ALTERATIONS TO 63 JOHN STREET, HELENSBURGH	DATE	6 Sept 18
DRAWING	First Floor Plan as Proposed	SCALE	1:50
		DRG. No. rev.	10 B



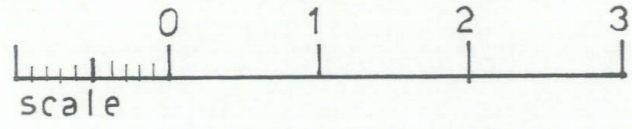
Argyll and Bute Council  
Planning and Regulatory  
Services

Application ref no: 18/02163/PP  
Date received: 3/11/18

**First Floor Plan**  
Plan no: 10/16 (Proposed)  
P.O. Initials: SS

**CHRIS DOAK**  
Chartered architect

Christopher A. M. Doak, RIAS  
5 Shaftesbury Street,  
Anderston, Glasgow G3 8UN  
0141 248 4263  
doak.architect@yahoo.co.uk



note.  
 \* all the existing timber sliding sash windows are to be replaced with white upvc, double-glazed, sliding sash windows to match existing in appearance and proportion



REVISIONS  
 A. App for PP 27 sept 2018  
 B. Window ref. numbers added. 8 Oct 2018

ication ref no: 18/02163/PP  
 received: 3/11/18

Argyll and Bute Council  
 Planning and Regulatory  
 Services

DATE	5 Sept 18
SCALE	1:50
ORG. NO. rev	12 B

JOB ALTERATIONS TO 63 JOHN STREET, HELENSBURGH

DRAWING

Front Elevation as Proposed

63

ARGYLL AND BUTE COUNCIL

REFUSED by PLANNING AUTHORITY  
 Relative to Application No: 18/02163/PP

Head of Development and Economic Growth  
 Date: 9 JUL 2019

Front Elevation  
 (Proposed)

CHRIS DOAK  
 chartered architect

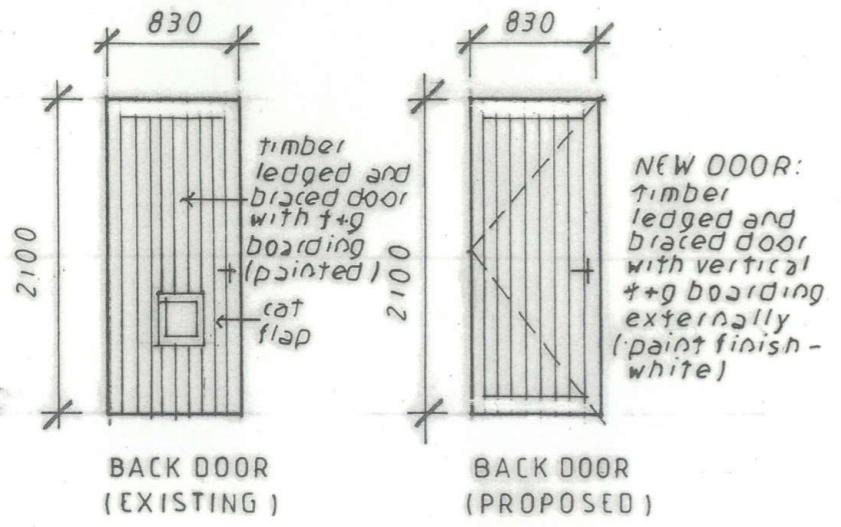
Christopher A. M. Doak, RIAS  
 5 Shatterbury Street,  
 Helensburgh, Glasgow G3 8UN  
 doak.architect@bt.com



\* note.  
 all the existing timber sliding sash and casement windows are to be replaced with white upvc, double-glazed, sliding sash windows to match existing in appearance and proportion

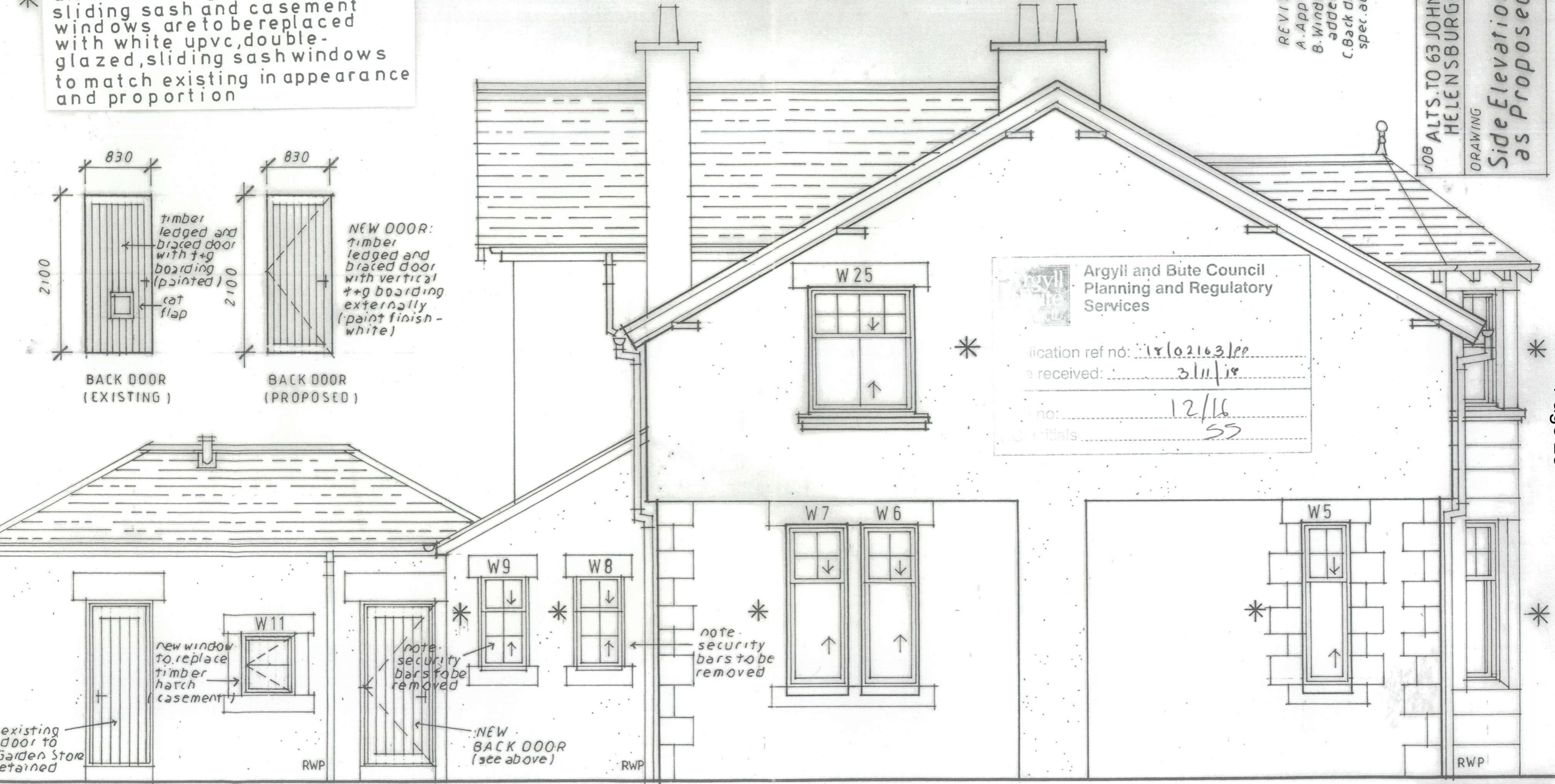
REVISIONS  
 A. App for PP 27 Sept 18  
 B. Window ref. numbers added. 8 Oct 2018  
 C. Back door size and spec. added. 1 Nov 2018

DATE	5 Sept 18
SCALE	1:50
ORG. NO. rev	13 C
JOB ALTS. TO 63 JOHN ST. HELENSBURGH	
DRAWING	
Side Elevation as Proposed	



Argyll and Bute Council  
 Planning and Regulatory Services

Application ref no: 18/02163/PP  
 Received: 3/11/18  
 No: 12/16  
 Initials: SS

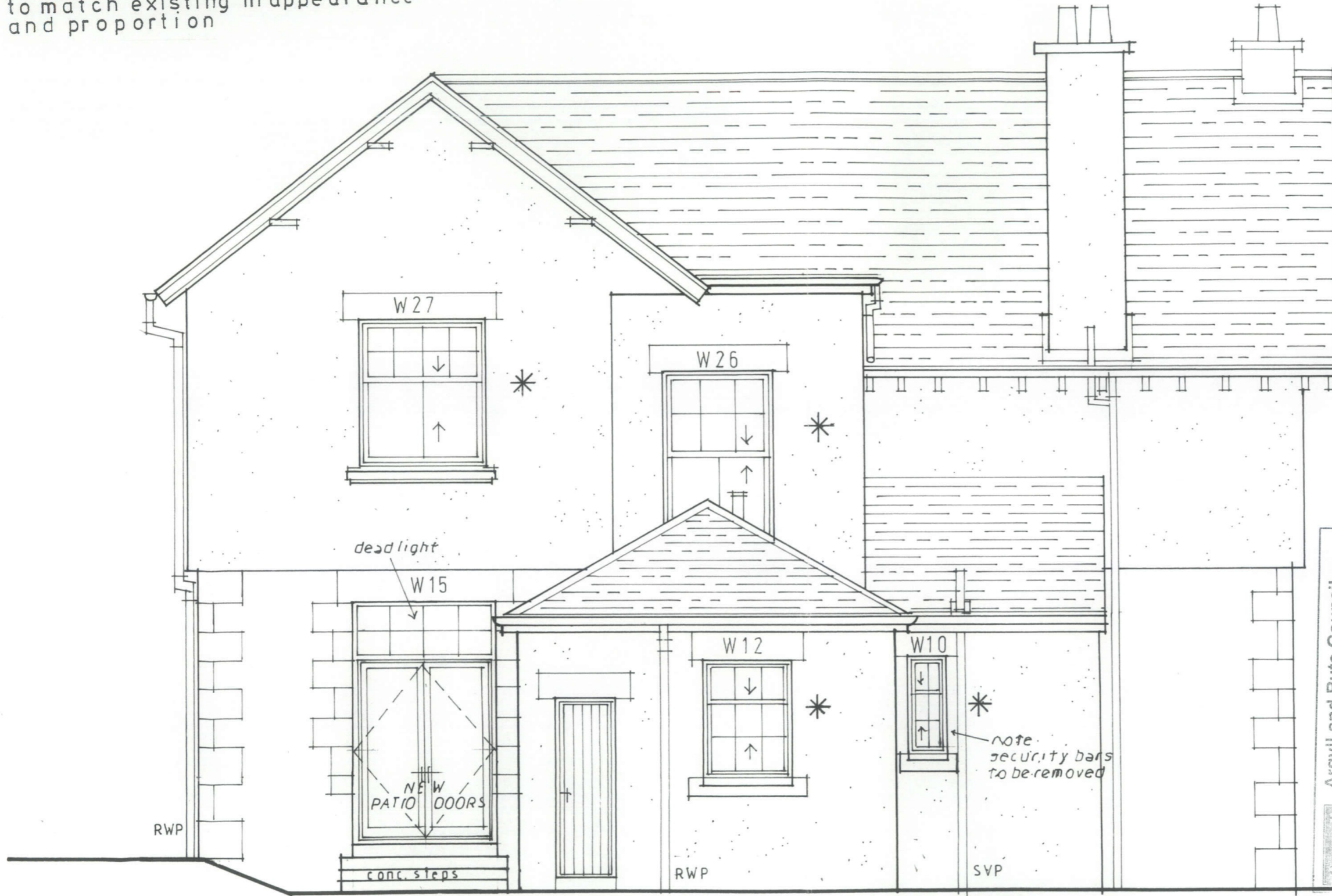


Page 28

ARGYLL AND BUTE COUNCIL  
 REFUSED by PLANNING AUTHORITY  
 Relative to Application No: 18/02163/PP  
 Side Elevation (Proposed)  
 Date: 9 JUL 2018  
 Head of Development and Economic Growth

CHRIS DOAK  
 chartered architect  
 Christopher A. M. Doak, RIAS  
 5 Shaftesbury Street,  
 Andersonston, Glasgow G3 8UN  
 0141 248 4263  
 doak.architect@yahoo.co.uk

\* note.  
 \* all the existing timber sliding sash and casement windows are to be replaced with white upvc, double-glazed, sliding sash windows to match existing in appearance and proportion



REVISIONS  
 A. App. for PP 27 Sept 2018  
 B. Window ref. numbers added  
 8 Oct 2018

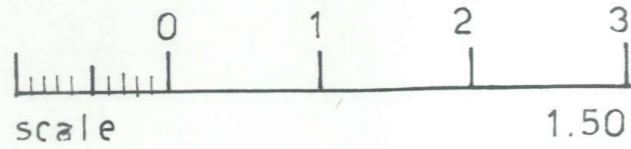
Argyll and Bute Council  
 Planning and Regulatory  
 Services

Application ref no: 18/02163/PP  
 # received: 3/11/18  
 13/18  
 SS

existing opening  
 extended down

ARGYLL AND BUTE COUNCIL  
 REFUSED by PLANNING AUTHORITY  
 Relative to Application No. 18/02163/PP  
 Head of Development and Economic Growth  
 Date: 9 JUL 2019  
 Rear Elevation  
 (Proposed)

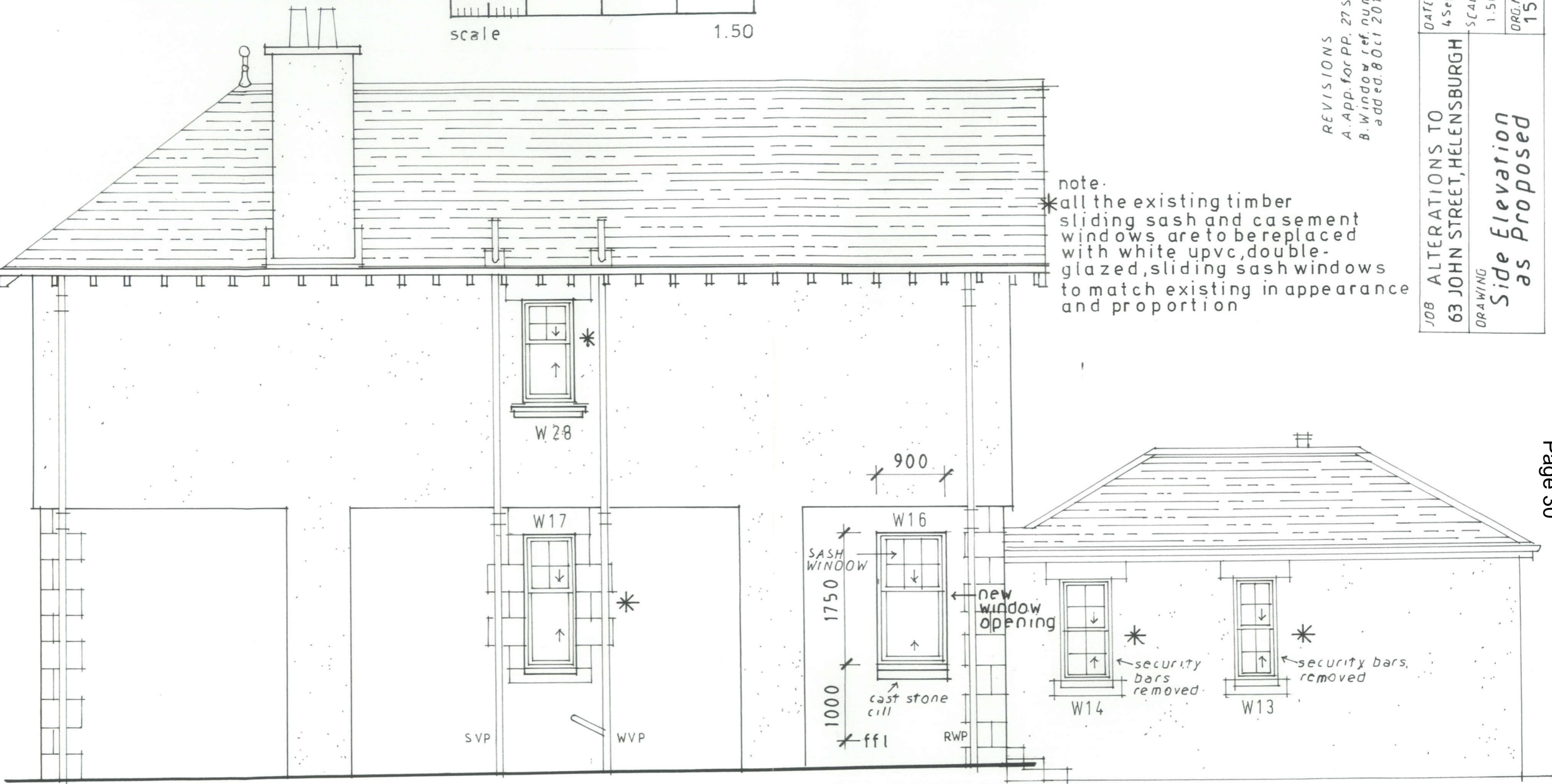
JOB	ALTERATIONS TO 63 JOHN STREET, HELENSBURGH
	DRAWING
DATE	4 Sept 18
SCALE	1:50
ORG. NO. / REV.	14 / B
Rear Elevation as Proposed	
CHRIS DOAK chartered architect	
Christopher A. M. Doak, RIAS 5 Shaftesbury Street, Anderston, Glasgow G3 8UN 0141 248 4263 doak.architect@yahoo.co.uk	



REVISIONS  
 A. App. for PP. 27 Sept 2018  
 B. Window ref. numbers added. 8 Oct 2018

JOB	ALTERATIONS TO	DATE	4 Sept 18
	63 JOHN STREET, HELENSBURGH	SCALE	1:50
DRAWING	Side Elevation as Proposed	ORG. NO. REV.	15 B

note.  
 \*all the existing timber sliding sash and casement windows are to be replaced with white upvc, double-glazed, sliding sash windows to match existing in appearance and proportion



Page 30

Argyll and Bute Council  
 Planning and Regulatory Services

Application ref no: 18/02163/PP  
 Date received: 3/11/18

Plan no: 14/16  
 P.O. Initials: SS

Side Elevation

ARGYLL AND BUTE COUNCIL  
 REFUSED by PLANNING AUTHORITY  
 Relative to Application No: 18/02163/PP

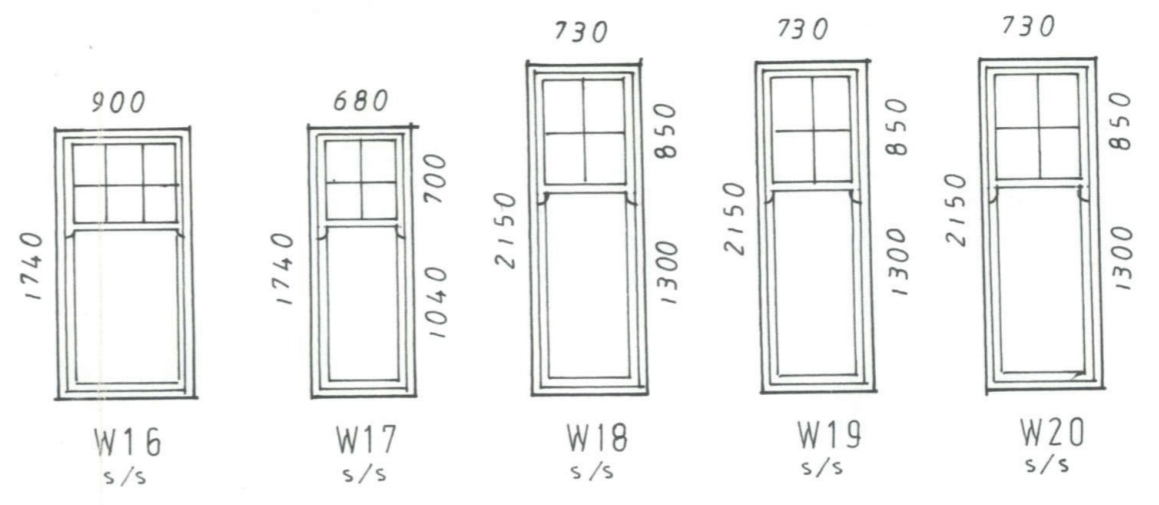
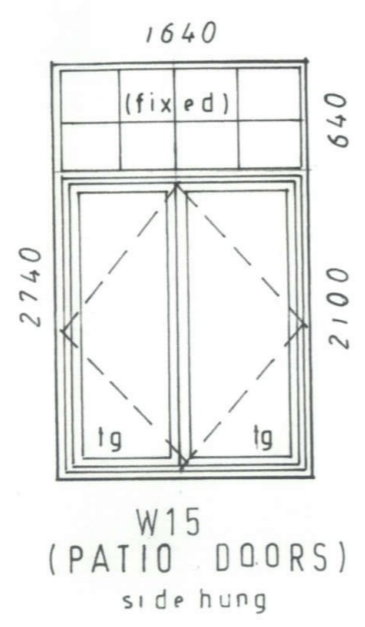
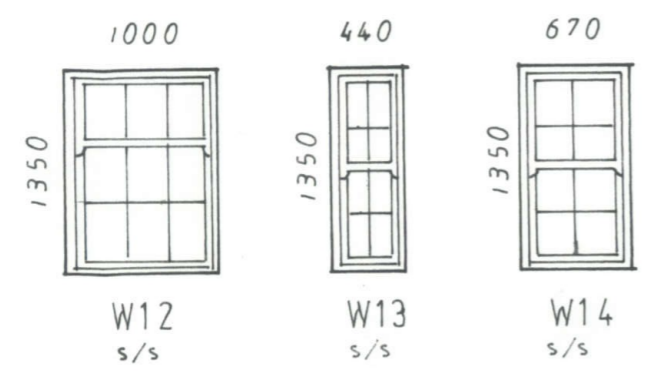
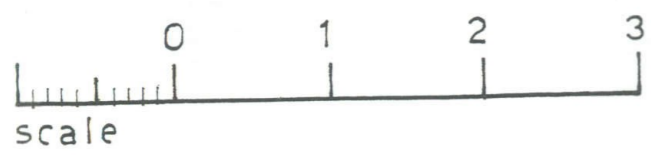
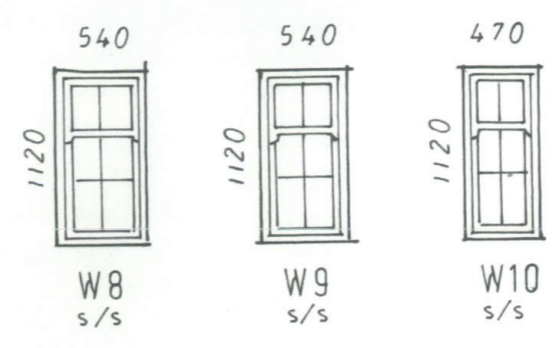
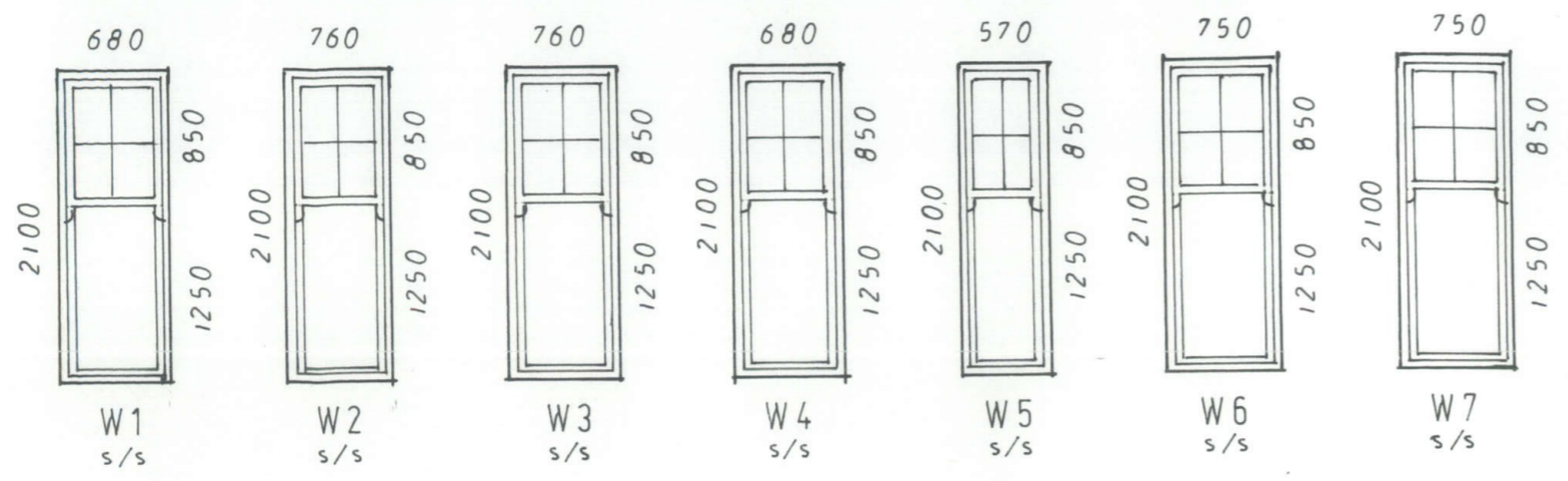
9 JUL 2019

**CHRIS DOAK**  
 chartered architect

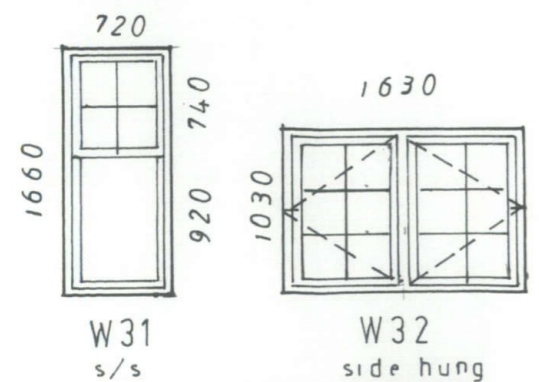
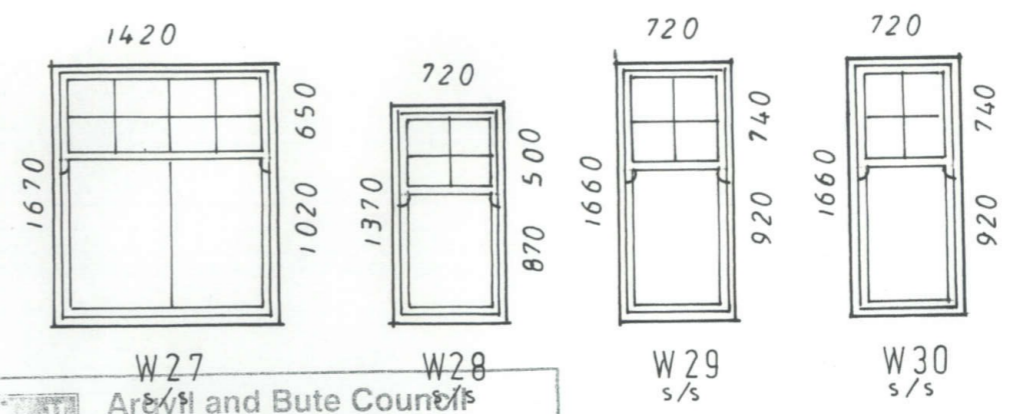
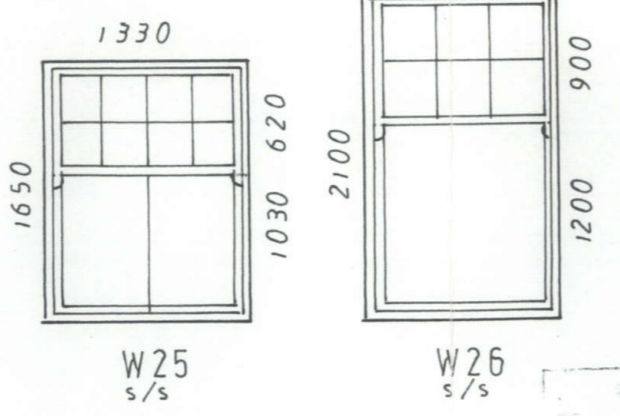
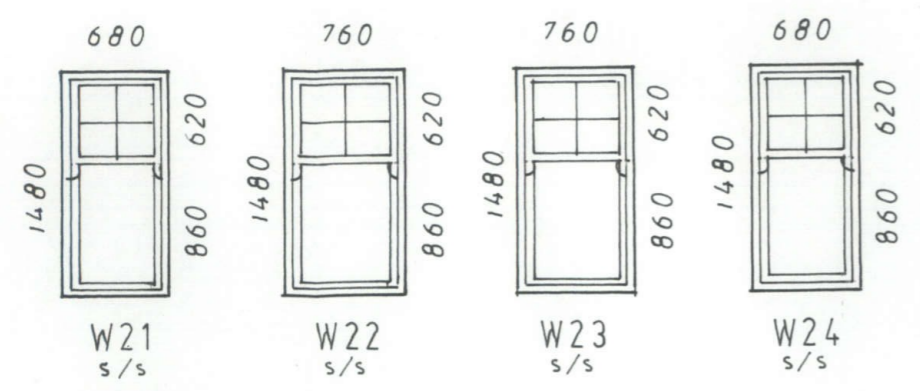
Christopher A. M. Doak, RIAS  
 5, Sutherland Street  
 Ardlerston, Glasgow G3 8UN  
 0141 248 4263  
 doak.architect@yahoo.co.uk

legend

All new windows are to be sliding sash (s/s) or side hung opening



note: 'lg' denotes toughened (safety) glass



note: All new replacement windows are to be PVCu double glazed, as manufactured by Rehau (Heritage range). Colour-white.

All windows to be site-sized prior to manufacture. Dimensions shown are to be for pricing purposes only.

Argyll and Bute Council  
Planning and Regulatory Services  
Application ref no: 18/02163/PP  
Received: 3/11/18  
Date: 15/16  
Initials: SS

WINDOW ELEVATIONS  
(PROPOSED)

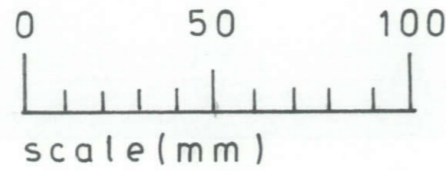
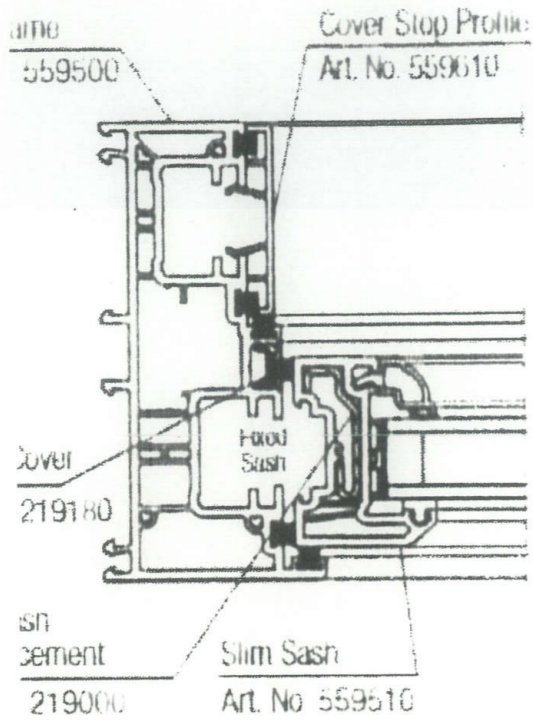
JOB ALTERATIONS TO 63 JOHN STREET, HELENSBURGH

DRAWING

Elevations and Dimensions of Windows (Proposed)

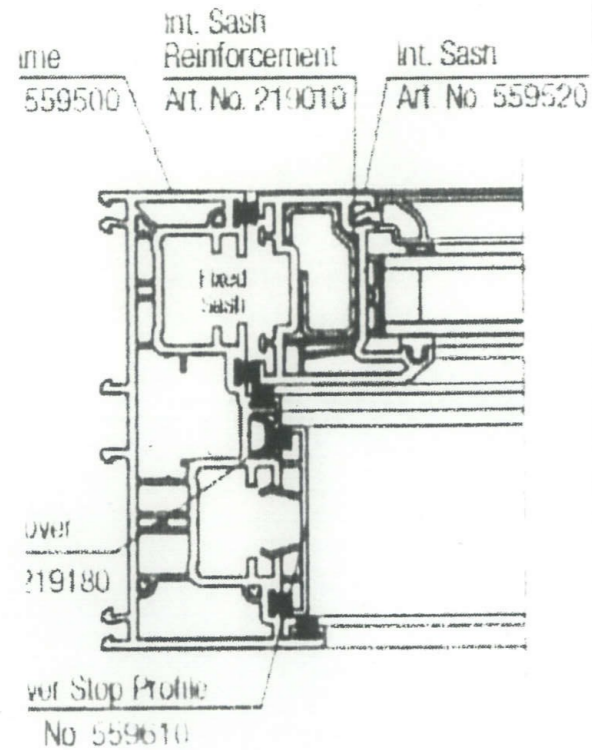
CHRIS DOAK  
Chartered architect

Christopher A. M. Doak, RIAS  
5 Shaftesbury Street,  
Andersonston, Glasgow G3 8UN  
0141 248 4263  
doak.architect@yahoo.co.uk



Argyll and Bute Council  
 Planning and Regulatory Services

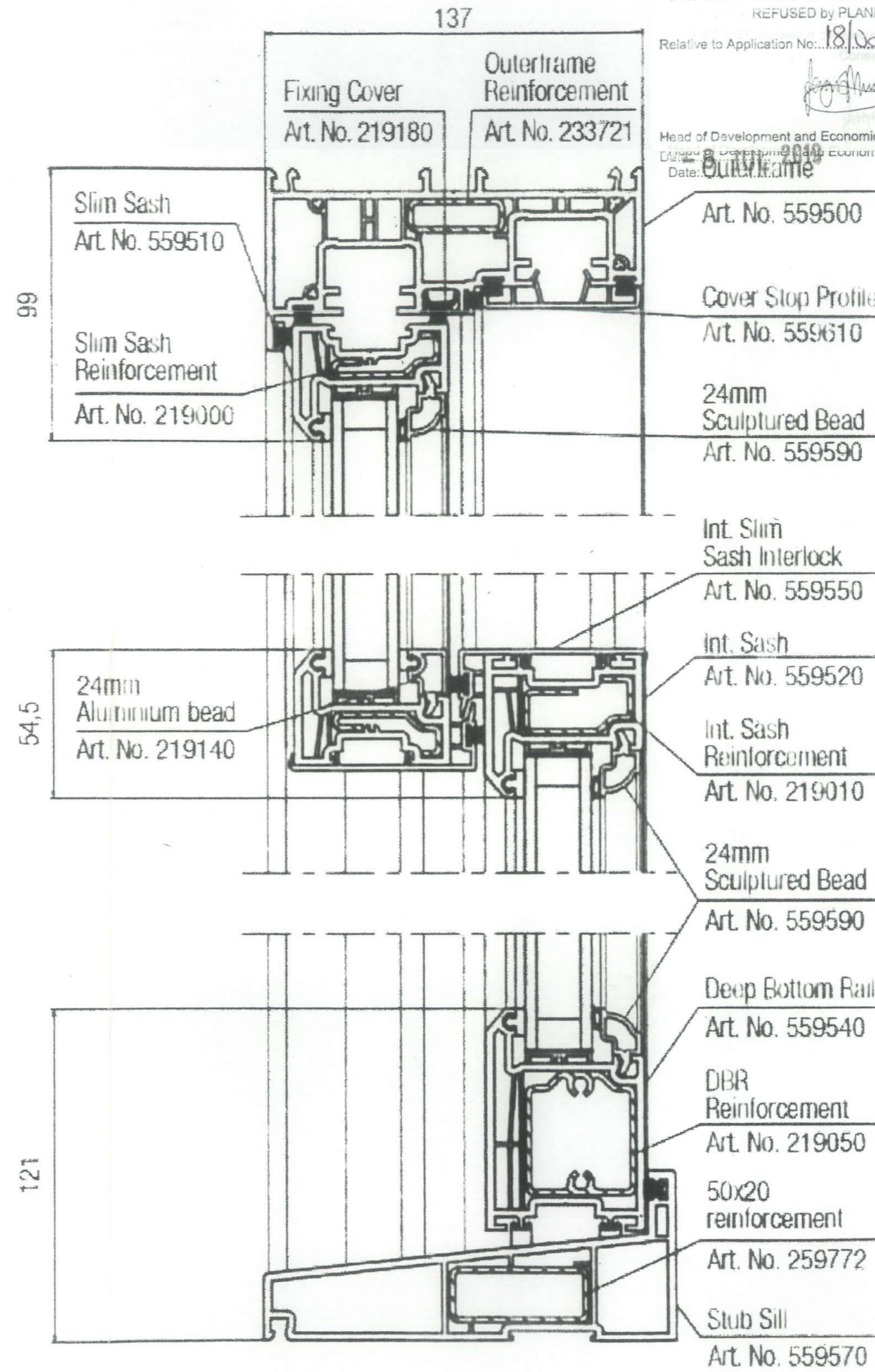
Application ref no: 18/02163/PP  
 Date received: 3/11/18  
 Plan no: 16/16  
 Initials: SS



**Run-thru Sash Horns**

Rehau's Heritage sash windows are widely recognised as the most authentic looking sash windows available. With our exclusive run through sash horns we can replicate a traditional timber window so that it is virtually identical to the original style.

Detail Plan  
 Thru Rehau Heritage Sash  
 scale 1.2



Detail Section  
 Thru Rehau Heritage Sash

ARGYLL AND BUTE COUNCIL  
 REFUSED by PLANNING AUTHORITY  
 Relative to Application No: 18/02163/PP  
 Head of Development and Economic Growth  
 Date: 18/02/18

JOB ALTERATIONS TO 63 JOHN STREET, HELENSBURGH

DRAWING

Details of Proposed Replacement Windows

CHRIS DOAK  
 chartered architect

Christopher A. M. Doak, RIAS  
 5 Shaftesbury Street,  
 Anderson, Glasgow G3 8UN  
 0141 248 4263  
 doak.architect@yahoo.co.uk

1.2  
 ARG.NO. rev  
 18





FRONT ELEVATION  
63 JOHN STREET



REAR ELEVATION  
63 JOHN STREET  
August 2018



SIDE ELEVATION  
63 JOHN STREET  
August 2018



BAY-PAINTED BAY WINDOW  
August 2018



UPVC, D/G, BUILDING SASH  
WINDOWS

GROUND FLOOR FLAT,  
BROUGHAM STREET,  
GREENOCK

AUGUST 2019



EXAMPLES OF UPVC, D/G SLIDING SASH  
WINDOWS FROM THE MANUFACTURER'S  
WEBSITE

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND) REGULATIONS 2013**

**PLANNING PERMISSION**

**REFERENCE NUMBER: 18/01478/PP**

**Mrs Jean Murdoch  
Ken Duncan Ltd  
3-1  
6 Kaims Terrace  
Livingston  
EH54 7EX**

I refer to your application dated 2nd July 2018 for planning permission in respect of the following development:

**Installation of 7no. replacement windows from timber single glazed to uPVC double glazed of the same style and finish.**

**AT:**

**59 John Street Helensburgh Argyll And Bute G84 9JY**

Argyll and Bute Council in exercise of their powers under the above mentioned Act and Regulations hereby grant planning permission for the above development in accordance with the particulars given in the application form and docketed plans subject however to the conditions and reasons detailed on the following page(s).

It should be understood that this permission does not carry with it any necessary consent or approval for the proposed development under other statutory enactments and is not a Building Warrant.

Dated: 24 September 2018



Angus J. Gilmour  
Head of Planning, Housing and Regulatory Services



**REFERENCE NUMBER: 18/01478/PP**

**Installation of 7no. replacement windows from timber single glazed to uPVC double glazed of the same style and finish.**

**AT:**

**59 John Street Helensburgh Argyll And Bute G84 9JY**

The planning application as detailed above is subject to the following conditions:

1. The development shall be implemented in accordance with the details specified on the application form dated 29/06/2018 and the approved drawing reference numbers 181214/01, 181214/02, 181214/03, 4/5 and 5/5 unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

**INFORMATIVES**

1. In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
2. In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.

**NOTES TO APPLICANT (1) RELATIVE TO APPLICATION NUMBER 18/01478/PP**

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. A Notice of Review request must be submitted on an official form which can be obtained by contacting The Local Review Body, Committee Services, Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT or by email to [localreviewprocess@argyll-bute.gov.uk](mailto:localreviewprocess@argyll-bute.gov.uk)
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, and it cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the landowner's interest in the land, in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).

**APPENDIX TO DECISION APPROVAL NOTICE**

Appendix relative to application: 18/01478/PP

- A. Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended):

No

- B. Has the application been the subject of any "non-material" amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing:

No

- C. The reason why planning permission has been approved:

The building is assessed as being a de-valued townscape block where there is more flexibility with regards to window replacements so long as the replacements are good quality and replicate the appearance of traditional windows. The proposal is acceptable and in accordance with Policies LDP STRAT 1, LDP 3, LDP 9 and SG LDP ENV 17 of the Argyll & Bute Local Development Plan and the Technical Working Note - Argyll & Bute Windows (April 2018).





AGYLL AND BERE COUNCIL  
 Planning and Regulatory Services

Application ref no: 18/01533/JR  
 Date received: 8/7/18

Plan no: 2/5  
 PQ Index: 50

AGYLL AND BERE COUNCIL  
 Planning and Regulatory Services

Ken J. Blatch  
 Head of Planning and Regulatory Services

**KEN DUNCAN** MRAT  
 15/14/2019  
 11/12/2019  
 11/12/2019  
 11/12/2019



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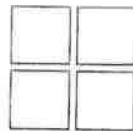
# Replacement Window/Door Costs

---

for :-

**Mrs Murdoch  
Woodburn  
59 John Street  
Helensburgh  
G84 9JY**

Job No. 181214



## WINDOW ADVICE CENTRE

Founded in 1981 to provide impartial Advice to Consumers in line with the recommendations of the Office of Fair Trading

Scottish Head Office: WINDOW ADVICE CENTRE LIMITED, 14 SANDYFORD PLACE, GLASGOW G3 7NB

Tel: 0141-332 7878 Fax: 0141-332 0977

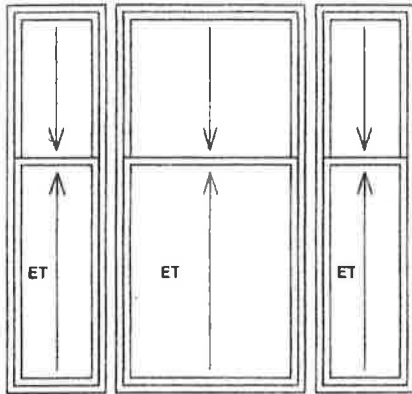
E-Mail: [enquiries@windowadvicecentre.co.uk](mailto:enquiries@windowadvicecentre.co.uk) Website: [www.windowadvicecentre.co.uk](http://www.windowadvicecentre.co.uk)

VAT No: 383086438 Company Registration No: SC109032

**Description of Works**

All drawings viewed internally - Scale 1:50 - All sizes are for pricing purposes only.

Install Address: Woodburn, 59 John Street, Helensburgh, G84 9JY (Tel: 01436 673 222, Alt: 07712 678 153)

**Lounge**

680mm 1300mm 680mm  
Item 1 Item 2 Item 3

**Bay Item 1 Notes:**

Vertical Sliding Windows to be triple draught stripped with interlocking transoms with compression seals at top and bottom rails to achieve severe exposure resistance for air and water penetration to BS 6375.

Windows to be A+ rated as Certified by the British Fenestration Ratings Council with a rate of conductive and radiant heat loss of 1.2w/m<sup>2</sup>/k and a rate of heat loss for air infiltration of Zero.

Sashes to operate on spiral balances with tilt in cleaning facility, with key locking security snibs, child safe travel limiters, pole eyes to the top rails and Sash Bar Lifts to the bottom rail.

All glass to be toughened safety glass to BS 6206.

Frames to be fully rebated behind existing masonry to minimise exposed outerframe and best preserve original glass sizes.

External cover plate to be used to make good at old mastic line.

All voids at items throughout to be filled with non wicking Rockwool.

All sealant to be to BS11600 Cat (F) LM 25.

Transom drop at the above items to be confirmed with Contractor upon site survey.

Contractor to remove existing Secondary Glazing at the above items.

Contractor to retain existing T.V. and B.T. cables where required.

N.B. Contractor to replicate existing half round batten rod detail at the above items together with 135 degree Mullion detail (2 no. angled facings with moulded bead at join).

Floor Level:	Ground
Original Window Type:	Sliding Sash & Case
Item 1 : Overall Height:	2600mm
Item 1 : Distance to Transom:	1050mm
Item 2 : Overall Height:	2600mm
Item 2 : Distance to Transom:	1050mm
Item 3 : Overall Height:	2600mm
Item 3 : Distance to Transom:	1050mm
Proposed Frame Material:	PVC White / White
Sash Horns:	None
Vents to Item(s):	No
Handle Finish to Item(s) 1, 2, 3:	White (Key Locking)
External Sill:	Stub Sill
Sash Box Removal:	Yes
Energy Features for Item(s) 1, 2, 3	
Low Emmissivity Glass (E):	Soft Coat
Argon Filled Sealed Units:	90%
Spacer Bars:	Warm Edge
Spacer Bars Colour:	Black/Charcoal
Heat Loss (U-Value):	1.2 W/m <sup>2</sup> K
Low Sill Glass (T):	Toughened Both Sides
Internal Finish:	Hardwood Trim with Sill

**STATEMENT OF CASE**

**FOR**

**19/0006/LRB**

**ARGYLL AND BUTE COUNCIL  
LOCAL REVIEW BODY**

**REFUSAL OF PLANNING APPLICATION 18/02163/PP  
FOR INSTALLATION OF REPLACEMENT WINDOWS  
FROM TIMBER SASH AND CASE TO WHITE UPVC  
DOUBLE GLAZED SASH AND CASE WINDOWS TO  
INCLUDE FORMATION OF REAR PATIO DOOR,  
REPLACEMENT DOOR TO SIDE ELEVATION AND  
NEW WINDOW OPENING IN GABLE WALL AT 63  
JOHN STREET, HELENSBURGH**

**15 OCTOBER 2019**

## **STATEMENT OF CASE**

The Planning Authority is Argyll and Bute Council (“the Council”). The appellant is Dr Nicolas Dunn and Dr Gillian Dunn (“the appellant”).

Planning application 18/02163/PP for the installation of replacement windows from timber sash and case to white uPVC double glazed sash and case windows to include formation of rear patio door, replacement door to side elevation and new window opening in gable wall (kitchen area) at 63 John Street, Helensburgh G84 9JZ (“the appeal site”) was refused under delegated powers on 09.07.2019.

The planning application has been appealed and is subject of referral to a Local Review Body (LRB).

## **DESCRIPTION OF PROPOSAL**

Planning permission is sought for the installation of 30 replacement windows, the formation of a new window opening and the formation of patio doors to 63 John Street, Helensburgh. This is a traditional, unlisted villa within the Upper Helensburgh Conservation Area. Although unlisted, this is a very attractive building with all of its original timber windows. The proposal is to replace all of these windows with sliding sash and case uPVC units. These windows will be similar in appearance to the existing windows, however the astragals will be surface mounted rather than separating the physical panes as the original windows do.

## **STATUTORY BASIS ON WHICH THE APPEAL SHOULD BE DECIDED**

Section 25 of the Town and Country Planning (Scotland) Act 1997 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, determination shall be made in accordance with the plan unless material considerations indicate otherwise. This is the test for this application and appeal.

## **STATEMENT OF CASE**

Argyll and Bute Council considers the determining issues in relation to the case are as follows:

Whether the proposal accords with policies set out in the adopted ‘Argyll and Bute Local Development Plan’ (LDP) 2015 and, if not, whether there are other material considerations which would justify a departure from these policies.

The Report of Handling (Appendix 1) sets out the Council’s assessment of the application in terms of Development Plan Policy and other material considerations.

## **REQUIREMENT FOR ADDITIONAL INFORMATION AND A HEARING**

It is not considered that any additional information is required in light of the appellant’s submission. The issues raised were assessed in the Report of Handling which is contained in Appendix 1. As such it is considered that Members have all the information they need to determine the case. Given the above and the scale of the proposal it is not considered that a Hearing is required.

## **COMMENT ON APPELLANT’S SUBMISSION**

In summary, the appellant contends the following:

**A. Three days before the application was lodged, permission was granted for the replacement of 7 timber, single glazed windows to uPVC double glazed, of the same style and appearance.**

*Comment: It is considered that these are two very separate cases. In application reference 18/01478/PP at 59 John Street, the townscape block was limited primarily to the application property and the building to the south which has plastic windows. In the application property itself there were already uPVC windows. It is in a secondary location within the conservation area and has a large, unsympathetic box dormer on each elevation of the roof. This undermines the integrity of the whole building and as such could be considered as a de-valued townscape block. Within de-valued townscape blocks, there is more flexibility with regards to what is considered to be acceptable. In these circumstances a number of different units will be permitted including good quality, well-proportioned white uPVC sliding sash and case. The proposed windows will have the same proportions and method of opening. None of the windows contain astragals or stained glass.*

*The subject of the appeal is a traditional 2 storey sandstone villa set within a block of 4 similar buildings, with a frontage onto John Street between Millig Street and Queen Street. These buildings are all very visible from the street and three out of the 4 have retained their original windows. These windows are timber sash and case units with astragals to the upper panes. They are integral to the character and appearance of the dwellings and the wider conservation area. It is therefore considered that this is a prime townscape block.*

*As such, the appeal site is considered to be a Prime Townscape Block where like for like replacement or refurbishment will be permitted. The dwelling at 59 John Street is considered to be a de-valued townscape block where a more flexible approach is taken.*

**B. Dr and Dr Dunn and myself as agent are disappointed that the Council does not seem to be aware of the continuing development of window technology/manufacturing and appearance, that they were seemingly unsatisfied by the requested manufacturers information that was supplied to them. These windows are of the Rahu Heritage Sash range and are the most authentic uPVC sash and case units available.**

*Comment: The Council are very aware of the continuing development of window technology. In fact, replacement window applications account for a large number of householder and listed building applications. We also are aware of examples where timber windows have been replaced with uPVC sliding sash and case units. It is the Council's opinion that these windows will be visually intrusive, visually discordant and as such detract from and undermine the character and appearance of this traditional building. This will have a detrimental effect on the integrity and architectural quality of the building as a whole and in turn will undermine the character and appearance of the conservation area.*

## **CONCLUSION**

Section 25 of the Town and Country Planning Act 1997 requires that all decisions be made in accordance with the development plan unless material considerations indicate otherwise.

In the consideration of this review regard has to be given to the policies set out in the LDP. It is therefore considered that the replacement windows are not consistent with the terms of the Council's Technical Working Note. It is therefore considered that the installation of 30 replacement windows which do not exactly match the original timber windows in terms of materials and appearance will be visually intrusive, visually discordant and as such detract from and undermine the character and appearance of this traditional building. This will have a detrimental effect on the integrity and architectural quality of the building as a whole and in turn will undermine the character and appearance of the conservation area. The works are

therefore considered contrary to policies LDP 3(C) of the Local Development Plan (adopted 26th March 2015), SG LDP ENV16 (a) and ENV17 of the Supplementary Guidance and the council's Technical Working Note on Replacement Windows in Argyll & Bute.

Taking account of the above, it is respectfully requested that the application for review be dismissed.



## Appendix 1

**Argyll and Bute Council  
Development & Infrastructure Services**

**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 16/01835/PP  
**Planning Hierarchy:** Local  
**Applicant:** Mr James Hodge  
**Proposal:** Erection of dwelling house and formation of vehicular access  
**Site Address:** 32 Macleod Drive, Helensburgh G84 9QU

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### DECISION ROUTE

Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997

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#### (A) THE APPLICATION

##### (i) Development Requiring Express Planning Permission

- Erection of dwelling house
- Formation of vehicular access
- Formation of two parking spaces

##### (ii) Other specified operations

- Connection to existing public water supply
- 

#### (B) RECOMMENDATION:

That planning permission be refused

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#### (C) HISTORY: None

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#### (D) CONSULTATIONS:

Area Roads: - Response dated 28/06/16 recommending no objection subject to conditions concerning: provisions to prevent the discharge of surface water discharge onto the public road; and, the surfacing of the first three metres of the driveway/parking area to prevent the spillage of loose material onto the public road.

Network Rail: - Response dated 30/06/16 confirming that the proposed development will have no impact on railway infrastructure and there are no comments/objections to the application.

Helensburgh Community Council: - Email dated 18/07/16 offering support for the proposed development on this elevated site as it will make a welcome, albeit very small addition to Helensburgh's housing stock. The email goes on to state that the proposed house will occupy a wonderful site at the north west of the town and, if suitably developed will offer stupendous views across the Clyde Estuary. While noting that the proposed house is inoffensive and ordinary a number of suggestions are made with regard to siting and design. These include: greater use of balconies, French doors; an outside terrace facing the Clyde Estuary; front door and porch to stand out and be more emphasised; bay windows (upstairs and downstairs) on the south face of the building; deeper and shallower steps to alleviate any issues with mobility problems. The use of solar panels is commended.

*The correspondence can be read in full at: <http://pa2.argyll-bute.gov.uk/online-applications>*

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**(E) PUBLICITY:** Regulation 20 – Advert Local Application from the 07/07/2016 to the 28/07/2016.

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**(F) REPRESENTATIONS:**

Two emails of objection\* from:

Ms A. Laird – 30 MacLeod Drive, Helensburgh G84 9QS  
Mrs E. Jamieson – by email - no postal address given

The reasons for objection can be summarised as follows:

- The proposed development, by reason of its size, depth, width, height and massing and would have an unacceptably adverse impact on the amenities of the properties in the immediate area.
- The proposed house, by reason of its scale and bulk, would be out of keeping with the design and character of the existing houses, and would have an adverse effect on the visual amenity of the area as a whole.
- The layout and siting is inappropriate and unsympathetic to the appearance and character of the local environment.
- The possibility of setting a precedent for development within front garden areas that could lead to overly dense development where there would be a detrimental impact on the semi-rural character of Helensburgh and the natural environment.
- The existing houses on the estate have a reasonable amount of garden ground to the front and a new house would be too close to other dwellings and the road and will spoil the line of the development by being set forward of other properties.
- The proposal would have a detrimental impact on the residential amenity and privacy of existing houses.
- The proposal would have a negative impact on the value of existing housing stock in the area.
- The proposal would have a negative impact on the look and feel of this quality environment.

The issues raised in the emails are addressed in Section P below.

*\*The correspondence can be read in full at: <http://pa2.argyll-bute.gov.uk/online-applications>*

applications**(G) SUPPORTING INFORMATION**

Has the application been the subject of:

- |       |   |    |
|-------|---|----|
| (i)   | <b>Environmental Statement:</b>   | No |
| (ii)  | <b>An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:</b>  | No |
| (iii) | <b>A design or design/access statement:</b>   | No |
| (iv)  | <b>A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:</b> | No |
| (v)   | <b>Engineer's Report:</b>   | No |

**(H) PLANNING OBLIGATIONS**

- |  |     |
|--|-----|
| <b>Is a Section 75 agreement required:</b>   | No  |
| <b>Reason for refusal in the event that the legal agreement is not concluded within four months:</b> | N/A |

- |   |    |
|---|----|
| <b>(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:</b> | No |
|---|----|

**(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

- (i) **List of all Development Plan Policy considerations taken into account in assessment of the application.**

Argyll and Bute Local Development Plan (Adopted March 2015)

LDP STRAT 1 – Sustainable Development

LDP DM 1 – Development within the Development Management Zones

LDP 9 – Development Setting, Layout and Design

Supplementary Guidance

SG LDP 2 – Sustainable Siting and Design Principles

SG LDP HOU 1 – General Housing Development including Affordable Housing Provision

SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes

SG LDP TRAN 6 – Vehicle Parking Provision

- (ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of**

**Circular 4/2009.**

Scottish Planning Policy (SPP) 2014

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<b>(K)</b>	<b>Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:</b>	No
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<b>(L)</b>	<b>Has the application been the subject of statutory pre-application consultation (PAC):</b>	No
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<b>(M)</b>	<b>Has a sustainability check list been submitted:</b>	No
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<b>(N)</b>	<b>Does the Council have an interest in the site:</b>	No
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<b>(O)</b>	<b>Requirement for a hearing (PAN41 or other):</b>	No
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**(P) Assessment and summary of determining issues and material considerations**

Planning permission is sought for the erection of a single dwelling house and formation of a vehicular access with two off street parking spaces on a site within the settlement of Helensburgh. The application site extends to 550sq metres and is located on the north side of the road within the front garden area of a detached single storey property at number 32 McLeod Drive. Access to the donor property is currently via an existing private access road located between numbers 30 and 32 McLeod Drive and will be unaffected by the proposed development. The site is located in a residential area comprising a range of detached modern dwelling houses set within single plots of various shapes and sizes.

The proposed dwelling house has been designed as a traditional one and a half storey detached dwelling house with an entrance porch and two dormer windows to the front and a single dormer to the rear. Velux windows will be located on both the front and rear slopes of the roof and two solar panels will be located on the south facing slope. The plans indicate that the ground floor accommodation will comprise a living area, sitting/dining area with open link to the kitchen and that the accommodation in the roof space will comprise three bedrooms (one with en-suite) and a bathroom. The external ground floor walls and roof dormers will be finished in 'K-rend' render with the exception of the porch and base course which will be finished in facing brick. The roof will be finished in concrete tiles.

In terms of the Argyll and Bute Local Development Plan 2015 the site is located within the settlement of Helensburgh as defined by the Argyll and Bute Local Development Plan 2015. Policy LDP DM 1 gives support to suitable forms of development within settlements subject to compliance with other relevant policies and supplementary guidance. In particular, Policy LDP 9 requires the design of development and structures to be compatible with the surroundings where careful attention should be paid to the acceptability of massing, form, design details, materials, landscaping and boundary treatment. With regard to design the policy requires that particular attention should be paid to roof pitch, depth of the building and window design. Any adverse impact on the amenity and privacy of neighbouring properties in terms of over shadowing and overlooking will also be taken into account. Policy LDP 3 assesses applications for their impact on the natural, human and built environment. In addition,

Supplementary Guidance - SG LDP 2 – Sustainable Siting and Design Principles requires consideration of the proposal in terms of potential impact: the building pattern and built form; the local character; open space/density; design; vehicular access; on-site parking; connection to services; and, existing trees within and adjacent to the application site. In particular, all development should have some private open space (ideally a minimum of 100 sq. m), semi-detached/detached houses (and any extensions) should only occupy a maximum of 33% of their site, although this may rise to around 45% for terrace and courtyard developments. The scale, shape and proportion of the development should respect or complement the adjacent buildings and the plot density and size.

The site is located in the front garden area of 32 McLeod Drive where the character of the area is defined by a linear pattern of one plot depth modern detached dwelling houses set within landscaped plots fronting onto housing estate access roads. Properties on the north side of McLeod Drive sit slightly above road level in a single tier arrangement backing onto the West Highland railway line. None of the plots on McLeod Drive are two tier and those to the east of the application site are on average 29 - 30 metres deep. Plots in the wider area vary in size but there are no examples of new dwellings occupying the front gardens of existing dwelling houses that would cause privacy and overlooking issues. The proposed house plot within the existing front garden area has a depth of 16.3 metres. Excluding the front porch the proposed dwelling house would have a depth of 7.7 metres leaving a front garden depth of 3.3 metres and a rear garden depth of only 5.6 metres. The resultant window to window distance would be 16.4 metres and while the donor property does not have any upper windows it sits at a higher level than the proposed dwelling house and there is potential for a detrimental impact on privacy and residential amenity by virtue of overlook. A 1.8 metre high timber screen fence along the rear boundary of the new plot aims to deal with any privacy issues in terms of window to window distance but the development would be sub-standard as a consequence of the two tier arrangement and spacing between the buildings. The combination of a two tier backland development in an area of linear one plot development and the resultant separation between the existing and proposed house would be visually discordant, visually intrusive, would represent over development and would be out of character with the existing pattern of development in the area. As such the proposal is contrary to Policies LDP DM1, LDP 3, LDP 9 and SG LDP Sustainable Siting and Design Principles of the Local Development Plan which presume against development that is not compatible with its surroundings, that does not protect or enhance the built environment, that does not pay regard to the context within which it is located and has an adverse impact on the amenity and privacy of neighbouring properties and the surrounding area.

Two emails of objection were submitted in response to the application and issues concerning: inappropriate scale and massing; adverse impact the amenity of neighbouring properties; adverse impact on visual amenity; unsympathetic layout and siting; over dense development; precedent for development in front gardens; detrimental impact on residential amenity and privacy; and a negative impact on the value of properties in the area.

The proposal for a dwelling house in the front garden of an existing dwelling house would not be consistent with the provisions of the Argyll and Bute Local Development Plan 2015 and that the site currently occupied by a dwelling house is not capable of accommodating a further dwellinghouse without detriment to residential amenity and the pattern of development in the area. There are no other material planning considerations which would warrant anything other than the application being determined in accordance with the provisions of the development plan. As such the recommendation is to refuse.

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**(Q) Is the proposal consistent with the Development Plan: No**

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**(R) Reasons why Planning Permission or Planning Permission in Principle Should be Refused:**

See reasons for refusal below.

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**(S) Reasoned justification for a departure to the provisions of the Development Plan: N/A**

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**(T) Need for notification to Scottish Ministers or Historic Scotland: No**

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**Author of Report:** Jack McGowan **Date:** 23/08/16

**Reviewing Officer:** Howard Young **Date:** 12/07/17

**Angus Gilmour**  
**Head of Planning & Regulatory Services**

**REASONS FOR REFUSAL RELATIVE TO APPLICATION REFERENCE 16/01835/PP:**

The site is located in the front garden area of 32 McLeod Drive where the character of the area is defined by a linear pattern of one plot depth modern detached dwelling houses set within landscaped plots fronting onto housing estate access roads. Properties on the north side of McLeod Drive sit slightly above road level in a single tier arrangement backing onto the West Highland railway line. None of the plots on McLeod Drive are two tier and those to the east of the application site are on average 29 - 30 metres deep. Plots in the wider area vary in size but there are no examples of new dwellings occupying the front gardens of existing dwelling houses that would cause privacy and overlooking issues. The proposed house plot within the existing front garden area has a depth of 16.3 metres. Excluding the front porch the proposed dwelling house would have a depth of 7.7 metres leaving a front garden depth of 3.3 metres and a rear garden depth of only 5.6 metres. The resultant window to window distance would be 16.4 metres and while the donor property does not have any upper windows it sits at a higher level than the proposed dwelling house and there is potential for a detrimental impact on privacy and residential amenity by virtue of overlook. A 1.8 metre high timber screen fence along the rear boundary of the new plot aims to deal with any privacy issues in terms of window to window distance but the development would be sub-standard as a consequence of the two tier arrangement and spacing between the buildings. The combination of a two tier backland development in an area of linear one plot development and the resultant separation between the existing and proposed house would be visually discordant, visually intrusive, would represent over development and would be out of character with the existing pattern of development in the area. As such the proposal is contrary to Policies LDP DM1, LDP 3, LDP 9 and SG LDP Sustainable Siting and Design Principles of the Local Development Plan which presume against development that is not compatible with its surroundings, that does not protect or enhance the built environment, that does not pay regard to the context within which it is located and has an adverse impact on the amenity and privacy of neighbouring properties and the surrounding area.

**APPENDIX TO DECISION REFUSAL NOTICE**

Appendix relative to application 16/01835/PP

- (A) Has the application been the subject of any non-material amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.

No

Argyll and Bute Council  
Development and Infrastructure Services

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

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Reference No: 18/02163/PP  
Planning Hierarchy: Local Application  
Applicant: Nicholas and Gillian Dunn  
Proposal: Installation of replacement windows from timber sash and case to white uPVC double glazed sash and case windows to include formation of rear patio door, replacement door to side elevation and new window opening in gable wall (kitchen area).  
Site Address: 63 John Street, Helensburgh, Argyll and Bute, G84 9JZ

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**DECISION ROUTE**

Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997

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**(A) THE APPLICATION**

**i) Development Requiring Express Planning Permission**

Installation of replacement windows  
Formation of rear patio door  
Replacement door to side elevation  
New window opening in gable wall (kitchen area)

**ii) Other Specified Operations**

None

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**(B) RECOMMENDATION:** It is recommended that planning permission be refused.



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(C) **HISTORY:** None

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(D) **CONSULTATIONS:** None

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(E) **PUBLICITY:** Listed Building/Conservation Advert Expiry Date: 13.12.2018

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(F) **REPRESENTATIONS:** None received

i) **Representations received from:** N/A

ii) **Summary of issues raised:** N/A

(G) **SUPPORTING INFORMATION**

i) Environmental Statement:: Not Required

ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: N

iii) A design or design/access statement: N

iv) A report on the impact of the proposed development e.g. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: N

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(H) **PLANNING OBLIGATIONS**

None Required

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(I) **Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** N

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(J) **Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

(i) **List of all Development Plan Policy considerations taken into account in assessment of the application.**

**Argyll and Bute Local Development Plan adopted March 2015**

Policy LDP STRAT 1 – Sustainable Development

Policy LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment

Policy LDP 9 – Development Setting, Layout and Design

**Argyll and Bute Local Development Plan – Supplementary Guidance**

SG LDP ENV 17 - Development in Conservation Areas and Special Built Environment Areas

(i) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 3/2013.**

Argyll & Bute Sustainable Design Guidance (2006)  
Technical Working Note – Argyll & Bute Windows (April 2018)  
Scottish Planning Policy (2014)  
Managing Change in the Historic Environment – Windows (2010)  
Historic Environment Circular 1 (2016)

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**(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: N**

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**(L) Has the application been subject of statutory pre-application consultation (PAC):**

No Pre-application consultation required

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**(M) Has a sustainability check list been submitted: N**

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**(N) Does the Council have an interest in the site: N**

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**(O) Requirement for hearing (PAN41 or other): N**

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**(P) Assessment and summary of determining issues and material considerations:**

Planning permission is sought for the installation of 30 replacement windows, the formation of a new window opening and the formation of patio doors to 63 John Street, Helensburgh. This is a traditional, unlisted villa within the Upper Helensburgh Conservation Area. Although unlisted, this is a very attractive building with all of its original timber windows. The proposal is to replace all of these windows with sliding sash and case uPVC units. These windows will be similar in appearance to the existing windows, however the astragals will be surface mounted rather than separating the physical panes as the original windows do.

The application needs to be assessed against the policies of the Local Development Plan, the council's Technical Working Note – Argyll & Bute Council Windows and all other material considerations.

Policy LDP 3 of the adopted Local Development Plan considers that in all development management zones the planning authority will assess applications with the aim of protecting, conserving and, where possible, enhancing the built, human and natural environment. Section C of this policy states that development will not be supported where it does not protect, conserve or where possible enhance the established character of the built environment in terms of its location, scale, form and design.

This is further back up by SG LDP ENV 17 also seeks to resist development that will not enhance or preserve the character of the historic environment. It states that:  
*“There is a presumption against development that does not preserve or enhance the character or appearance of an existing or proposed conservation area or its setting, or a Special Built Environment Area.*

*New development within these areas and on sites forming part of their settings must be of the highest quality, respect and enhance the architectural and other special qualities that give rise to their actual or proposed designation and confirm to Scottish*

*Historic Environment Policy 2011 and accompanying Managing Change Guidance Notes.”*

In order to assist in this assessment, the Council is in the process of adopting a Technical Working Note which aims to provide clear and consistent planning advice in relation to the replacement and refurbishment of windows in Listed Buildings and Conservation Areas. This document takes account of the aforementioned policies and the relevant Historic Environment Scotland documents including Managing Change in the Historic Environment series, specifically windows.

This **draft** Argyll and Bute Windows (Replacement Windows in Listed Buildings and Conservation Areas) Technical Working Note was approved by PPSL on 18th April. The document requires to undertake a period of public consultation before being adopted as non-statutory planning guidance but should in the meantime be afforded some weighting in determining proposals which include replacement windows in listed buildings and/or conservation areas.

The Technical Working Notes Argyll & Bute Windows describes that:

*“Windows are an essential element in the external character, appearance and composition of traditional buildings. They are an important element of a building’s design and weatherproofing. The size, shape and position of the openings are significant, as re the form and design of the framing and glazing. Their style, detailing and materials help us to understand when a building was constructed or altered, its function and advances in related to glazing technology. In simple vernacular buildings considerable amount of the character comes from the windows. When replaced unsympathetically the appearance of the building is damaged, and the unity that comes from the repetition of window patterns and traditional materials, particularly in tenements and terraced properties, is diminished. Cumulatively this leads to an erosion of the character of the street and over time the whole area”.*

The document recognised the impact of unsympathetic windows can have on a building and the wider area. In order to provide a bespoke approach to replacement windows in the conservation area the document provides several statements with respect to the council’s position depending on the quality of the building / area. For example, there are prime townscape blocks that may not be listed, but buildings that have retained their historic integrity and provide a significant degree of quality to the overall conservation area. Then there are de-valued townscape blocks which are buildings in secondary locations in conservation areas, which have been compromised by unsympathetic window and door replacements. Deciding if the building is a prime townscape block or a de-valued townscape block will determine the decision route.

The subject of the application site is a traditional 2 storey sandstone villa set within a block of 4 similar buildings, with a frontage onto John Street between Millig Street and Queen Street. These buildings are all very visible from the street and three out of the 4 have retained their original windows. These windows are timber sash and case units with astragals to the upper panes. They are integral to the character and appearance of the dwellings and the wider conservation area. It is therefore considered that this is a prime townscape block. The dwellinghouse that has had the windows replaced has done so without consent. These windows have been replaced with single pane units with surface mounted astragals and no stepped appearance. These windows undermine the character of the dwellinghouse and detract from the character and appearance of the conservation area.

It is therefore considered that the replacement windows are not consistent with the terms of the Council’s Technical Working Note. It is therefore considered that the

installation of 30 replacement windows which do not exactly match the original timber windows in terms of materials and appearance will be visually intrusive, visually discordant and as such detract from and undermine the character and appearance of this traditional building. This will have a detrimental effect on the integrity and architectural quality of the building as a whole and in turn will undermine the character and appearance of the conservation area. The works are therefore considered contrary to policies LDP 3(C) of the Local Development Plan (adopted 26th March 2015), SG LDP ENV16 (a) and ENV17 of the Supplementary Guidance and the council's Technical Working Note on Replacement Windows in Argyll & Bute.

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**(Q) Is the proposal consistent with the Development Plan: No**

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**(R) Reasons why Planning Permission or a Planning Permission in Principle should be refused:**

The windows proposed replacement windows will have non-traditional frames and surface mounted astragals, which by virtue of their inappropriate uPVC material will have an unacceptable impact upon the appearance and the architectural and historic interest of the conservation area. They would fail to preserve the character of the conservation area and are contrary to the policy position expressed in Scottish Planning Policy and Managing Change in the Historic Environment.

The council's Technical Working Note Argyll & Bute Windows specifically sets out which buildings can be classed as Prime Townscape Blocks. This building, by virtue of its high visibility within the conservation area, its largely unaltered windows and set between two traditional villas who have also retained their original windows is considered to be one. Within prime townscape blocks, only refurbishment/repair or like for like timber replacement will be permitted. The introduction of uPVC windows, although the same style and method of opening, lack the elegance and refinement of traditional timber windows and the astragals will be surface mounted rather than separating the physical panes as the original windows do. As such they would appear visually intrusive, visually discordant and would detract from the character and appearance of the existing building and the wider conservation area.

The development is therefore contrary to LDP STRAT 1, LDP 3, LDP 9 of the Local Development Plan and SG LDP ENV 17 of the Supplementary Guidance which presumes against development which does not preserve or enhance the character or appearance of a the built environment, including Conservation Areas. The proposal is not consistent with the expectations of HES through their Managing Change in the Historic Environment guidance of the Councils Technical Working Note Argyll & Bute Windows April 2018.

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**(S) Reasoned justification for a departure to the provisions of the Development Plan:**

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**(T) Need for notification to Scottish Ministers or Historic Scotland: No**

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**Author of Report:** Stephanie Spreng

**Date:** 17.12.2018

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**Reviewing Officer:**

A handwritten signature in black ink, appearing to read 'HY' with a stylized flourish underneath.

Howard Young

**Dated:** 09/07/2019

Angus Gilmour  
Head of Planning, Housing and Regulatory Services

**GROUNDINGS FOR REFUSAL RELATIVE TO APPLICATION: 18/02163/PP**

1. The proposed replacement windows will have non-traditional frames and surface mounted astragals, which by virtue of their inappropriate uPVC material will have an unacceptable impact upon the appearance and the architectural and historic interest of the conservation area. They would fail to preserve the character of the conservation area and are contrary to the policy position expressed in Scottish Planning Policy and Managing Change in the Historic Environment.

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**NOTE TO APPLICANT**

For the purpose of clarity it is advised that this decision notice relates to the details specified on the application form dated 18/04/2018 and the refused drawing reference numbers;

- 1/16 – Location Plan and Site Plan. Drawing Number 01
- 2/16 – Front Elevation as Existing. Drawing Number 05, Rev B
- 3/16 – Rear Elevation as Existing. Drawing Number 07, Rev B
- 4/16 – Side Elevation as Existing. Drawing Number 06, Rev B
- 5/16 – Side Elevation as Existing. Drawing Number 08, Rev B
- 6/16 – Ground Floor Plan as Existing. Drawing Number 02, Rev B
- 7/16 – First Floor Plan as Existing. Drawing Number 03, Rev B
- 8/16 – Elevations and Dimensions of Windows Existing. Drawing Number 16
- 9/16 – Ground Floor Plan as Proposed. Drawing Number 09, Rev B
- 10/16 – First Floor Plan as Proposed. Drawing Number 10, Rev B
- 11/16 – Front Elevation as Proposed. Drawing Number 12, Rev B
- 12/16 – Side Elevation as Proposed. Drawing Number 13, Rev C
- 13/16 – Rear Elevation as Proposed. Drawing Number 14, Rev B
- 14/16 – Side Elevation as Proposed. Drawing Number 15, Rev B
- 15/16 – Elevations and Dimensions of Windows (Proposed) Drawing Number 17
- 16/16 – Details of Proposed Replacement Windows. Drawing Number 18

**APPENDIX TO DECISION REFUSAL NOTICE**

Appendix relative to application **18/02163/PP**

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- (A)** Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing?

N

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- (B)** The reason why planning permission has been refused.

The windows proposed replacement windows will have non-traditional frames and surface mounted astragals, which by virtue of their inappropriate uPVC material will have an unacceptable impact upon the appearance and the architectural and historic interest of the conservation area. They would fail to preserve the character of the conservation area and are contrary to the policy position expressed in Scottish Planning Policy and Managing Change in the Historic Environment.

The council’s Technical Working Note Argyll & Bute Windows specifically sets out which buildings can be classed as Prime Townscape Blocks. This building, by virtue of its high visibility within the conservation area, its largely unaltered windows and set between two traditional villas who have also retained their original windows is considered to be one. Within prime townscape blocks, only refurbishment/repair or like for like timber replacement will be permitted. The introduction of uPVC windows, although the same style and method of opening, lack the elegance and refinement of traditional timber windows and as such would appear visually intrusive, visually discordant and would detract from the character and appearance of the existing building and the wider conservation area.

The development is therefore contrary to LDP STRAT 1, LDP 3, LDP 9 of the Local Development Plan and SG LDP ENV 17 of the Supplementary Guidance which presumes against development which does not preserve or enhance the character or appearance of a the built environment, including Conservation Areas. The proposal is not consistent with the expectations of HES through their Managing Change in the Historic Environment guidance of the Councils Technical Working Note Argyll & Bute Windows April 2018.



**From:** [doak\\_architect](#)  
**To:** [localreviewprocess](#)  
**Cc:** [Gillian Dunn](#)  
**Subject:** 19/0006/LRB:63 John Street,Helensburgh  
**Date:** 31 October 2019 17:00:49

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From:Chris Doak Architect

To: Local Review Body,Committee Services (Argyll and Bute Council)

### **REVIEW NO.19/0006/LRB : 63 JOHN STREET,HELENSBURGH**

I confirm receiving the Representation relating to our request for a Review of Refusal of Planning Permission,and having studied the Statement of Case from the Planning Authority,I would like to make comment as follows:

1. Our Application for Planning Permission related to the replacement of the windows of the house from timber sash and case to upvc sash and case,and also for the formation of patio doors to the rear,and formation of a new window opening in the side wall.The Decision Notice and the Statement of Case only make reference to the replacement of the windows.Why is there no mention of the patio doors and the gable window? Are these Permissible? Are these contentious?
2. I think it is unfair to associate my clients' Application with the unauthorised replacement windows in the house of their close neighbour at 67 John Street.My clients are proposing to install high-quality,upvc sash and case windows - not single pane,pivot windows.
3. The Decision Notice and the Statement of Case mentions (on more than one occasion) that the proposed upvc sash windows have "surface mounted astragals".This is incorrect.The proposed windows that the Applicant intends to install have individual double-glazed units between the astragals,in the same fashion as a timber window would.
4. In the Appendix to Decision Refusal Notice there is a paragraph which reads as follows:

"This **draft** Argyll and Bute Windows (Replacement Windows in Listed Buildings and Conservation Areas)Technical Working Note was approved by PPSL (?) on 18th April.The document requires to undertake a period of public consultation before being adopted as non-statutory planning guidance,but should in the meantime be afforded some weighting in determining proposals which include replacement windows in Listed Buildings and Conservation Areas."

The Application for Planning Permission was made on 27 September 2018,and declared Valid by the Planning Department on 3 November 2018.At the end of December 2018,we were informed by the Planning Department,that the Application was likely to be Refused.It was not till 9 July 2019 that the Decision Notice was issued,and we did not receive the Notice for another four weeks.It seems unfair that the Application process was dragged out for months,and was then assessed on an "unadopted planning guidance",only approved by PPSL (sic) on 18 April 2019.

I trust that you find the above to be of interest and relevance,and we look forward to hearing of the Review Board's Decision.Thank you.

Regards,

Chris Doak

Chartered Architect

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**Property Address: 63 John Street, Helensburgh, G84 9JZ**

**Review Reference Number: 19/0006/LRB**

**Reference Number of Planning Application: 18/02163/PP**

**Agent: Mr Chris Doak (Architect)**

Dear Sir

I write in support of the above appeal lodged on our behalf by our Architect, Mr Chris Doak.

We sought planning permission to replace our existing wooden sash and case windows with uPVC double glazed windows from the Rehau Heritage range and this was refused. The main basis for the refusal would seem to be:

**...."the proposed replacement windows will have non-traditional frames and surface mounted astragals, which by virtue of their inappropriate uPVC material will have an unacceptable impact on the appearance and the architectural and historic interest of the conservation area."**

in addition:

**....."the uPVC windows, although the same style and method of opening, lack the elegance and refinement of traditional timber windows and the astragals will be surface mounted rather than separating the physical panes as the original windows do. As such they would appear visually intrusive, visually discordant and would detract from the character and appearance of the existing building and the wider conservation area."**

It is also mentioned that our property sits between **'two traditional villas who have retained their original windows'**, thus replacing our windows would have a detrimental effect on not just the individual building but the street in general.

Whilst we understand the need to conserve and preserve architectural detail, we feel that refusal of planning permission in this case is unjustified.

Our current windows are in such a state of deterioration that they could be considered dangerous. The wooden sills, astragals and frames have been overpainted to such a degree that any visual fine detailing has been lost. The sills and frames are rotting to an extent that simple finger pressure produces deep holes in the frames. The windows are currently sealed shut with a thick layer of paint that not only covers the frame but impinges onto the glass by approximately 1cm either side of the astragals. I believe that the overpainting has been done in an attempt to disguise the underlying rotten wood and missing putty around the glass.



There are approximately only 5 windows with intact window cords. As mentioned, most of the window frames are sealed shut with paint, which poses a fire risk. On freeing up some of the frames it is apparent that the units are unstable and this again poses a danger, especially in the upper windows.

The insulation properties of single glazed windows are poor and this is impeded further by our existing unsafe and ill fitting windows.

In the attempt to better insulate our house and improve our individual carbon footprint we proposed to fit double glazed windows. Recent advances have allowed for almost identical looking uPVC windows to replace the original wooden ones. uPVC windows are roughly half the price of wooden framed double glazed units and cost is an important consideration in

any intended renovations. We have been quoted approximately £25,000 for uPVC windows and £45,000 for wooden windows. This is a considerable difference and an important consideration for us.

We were looking to instal Rehaus Herritage windows an example of which is below:



## Features

- Traditional design details and sight-lines of a timber box sash window, with all the benefits of uPVC, make this system the ideal replacement sash window. Traditional timber aesthetics can be replicated by combining sight-lines of the 42mm, 52mm or 62mm heritage sashes, with the deep 81mm heritage bottom rail. The 10mm incrementally stepped sash profiles allow for equal glazing sight-lines to run from top to bottom sash, creating an aesthetically pleasing finished product.
- Patented design details provide superb styling and easy installation.
- Triple chambered profiles ensure good thermal insulation - achieves an 'A' Window Energy Rating (WER) using standard components and without the need for thermal inserts.
- Kitemark accredited extruded profiles produced in accordance with BS EN12608:2003 including a SEVERE rating for Classification of climatic zones.
- The system is approved BS7950:1997 (2007) security standards.
- Sound insulation is dependent on glazing specification. For more information please consult one of our Commercial Sales Managers. All profiles are accredited and extruded to the CEN A classification.
- Document L compliant.
- Choosing between either a run-through heritage style horn, or a clip-on version, you are able to replicate traditional timber aesthetics. These options maintain the integrity of building architecture.

- Exterior of sash has putty-line aesthetics with matching astragal bar and inside is sculptured with matching astragal bar.
- A stepped frame with either mechanically jointed sill or fully welded options..
- Triple brush seals for superior draught proofing.
- Anti-jemmy Security Bar for optimum security.
- Sizes up to 1800 X 3500mm.

We realise that 63 John Street is an important house architecturally, however we believe that its external appearance would be enhanced by replacement windows of the type we are considering. Whilst we understand that uPVC and wood have differences in character and appearance we find it hard to believe that installing Rehau Heritage windows would be significantly detrimental to the overall appearance of the property.

Indeed a short walk around the area shows many properties with replacement windows of a style similar to the Rehau Heritage we are proposing. Some are wooden and some are uPVC but we would argue that most people with normal vision would find it hard to tell the difference from the street.

On close inspection it may be apparent that the windows were not wooden but part of the argument for refusal of planning for uPVC windows in this case is an overall detracting from the aesthetic of the street.

We have included some photographs of nearby houses. We know that some of the windows are uPVC as we know the occupants, but we disagree that this is obvious from the roadside.







In addition, it is mentioned that the houses on either side of our own have traditional windows. This is not the case. Number 65 has a fairly crude uPVC window in the upper middle dormer. We would argue that replacement with this type of window would be unacceptable, however this is not what we are proposing.



In summary, we would like a balanced reconsideration of our request to replace our existing wooden windows which are in very poor condition throughout, with Rehau Heritage sash and case uPVC windows. This would improve current fire safety of the property, reduce our carbon footprint and energy bills and in our opinion, improve the overall aesthetic of the house. It is not our wish to detract from the appeal of the property or the surrounding neighbourhood. We only wish to improve the longterm viability of the fabric of the house. We have to take costs into consideration and we feel that Rehau Heritage sash and case windows provide a realistic solution to the current issues with our traditional windows.

Yours faithfully



Gillian and Nicholas Dunn

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