

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 15/00601/FUL

APPLICANT : Donna Cornish

AGENT :

DEVELOPMENT : Replacement windows (retrospective)

LOCATION: The Tushielaw Inn
Ettrick
Selkirk
Scottish Borders
TD7 5HT

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
	Location Plan	Refused
	Floor Plans	Refused
	Photos	Refused
SUPPORTING STATEMENT	Other	Refused

NUMBER OF REPRESENTATIONS: 2

SUMMARY OF REPRESENTATIONS:

Representations

Two letters of representation have been received objecting to the proposals on the following grounds:

- historic character of Tushielaw in significantly altered by removal of original windows and installation of upvc windows of alternative design repair and upgrading preferable to replacement
- the windows should have been replaced on like for like basis
- not all of the windows have been replaced so the appearance and character of the building has been demeaned.
- other properties in the locality have required 'like for like' replacement windows
- ventilation has been removed from 2 rooms

Consultation Responses

Community Council

Ettrick & Yarrow Community Council welcomes the work that has been undertaken to renovate and improve the Tushielaw Inn and look forward to the building being re-opened as an Inn as soon as possible.

We were, however, disappointed that the necessary planning permission was not applied for ahead of the recent renovations. We feel that replacement windows for a building of such historical significance should have been on a like for like basis and very disappointed that the new windows are of a different style with no astragals.

We recognise the significant costs that would be incurred in taking out these replacement windows so that the new windows could be installed that are on a like for like basis. We would therefore suggest that there is a requirement to add cosmetic astragals to the replacement windows already in place, so that the look and style is at least like for like.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Consolidated Local Plan 2011
G1 - Quality Standards For New Development

SPG - Replacement Windows
Draft SPG - Replacement Windows and Doors

Managing Change in the Historic Environment Guidance Note: Windows

Recommendation by - Dorothy Amyes (Planning Officer) on 5th August 2015

The Tushielaw Inn is located on the B7009 which runs from Selkirk southwards through the hills to Langholm, it is approximately 8 miles from Ettrickbridge and 3 miles from Ettrick. There has been an inn on this site for over 200 years although it is believed that the current building dates back to the 1830s.

In May 2013 an application (ref 13/00267/FUL) to change the use from an Inn to form additional residential accommodation was refused for the following reasons:

1 the proposal is contrary to Structure Plan policy E22 as it is considered that the loss of the Tushielaw Inn will have a significant and sustained adverse impact on the tourism of the Ettrick and Yarrow valleys as it provides accommodation and services which in turn support other tourism related facilities in the area.

2 it is contrary to Local Plan policy INf 12 as it is considered that that there is a need for such a facility at this location for the development of the tourism industry and for the local community, many of whom rely on the tourism industry for an income, it has not been clearly demonstrated that the business cannot be viable, there are no significant amenity benefits to the surrounding area and there is significant public and community interest in the Inn remaining as a viable concern.

The current application is for retrospective planning consent for replacement windows.

Although it is understood that the Inn has been closed for some time, it is not a residential property and therefore it does not benefit from permitted development rights for replacement windows. In early 2015 the majority of the windows on the ground and first floor were replaced without consent. Following an Enforcement investigation, the current application has been submitted for retrospective planning consent for replacement windows.

The new windows are white upvc double glazed units with a centre bar but no step. From photographs submitted with the application they appear to have side openings. No detailed specifications have been submitted with the application but the applicant has submitted a supporting statement.

Photographic evidence shows that the windows that were replaced were traditional timber sash and case, mostly 4 over 4 panes. The smaller, slimmer windows were 2 over 2.

Although Tushielaw Inn is not listed it is still a building of historic importance which has played an important role in the history of the Ettrick Valley over a long period. It is located on the B road that runs through the valley and close to the junctions with the minor roads linking the Ettrick valley to the Yarrow valley to the north and Hawick to the east.

It is recognised that windows are one of the key elements in a building as they make a major contribution to the appearance of a building. In historic buildings it is always preferable that where possible the traditional windows are repaired or if this is not possible, replaced on a 'like for like' basis as this will maintain the historic character and fabric of the window. This view is emphasised in both the council's supplementary planning guidance on replacement windows and in Historic Scotland's Managing Change in the Historic Environment Guidance Note: Windows.

In policy G1 it is expected that any development should be finished externally in materials, colours and textures which complement the highest quality of architecture in the locality and the existing building.

In terms of materials whilst timber would be preferable, the use of upvc frames is considered to be acceptable. It would have been possible to install new upvc windows similar to the original design but it appears that little thought was given to preserving the character of the building, particularly on the front elevation. The new windows do not reflect the original style of the windows, the frames are thicker and the openings different from the original. It is considered that they considerably detract from the historic character of this locally important building and as such cannot be supported.

The important elevations are the sides and front elevations where the windows can be clearly seen. The windows on the rear elevation have less of an impact on the historic character of the building. If the application had been for the windows on the rear elevation only it is possible that this could have been supported but this is not the case. The community council have suggested that stick-on astragals might improve the situation and while this might be true it would not change the thicker frames or the changes to the opening mechanisms.

It is recommended that the application is refused.

REASON FOR DECISION :

The proposals do not comply with Local Plan Policy G1 - Quality Standards for New Development and the SPG on Replacement Windows as the new windows do not reflect or complement the architecture and character of the historic building.

Recommendation: Refused

- 1 The replacement windows do not comply with Local Plan Policy G1 in that they are not of an appropriate design or style and do not complement the quality of the architecture of the historically important building.
- 2 The proposals do not comply with the Supplementary Planning Guidance on Replacement windows as they have not been replaced on a 'like for like' basis and the essential features which formed part of the historical character of the building have not been retained.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.

