

Appeal to East Lothian Local Review Body
against the refusal of planning application 15/00042/P:

Formation of Window Opening

at 2 Eastfield Court, Marine Parade, North Berwick, East Lothian EH39 4LD

Application and grounds for objection

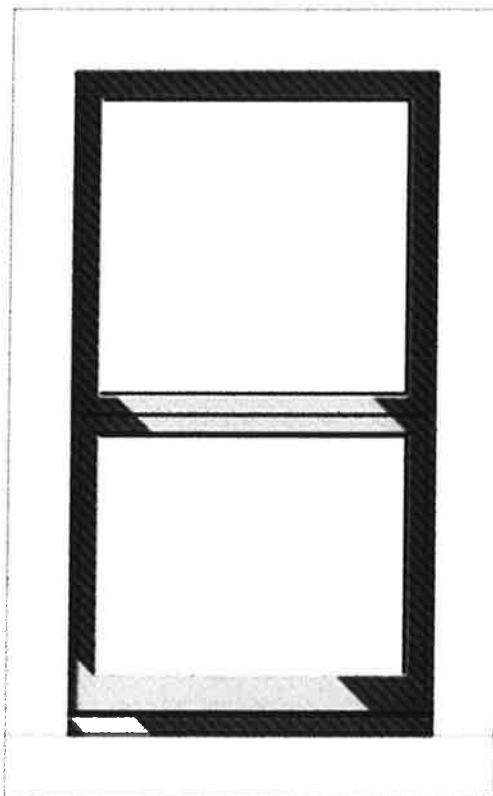
As part of a small project to upgrade the north facing first floor flat at 1, Marine Parade, North Berwick (also known as 2 Eastfield Court), planning permission was sought to re-open an existing window opening which had been blocked in the 1970s when the building was converted from a hotel into five flats. The application was refused as the proposed window was judged by the Planning Officer to have been *“harmful to the character and appearance of the flatted building and to the character and appearance of the Conservation Area”*.

During the public consultation period, there were no public objections to the planned window and, since the decision was made, several neighbours and members of the local community have expressed surprise that the application was refused. Some people commented that the buildings in the Conservation Area contain a very wide variety of windows and, throughout Marine Parade, many of the original sash and case windows have been extensively modified or, in some cases, completely replaced. Therefore, within the local area, it is not immediately obvious that the proposed window would appear out of context. More importantly, **the Planning Officer’s report fails to take into account the setting of the proposed window within both the west elevation of the building and also in relation to the directly adjacent, modern, detached house**. This implies that the Planning Officer’s conclusion was based on an incomplete assessment of the location and should be reviewed.

Therefore, we respectfully ask the Local Review Body to review the decision of the Planning Officer and to approve the application.

The proposed window

The applicants acquired the property in December 2014 and decided to apply for a building warrant to install a new shower room and utility room in January 2015. While drawing up plans for these works, it was decided to explore re-instating the window in the west elevation of the kitchen in order to provide additional daylight and also to reduce the requirement to heat a north facing room. As the original stone lintel, sill and window reveals had been left in place on the west elevation of the kitchen and a black, cement infill used to block the original opening during the conversion, the new window would not require a new opening in the harling-covered wall and would, therefore, not noticeably change the external appearance of the building. However, in order to comply with building regulations, the new window had to be energy efficient and also be non-opening and fire-rated (60 mins) to reduce the risk of fire spreading from flat 4 below. Combining these requirements within a traditional sash and case style window proved impossible and so, after consulting the planning department, the planning application included an aluminium fire-rated window with a white timber overlay to resemble the appearance of a sash and case window (see drawing of proposed window from application document).



ELEVATION

The Planning Officer's Report

The key sections of the report state that:

*The flatted building occupies a prominent position within the North Berwick Conservation Area. **All of the windows of the flatted building are of a timber framed sash and case style** and they, including those of the applicants' flat, are a defining part of the character and appearance of the flatted building and thus form part of the character and appearance of this part of the Conservation Area.*

The existing timber framed sash and case windows on the first floor of the flatted building each have a single light upper and lower case with a narrow transom.

It is proposed that in the window opening would be installed a non-opening, white gloss timber plated aluminium frame window, intended to have the appearance of a traditional sash and case window.

However, the form of the proposed window requires the transom to be much thicker than the existing timber framed sash and case windows of the building and there would be no set back of the lower pane. The window would be readily visible in public views of the flatted building from the public road of Quadrant.

*Installation in the proposed window opening of a timber clad aluminium framed window within the west elevation of the applicants' flat would not respect the traditional timber framed sash and case form and appearance of the existing windows in the flatted building or of this part of the Conservation Area. Because of this and because of its different form **the proposed window would appear incongruous on the building and within the Conservation Area.** It would neither preserve nor enhance but would be harmful to the character and appearance of the flatted building and of this part of the Conservation Area. It would not be well integrated into its surroundings, and its form would not be appropriate to the existing building.*

Grounds for objection

The objection is based on the view that Planning Officer's report does not appear to take into consideration that:

1. The other windows in the west elevation of the building and in the neighbouring building are not of the sash and case style.
2. In this part of the conservation area, there is an eclectic mix of windows.

Therefore, the Planning Officer's conclusion that the proposed window would appear out of character within the flatted building and the local area is based on incomplete information and should be reviewed.

Specifically, our objections relate to the two phrases highlighted in bold on the previous page which seem to be the key reasons for the application to have been refused. The context of the window in relation to the building, the west elevation, the neighbouring building and the local area is central to the decision and is examined in detail below:

The context of the proposed window opening

The Building

1 Marine Parade, which is at the junction of Melbourne Road and Quadrant, is a large building that has been extended in a piecemeal fashion over many years. The building was converted into five flats in the 1970s and includes two ground floor flats housed within extensions to the back and side of the original building. One of these, flat 4, which lies directly below the proposed window, appears to have been converted from a former outbuilding and forms part of the west boundary of the property. At the front of the building, facing Marine Parade, flats 1 and 2 have sash and case windows in two different styles. The front of flat 4 has two different styles of outward opening window. These are not sash and case style but they do not appear to be incongruous when set against the rest of the windows on the front of the building.

The front of the building (showing flat 2 (top floor) and flat 4 (in single storey extension on right))



The West Elevation

Contrary to the Officer's report, none of the windows of flat 4 are sash and case style and, facing onto Quadrant, only two small, single-pane, non-opening windows are visible. These are set in the wall above the original boundary wall of the property. The proposed window will be similar to two of these windows, one immediately above the other.

View from Quadrant looking East: windows of flat 4 and proposed window (blocked)



The Neighbouring Building

Similarly, the adjacent neighbouring property in a southerly direction, 11 Quadrant, which was built of modern construction within the curtilage of 1 Marine Parade, perhaps in the 1960s, has casement or fixed windows of a variety of configurations. Again, there are no sash and case style windows in this building

View from Quadrant looking North East showing windows of 11 Quadrant and rear of 1 Marine Parade



Therefore, when standing in Quadrant or at the junction of Melbourne Road and Marine Parade, and looking in an easterly (or south easterly or north easterly) direction at the proposed window, very few or none of the existing windows that are visible are of the sash and case style. It is not immediately apparent therefore, that the proposed window appears “incongruous” in this location as the Planning Officer’s report suggests. Arguably, the proposed window bears similarities to the sash and case style on the buildings of the opposite side of Quadrant AND also to the fixed windows in flat 4 below it - it could therefore be viewed as being “well integrated into its surroundings”.

View from Quadrant / Melbourne Road / Marine Parade junction looking South East:
only one window (top left) in this view is of the sash and case style



The Quadrant and the Conservation Area

As far as the Conservation Area is concerned, all of the neighbouring buildings in Marine Parade have been extended in a similar way to 1, Marine Parade. In a number of cases, the original windows have had their transoms removed or they have been converted into large picture windows. Even in Quadrant and at the end of Melbourne Road, where the windows are predominantly sash and case style, there is a range of several astragal types. For the area as a whole, this means that there is no truly vernacular style of window – a friend, who is a qualified surveyor and is now in property management, summed it up well, describing the mix of windows as being “eclectic”.

Other buildings in Marine Parade (2 and 5: examples of mixed astragals and removed transoms)



View to the North from Quadrant



Top window in photo of 3 Marine Parade (left) is very similar to the proposed window.
Example of mixed windows elsewhere in Marine Parade.



Summary

In conclusion, our appeal shows that it is, in fact, not the case that “***all of the windows of the flatted building are of a timber framed sash and case style***”. In our view, this is central to the Planning Officer’s assessment that “*the proposed window would appear incongruous on the building and...would be harmful to the character and appearance of the flatted building*”. In relation to the immediately adjacent windows (of the flat below the proposed window and of the neighbouring building, 11 Quadrant) and also within the context of the surrounding area, the photographs above show that it can reasonably be argued that the proposed window “neither adds nor detracts from the local area”. Therefore, within Scottish Planning Policy, the application to install the proposed window should have been allowed and we request that the Local Review Body overturns the decision of the Planning Officer.

Submitted on behalf of the applicants

Tony & Liz Foster

23rd June 2015

