

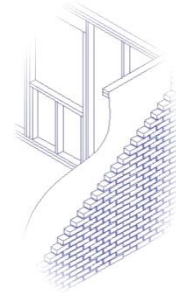
Stuart Patterson

Building & Timber Frame Design

5 Burnflat Lane, Hawick, Roxburghshire, TD9 0DZ

phone – 01450 375772

email – stuartpattersondesign@gmail.com



Appeal to Local Review Body

Mr & Mrs Fox
`Craigard`,
Cannongate,
Denholm
TD9 8NF

Grounds of Appeal – Replacement Windows at `Craigard`, Cannongate, Denholm, TD9 8NF Planning Reference – 21/01068/FUL

See enclosed information –

Location Plan	(21-735-1001)
Proposed Window Details (1 of 2)	(21-735-2001)
Proposed Window Details (2 of 2)	(21-735-2002)
Photographs of Property and Surrounding Area	
Additional Photographs of Existing Windows (current)	
Inliten Window & Door Brochure	

This appeal is submitted due to the planning application not having been determined within a reasonable time frame. The original planning application was submitted on the 25th June 2021, and registered on the 30th June. Unfortunately we only received our first response on the 24th January after much chasing; the officer was simply looking for clarification on the previous refused application, and referring to an objection from the Architectural Heritage Society of Scotland.

Our response was made the same day, with subsequent email dated 1st February regarding the feasibility of fitting vertical sliding windows as the planning officers preferred option, which we refer to below. Despite asking for a response nothing has been received since, so it is felt we have no option left than to submit this appeal.

The application was simply to replace the aging windows with new thermally efficient units, which would also comply with the current building standards, where the existing windows fail in several of areas.

The following notes are taken from the planning design statement submitted with the original planning application.

A planning application was submitted by the previous owner in January 2015 (Reference 15/00009/FUL), which was subsequently refused by the planning officer at the time, Mr Andrew Evans. The application was refused on the basis that the proposed visual appearance would result in an adverse impact on the character of the building and would be detrimental to the character and appearance of the Denholm Conservation Area.

The applicants' argument at the time was that there is a variety of window styles throughout Cannongate, which Mr Evans did not appear to hold in any regard when making his decision, claiming the replacement windows needed to comply fully with planning policy. Indeed, prior to refusal Mr Evans even suggested we should submit an appeal as we had a very strong case against his decision. However the applicant at the time was so aggrieved that they sold the property and moved on.

The new owners wanted to revisit the proposals as the condition of the existing windows have deteriorated over the last few years, and are in need of significant work.

This end terrace property, estimated to have been built in the early 1900's is located right at the end of the row of houses forming one side of Cannongate in the village of Denholm. The house is located at the very edge of the conservation area, and has benefitted from a sunroom extension to the rear, built around 2008, for which formal planning permission was granted.

The current windows do not appear to be the original ones fitted when the property was constructed, with a narrow (4-6mm) double glazed unit fitted to an unusual inward, top-opening casement style of window. The windows are of bespoke design, with only the top sash openable, hinged from the mid-transom bar. These windows are formed in timber, and painted white, providing contrast to the crème painted rendered walls.

The existing windows do not comply with a number of the current building standards, in particular standard 2.9.4 for escape windows, standards 3.14.3 and 3.14.6 for ventilation and standard 4.8.3 for cleaning. The escape window standard poses a significant fire risk to the upper floor rooms, where the restricted openings would not allow safe emergency egress. The lack of suitable ventilation also provides a health risk and a significant amount of condensation is present during the colder months of the year.

The proposed windows will match the style and glazing pattern of the existing windows, with the exception of the first floor front bedroom which has a small fixed pane deadlight over, but the replacement windows providing better uniformity. The proposed central transom will be set as a solid bar within the opening sash, providing a one-on-one glazing pattern to each individual window.

As noted, there are several properties within Cannongate that have benefitted from replacement windows, with Rose Cottage the most recent to gain permission in 2012 for uPVC reversible windows, which was approved by Andrew Evans. There are a wide variety of windows within the street scene, with the attached neighbouring property (Craiglea) having aluminium top-hung casement style, the next house (Glenisla) still has the traditional vertical sliding timber windows, but next again (Gowanlea) has uPVC vertical sliding, with Rose Cottage approved for uPVC reversible windows. Please find attached photographs of the relevant neighbouring properties.

While current windows are serviceable, and double glazed to an extent, they are still very inefficient and draughty at the sash opener, and new 'A-rated' double glazed windows will provide a large improvement on heat retention and energy conservation to the house. The condensation build up should be restricted with the inclusion of trickle vents fitted to the head of each window, providing a comfortable movement of fresh air.

Providing uPVC as an alternative to the timber frames provides a low maintenance installation that will improve the look of the house for years to come, without detriment to the streetscape.

The property is out with the denoted 'prime frontage' or core area marked on the local plan for Denholm, and the Supplementary Planning Guidance on Replacement Windows suggests that white uPVC framing is an acceptable material for replacement fixtures to properties not located in these areas.

No other alterations will be carried out on the property or its features under this application.

In his email dated 24th January the planning officer made slight reference to planning policy for replacement windows, where a window of similar style to a sash and case window would be acceptable, providing a 'step' in the window sash, to mimic the style of a vertical sliding window. There are very few alternatives to give a similar representation, with possibly a top-hung 'cottage' style casement window which struggle to comply with the building standards for cleaning and emergency egress. This was noted in our response the same day, and after confirming the applicant was unable to consider vertical sliding windows due to cost implications, our further reply dated 1st February asked for the application to be refused on the original submission, with a view to submitting our appeal against the decision.

The cost of a vertical sliding sash window are somewhere in the region of three times the cost of the tilt & turn windows proposed, and are prohibitive from a financial aspect. Notwithstanding this, the length of time it has taken to get to this point, the proposed windows are now vastly more expensive than when the application was submitted due to the huge increase in material costs over the last twelve months. Through no fault of their own, the delays mean the applicants will be penalised financially should the appeal ultimately be successful.

There was one objection from the Architectural Heritage Society of Scotland, who is not a formal consultee as far as we are aware, but they seemed more intent on suggesting other ways to improve the thermal efficiency of the property with disregard for replacing the windows. The biggest heat loss in a house is through the windows and doors which are generally less thermally efficient than the solid built parts of the house, so no amount of insulation to the rest of the house could compensate the heat loss from the current window installations.

There were also two letters of support from neighbouring properties.

Our frustration from the decision, although not fully determined, is that another house in the street more prominent than Craigard gained prior approval for a similar type and style of window. This house is at the end of the street with no through road so is unlikely to be of any great disruption to anybody in the village.

While not wanting to use costs as a reason for not installing what the council policy suggests, it is the unfair and inflexible nature of this policy when another house in the near vicinity gained approval, and yet again suggests there is lack of consistency in certain policies and decisions.

Please see the attached photographs, sketches & literature for further details.

Note – there are additional photographs from the original submission showing the current state of the existing windows indicating what the applicants endure during the cold/winter months. The moisture indicating the lack of thermal efficiency and the black mould suggesting there is not enough ventilation to the rooms they serve. Given the occupants are also asthmatic, the living conditions are not ideal, with the planning application made in the hope the windows could have been replaced before this past winter.

Stuart Patterson
On behalf of Mr & Mrs Fox

Existing Photographs



Front/North-West Elevation



Front Windows
(Showing opening style)



Rear View of House/South-East Elevation



South-West Elevation
(Previous extension works)



Rear Window
(Showing opening style)



Front Elevation of 'Craiglea' & 'Glenisla'
(Aluminium framed casement to Craiglea, Green painted timber vertical sliding to Glenisla)



Front Elevation of `Gowanlea`
(uPVC vertical sliding)



Front Elevation of `Rose Cottage`
(uPVC reversible, with mid-transom)



Window Style to `Rose Cottage`
(Approved under planning reference 12/00912/FUL)



Front Elevation of `Ashlea`
(uPVC casement)

Additional Photographs

(Showing internal condensation and mould from colder weather)





