

Signed (authorised Officer(s)):

18 ESSLEMONT AVENUE, ROSEMOUNT

REPLACEMENT OF 2 WINDOWS

For: Mrs Maria Mazevet

Application Type : Detailed Planning
Permission

Application Ref. : P140065

Application Date : 29/01/2014

Advert : Section 60/65 - Dev aff

LB/CA

Advertised on : 12/02/2014

Officer : Alex Ferguson

Creation Date : 4 June 2014

Ward: Midstocket/Rosemount (B Cormie/J
Laing/F Forsyth)

Community Council: No comments

RECOMMENDATION:

Refuse

DESCRIPTION

The application site comprises a 2nd floor flatted property within a traditional 4 storey granite tenement block on the corner of Esslemont Avenue and Northfield Place. The block of flats forms part of a terrace of similar tenement blocks on the eastern side of Esslemont Avenue. There are a variety of different window designs and fenestration patterns on Esslemont Avenue although the corner block to which the application property belongs has a uniformity of window design, with all the windows in the building being white-framed 1-over-1 casement units with central horizontal transom bars which mimic the appearance of a traditional sash and case window, with the exception of the upper sash being stepped out above the lower sash. The application site is situated within the Rosemount and Westburn Conservation Area.

RELEVANT HISTORY

P130479 – Planning permission was granted in 2013 for the installation of replacement windows at 49 Esslemont Avenue. The initial proposals involved the replacement of the existing central transom 1-over-1 casement windows with inappropriate tilt and turn units with a low level fixed pane. After discussions with

the planning case officer, the applicant amended the plans and proposed instead to replace the existing windows with more traditional sash & case units.

P121118 – Planning permission was granted in 2012 for the installation of replacement windows at 29-35 Esslemont Avenue. The replacement windows were of a traditional sash & case 1-over-1 design.

PROPOSAL

Permission is sought for the installation of replacement windows at the application site. It is proposed to replace the 2no existing units which have central transom bars, with 2no modern uPVC windows with an offset, lower transom. The windows would have a lower, 450mm high fixed pane and a larger, 1.6m high tilt and turn unit above.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140065>

On accepting the disclaimer, enter the application reference quoted on the first page of this report.

CONSULTATIONS

Roads Projects Team – No observations

Environmental Health – No observations

Enterprise, Planning & Infrastructure (Flooding) – No observations

Community Council – No comments

REPRESENTATIONS

No letters of representation received.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) is the statement of Government policy on land use planning and includes the Government's core principles for the operation of the planning system and concise subject planning policies. The subject planning

policies relating to Communications Infrastructure and the Historic Environment are material considerations.

Historic Scotland's Scottish Historic Environment Policy (SHEP) – the main principles of Historic Scotland's SHEP, in terms of Development Management, is to ensure that any development within a Conservation Area or relating to a Listed Building enhances or preserves the area or building – in other words, the proposed development should not have a detrimental impact on the character of the area or the building.

Aberdeen Local Development Plan

Policy D1 (Architecture and Placemaking)

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

Policy D5 - Built Heritage

Proposals affecting Listed Buildings or Conservation Areas will only be permitted if they comply with Scottish Planning Policy.

Policy H1 - Residential Areas

Within existing residential areas and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

1. does not constitute over development;
2. does not have an unacceptable impact on the character or amenity of the surrounding area;
3. does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010;
4. complies with Supplementary Guidance on Curtilage Splits; and
5. complies with Supplementary Guidance on House Extensions.

Technical Advice Note: The Repair and Replacement of Windows and Doors

- White uPVC vertical sliding windows may be acceptable as 'lookalike' replacements for windows in Conservation Areas provided that proposals with through / embedded astragals comply with original dimensions.

- On non-traditional, more modern, buildings in Conservation Areas a broader range of materials and designs may be permitted, depending on the individual building and surrounding area.

Rosemount and Westburn Conservation Area Character Appraisal

It is acknowledged that one of the major contributing factors to the character of any area is the uniform treatment of fenestration.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

The guidance contained in the Technical Advice Note on replacement windows within a conservation area states that most buildings in conservation areas have sash and case windows and, at the front of the property, the only alternative to a sash and case window which is likely to be permitted is a sash and case 'lookalike'. PVC is an acceptable alternative to wood within a Conservation Area. However a different style of window may be permitted at the rear of the property provided it is not readily visible from a road or other public space.

It is acknowledged in the Rosemount/Westburn Conservation Area Character Appraisal that the uniformity of fenestration treatment in streets such as Esslemont Avenue has been lost - in most tenements no two windows are alike. However, the tenement block of which the application property forms part, is relatively unique for Esslemont Avenue as it does have a uniformity of fenestration pattern. All of the windows in the prominent corner block are white-framed units with central horizontal transom bars, mimicking the traditional sash and case appearance.

The Conservation Area Character Appraisal (CACA) suggests that it is considered impractical to expect replacement windows to the principle elevations within tenements in the Rosemount and Westburn conservation area to be replaced with sash and case units and that windows should be kept simple in style and have white frames. However, the CACA also states that:

'Carefully matching new windows to the most prevalent and appropriate existing

appearance, possibly including a dummy transom for example, will enhance a tenement. This will assist in creating a degree of uniformity in terraces thereby preserving and enhancing the character of the area.'

The CACA acknowledges that one of the major contributing factors to the character of any area is the uniform treatment of fenestration and that 'the genuine heritage of the conservation area must not be diluted and debased by the introduction of designs that merely mimic their surroundings in an unconvincing and ill-considered fashion.'

Therefore, whilst it is acknowledged that on the rest of the street, a variety of different window patterns have been installed which has eroded the character of the Conservation Area to some extent, the aim of the Council's Conservation Area Character Appraisal and window replacement guidance is to enhance the the character of the Conservation Area by encouraging and promoting the retention and/or reinstatement of traditional window designs and fenestration patterns.

Although it would be impractical to demand the reinstatement of sash & case window units on Esslemont Avenue, the retention or reinstatement of windows which at least have a similar appearance through the use of central transom bars is an acceptable compromise in terms of maintaining and enhancing the visual character of the area. The proposed installation of tilt and turn units with a lower fixed pane, although seen elsewhere in the street, would be detrimental to the character of the area and especially the corner block to which the application property belongs, due to the existing uniformity within that block. The proposed replacement windows therefore do not comply with Scottish Planning Policy, SHEP and Policies D1 (Architecture and Placemaking), H1 (Residential Areas) and D5 (Built Heritage) of the Aberdeen Local Development Plan.

It should be noted that since the introduction of the current Householder Development Guide and Technical Advice Note, no planning consents have been granted on Esslemont Avenue for the installation of modern window units matching those as proposed as part of this application. Indeed, the two most recent applications for window replacement on Esslemont Avenue have actually involved the retention and reinstatement of sash & case or sash & case lookalike window units which have helped to preserve and enhance the character of the Conservation Area, in accordance with SPP, SHEP and Policy D5 (Built Heritage) of the ALDP.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The proposed replacement windows would be of a non-traditional design. Their installation would have a detrimental impact upon the visual character of both the block in which the application property is situated, as well as the Conservation Area as a whole. The proposed installation of the replacement windows would therefore be contrary to Scottish Planning Policy, Scottish Historic Environment Policy and policies D1 (Architecture and Placemaking), D5 (Built Heritage) and H1 (Residential Areas) of the Aberdeen Local Development Plan.