

Argyll House Alexandra Parade Dunoon PA23 8AJ

**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: 22/01848/PP

**Mr Peter Campbell
Wincote
26 Crichton Road
Rothesay
Isle Of Bute
Argyll And Bute
PA20 9JR**

I refer to your application dated 9th September 2022 for planning permission in respect of the following development:

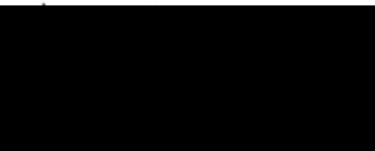
Replace existing sliding sash case single glazed windows with double swing double glazed timber frame windows to front elevation and Upvc double glazed windows to the rear

AT:

26 Crichton Road Rothesay Isle Of Bute Argyll And Bute PA20 9JR

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: 21 June 2023



Fergus Murray
Head of Development and Economic Growth



REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER: 22/01848/PP

The property that is the subject of this application, No. 26 Crichton Road, is a Category C Listed Building that is located in the Rothesay Conservation Area.

Argyll and Bute Council adopted the Rothesay Windows Technical Working Note in 2015 and the subject property was identified as one of the Listed Buildings within the Conservation Area where traditional fenestration had remained intact. The existing sliding sash and case timber windows on the front elevation of the building are considered to be very important and are an essential aspect of its special interest.

Regarding this type of Listed Building, the adopted Technical Working Note advocates the refurbishment/repair of windows or the installation of 'like-for-like' replacements as the preferred options. In cases where it can be demonstrated that the existing windows are beyond economic repair, the installation of high quality double-glazed units that are identical to the original windows in all other respects are very likely to be permitted.

The windows that are proposed for installation on the front elevation would have a double swing method of opening and, when in the open position, they would project from the external façade of each unit thereby appearing visually incongruous and discordant. In this regard, it is considered that they would detract from the character and appearance of the Listed Building and the wider Rothesay Conservation Area to an unacceptable degree.

The rear elevation of the property is visually inconspicuous and is of less significance in terms of fenestration. However, as timber is the consistent finish, the proposed installation of upvc windows to replace traditional timber sliding sash and case units on the upper floor and in the east-facing (side) elevation of the single storey outhouse is considered to represent an inappropriate intervention.

On the basis of the foregoing, the proposal is contrary to NPF4 Policies 7, 14 and 16 and to Policies LDP STRAT 1, LDP 3 and LDP 9 and Supplementary Guidance policies SG LDP ENV 16(a), SG LDP ENV 17 and SG LDP Sustainable Siting and Design Principles of the Argyll and Bute Local Development Plan 2015. Furthermore, the works are not consistent with Argyll and Bute Council's adopted Rothesay Windows Technical Working Note 2015 nor with the expectations of Historic Environment Scotland through their 'Managing Change in the Historic Environment' guidance on windows. The proposal is also not consistent with Policies 4, 5, 9, 10, 15, 16 and 17 of the Proposed Local Development Plan 2 which is a significant material consideration.



NOTES TO APPLICANT (1) RELATIVE TO APPLICATION NUMBER 22/01848/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
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 REFUSAL NOTICE

Appendix relative to application: 22/01848/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

- B. Is the proposal a departure from the Development Plan:

No

If yes, state level of departure:

No Departure

- C. Summary justification statement for refusal of planning permission

The proposal is considered to be contrary to NPF4 Policies 7, 14 and 16 and to Policies LDP STRAT 1, LDP 3 and LDP 9 and Supplementary Guidance policies SG LDP ENV 16(a), SG LDP ENV 17 and SG LDP Sustainable Siting and Design Principles of the Argyll and Bute Local Development Plan 2015. There are no other material considerations of sufficient significance to indicate that it would be appropriate to grant Planning Permission in this instance as a departure to the Development Plan having regard to s25 of the Act.