

Ref: AB1

ARGYLL AND BUTE COUNCIL  
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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**  
(received 7 August 2019)

(5) Address of Appeal Property

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

(6) Description of Proposal **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**

(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 Duns 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

