

PLANNING APPLICATION NUMBER:13/00880/P

## STATEMENT OF REASONS FOR SEEKING REVIEW

Planning application 13/00880/P is for the installation of UPVC double glazed windows. We have chosen windows designed specifically to look and function like wooden sash and case windows because we live in a conservation area. A photograph of the proposed type of window in situ within a conservation area, illustrating that they look just like traditional wooden sash and case windows is attached (1300880P examples of same window copy.jpg).

The Decision Notice states that the reasons for refusal of planning permission are:

1. The proposed seven replacement front elevation windows, due to their UPVC frames would be a significant change from the existing timber framed windows they would be replace and would appear significantly different when seen in relation to the timber framed windows that would remain on the front elevation of the adjoining building of 45 Bridge Street. This difference would not preserve the positive contribution the traditional timber framed sash and case windows make to the house, to the pair of buildings of which it is a part and to the special architectural or historic interest of the conservation area. Consequently the proposed seven replacement windows are contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies ENV4 and DP8 of the adopted East Lothian Local Plan 2008 and Scottish Planning Policy: February 2010.

The Officer Report also states that Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 is material to the determination of the application.

The reasons we are seeking review are:

1. The proposed UPVC windows are designed to look and function like traditional wooden sash and case windows (see attached photographs of the same make and style of windows in situ: 1300880P examples of same window copy.jpg) illustrating that the windows would not appear significantly different as stated in the Decision Notice.
2. The Officer Report states that Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 is material to the determination. Section 64 states that "*In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that **area***". Many properties in the Tranent conservation area, and several properties in Bridge Street within the conservation area, already have UPVC double glazing very different from what the original wooden sash and case windows would have looked like. For example, brown UPVC non sash and case double glazing (see attached photographs of numbers 39 and 41 Bridge Street as examples: 1300880P No 39 Bridge Street copy.jpg and 1300880P No 41 Bridge Street copy.jpg). Therefore, installing UPVC windows designed to look and function like the wooden sash and case windows would preserve the appearance of the conservation area, in which many windows already have UPVC frames anyway.
3. The Officer Report primarily compares the appearance of our property with the adjacent semi detached property, 45 Bridge Street. The report states that "the traditional timber framed sash

and case windows of their front elevations are a significant component of the positive contribution that they make to the special architectural or historic interest of the Conservation Area” and the proposed replacement windows “due to their UPVC frames would appear significantly different when seen in relation to the timber frame windows that would remain on the front elevation of the adjoining building of 45 Bridge Street”. This is incorrect. Because the UPVC double glazed windows proposed are specifically designed to look and function like wooden sash and case windows there would be no significant difference between the proposed and original style of window. Installing UPVC sash and case windows specifically designed to look like traditional wooden sash and case windows would have a neutral effect on the character and appearance of the conservation area and would therefore preserve the character of the conservation area as a whole, particularly as many properties within the conservation area already have non sash and case UPVC double glazing.

4. The Officer Report and Decision Notice refer to Policy DP8 (Replacement Windows) of the adopted East Lothian Local Plan 2008. Under this policy permission to replace windows will only be granted where the design and construction of the windows does not harm the character of the building and its surroundings. This normally means that the proportions of the window opening, the opening method, colour, construction material of frames and glazing pattern should be retained. An exception to this is where there is no visible difference between the proposed and original style of window. The UPVC double glazed windows proposed are specifically designed to look like wooden sash and case windows and have the same glazing pattern so the proportions of the window opening, the opening method, colour and glazing pattern would be retained. There would be no visible difference between the proposed and original style of window and this exception should have been applied. Further as described above, many of the houses within the conservation area on Bridge Street already have non sash and case UPVC windows so the installation of UPVC windows that look the same as the original windows would not harm the character of the building and its surroundings.
5. The Officer Report and Decision Notice also state that the development is contrary to Policy ENV4 (Development within Conservation Areas) of the East Lothian Local Plan 2008. This policy states that developments should be designed to preserve or enhance their special architectural or historic character. New development should accord with the size, proportions, orientation, positioning, density, materials and boundary treatment of nearby buildings and public and private spaces. Again as the proposed replacement windows are specifically designed to look like wooden sash and case windows and have the same glazing pattern there would be no visible difference between the proposed and original style of window, and because many of the houses in the conservation area already have UPVC windows very different from what the original windows would have looked like, the proposed development is not contrary to Policy ENV4.
6. The Officer Report and Decision Notice also state that the development is contrary to Policy 1B of the approved South East Scotland Development Plan. Policy 1B states that local development plans will ensure there are no significant adverse impacts on the integrity of:
  - international, national and local designations and classifications; or
  - international and national built or cultural heritage sites.

Installing UPVC sash and case windows specifically designed to look like traditional wooden sash and case windows would not have a significant adverse impact on the integrity of the conservation area. The particular designations referred to in Policy 1B (National Scenic Areas, Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest, Areas of Great Landscape Value and any other Phase 1 Habitats or European Protected Species, World Heritage Sites, Schedules Ancient Monuments, Listed Buildings, Royal Parks and

Sites listed in the Inventory of Gardens and Designed Landscapes) are not relevant to this application.

7. Policy 1B also requires Local Development Plans to have regard to the need to improve the quality of life in local communities by conserving and enhancing the natural and built environment to create more healthy and attractive place to live. Installing UPVC sash and case windows specifically designed to look like traditional wooden sash and case windows would conserve the built environment.
8. Policy 1B also requires Local Development Plans to contribute to the response to climate change, through mitigation and adaptation. The Decision Notice and Officer Report do not explain how, in making its decision, East Lothian Council has taken account of its duty under Policy 1B or under Section 44 of the Climate Change (Scotland) Act to act in the best way calculated to contribute to the delivery of the greenhouse gas emissions targets for 2020 and 2050. We are people who care greatly about the environment and wish to reduce our carbon footprint by installing double glazing. Wooden double glazed sash and case windows are disproportionately expensive and well beyond our means so we would be unable to install double glazing if planning permission for UPVC sash and case windows is refused. Installing the proposed windows would allow us to significantly reduce out carbon emissions, whilst still maintaining the appearance of the original windows and the character of the building and the conservation area. We would like to know how East Lothian Council has taken its duties under Policy 1B and Section 44 of the Climate Change (Scotland) Act into account.
9. Policy 1B also requires Local Development Plans to have regard to the need for high quality design, energy efficiency and the use of sustainable building materials. The proposed replacement windows are of high quality design and look the same as traditional wooden sash and case windows. They are A rated for energy efficiency and would significantly improve the energy efficiency of our property. They are manufactured by Veka from recycled UPVC windows (see <http://www.veka-recycling.co.uk>) and therefore use a sustainable building material.
10. The Officer Report states that there was one objection to the application from the Architectural Heritage Society of Scotland. This does not appear to be correct as no comments are listed on East Lothian Council's web site for this application. The Architectural Heritage Society of Scotland did object to our previous application for UPVC windows with a different glazing pattern from the original windows but did not object to this application. Any objections made to applications other than the application being considered should not have been taken into account in the determination.
11. We are being treated unfairly and inconsistently by East Lothian Council because other properties in Bridge Street within the conservation area have been allowed to install non sash and case brown UPVC windows (39 and 41 Bridge Street) and a window at number 33 Bridge Street has recently been bricked up altogether as part of its refurbishment (see attached photograph 1300880P No 33 Bridge Street.jpg). We do not understand why we have been denied planning permission for a proposal that preserves the integrity of the conservation area when these developments have been allowed. The Officer Report states that East Lothian Council has no record of planning permission being sought or granted for a house on Bridge Street within the conservation area. This is irrelevant. The developments appear to have gone ahead unnoticed and unchallenged by East Lothian Council which may be interpreted as tacit approval.

For the reasons given above we believe planning permission should have been granted.

Attached: Photographs of the proposed make and style of windows in situ and photographs of the windows of other properties on Bridge Street within the conservation area which have non sash and case brown UPVC double glazed windows or bricked up windows.