

# Development Management Sub Committee

Wednesday 28 August 2019

**Application for Listed Building Consent 19/02624/LBC  
At 1 Grant Avenue, Edinburgh, EH13 0DS  
Application for removal of single glazed metal and timber  
windows and replacement with new double glazed  
hardwood timber windows. (In retrospect)**

Item number

Report number

Wards

B08 - Colinton/Fairmilehead

## Summary

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The proposals do not have special regard to the desirability of preserving the building or its setting and adversely affect the special architectural and historic interest of the listed building.

## Links

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[Policies and guidance for this application](#)

LDPP, LEN03, LEN04, LEN06, NSG, NSLBCA, HES, HESWIN, OTH, CRPCOL,

# Report

## **Application for Listed Building Consent 19/02624/LBC At 1 Grant Avenue, Edinburgh, EH13 0DS Application for removal of single glazed metal and timber windows and replacement with new double glazed hardwood timber windows. (In retrospect)**

### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The site is an Arts and Crafts villa designed by Alexander A Foote, 1922-23. It is multi-gabled with red hung tiles, mansard roof, and was designed with metal framed casements with predominantly small painted glazing. It was listed category B on 19 December 1979 ref: LB28928.

This application site is located within the Colinton Conservation Area.

#### **2.2 Site History**

April 2017 - Planning permission granted to form new vehicular access, erect new single garage with hard standing. Replace existing with new 1800mm high timber fence, install new timber vehicular gates. (17/00033/FUL).

5 June 2017 - Planning permission granted for the formation of plot within the front garden and erection of a dwelling following withdrawal of 16/03197/FUL. (16/04384/FUL).

16 June 2017 - Enforcement case opened in relation to unauthorised windows. (17/00325/ELBB).

31 January 2018 - Planning permission refused and enforced for new double glazed windows (in retrospect). (17/05593/FUL).

9 February 2018 - Listed building consent refused and enforced for new double glazed windows (in retrospect). (17/05528/LBC).

### **Main report**

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#### **3.1 Description Of The Proposal**

The proposal is to retain 18 double glazed, hardwood window units which have been installed in place of the original, single glazed, steel framed units.

### 3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the 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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

### 3.3 Assessment

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

- a) The development adversely impacts on the character of the listed building;
- b) The works have an adverse impact on the character and appearance of the conservation area; and
- c) Any public comments received have been addressed.

#### a) Listed Building

Edinburgh Local Development Plan (LDP) Env 4 states that proposals to alter or extend a listed building will be permitted where *those alterations are justified, there will be no unnecessary damage to historic structures or diminution of its interest; and where any additions are in keeping with other parts of the building.*

The Council's non-statutory 'Guidance for Listed Buildings and Conservation Areas' states that *the complete replacement of original windows will only be approved where they have clearly deteriorated beyond practicable repair.*

Advice given by Historic Environment Scotland in their document 'Managing Change in the Historic Environment - Windows' describes windows as an important element in defining the character of a historic building. The document states that: *"Where a window is of limited interest or beyond repair, its replacement should be permitted. New double-glazed windows may be acceptable, if they can closely match the original window design, detail and materials."*

The original counter sunk metal windows contained within timber framing were uniquely designed for this Arts and Crafts villa, creating an important component within the overall architectural composition of the building.

The home report and condition survey submitted along with the application sets out that the condition of the windows was poor and that the units were in need of repair. The condition survey stated that due to damage, some windows required to be replaced. However, the survey did not identify which units were in need of replacement. The evidence draws insufficient detail to the specific state of deterioration. The replacement of all windows was therefore not justified.

Irrespective of which windows required full replacement, the works should have been carried out to match the design and dimensions of the original windows, as straight like-for-like replacements, to ensure the historic character of the building was preserved.

The new double glazed timber framed windows do not match the original metal windows in terms of material and design. The new frame profiles are significantly larger and bulkier than the original, finely detailed metal frame profiles. The frames sit beyond the timber mullions, in comparison to the original metal frames that were counter sunk between the cruciform timber mullions. The new units form a clumsy and incongruous alteration which detracts from the overall historic character of the listed building.

Whilst it is accepted that the new windows have environmental benefits and that some effort has been made to imitate the original design by the use of applied astragals, this does not justify the erosion of the building's character by virtue of the alien and awkward form of the units.

The loss of the original windows from the villa has had a detrimental impact on the overall character of the historic building.

#### b) Conservation Area

The applicant submitted the application for planning permission for the windows in conjunction with this application for listed building consent. It was determined that the new windows, in planning terms only, did not materially affect the external appearance of the building, and therefore did not require the benefit of planning permission. The works have a neutral impact on the character and appearance of the conservation area. No further assessment is made in terms of their planning merits.

#### c) Public Comments

22 comments have been received. 21 in support, 1 in objection. A summary of the material comments are below:

##### Support

- Windows in need of repair - assessed in section 3.3(a).
- Environmentally friendly - assessed in section 3.3(a).
- Improve character of the listed building - assessed in section 3.3(a).
- Improve character of the conservation area - assessed in section 3.3(b).

## Objecting

- Impact on character of the listed building - assessed in section 3.3(a).
- Impact on character of the conservation area - assessed in section 3.3(b).

## Conclusion

The proposals do not have special regard to the desirability of preserving the building and adversely affect the special architectural and historic interest of the listed building. The proposal is an unsympathetic and incongruous addition to the listed building and is therefore unacceptable.

It is recommended that this application be Refused for the reasons below.

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The new window units form a clumsy and insensitive alteration that fails to have special regard to the desirability of preserving the building or its setting and diminish the historic interest of the building.
2. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the new windows do not adequately replicate the original window pattern, to the detriment of the special architectural and historic interest of the building.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

Advertised on 21 June 2019. Twenty-two representations have been received. One comment in objection and 21 in support of the proposal.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

The site is identified as an Urban Area in the Edinburgh Local Development Plan.

**Date registered**

3 June 2019

**Drawing numbers/Scheme**

01-04,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

## **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

## **Relevant Government Guidance on Historic Environment.**

Managing Change in the Historic Environment: Windows sets out Government guidance on the principles that apply to altering the windows of listed buildings.

## **Other Relevant policy guidance**

**The Colinton Conservation Area Character Appraisal** emphasises the high quality architecture, the predominant use of traditional building materials, the strong sense of place derived from the containment within a rural setting, and the prominent views to the Pentland Hills.

# Appendix 1

## **Application for Listed Building Consent 19/02624/LBC At 1 Grant Avenue, Edinburgh, EH13 0DS Application for removal of single glazed metal and timber windows and replacement with new double glazed hardwood timber windows. (In retrospect)**

### **Consultations**

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#### **Historic Environment Scotland**

*We made the following comments in December 2017. There seems to be no change to the application and no further information or justification submitted, so I will repeat our comments.*

*1 Grant Avenue is a single-storey and attic, asymmetrical Arts and Crafts villa. It is multi-gabled with red hung tiles, mansard roof, swept eaves, canted and square bay windows and swept dormers. It was designed, with metal framed windows, by Alexander A Foote in 1923.*

*We note that this is a retrospective application involving the removal of original metal-framed windows and their replacement with hardwood timber framed double-glazed windows.*

*The original metal windows of this inter-war property were of historic value and were an important element in defining its character. In dealing with historic windows we would first recommend repair and upgrading. Only if the windows were considered to be beyond repair, would we advise new replacement windows, which should aim to match the originals in all respects including materials, glazing pattern and opening method. It is possible, using new technology to obtain an accurate match for existing window patterns.*

*Firstly, we have had no information on the condition of the removed windows, and whether they could have been repaired and upgraded.*

*Secondly, despite requests, we have very limited information submitted on the new windows (only one photo and elevation drawing with no sections or detail), on which to gauge the full effect on the character and special interest of the listed building.*

*However, despite this lack of information, it appears the new hardwood timber windows do not replicate the original metal window designs accurately or successfully. They are of a different material, section and design.*

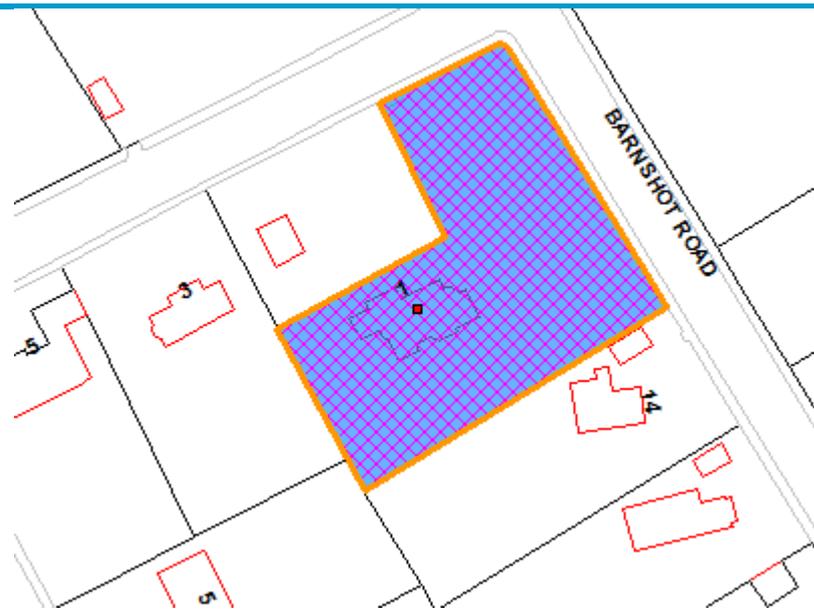
*The original metal windows had slender sections, contained within timber framing. The casement windows appear much thicker in section with a reduction in emphasis on the framing elements around them.*

*We would be happy to comment further when and if more details become available, but with the information to hand we would suggest the replacement windows are a poor match for the original patterns, and have a significantly adverse effect on the character of the building. With the loss of the original windows, in order to protect the special interest of the listed building, we would recommend more accurate replacement windows are investigated instead.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.*

## Location Plan

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