

**Full Planning Application
at
3 2F1 Montgomery Street
Edinburgh
EH7 5JU**

**Development Quality Sub-Committee
of the Planning Committee**

Proposal: Replacement windows to rear of building (in retrospect)
Applicant: Mr McCrory
Reference No: 04/03477/FUL

1 Purpose of report

To recommend that the application be **REFUSED AND ENFORCED**

Reasons

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD4, in respect of Conservation Areas, as it has resulted in the removal of original sash and case windows to the detriment of the conservation area.
2. The proposal is contrary to Non Statutory Guidelines in respect of Window Alterations, as the replacement windows are of inappropriate design and materials
3. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the replacement windows do not take into full account the area's special character and fail to preserve the character or appearance of the conservation area.
4. The proposal is contrary to Central Edinburgh Local Plan Policy CD20, in respect of Window Alterations, as the replacement windows detract from the appearance of the building and the wider conservation area.

2 Main report

Site description

This application relates to the second floor flat of a four storey and attic block at the corner of Montgomery Street and Leith Walk. The building is listed category C(S) and is within the New Town Conservation Area.

Site history

There is no relevant planning history for this site.

Development

This is a retrospective application to install two uPVC windows to the rear of this second floor property. One of the windows is a single opening pane and the other, larger, window has one large opening pane and one lower fixed pane. No information has been supplied on the windows that were removed.

Consultations

No consultations undertaken.

Representations

The proposals have been advertised and no representations have been received.

Policy

The site is within an area of Housing and Compatible Uses as identified in the Central Edinburgh Local Plan.

Relevant Policies:

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD20 (WINDOW ALTERATIONS) sets out different levels of control for window alterations for listed buildings, non listed buildings in conservation areas and non listed buildings in defined areas of window control.

Non-statutory guidelines on 'REPLACEMENT WINDOWS AND DOORS' supplement local plan conservation and design policies, providing additional guidance on window and door alterations.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character;
- do the proposals comply with the development plan?
- if the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- if the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address the determining issues, the Committee needs to consider:

- a) whether the proposals have an adverse impact on the building or its setting;
 - b) whether the proposals have an adverse impact on the character or appearance of the conservation area;
- a) The Council's non-statutory guidance on Replacement Windows and Doors states that "the removal of original timber windows from listed buildings is not considered acceptable [and] double glazing or any change in design or materials will not be considered acceptable."

The windows that have been installed are double glazed, of a non-traditional design and are constructed in uPVC. Although a number of original windows in this area have been replaced with modern units, the significant majority of properties retain the original timber sash and case design, incorporating four over four pane sashes. In the absence of any information on the design of the previous windows, it is assumed the windows that were replaced were of the original sash and case design.

The windows that have been installed fail to comply with local plan policies and non-statutory guidance and have an adverse impact on the appearance of the building.

b) The character of the New Town Conservation Area is described in the Central Edinburgh Local Plan as follows:

"A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The First New Town, built to James Craig's 1767 plan, has experienced significant redevelopment, while the Second, Third and Fourth New Towns, which were laid out on estates to the north, east and west retain most of their original buildings. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves. Many of the New Town's buildings are listed category 'A' of national importance and the area contains some of the city's finest interiors."

Whilst the windows are to the rear, these elevations are still of reasonable appearance and the majority of original windows remain in place. Taking this into account, the new windows fail to preserve the character and appearance of the conservation area.

The proposals fail to comply with the development plan and non-statutory policies and have an adverse effect on the character or appearance of the conservation area.

There are no material planning considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application, and authorises enforcement action to secure the removal of the windows.



Alan Henderson
Head of Planning and Strategy

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Ward affected 20 -Calton

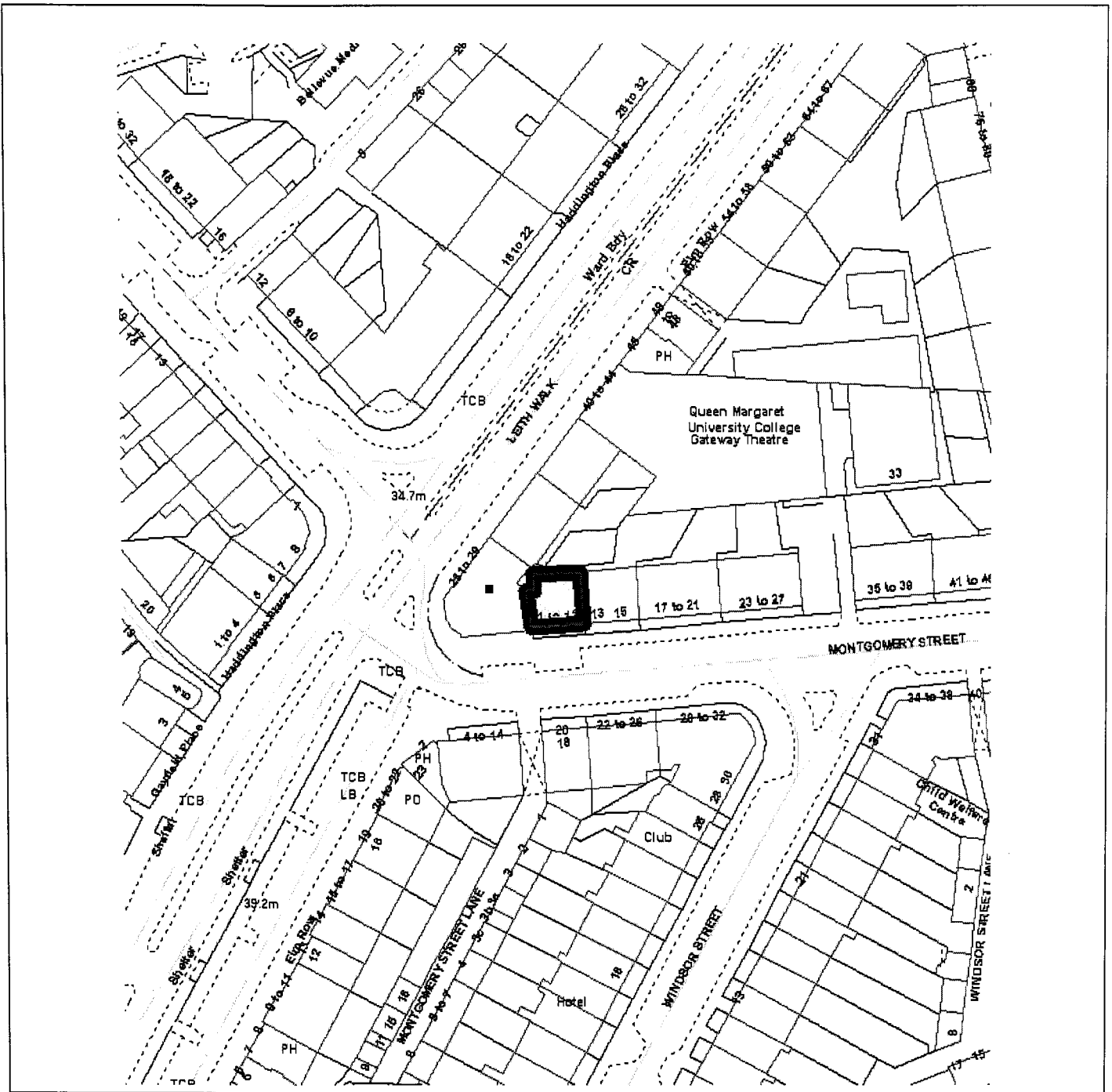
Local Plan Central Edinburgh Local Plan

**Statutory Development
Plan Provision** Housing and Compatible Uses

File

Date registered 8 October 2004

**Drawing numbers/
Scheme** 01-03
Scheme 1



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PLANNING APPLICATION

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Application number:	04/03477/FUL	WARD	20- Calton
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			