

Syke End, Ettrick Valley, Selkirk, TD7 5HT



Planning and Regulatory Services  
Scottish Borders Council Headquarters  
Newtown St. Boswells  
Melrose  
TD6 0SA

Attention Mrs Dorothy Ames

Dear Mrs Ames,

**Application Number:** 15/00601/FUL  
**Proposed Development:** Replacement windows (retrospective)  
**Location:** The Tushielaw Inn, Ettrick Valley, Selkirk, TD7 5HT

Firstly, can I say that I welcome the move to improve the condition of the Tushielaw Inn, which was much needed, and look forward to its re-opening under new ownership.

It is a great shame that planning permission was not sought prior to the installation of the new windows as I feel I have to oppose this retrospective planning application for the replacement windows for several reasons.

In writing this letter, the references to paragraphs are the paragraphs in the Scottish Borders Supplementary Planning Guidance on Replacement Windows dated April 2012.

- 1) My first concern lies in item 1, which details the policy for replacement windows. Paragraph 1.1 states *"In almost all cases, repair of components on a "like for like" basis is preferable to replacement of a whole unit, as this will best maintain the character and historic fabric of the window"*.

Whilst I can understand the need to repair the rotten sills in the bar and dining area windows of the Inn, on the first floor on the East front, I find it difficult to understand why both these original windows were replaced.

The windows on the North and West side of the building were in very good condition and appeared not to be in need of repair or replacement. Indeed, the fitters had some difficulty in removing some of the original sills and frames of these windows.

The only previously replaced windows were on the lower floor, in the kitchen, and in guest bedroom 2 on the top floor. The latter is made of hardwood with astragals exactly like the window it replaced; it is the single remaining window with astragals on the East side.

As the guide points out, there are firms in the area who could have provided for the refurbishment of any window that needed repairs, including the installation of double glazed units. These have been used for other properties locally just lately, and I feel these should have been contacted in the first instance.

- 2) Item 2 covers Design Considerations: Paragraph 2.8 intimates that "like for like" replacement windows are preferable to retain the character and historic fabric of the window.

If replacement windows are needed, it goes on to add "*The replacement window should match the existing windows exactly*", and lists some issues of importance when replacing traditional sash and case windows, which were in situ in the Tushielaw Inn.

The planning guidance also states that "differing pane sizes and astragal profiles are important evidence of the building's history and contribute to the character and interest". Astragals can be fitted to double glazed windows.

The Tushielaw Inn was originally established around 1750, although it is believed the present building dates from the 1830's. It is typical of the buildings in the area and is a perfect example of local character.

When planning permission was granted for the ground floor accommodation extension of the Inn around 1985, and the new toilet block about 2 years later, the planners insisted on retaining the same type of windows and astragals as the rest of the building, so as to retain its character. These were made entirely of wood.

If the windows needed to be replaced they should be with wood and with astragals, so they look exactly like the windows they replaced, in line with planning policy.

The new windows are completely out of place and demean the character of the building and the area.

- 3) Not all of the windows have been replaced recently, so the character of the building has been compromised:
  - The Eastern frontage, overlooking the river, sees a replacement hardwood window retained at the top left; this looks identical to the original window it replaced.
  - The North windows above the back door have not been replaced
  - The windows on the lower living accommodation have retained some of the astragals that were originally insisted on by the planners when this extension was built, although these have been removed on the East side.

- 4) My house, which is the converted stable for the Tushielaw Inn, lying directly opposite, was compelled by planners to have wooden windows, fitted with suitable astragals, when its planning application was approved, to help retain its character and ensure consistency with the Inn.

The Regulatory Service also insisted that other local properties of a similar age to the Inn have new or repaired windows installed on a like for like basis to maintain a major element of the appearance of the building in line with the character of the area.

- 5) The new window in the guest accommodation bathroom overlooking the road, on the West side (top left in the photograph) does not contain an extractor fan. This was a condition of the completion of the building warrant 95/00751/BW01 issued 17<sup>th</sup> January 1995 and completed 8<sup>th</sup> February 1999, so as to enable adequate ventilation.

A vent was previously installed in the window at the bottom right of the West elevation.

### **Summary of objections**

- 1) The windows could have been repaired and upgraded with double glazing, rather than replaced with plastic units, to best maintain the character and historic fabric of the window.
- 2) If replacement windows were needed they should have been of wood with astragals fitted, in line with policy, as these are important evidence of the building's history and contribute to the character and interest.
- 3) Not all of the windows have been replaced so the appearance and character of the building has been demeaned.
- 4) My house and other properties in the area have been compelled by planners to have "like for like" windows fitted. I believe this same approach should also apply to the Tushielaw Inn.
- 5) Previously required ventilation has been removed from the front guest bathroom and dining room. I cannot imagine that Building Regulations have been relaxed since 1999.

I would like to point out that the Inn remained empty for over a year and in that period there was no central heating. As the applicant has pointed out, the Inn was in a poor state of repair. The roof had to be repaired at the commencement of works. The combination of no heat and a leaking roof may well have contributed towards the damp problem.

Since the commencement of works the building is now heated so it would be difficult to establish that the new windows have made a significant contribution to the warmth of the property, although the double glazing would no doubt be an improvement on the window shutters that were used whilst the Inn was unoccupied.

The owner has not been in contact with the Ettrick and Yarrow Community Council. She has talked to a Director of the Ettrick and Yarrow Community Development Company, but the detail of the replacement windows was not discussed. The new windows were installed in February 2015 and the meeting took place in May 2015.

There is no doubt that the community needs the Tushielaw Inn, which should be a valuable asset to the growing tourism industry on which much of our community depends, and I am sure that we all will support its re-opening under new owners.

As I said in my opening, it is regretful that a planning application was not made prior to the new windows being installed. Nonetheless, I trust that Scottish Borders Council will continue to apply the same planning standards to this building as (a) it has done in the past and (b) has continued to do with nearby buildings.

I am including in this letter several photographs showing the windows as they were and as they are now to help you understand the situation. I can provide others if required.

Yours sincerely



Gordon Harrison

#### **List of enclosed photographs**

- 1, 2, 3, 4. Show the Inn as it was, and is now.
- 5 Fitting replacement windows in progress
- 6 View from the river before the replacement windows
- 7 The Inn from the river now, showing the mix of window styles.
- 8 A current picture of the owners accommodation taken from the road, showing the retention of the astragals, as per planning permission. It also shows the mix of window styles.
- 9 Taken from the North, this photograph shows the retention of the stairwell window, which is of coloured glass. It also shows the marks on the owners accommodation window where the astragals once were.
- 10 My house, opposite the Inn, showing the wooden windows with astragals that were insisted on by the planners to retain the character of the building to reflect that of the Inn.

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Dundas Cottage  
Ettrick  
Td7 5HU  
Scottish Borders

DA  
15/00601/FUL

The Planning Officer  
Scottish Borders Council  
Planning and Regulatory Services  
Council Head Quarters  
Newton St Boswells, TD6 0SA

24 June 2015

Dear Sir/Madam

**TUSHIELAW INN, TUSHIELAW, ETRICK VALLEY TD7 5HT**

We refer to the recent retrospective planning application for replacement windows for the above property.

As residents of the Ettrick Valley and next door neighbours to Tushielaw at Hopehouse, we have noticed that our historic Tushielaw Inn has been drastically altered by the removal of the original period wooden sash and case windows and the installation of plastic UPVC windows.

Windows are naturally a key feature when maintaining the authenticity of historic old buildings, such as the Tushielaw Inn, and surely are not to be tampered with. Repair and prevention of decay is always preferable to replacement but in extreme cases where they have been allowed to fall into such a state where the last resort is to replace them, then, it should surely be 'like-for-like' with as little effect to the alteration of the building's character as possible. We have a lot of experience with sash and case windows and they are designed in such a way that all the component parts can be replaced. In addition, they can also be modified to incorporate double or secondary

glazing. In the case of the Tushielaw Inn, it is believed that the windows which were removed were repairable as many of them were in reasonable condition but in any case, the new plastic windows could never be described as 'like for like' (please see previous letter sent to you). Most obvious is the removal of the window stanchions, which instantly spoil the character and esteric value of this, nearly 200 year old building. The new windows are so out of keeping that the eye is instantly drawn to the building – for all the wrong reasons.

We understand, as set out in your guidelines, that the Scottish Borders Council's Planning Department takes unauthorised alterations to historic buildings and landmarks very seriously and that there are strict rules in place preventing this.

Consequently, we are flabberghasted that ,what appears to be a blatant disregard to the guidelines and indeed disregard to the surrounding properties and the ethos of the community by the alterations.

The long history of the building and the fact that it has remained largely in it's original condition, until recently, will surely attract prospective business purchasers who want to reinstate it as it was first intended – the local pub and heart of the community. Its very difficult to stand passively by and see such an historic and essential part of our community and heritage decline through neglect, disrepair and active disfigurement as well as unauthorised redevelopment.

As such, we implore you to uphold and inforce the strictest planning rules in this case and insist that 'like for like' wooden sash and case windows with stanchions are reinstated as soon as possible.

Its important for the community that this historic inn is bought back into use as a gathering place for residents and the wider public, for the benefit of the immediate area and also in an effort to preserve what's good about Scottish herritage in the Borders.

Faithfully yours,



Mairi Briggs and Graeme Briggs  
copy by email and surface mail

