

**Full Planning Application
at
246 1F1 Newhaven Road
Edinburgh
EH6 4LH**

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

31 March 2004

Proposal: Replacement of existing aluminium double glazed windows
to white upvc double glazed windows
Applicant: Mr McNally
Reference No: 03/03474/FUL

1 Purpose of report

To recommend that the application be **REFUSED** for the following reasons;

Reasons

1. The proposal is contrary to North East Edinburgh Local Plan Policy E25, in respect of Design of New Development, as the proposed windows will have a detrimental impact on the character and appearance of the building and the wider area.
2. The proposal is contrary to Non Statutory Guidelines in respect of Window Alterations, as the proposed UPVC windows will be detrimental to the character and appearance of the building and the wider area
3. The proposal is contrary to North East Edinburgh Local Plan Policy E21, in respect of Conservation Areas, as the proposed windows are not sympathetic to the historic character of the conservation area.

4. The proposal is contrary to North East Edinburgh Local Plan Policy E28, in respect of Window Alterations, as the means of operation of the proposed windows do not match that of the original windows.

2 Main report

Site description

The application site is on the east side of Newhaven Road, within the Newhaven Conservation Area. The site is occupied by a three storey block of flats arranged in 4 stepped blocks and finished in red sandstone. The flats have a wide variety of windows of different styles and materials.

Site history

There is no relevant planning history for this site.

Development

The application is for the replacement of 4 existing aluminium windows with UPVC windows.

Consultations

No consultations undertaken.

Representations

The application was advertised on 24 October 2003.

One letter of objection was received from the Architectural Heritage Society of Scotland on the grounds that the uPVC windows would be inappropriate in the Conservation Area.

Letters of support have been received from the local Councillor and The Rose Garden Medical Centre.

Policy

North East Edinburgh Local Plan

The site is within an area of housing and compatible uses, where the existing residential character and amenities will be safeguarded.

The site is also within the Newhaven Conservation Area.

Relevant Policies:

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

Policy E28 (WINDOW ALTERATIONS): sets out criteria for assessing window alteration and replacement proposals to listed and non-listed buildings in defined areas (with examples).

Non-statutory guidelines on 'WINDOW ALTERATIONS' supplement local plan conservation and design policies, providing additional guidance on window alterations.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- do the proposals preserve or enhance the character and appearance of the Conservation Area; there being a strong presumption against the granting of planning permission if this is not the case?
- do the proposals comply with the local plan?
- if the proposals do comply with the local plan, are there any compelling reasons for not approving them?
- if the proposals do not comply with the local plan, are there any compelling reasons for approving them?

ASSESSMENT

In order to address these determining issues, the Committee must consider whether:

- a) the proposed alterations will have a detrimental impact on the character or appearance of the conservation area
- b) the proposed alterations will have a detrimental impact on the amenity of the occupiers of any neighbouring properties

a) Newhaven Character as defined by the North East Edinburgh Local Plan:

"Newhaven's original village plan survives, centred on the main street, with remnants of the fishing cottages and 'Old Town'. The harbour with lighthouse and listed fishmarket are separated from the old village core by the busy Pier Place. To the south of the village the 'New Town' is characterised by stone villas set in large gardens, with stone boundary walls. The Conservation Area also includes several streets of traditional Victorian tenements."

The proposed development is for the replacement of the existing pivot type aluminium windows in the property with uPVC tilt and turn type windows. The proposed development is in breach of the Council's guidelines on window alterations.

Although the remainder of the property exhibits a wide variety of windows of various patterns and forms the use of UPVC within the Conservation Area is not appropriate.

Our approach is that as windows are replaced over time, they meet the Council's guidelines. This approach is in accordance with advice in Historic Scotland's Memorandum and was supported by the reporter in a recent planning and listed building enforcement appeal at Annfield.

The design, form and materials used in the proposed windows will have a detrimental impact on the character and appearance of the property and the wider Conservation Area.

The proposed windows are more sympathetic to the original building, than the existing windows. However, the original windows would appear to have been of a centrally divided, wooden, sash and case form. This would be the style as recommended by the Council's guidelines. The proposed windows do not comply with the Council's guidelines and are not acceptable in this case.

The use of UPVC within the Conservation Area is not appropriate. The design, form and materials used in the proposed windows will have a detrimental impact on the character and appearance of the property and the wider Conservation Area.

b) The proposed development is for the replacement of the existing windows. The proposed alterations will have no detrimental impact on the amenity of the occupiers of any neighbouring property in the terms of the Council's guidelines.

The applicant is disabled and wishes to replace the windows with a type he can open without difficulty. Letters of support have been received from the Ward Councillor and the applicant's doctor and are available in the Group Rooms.

Whilst sympathising with the applicant's position, it is the Council's responsibility to preserve or enhance the character and appearance of conservation areas. The applicant has been offered the opportunity to explore alternative window types with the department to see if a solution acceptable to both is available. However, the wishes the current proposal determined. Given the nature of the development a personal consent would not be appropriate.

In conclusion the proposed windows are not acceptable within the Conservation Area and will have a detrimental impact on the character and appearance of the building and the wider Conservation Area.

It is recommended that the Committee refuses this application for the reasons stated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel Peter Jones on 0131 529 3770 (FAX 529 3706)

Ward affected 12 -Newhaven

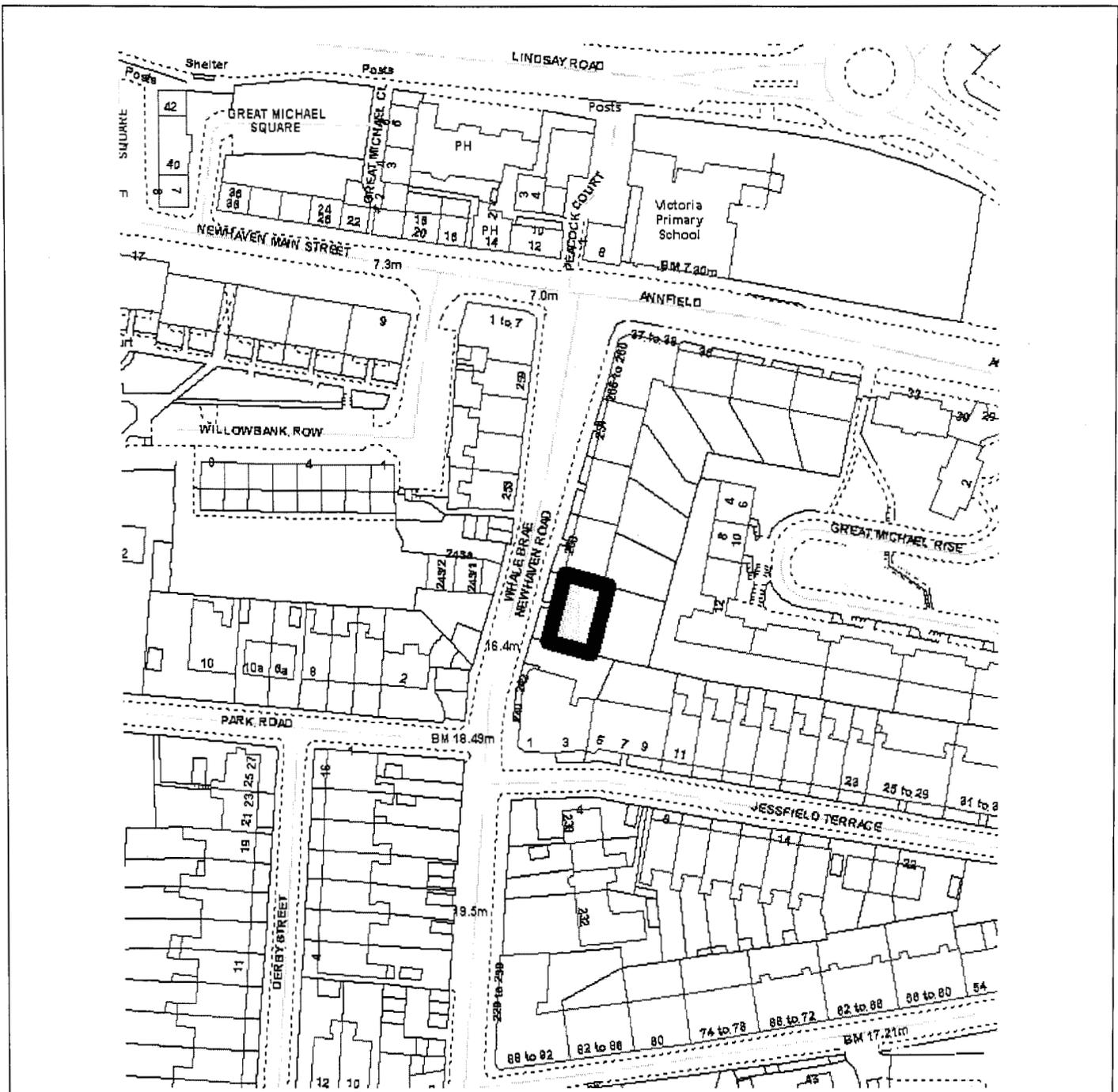
Local Plan North East Edinburgh

**Statutory Development
Plan Provision**

File

Date registered 9 October 2003

**Drawing numbers/
Scheme** 1
Scheme 1



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PLANNING APPLICATION

Address	246 1F1 Newhaven Road, Edinburgh, EH6 4LH		
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**THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY**