

**CR SMITH**

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## **Grounds of Appeal**

*On behalf of*

**Miss Stalker  
10 Stoneyhill Terrace  
Cove Bay  
AB12 3NE**

**Proposed replacement PVCu windows**

*Planning ref – P140452*

**Date of refusal – 9<sup>th</sup> July 2014**

## Property History & Introduction

The following statement is to be read in conjunction with our appeal against the *refusal of replacement windows at 10 Stoneyhill Terrace, Cove Bay*. The proposals are to replace timber windows with new PVCu windows.

The Planning Department has rejected our application to replace the existing windows on the grounds that the proposed design, opening mechanism and colour are inappropriate and contrary to the guidance of replacement windows for conservation areas in Aberdeen City Council.

The client's property is a part of a semi-detached house in a residential area of mixed styled properties. It sits within the Cove Bay Conservation Area with timber sash and case windows to the front and casement to the rear.

The windows are now in need of replacement. We propose to replace these with a higher standard of window units using Rosewood coloured PVCu frame. The windows will have a tilt and turn opening mechanism to the front and casements to the rear, some windows will also incorporate Georgian astragals to follow what is there originally.

## Grounds of Appeal

The refusal states that the proposed windows are contrary to the council's guidance in terms of design, opening mechanism and colour, and would set an undesirable precedent for future applications.

It is our belief that on this occasion Aberdeen City Council has been particularly unfair in their decision to refuse our application for a number of reasons.

Firstly I would like to bring to your attention the type of properties which make up Stoneyhill Terrace and the surrounding area. These houses do not form any type of uniformity that is often found in a conservation area. A lot of the properties have been erected in different eras and the design of each differs immensely. To the top of the street there are traditional cottages, further down where our clients property sits is a line of houses which have a different type of design. This is again the same situation of another era of houses across the road.

Our client's property also looks to have had work on it since it was originally erected as like a number of properties in the street, a garage has been incorporated into the overall envelope of the building. This design of building surely cannot be classed as sympathetic to the conservation area.

The second point I would like to raise is the huge amount of differing types of windows that have been installed to the area. Vast amounts are of PVCu material and have the same opening methods as our proposals. There is again no colour uniformity in the area. Even the traditional looking cottages have differing window styles from each other, in all aspects of opening type, colour and design.

In terms of our proposals, the front windows will match in colour with the existing front door and to the rear there will be no colour change to what is there just now. The opening methods will match other windows in the immediate area. Our proposed design to the front of the property will mimic the Georgian astragal detail to the top

of the window. To the rear, the only change is the amount of openings to the windows on the ground floor and the introduction of astragal's to the first floor windows. These windows are out of sight from any public viewing point.

I would also like to bring to your attention that during the planning process a concern the planning officer had was of the windows to the front and the inclusion of internal astragals. We felt this was an unfair request purely based on the surrounding area's mismatch of both properties and replacement window styles.

It is clear that although our proposals do not follow Aberdeen City Council's guidelines, no real assessment of the existing, proposed and immediate area has been undertaken. Both CRSmith as an agent and our client were well aware the proposals didn't comply with the guidance for replacement windows in conservation areas but felt that in this circumstance the policy should have been over-ruled.

We believe that the Stoneyhill Terrace area, of the conservation area has already been massively affected by the installation of replacement windows. It therefore seems that the refusal is unjust in terms that our client's property is the only property within the street that still has the traditional windows installed.

I have attached photos that show the vast amount of replacement windows, which are currently installed on Stoneyhill Terrace, as well as the differing types of buildings that make up the immediate surrounding area of the Cove Bay.

These examples can be found on Annex 1

### Conclusion

The Planning Department has refused our application on the basis that the proposals are contrary to policy in terms of design, opening method and colour, and could set an undesirable precedent for future applications. We feel that the planning department has been particularly harsh in this instance purely on the fact that over 90% of the immediate surrounding area have replacement windows already installed. None of the windows form any type of uniformity in relation to design, opening methods and colour.

We therefore seek to appeal the decision of the Planning Department.

10 Stoneyhill Terrace, Cove Bay





