
SUPPLEMENTARY PLANNING GUIDANCE: REPLACEMENT WINDOWS AND DOORS

Report by Service Director Regulatory Services

PLANNING AND BUILDING STANDARDS COMMITTEE

5 OCTOBER 2015

1 PURPOSE AND SUMMARY

- 1.1 This report seeks approval of the Supplementary Planning Guidance on Replacement Windows and Doors (Appendix A) as a material consideration in the determination of applications.**
- 1.2 This Supplementary Planning Guidance (SPG) on Replacement Windows and Doors has been prepared following a decision by the Planning and Building Standards Committee to review the SPG in June 2014.
- 1.3 In summary this report brings forward the revised SPG on Replacement Windows and Doors following public consultation. A summary of the consultation responses are set out in **Appendix B** along with associated minor amendments and updates to the SPG. The changes to the finalised SPG as a result of the public consultation relate to additional clarification in relation to paragraph 3.23 as well as a change to paragraph 3.13 to confirm that Historic Environment Scotland will be a consultee on all applications relating to category 'A' and 'B' Listed Buildings.

2 RECOMMENDATIONS

- 2.1 I recommend that the Planning and Building Standards Committee agrees to approve the use of the document as Supplementary Planning Guidance in the determination of planning and listed building applications.**

3 BACKGROUND OF SUPPLEMENTARY PLANNING GUIDANCE

- 3.1 The current Supplementary Planning Guidance (SPG) on Replacement Windows was approved on 9 April 2012. The SPG on Replacement Windows and Doors (Appendix A) has been produced following a decision by the Planning and Building Standards Committee in June 2014 to review the SPG. At that time it was also agreed that the Development Plan Working Group oversee the review with the intention of reporting back to the Planning and Building Standards Committee on its completion.
- 3.2 The Development Plan Working Group agreed that the SPG be revised to provide greater clarity in terms of the application of the policy and also to expand the remit of the document to include doors.
- 3.3 A report on the Draft SPG on Replacement Windows and Doors was presented to the Planning and Building Standards Committee on 27 April 2015. At this meeting the Draft SPG was approved as an Interim SPG, it was also agreed that the document be subject to public consultation for a period of 12 weeks, ending 24 July 2015.

4 OUTCOME FROM PUBLIC CONSULTATION

- 4.1 Following this public consultation period, a total of seven consultation responses were received, three of which were "no comment" from SEPA, Scottish Water, and Gavinton, Fogo and Polwarth Community Council; the other consultation responses came from Historic Scotland, an individual, a glazing company and Berwickshire Civic Society.
- 4.2 The main elements of each of the consultation responses are detailed in **Appendix B** along with a response, and officer recommendation. Following comments received from Historic Scotland some minor wording changes have been incorporated into the SPG and these have also been highlighted within Appendix B. That appendix also sets out a number of updates to the document.
- 4.3 A number of minor changes to the SPG have come about as a result of the public consultation, these are:
 - Amendment to paragraph 3.23 to add clarity in relation to the policy position as it relates to category 'C' Listed Buildings, and
 - Changes have also been made to paragraph 3.13. It is noted that that Historic Scotland's functions will transfer to Historic Environment Scotland (HES) from 1 October 2015; and as a consequence of the "The Planning (Listed Building Consent and Conservation Area Consent Procedure) (Scotland) Regulations 2015" HES will be consulted on all applications relating to category 'A' and 'B' Listed Buildings were previously in relation to replacement doors and windows Historic Scotland were only consulted on category 'A' Listed Buildings and in respect to category 'B' Listed Buildings, they were consulted only were replacement doors or windows were proposed alongside other certain works.

- 4.4 A number of updates have also been incorporated into the finalised SPG which aim to make the document easier to read as well as providing additional information on submitting an application. The updates consist of the replacement of Figure 23, and the inclusion of an additional appendix setting out the key submission requirements for any planning or listed building application for replacement windows or doors (with resultant amendments to paragraphs 3.11 and 3.12).

5 IMPLICATIONS

5.1 Financial

There are no substantive cost implications arising for the Council from the recommendations included in this report.

5.2 Risk and Mitigations

The key risks are considered to be:

Risk of not providing guidance

- (i) The lack of guidance would cause uncertainty to the developers and the public and be a barrier to effective decision making by the Council. This could result in an ad hoc and inconsistent decision making with the policies in the Local Plan not being taken fully into account.
- (ii) Failure to produce the SPG would reflect badly on the Council's commitment to improve the design of alterations to existing properties.
- (iii) It is considered that the failure to approve the SPG would have resource impacts in the Development Management Section, potentially resulting in delays processing planning applications. In addition, it may ultimately have both a negative impact on the development and on the thorough assessment of the environmental impact of development.

Risk of providing guidance

- (i) There are no perceived risks related to the adoption of the guidance by the Council.

5.3 Equalities

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

5.4 Acting Sustainably

In accordance with the Environmental Assessment (Scotland) Act 2005 a screening assessment of the SPG has been undertaken in order to identify whether there will be potentially significant environmental effects. The screening exercise was undertaken using the criteria specified in Schedule 2 of the Act and no significant environmental issues were found.

5.5 Carbon Management – Climate Change (Scotland) Act 2009

It is not considered the Report brings any impact on the Council's carbon emissions.

5.6 Rural Proofing

It is anticipated there will be a neutral impact on the rural environment from the Supplementary Guidance.

5.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to be made.

6 CONSULTATION

6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy & Policy, the Chief Officer Audit and Risk, the Chief Officer Human Resources and the Clerk to the Council are being consulted and any comments received will be incorporated in the final report.

Approved by

Brian Frater
Service Director Regulatory Services

Signature

Author(s)

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Background Papers: None

Previous Minute Reference: Planning and Building Standards, 27 April 2015

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