

## CORRESPONDENCE VIA EMAIL WITH SCOTTISH BORDERS PLANNING DEPT

## Timeline of correspondence

Date	Description
14/02/2023	Acknowledgement letter for application 23/00225/FUL
14/02/2023	Acknowledgement letter for application 23/00140/LBC
03/04/2023	Response from Randal Dods and Sanne Roberts (HDO) on proposed planning
05/04/2023	Response to Sanne Roberts (HDO) re consultation response
07/04/2023	Response from Sanne Roberts (HDO) re further info provided
07/04/2023	Response to Sanne Roberts (HDO) re email 7/4/23
07/04/2023	Further info to Sanne Roberts (HDO) re email 7/4/23
12/04/2023	Response from Sanne Roberts (HDO) re further info provided
24/04/2023	Email to Sanne Roberts (HDO) to check progress
24/04/2023	Response from Randal Dods re email to check progress
24/04/2023	Response to Randal Dods re email 24/04/2023
17/05/2023	Email to Randal Dods to check progress
25/05/2023	Response from Randal Dods requesting more information
26/05/2023	Response to Randal Dods requesting more information on what is acceptable re windows
26/05/2023	Response from Randal Dods with window guidance and note that uPVC may be acceptable in some instances
06/06/2023	Response to Randal Dods confirming additional info added to portal
16/06/2023	Response to Randal Dods confirming additional info added to portal
16/06/2023	Response from Randal Dods confirming need to add all documents to both FUL and LBC applications
20/07/2023	Email to Randal Dods to check progress
21/07/2023	Response from Randal Dods re latest additional information provided
27/07/2023	Response from architect related to correspondence not available on the portal (Sourced a local architects firm to provide drawings requested (D H Farmer, Peebles))
02/10/2023	Email to Randal Dods confirming all additional information added to portal
11/10/2023	Email to Randal Dods to request update
17/10/2023	Response from Randal Dods after request for update
20/10/2023	Response to Randal Dods re. email 17/10/23
28/11/2023	Enquiry to SBC re decision timescales
28/11/2023	Response from Randal Dods after request for update
28/11/2023	Response to Randal Dods after request for update
28/11/2023	Response from Randal Dods after request for update
28/11/2023	Response to Randal Dods after request for update
28/11/2023	Response from Randal Dods after request for update
29/11/2023	Enquiry to SBC re decision timescales
29/11/2023	Response from Randal Dods after request for update
5/12/2023	Response from Barry Fotheringham re complaint raised to get a planning decision logged to allow us to appeal
5/12/2023	Response to Barry Fotheringham re complaint response

6/12/2023	Response from Barry Fotheringham re complaint response
8/12/2023	Confirmation of planning decision to reject uPVC replacement windows

Copy of Correspondence sorted by earliest to latest date:

From: Dods, Rnald <[Rnald.Dods@scotborders.gov.uk](mailto:Rnald.Dods@scotborders.gov.uk)>

Date: Mon, 3 Apr 2023, 11:37

Subject: [OFFICIAL] 23/00140/LBC & 23/00225/FUL, Middle House, Kingsmuir Hall

To

Dear Miss Harrison

You will doubtless have seen the consultation response from our Heritage and Design Officer (HDO) in the online file (23/00140/LBC). In that she states:

“It would be most appropriate for solar panels to be *fi*ed in a more discreet location, for example the south roof slope to the rear (two storey) section of Middle House as this would be a much less visible location. Any accepted panels should be black framed and glare should be minimised, to reduce their impact further.

“It is proposed to relocate the boiler to within a window recess. It is unclear from the description how the window would be *fi*nished. There is concern this would result in a non-traditional appearance which would detract from the listed building.

“The historic sash and case windows to this property contribute to its character and special interest. In accordance with policy in the SPG, repair of windows on a like for like basis is preferred. This can include refurbishment and draughtproofing of the windows which can be very *effec*ve. Replacement with *em*ber windows to match the existing on a like for like basis would be supported, and can include double glazed units. There are no *specif*ic and *justif*ied circumstances that would suggest uPVC should be accepted in this case”.

I do not disagree with that assessment. Before we can support the applications, we will need some further information, that will include the details set out in the HDO’s response. You should refer to

our supplementary planning guidance on “Replacement Windows and Doors”, which is available on our website. We will also need existing and proposed elevations (rather than just a roof plan contained within another document) to show the impact of the solar panels. I should say that I found the plans somewhat confusing and those could be set out a lot more clearly. Notwithstanding the HDO’s comments, I note that you have supplied a window brochure but that does not detail which window it is proposed to install. In addition, to make a proper assessment, we would need to have an idea of the dimensions of the windows (including astragals) which it is proposed to replace. Ideally that should be set out on a drawing.

Please arrange for the additional information to be uploaded via the portal by the 11<sup>th</sup> of April. If you require additional time to do that, please let me know

Yours sincerely,

**Ranald Dods**

Planning Officer

Development Management

Planning Housing and Related Services

Scottish Borders Council

Tel: 01835 825 239

E-mail: [ranald.dods@scotborders.gov.uk](mailto:ranald.dods@scotborders.gov.uk)

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From: Julie Harrison [redacted]  
Sent: 05 April 2023 06:37  
To: Roberts, Sanne <[Sanne.Roberts@scotborders.gov.uk](mailto:Sanne.Roberts@scotborders.gov.uk)>  
Cc: Adrian McCarthy [redacted] Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Subject: Re: [OFFICIAL] 23/00140/LBC & 23/00225/FUL, Middle House, Kingsmuir Hall

**CAUTION: External Email**

Dear Ms Roberts

I'm writing in response to your comments that Ranald Dods has forwarded on and to provide more information as requested.

Solar panels

In terms of the location, the south slope of the rear extension would only fit 4 solar panels as there is an adjoining roof that connects the front and rear aspects of the building. We investigated this option when getting 3 quotes through (as advised by Home Energy Scotland). Installing only that number of panels is not viable in terms of cost versus kW output. We'd be happy to provide details

of the 3 firms should you wish to verify that independently. In terms of visibility to others Middle House is not visible from Bonnington Road and the front aspect is only seen by the 4 neighbours who have access to the front lane. We are happy to adhere to the requirements for black frame and glare reduction should our application be approved.

#### Boiler relocation

We are no longer planning to relocate the boiler to a window recess and it will remain close to current location but moved within a kitchen cupboard to accommodate removal of the wall. Please let us know if you need further information on that aspect.

#### Windows

When we received the home report for our new home the windows were shown as Category 1 by Allied Surveyors (ie: No immediate action or repair is needed.). This is the extract from the survey (please let me know if you would like a copy of the full survey).

"Windows, external doors and joinery

Repair category: 1

Notes: Missing ironmongery was noted to some of the windows."

Given the survey information we didn't expect to need windows immediately but having just endured our first winter we've realised that the 3 rear bedroom windows let in rain and we've had a large build up of ice, plus the windows rattle in their frames. I have pictures of the ice inside the windows, one of which I've attached. We've also been paying approx £450 per month in energy costs. We certainly can't afford to replace/ repair all of the windows at once, but we do need to deal with the bedroom windows. We've also discovered that as the EPC certificate makes no mention of the windows as an improvement we have no access to a loan via Energy savings trust so will have to find funds ourselves for this unexpected expense.

In terms of choosing uPVC over timber, this is preferred mainly due to cost and thermal efficiency, but I've shared a link here on benefits of choosing uPVC:

<https://www.sashwindowsuk.com/blog/5-differences-between-wood-effect-upvc-windows-and-timber-windows#:~:text=Leading%20on%20from%20point%20number,the%20most%20cost%20effective%20option.>

We're keen to have windows appear in keeping with the exterior look and do our bit to reduce emissions from our home by doing what we can and would be happy to align to that.

Overall we're also keen to help to achieve Scotland's net zero ambitions by doing what we can within our new home which is sympathetic to the heritage but allows the building to survive into the future.

Please do let us know if you could visit our home or the lane outside and we'll be happy to meet with you to demonstrate any of the above information.

Many thanks

Julie Harrison

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On Fri, 7 Apr 2023, 11:04 Roberts, Sanne, <[Sanne.Roberts@scotborders.gov.uk](mailto:Sanne.Roberts@scotborders.gov.uk)> wrote:

Dear Julie Harrison,

Thank you for your email. Unfortunately I am unable to visit your property, but can make the following comments on the additional information provided in your email.

**Solar Panels:** It is useful to understand what alternatives have been investigated for the solar panels. Can the number of panels on the front roof slope be reduced to one row (below the rooflights) with a further four placed on the south slope of the rear extension? This would provide a similar output whilst reducing the impact on the listed building.

**Boiler:** Please provide an annotated photograph showing the proposed location of the boiler. The plans should also be updated to show the revised proposal.

**Windows:** As per the council's policy and Historic Environment Scotland's Managing Change Guidance, I am still unable to support upvc windows as a replacement to historic timber sash and case windows. Well-maintained timber windows should last much longer than upvc replacements, which typically have a lifespan of 15-20 years at which point they require replacement with the old frames having to go to landfill. Historic timber windows were generally of good quality timber and many can be repaired even when they seem in very poor condition. An independent joiner should be able to advise on this. Slimline double glazed units and/or secondary glazing could be considered alongside repair, or phased replacement in timber could be considered.

Please ensure Randal Dods is kept in copy to any correspondence or further information, as he is case officer for your application and will make the final decision based on assessment of the case and all consultation responses. Any revised plans or new information should be submitted to the portal directly.

Kind regards,

Sanne

**Sanne Roberts**, Heritage and Design Officer

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On Fri, 7 Apr 2023, 13:03 Julie Harrison [REDACTED] wrote:

Many thanks Ms Roberts for your prompt response.

SOLAR PANELS:

We did discuss alternative placement of solar panels with the 3 firms who quoted and they all considered that placement utilising the front south facing roof was the best option with potential to add 4 more on the rear south facing section, although that significantly increased the cost of installation due to the additional scaffolding and time taken. We also took extensive advice from home energy Scotland on other renewables and were advised that other options weren't viable for our property.

Could you advise us if the current request would be acceptable?

#### WINDOWS:

In terms of the windows we'll need to alter our planning application to maximise the benefit of replacement if we're unable to keep costs down with cheaper methods. Would it be possible to replace the two rear facing bedroom windows and one west facing bedroom window with uPVC or will timber replacements be the only acceptable option? These are beyond repair and need to be replaced. The internal shutters are not the originals and are also in a poor state of repair.

We'll leave those sash and case windows that already have secondary glazing as they are, which relates to the 2 front facing windows, the west facing downstairs bathroom and staircase window and the upstairs bathroom window

In terms of other windows, there are 3 non traditional ones as follows - would it be acceptable to replace those with uPVC double glazed units that are sympathetic in style to the current windows in place but allow us to open them!

- laundry window

- side and rear kitchen window

We also have a kitchen door that is non traditional - would we be able to replace this with uPVC? This door is to the rear of the property and provides access from the porch.

In terms of uPVC ending up in landfill we were quoted based on uPVC windows made from recycled uPVC, which is something that is increasing and wanted to check with that as our source material from the supplier.

Please let us know your thoughts on that basis and we can adjust our application.

#### BOILER:

We'll submit boiler relocation change to the portal.

Many thanks, Julie Harrison

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From: Julie Harrison [REDACTED]  
Sent: 07 April 2023 13:13

To: Roberts, Sanne <[Sanne.Roberts@scotborders.gov.uk](mailto:Sanne.Roberts@scotborders.gov.uk)>  
Cc: Adrian McCarthy [REDACTED] Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Subject: Re: [OFFICIAL] 23/00140/LBC & 23/00225/FUL, Middle House, Kingsmuir Hall

**CAUTION:** External Email

Apologies I also meant to share information and photos of our winter experience with the bedroom windows. We had to resort to window film and perspex to provide draught proofing which of course leaves us unable to open the windows and allow fresh air in, which is not ideal.

Kind regards, Julie Harrison

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On Wed, 12 Apr 2023, 09:54 Roberts, Sanne, <[Sanne.Roberts@scotborders.gov.uk](mailto:Sanne.Roberts@scotborders.gov.uk)> wrote:

Dear Julie,

Thank you for your emails and the additional information. I will discuss this with colleagues who ultimately will be the ones to assess and determine the application.

Sanne

**Sanne Roberts**

Heritage and Design Officer

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From: Julie Harrison [REDACTED]  
Sent: 24 April 2023 10:56  
To: Roberts, Sanne <[Sanne.Roberts@scotborders.gov.uk](mailto:Sanne.Roberts@scotborders.gov.uk)>  
Cc: Adrian McCarthy [REDACTED] Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Subject: Re: [OFFICIAL] 23/00140/LBC & 23/00225/FUL, Middle House, Kingsmuir Hall

**CAUTION:** External Email

Dear Sanne

Did you manage to progress with discussions? Happy to provide any more information as required.

Many thanks, Julie Harrison

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On Mon, 24 Apr 2023, 11:33 Dods, Ranald, <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)> wrote:

Julie,

Sanne has discussed this with me. I still have to make a recommendation on the proposal but I may be asking for revised drawings. I will revert when I have had a chance to re-examine the applications.

Ranald

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On Mon, 24 Apr 2023, 12:49 Julie Harrison [REDACTED] wrote:

Ok, many thanks. Please feel free to call me if easier to answer any queries. My number is [REDACTED]  
[REDACTED]

Kind regards, Julie Harrison

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From: Julie Harrison [REDACTED]

Date: Wed, 17 May 2023, 10:43

Subject: Re: [OFFICIAL] 23/00140/LBC & 23/00225/FUL, Middle House, Kingsmuir Hall

To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>

Cc: Roberts, Sanne <[Sanne.Roberts@scotborders.gov.uk](mailto:Sanne.Roberts@scotborders.gov.uk)>, Adrian McCarthy  
[REDACTED]

Dear Mr Dods,

Has there been any progress on our planning application? The main reason for our urgency is to get at least the bedroom windows ordered and fixed prior to winter to avoid having the experience we've had over our first winter. Happy to answer any questions you might have to help resolve any issues.

Apologies for chasing, I'm aware planning resources are stretched.

Many thanks

Julie Harrison

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On Thu, 25 May 2023, 12:06 Dods, Ranald, <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)> wrote:

Julie,

Having looked again at the file, I will need a set of revised drawings which show clearly what changes are proposed. The current drawings are confusing.

I find sheet of drawings (the one where you set out in text what the changes are) really confusing. The 2<sup>nd</sup> page has the plan orientated a different way and has a photograph in the middle. It also appears to have both existing and proposed plans on it. I still am not clear what



windows you wish to replace and with what, especially in light of your email of the 7<sup>th</sup> of April. In that, I note that you mention that you want to replace a door with a uPVC one. That is an element which was not in the original submission and would need to be subject of notification and advertisement.

We still don't have a roof plan as a separate drawing showing where the solar panels are going to be. That should show the whole building so we can judge the context. We would also need existing and proposed elevations, showing the solar panels and the windows which will have work done / be replaced.

Clearly you have put a good deal of time and effort into the application but I don't think that we have sufficient information and clarity on what is proposed. If you feel that you can't set out the information clearly and provide properly scaled drawings showing the existing and proposed works, it may be better to engage a professional who could provide the drawings for you. That is, however, a choice for you but I am regrettably not able to make a recommendation based on the information I have.

Please could you let me know how you wish to proceed? If you want to submit revised and additional drawings, please do so via the portal by the 23<sup>rd</sup> of June. If you need additional time, please let me know.

Ranald

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From: Julie Harrison [redacted]  
Sent: 26 May 2023 07:35  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Cc: Adrian McCarthy [redacted] Roberts, Sanne  
<[Sanne.Roberts@scotborders.gov.uk](mailto:Sanne.Roberts@scotborders.gov.uk)>  
Subject: Re: [OFFICIAL] 23/00140/LBC & 23/00225/FUL, Middle House, Kingsmuir Hall

**CAUTION:** External Email

Dear Mr Dods

Thanks for letting me know. I'll endeavour to get new documents to you by that date or let you know more time is needed.

Can you at least give clarity on whether uPVC double glazed windows that look the same would be acceptable then I can at least provide clear information on our request. I'm finding it quite difficult to be clear with no indication from you on what's acceptable. I'd prefer not to waste your time and ours putting in an application that you'll reject because of the choice of materials.

Your quick response would be appreciated since we're now over 3 months past the original application date and this request puts us back to the beginning of the process.

Many thanks

Julie Harrison

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On Fri, 26 May 2023, 09:02 Dods, Ranald, <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)> wrote:

Thank you.

Our guidance on replacement windows and doors (copy attached in case you have not already seen that) is clear at page 6. Whilst it is difficult to say definitively, it may be acceptable to introduce uPVC windows into category c Listed buildings.

Ranald

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On Tue, 6 Jun 2023, 20:06 Julie Harrison, [REDACTED] wrote:

Dear Mr Dods

Additional supporting documents have now been added via the portal as requested. I've checked documents align to a recently approved application where windows were double glazed uPVC retaining the same sizes and look. I've done the same for the solar panels aligned with previously approved applications.

We originally tried to engage an architect but the timescales and additional cost led us down this path. Given our desire to move quickly I hope aligning these to what you've previously accepted helps to move things forward.

Many thanks

Julie Harrison

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From: Julie Harrison [REDACTED]  
Sent: 16 June 2023 07:27  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Cc: Adrian McCarthy [REDACTED]  
Subject: Re: [OFFICIAL] 23/00140/LBC & 23/00225/FUL, Middle House, Kingsmuir Hall

**CAUTION:** External Email

Dear Mr Dods

I've also now added the new quotation from a window supplier which details each window and the kitchen door.

Please let me know the decision on planning applica on.

Julie Harrison

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From: Julie Harrison [redacted]  
Sent: 20 July 2023 08:50  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Cc: Adrian McCarthy [redacted]  
Subject: 23/00225/FUL and 23/00140/LBC

**CAUTION:** External Email

Good morning Mr Dods

Can you advise when we can expect a decision on our planning applica on?

Many thanks, Julie Harrison

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On Fri, 21 Jul 2023, 12:26 Dods, Ranald, <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)> wrote:

Dear Ms Harrison,

I am afraid we sell are not in a position to support your applica ons. You will see that our Heritage and Deign Officer has concerns about the impact of your proposals on the listed building. Although your property forms a part of that, the building has to be considered as a whole.

Whilst we are sympath c to your desire to reduce costs and the need to reduce carbon emissions, that has to be balanced with the need to safeguard the historic environment. As you will see from the HDO's latest response to your submission, we can accept, subject to condi ons, the solar panels but the proposed windows and replacement door are items which would have a nega ve effect on the character of the listed building.

We may be able to accept, subject to the submission of appropriate drawings and details, double glazed  mber windows. That could be achieved by the installa on of slim profile glazing units into the existi ng frames. The alterna ve would be new  mber windows with double glazing (a maximum thickness of 16mm would seem appropriate) installed. A further alterna ve would be the reten on of the existi ng windows and the installa on of internal secondary double glazing. That would not require listed building consent or planning permission. The rear door, which would be clearly visible through the "conservatory", should be a design and material more appropriate to a listed building. We do, however, accept that the existi ng door is of li le historic merit.

As men oned above, we cannot support your applica ons in the current form and I realise that will be disappoint ng for you. Rather than refuse those, I suggest the applica ons are revised to show  mber windows with double glazing and giving us full details or, they are withdrawn.

Please let me know as soon as possible which course of ac on you wish to take.

Yours sincerely,

Ranald Dods

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From [REDACTED]  
Date: Thu, 27 Jul 2023, 16:10  
Subject: Planning Application, Middle House, Bonnington Road.  
To [REDACTED]

Dear Mrs Harrison

Further to your enquiry earlier this week, we have now had an opportunity to look on the council planning portal, however the planning officer has not uploaded the e mail request further information to the portal. We would be grateful if you could forward a copy of the request you have had from Ranald detailing the information they require. Once we have had an opportunity to review this we will revert with an offer of service and fee quote.

Kind Regards

David Farmer.

**D & H Farmer Chartered Architects**

Meldon Design Studio

2 Elcho Street Brae

Peebles

EH45 8HU

Tel. 01721 724247

[mail@dhfarmer.co.uk](mailto:mail@dhfarmer.co.uk)

[www.dhfarmer.co.uk](http://www.dhfarmer.co.uk)

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From: Julie Harrison [REDACTED]  
Date: Mon, 2 Oct 2023, 09:36  
Subject: Re: [OFFICIAL] 23/00225/FUL and 23/00140/LBC  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Cc: Adrian McCarthy [REDACTED] <[mail@dhfarmer.co.uk](mailto:mail@dhfarmer.co.uk)>

Dear Mr Dods

All requested additional information now uploaded to the planning portal.

Regards, Julie Harrison

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From: Julie Harrison [REDACTED]  
Date: Wed, 11 Oct 2023, 12:15  
Subject: 23/00225/FUL and 23/00140/LBC  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>

Dear Mr Dods, can you advise when a decision will be made on our planning applications please.

Many thanks, Julie Harrison

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From: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Date: Tue, 17 Oct 2023, 12:15  
Subject: [OFFICIAL] 23/00140/LBC & 00225/FUL, Middle House, Kingsmuir Hall  
To: Julie Harrison [REDACTED]  
Cc: [david@dhfarmer.co.uk](mailto:david@dhfarmer.co.uk) <[david@dhfarmer.co.uk](mailto:david@dhfarmer.co.uk)>

Dear Miss Harrison,

The HDO and I have spent a good deal of time on this one and given it considerable thought, given your property is part of a larger assemblage and will have an impact on the overall appearance of that. Had the circumstances of the property been different, I doubt we would have had as many discussions and been requesting so much from you. We recognise there have been improvements made to the proposal but there are some aspects that mean we cannot give the applications our full support.

I have copied the HDO's substantive comments below (in blue) and I do not disagree with those. We would welcome revised drawings which address these comments in order that we can lend full support to the proposals. Included in that is a design for the door within the porch and window details so that we can avoid conditions being imposed.

The main elevation of the principal villa of Kingsmuir Hall faces east, with its second 'garden' elevation facing south. Middle House is formed from part of the service range, set to the rear of the Hall. Middle House nevertheless has well-detailed elevations, particularly to what now forms its front elevation (south 'garden' elevation) whilst the rear block is well-proportioned and reads with the architecture (and window design) of the adjoining elevation of the main villa. Original windows also survive to the rear block and stairwell, although it is acknowledged that a window and porch have been inserted and further window altered to these elevations, and to those of the neighbouring cottage.

The historic sash and case windows to this property contribute to its character and special interest. It appears from recent sales particulars that internal shutters also survive. In accordance with policy in the SPG, repair of windows on a like for like basis is preferred, although sensitive replacement can be accepted.

Use of timber to the front elevation of the property is appropriate. The proposed elevational drawings indicate that these would have frames to match the existing and slimline double glazed units, which would be an appropriate approach. The submitted details however show standard double glazed units and surface applied astragals, which do not reflect the original nor comply with the council's policy in the relevant SPG. New details should be supplied which reflect the approach detailed on the proposed elevation drawing (up front or by condition).

The rear block is less visible, and has been subject to some alteration/inserted windows. Nevertheless it remains part of the larger ensemble, and the rear elevation has a direct relationship with the north elevation of the main villa. After much consideration of the information presented and SPG policy, there appears limited scope to divert from the design and detailing of the existing window in any proposed replacement. As per previous comments, replacement in timber to match the existing remains appropriate.

The proposed replacement door shows glazing to the top half and a solid bottom section. This is appropriate. No detailed design is shown; a four panelled door may be appropriate. Details of the door could be conditioned.

Please could you upload the revisions to each file via the portal by the 31<sup>st</sup> of October so that I can reconsult the HDO? If those revisions are acceptable, I would aim to determine the applications by the 14<sup>th</sup> of November. I have copied in David as he prepared the drawings for you and may be able to offer further assistance.

Yours sincerely,

**Ranald Dods**

Planning Officer

Development Management

Planning Housing and Related Services

Scottish Borders Council

Tel: 01835 825 239

E-mail: [ranald.dods@scotborders.gov.uk](mailto:ranald.dods@scotborders.gov.uk)

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From: Julie Harrison [redacted]  
Date: Fri, 20 Oct 2023, 13:28  
Subject: Re: [OFFICIAL] 23/00140/LBC & 00225/FUL, Middle House, Kingsmuir Hall  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Cc: <[david@dhfarmer.co.uk](mailto:david@dhfarmer.co.uk)>, Adrian McCarthy [redacted]

Dear Mr Dods

Frankly this has gone on long enough and having now discovered quite by accident that I can appeal we will be going down that route - [Planning permission appeals - mygov.scot](#). I am distraught that you now advise after 10 months of communication that the only route acceptable is to replace with Timber windows. You have continued to avoid answering that question since the beginning. We have continued to advise that we are dedicated to retaining the historical look of the windows, have compromised with no clarity on what will be accepted and remained courteous and responsive to your requests throughout. Yet here we are, consigned to yet another winter of high bills and therefore high impact on the climate.

Given the following (most of which has been previously shared), we find it hard to accept that replacing the existing timber sash and case windows, some of which are in a bad state of repair, with uPVC double glazed windows that match the historic character and style, is unacceptable to the SBC Planning Department:

- Middle House has obviously been much-changed over the years with three windows that are not the originals, and a back porch and doors that have been added at some point but are not aligned to the historic make-up of the existing building.

- The policy being referred to is guidance and the decision to allow uPVC windows that match the style is wholly up to SBC.

- The decision to reject the latest proposal does not align with Scottish Government ambitions towards net zero.

- A recent application for the same uPVC windows that match the current style for a first floor flat on Bonnington Road was accepted within SBC target timelines – the property is visible to passersby, plus sit directly above the ground floor flat that still has timber sash and case. Also note that I gained a quote from exactly the same supplier that replaced the windows in that property, but to no avail. Having walked past that building many times, it has been much improved and is sympathetic to the character of the Victorian building and also sits within the Peebles Conservation Area, as does ours. The decision to accept that application (link below) is exactly the decision I'd expect given our location and proposal): 23\_00111\_FUL-OFFICERS\_REPORT-3761219.pdf ([scotborders.gov.uk](#))

- Our building sits between Kingsmuir Hall and The Cottage – the Cottage has mainly uPVC windows that do not match the original style, which we are happy to do.

- Middle House sits on a hidden lane that is only accessible (and therefore visible) to our neighbours in the lane. The rear of the building is accessible only to us, is only partially visible to one neighbour and is not visible to passersby. I'm unclear who would have 'special interest' if no-one can see the rear of the building. I also do not understand how that 'special interest' manifests itself.

- I am unclear why the thickness of uPVC double glazed units which would improve thermal efficiency and be invisible to those who do not have access to the front of the building is so important. Given the point above, no-one would be able to determine the thickness of the unit from the front gate unless we allowed them access.

- Existing windows have ugly aluminium external secondary glazing, therefore replacement would enhance the current appearance. A decision to insist on timber sash and case would result in those having to remain. We did not expect to have the expense of replacement windows given the home report that stated there was no issues with the windows.

We will now appeal based on your response via the proper channels.

Julie Harrison

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From: Scottish Borders Council <noreply@scotborders.gov.uk>

Sent: Tuesday, November 28, 2023 2:20 PM

To: Planning & Regulatory Services <prs@scotborders.gov.uk>

Subject: Enquiry received -Peebles - PDM000804

CAUTION: External Email

Hi

Please see the below enquiry:

Name: Julie Harrison

Business:

Address: Middle House, Kingsmuir Hall, Bonnington Road, Peebles, EH45 9HE

Email

Telephone:

Enquiry: Planning applications

Planning reference: 23/00225/ful & 23/00140/lbc

Enquiry details: Hi, can you please let me know how long I can expect to await a decision on our planning? Discussions have been ongoing since February and we are keen to appeal the expected rejection as soon as possible so that we can move forward. I've already emailed Randal Dods (13/12/2023) and left a message for someone to call me back (27/11/2023). Thanks, Julie Harrison

Location: Peebles

Location description: Middle House

Google Maps URL: <http://www.google.co.uk/maps/search/?api=1&query=55.6453647,-3.1886204>

Thank you

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On Tue, 28 Nov 2023, 15:44 Dods, Randal, <[Randal.Dods@scotborders.gov.uk](mailto:Randal.Dods@scotborders.gov.uk)> wrote:

Dear Miss Harrison,

Thank you for your email. I apologise that I did not respond directly to your last email. I have been concentraØng on other casework and have had to set that aside just now.

It is disappointØng that we have not been able to reach a satisfactorØ solution, given the Øme the Heritage and Design Officer (HDO) and I have taken in looking at this proposal. I note that, as your initial submission was not clear and lacked some detail, I asked on the 3<sup>rd</sup> of April for further informaØn by the 11<sup>th</sup> of that month and made a further request to you on the 25<sup>th</sup> of May. The informaØn was provided on the 20<sup>th</sup> of June.



Having discussed those submissions with the HDO, I wrote on the 21<sup>st</sup> of July. In that email, I said “Whilst we are sympathetic to your desire to reduce costs and the need to reduce carbon emissions, that has to be balanced with the need to safeguard the historic environment. As you will see from the HDO’s latest response to your submission, we can accept, subject to conditions, the solar panels but the proposed windows and replacement door are items which would have a negative effect on the character of the listed building”. With that in mind and in order for us to support the application rather than refuse it, I asked for revisions to be made. On the 2<sup>nd</sup> of October you emailed me to tell me the information had been uploaded to the portal. I advised the HDO on the 4<sup>th</sup> that revised information had been submitted and asked for her views on that.

The HDO responded on the 12<sup>th</sup> of October, after which I discussed matters with her again in order to see if what was provided could be supported, mindful of the facts of the building and its listing. I advised you on the 17<sup>th</sup> of October that unfortunately we were still unable to lend support to your application and invited you to submit revisions by the 31<sup>st</sup> of October with the aim, if those details were acceptable, of the applications being determined by the 14<sup>th</sup> of November. I was disappointed that, rather than come forward with revisions which we could support, you indicated on the 20<sup>th</sup> of October that you intended to appeal.

To be clear, from the start we have accepted that double glazing may be acceptable in this property. In her first response, of which I informed you on the 3<sup>rd</sup> of April, the HDO said, amongst other things, “*Replacement with timber windows to match the existing on a like for like basis would be supported, and can include double glazed units. There are no specific and justified circumstances that would suggest uPVC should be accepted in this case*”. That advice is in line with our SPG on replacement windows. Our position on that has not changed and I reiterate here that initial response.

Rather than draw things out further for you through the appeal process, I request again that you submit revisions which would allow us to support replacement windows in your listed building. Please make those submissions by the 8<sup>th</sup> of December and, if satisfactory, I will aim to determine the applications by the 15<sup>th</sup> of December. As always, if you need additional time to make those, please let me know.

Yours sincerely,

Ranald Dods

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From: Julie Harrison [redacted]  
Sent: Tuesday, November 28, 2023 3:48 PM  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Cc: Adrian McCarthy [redacted]  
Subject: Re: [OFFICIAL] 23/00225/FUL & 23/00140/LBC

**CAUTION:** External Email

Dear Mr Dods, we would still like to appeal your decision and the only way for us to do that is for you to reject our application. Therefore please do that as soon as possible and we'll appeal.

Many thanks

Julie Harrison

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On Tue, 28 Nov 2023, 16:14 Dods, Ranald, <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)> wrote:

Miss Harrison,

We have not made a decision yet and are offering you a chance to respond. Do I take it that you are unwilling to make revisions in order to comply with our SPG and the advice from the HDO which would allow us to support the applications?

Ranald Dods

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From: Julie Harrison [redacted]  
Sent: Tuesday, November 28, 2023 4:20 PM  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Cc: Adrian McCarthy [redacted]  
Subject: Re: [OFFICIAL] 23/00225/FUL & 23/00140/LBC

**CAUTION: External Email**

Dear Mr Dods, yes that's correct. You've effectively cut off our right to appeal by encouraging us to amend to fit the advice. We have tried to compromise already and have already revised our plans to do so. Now you've provided a clear 'no' to uPVC windows across the board and we now wish to appeal that decision. Unfortunately you've done so our right to appeal is closed.

Regards, Julie Harrison

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On Tue, 28 Nov 2023, 16:39 Dods, Ranald, <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)> wrote:

Miss Harrison

I note your opinion although I disagree that, in asking for revisions in line with council guidance, your right of appeal has been denied. Negotiation to make a proposal acceptable is part of the application process.

I will try to determine the applications in the coming weeks, accepting that I have other cases to determine as well.

Ranald Dods

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From: Julie Harrison [redacted]  
Date: Tue, 28 Nov 2023, 16:45  
Subject: Re: [OFFICIAL] 23/00225/FUL & 23/00140/LBC  
To: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>  
Cc: Adrian McCarthy [redacted]

Dear Mr Dods, I'm sorry that's not clear? When will you file your decision so that we can move forward? We have already waited 2 weeks for your response to previous email. Given you indicated

2 weeks for us to provide revised plans I would expect you to be able to reject this week given your decision is already made.

Many thanks, Julie Harrison

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From: Scottish Borders Council <noreply@scotborders.gov.uk>

Sent: Wednesday, November 29, 2023 11:31 AM

To: Planning & Regulatory Services <prs@scotborders.gov.uk>

Subject: Enquiry received -Peebles - PDM000808

CAUTION: External Email

Hi

Please see the below enquiry:

Name: Julie Harrison

Business:

Address: Middle House, Kingsmuir Hall, Bonnington Road, Peebles, EH45 9HE

Email: [REDACTED]

Telephone: [REDACTED]

Enquiry: Planning applications

Planning reference: 23/00225/ful & 23/00140/lbc

Enquiry details: We want to appeal against a planning decision but I'm unable to find out when this will be recorded after email communications with Ranald Dods yesterday. Is there anyone I can speak to that can help? We want to appeal decision to not allow uPVC replacement double glazed windows in keeping with the style of current ones, which Mr Dods has advised are not acceptable. The sooner we resolve this the sooner we can move forward and also reduce our energy bills. Can someone help me to understand when this planning decision will be formally logged? The latest plans were logged with planning 2nd October. If you require any further information please don't hesitate to call or email me. Many thanks, Julie Harrison

Location: Peebles

Location description: Middle House

Google Maps URL: <https://www.google.co.uk/maps/search/?api=1&query=55.6453647,-3.1886204>

Thank you

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From: Dods, Ranald <[Ranald.Dods@scotborders.gov.uk](mailto:Ranald.Dods@scotborders.gov.uk)>

Date: Wed, 29 Nov 2023, 14:02

Subject: [OFFICIAL] 23/00225/FUL & 23/00140/LBC

To: Julie Harrison [REDACTED]

Miss Harrison,

I advised you yesterday after you confirmed that you were unwilling to submit revisions which would enable us to support your applications that I will determine them in the near future and I still intend to do that. It is unfortunately not possible to issue a decision instantly as I will need to write reports on the proposals. I have other cases which need to be determined before I can dedicate time to writing the reports for your applications. Rest assured, once I have those done, I will turn my attention to your applications.

In the meantime, I thank you for your patience.

Ranald Dods

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Julie Harrison  
Middle House,  
Kingsmuir Hall,  
Bonnington Road,  
Peebles,  
EH45 9HE

*Please ask for:* Barry Fotheringham

*Our Ref:*

*Your Ref:* CPT001282

*E-Mail:*

*Date:* 5th December 2023

Dear Ms Harrison

I refer to complaint reference CPT001282 received on 29th November 2023 regarding **Planning Applications**.

I have considered your complaint, reviewed your applications, and discussed this matter with Mr Dods and am satisfied that the application has been handled in the correct manner. However, I can understand why you might be frustrated with the process, particularly as the on-going negotiations have prevented you from submitting an appeal against non-determination for the listed building consent application. When a planning (or related) application is submitted to SBC for our consideration, we will always manage that application with a view to reaching a positive outcome. In other words, it is our aim to manage applications, and make amendments as necessary, to ensure that the application is approved. Where there is a reasonable prospect of an application being supported, albeit with some modifications or amendments, the appointed officer will always enter into negotiations with the applicant or their agent in order that we can support the application. I can see from the case file that Mr Dods has confirmed our policy position with regards to your application and has made several attempts to request amended plans that show replacement windows that are compliant with our policy and supporting guidance. Unfortunately amended plans that would allow us to support your application have not been forthcoming. Rather than refuse your applications, Mr Dods has (quite rightly in my opinion) made every effort to support your proposed development and avoid what could be a lengthy appeal process. As the amended drawings have not been submitted as requested by Mr Dods (that would allow us to support your application and issue a consent notice) Mr Dods has confirmed that he will proceed to determine your application this week. This will allow you to appeal our decision to refuse your application.

If you remain dissatisfied you can ask for your complaint to be considered further at the next stage of our complaints procedure. You do this by contacting our Customer Advice & Support Service. You can find the contact details at [scotborders.gov.uk/contact](https://scotborders.gov.uk/contact).

If you raise your complaint to that next stage and remain unhappy after receiving our final decision, either with the decision or the way your complaint has been handled, you can ask the Scottish Public Services Ombudsman to consider your complaint. We will tell you how to do this when we send you our final decision.

I trust this information clarifies the position for you, however if you require further information or assistance please do not hesitate to contact me at the address shown below.

Further information regarding our complaints procedure can be found at [scotborders.gov.uk/complaintsprocedure](https://scotborders.gov.uk/complaintsprocedure).

Yours sincerely  
Barry Fotheringham

Lead Planning Officer

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From: Julie Harrison [REDACTED]  
Sent: Tuesday, December 5, 2023 4:37 PM  
To: Fotheringham, Barry <[bfotheringham@scotborders.gov.uk](mailto:bfotheringham@scotborders.gov.uk)>  
Subject: Re: [OFFICIAL] Complaint CPT001282

**CAUTION:** External Email

Dear Mr Fotheringham

Thank you, I have now been able to access and read the response.

My only issue with the response is that we did indeed provide new plans as a compromise towards what is acceptable to SBC but to no avail. We're keen to appeal the decision as soon as possible, especially given the expense we're now incurring for our gas bills whilst we're still unable to proceed with resolution. There are a variety of reasons why we're appealing which I've already outlined to Mr Dods.

Thank you for confirming we'll receive a decision now that will allow us to progress an appeal.

Many thanks

Julie Harrison

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From: Fotheringham, Barry <[bfotheringham@scotborders.gov.uk](mailto:bfotheringham@scotborders.gov.uk)>  
Date: Wed, 6 Dec 2023, 11:45  
Subject: RE: [OFFICIAL] Complaint CPT001282  
To: Julie Harrison [REDACTED]

Dear Ms Harrison

Thank you for your e-mail. I note your comments regarding submission of additional information, however this fell short of our policies for replacement windows in Listed Buildings. I understand Mr

Dods offered you further opportunities to revise your plans but unfortunately we have not received amended drawings that will allow us to support your application.

I hope to be in position to agree Mr Dods recommendation later on today and you should receive a decision by the end of this week.

Regards

Barry Fotheringham

Lead Planning Officer

Planning, Housing & Related Services

Scottish Borders Council

Tel: 01835 826745

E-mail: [bfotheringham@scotborders.gov.uk](mailto:bfotheringham@scotborders.gov.uk)

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From: Planning & Regulatory Services <[prs@scotborders.gov.uk](mailto:prs@scotborders.gov.uk)>

Date: Fri, 8 Dec 2023, 12:23

Subject: [OFFICIAL] 23/00140/LBC & 23/00225/FUL - Middle House, Kingsmuir Hall, Bonnington Road, Peebles

To: 

Good Afternoon

Please find the decision notes for the above applications attached.

Kind regards

Planning & Regulatory Services

Scottish Borders Council