



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100398219-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Replace rotten and dangerous timber sash and case, single glazed windows with upvc frame, double glazed units, style to match existing.

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

| | | | |
|-----------------------|---------------------------|--|----------------------|
| Company/Organisation: | IH Designs (Moray) | | |
| Ref. Number: | <input type="text"/> | You must enter a Building Name or Number, or both: * | |
| First Name: * | ian | Building Name: | Eilean Dubh |
| Last Name: * | holmes | Building Number: | 12 |
| Telephone Number: * | 01309 674368 | Address 1 (Street): * | Councillors Walk |
| Extension Number: | <input type="text"/> | Address 2: | <input type="text"/> |
| Mobile Number: | <input type="text"/> | Town/City: * | Forres |
| Fax Number: | <input type="text"/> | Country: * | Scotland |
| | | Postcode: * | IV36 1HA |
| Email Address: * | ian54holmes@hotmail.co.uk | | |

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|---------------------------|--|----------------------|
| Title: | Mrs | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text"/> | Building Name: | Sunny Bank |
| First Name: * | Elma | Building Number: | <input type="text"/> |
| Last Name: * | Noble | Address 1 (Street): * | Victoria Road |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Town/City: * | Forres |
| Extension Number: | <input type="text"/> | Country: * | Scotland |
| Mobile Number: | <input type="text"/> | Postcode: * | IV36 3BN |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | ian54holmes@hotmail.co.uk | | |

Site Address Details

Planning Authority:

Moray Council

Full postal address of the site (including postcode where available):

Address 1:

SUNNY BANK

Address 2:

VICTORIA ROAD

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

FORRES

Post Code:

IV36 3BN

Please identify/describe the location of the site or sites

Northing

859392

Easting

304499

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: ian holmes

On behalf of: Mrs Elma Noble

Date: 19/04/2021

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

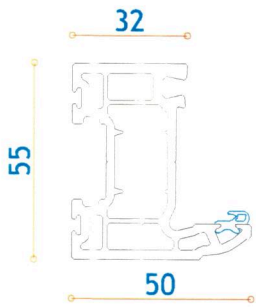
Declaration Name: Mr ian holmes

Declaration Date: 19/04/2021

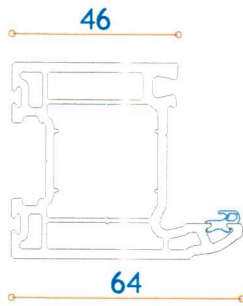
Payment Details

Telephone Payment Reference: xxxxx

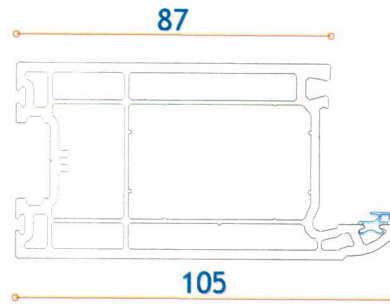
Created: 19/04/2021 14:56



105032
50mm Upper Sash
Steel Box 113020
Aluminium Box 115119



105033
64mm Lower Sash
Steel Box 113314
Aluminium Box 115120



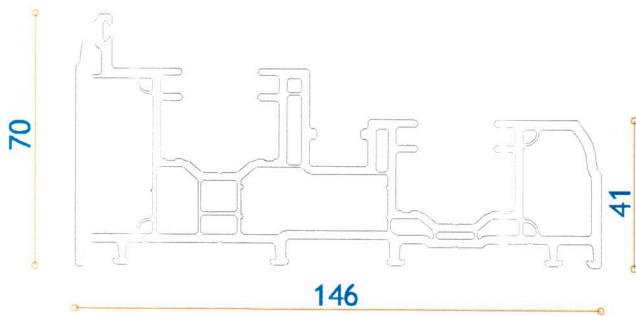
105034
105mm Lower Sash Bottom Rail
Aluminium Box 115287
Steel Box 113020



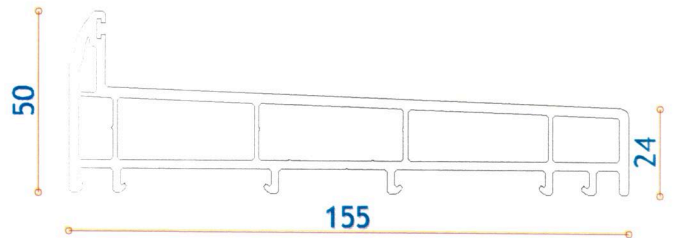
107169
Sculptured Glazing Bead



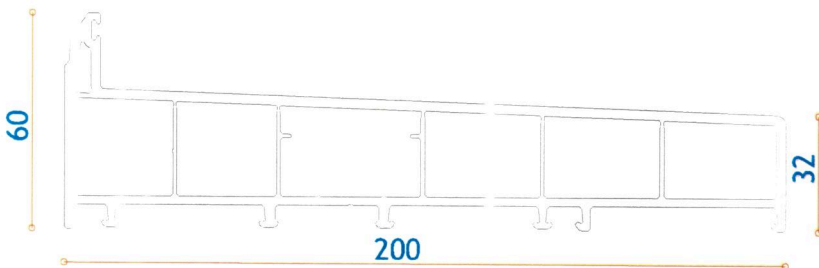
107118
Square Glazing Bead



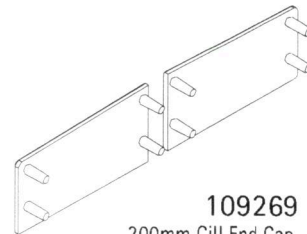
105411
70mm Outer Frame
Steel Box 113073



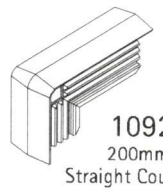
105037
155mm Cill Section
Steel U Channel 113321



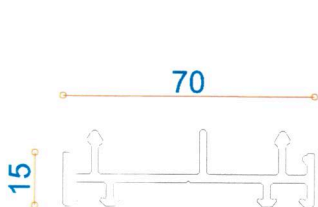
105410 200mm Cill Section
Steel Box 113073



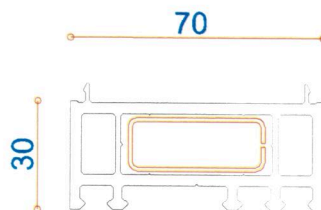
109269
200mm Cill End Cap



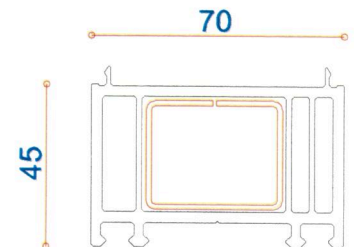
109270
200mm Cill
Straight Coupler



114039 15mm Frame Ext



114014 30mm Frame Ext
38 x 15mm Steel Box 113073



114202 45mm Frame Ext
38 x 30mm Steel Box 113271



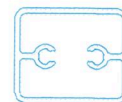
109603
VS Anti Racking
Block



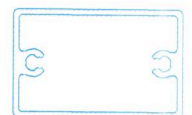
109992
Upper Sash Packing
Block



115119
Aluminium Box Mechanical
Joint 15.5 x 8



115120
Aluminium Box Mechanical
Joint 31.5 x 26.5



115287
Aluminium Box Mechanical
Joint 47 x 30

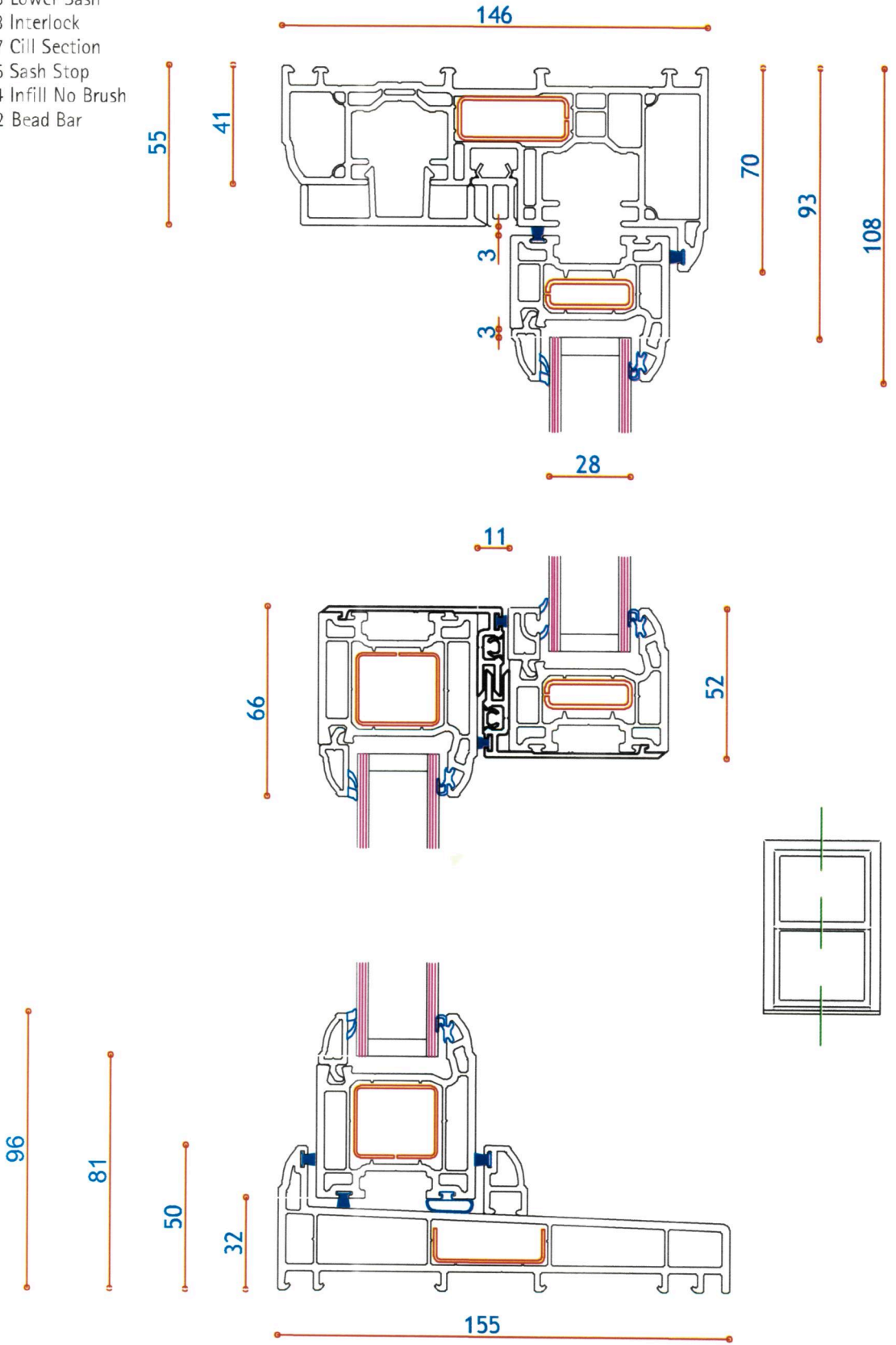
DIMENSIONS

VERTICAL CROSS SECTIONS

64mm Bottom Rail & 155mm Cill

- 105411 Outer Frame
- 105032 Upper Sash
- 105033 Lower Sash
- 105038 Interlock
- 105037 Cill Section
- 105415 Sash Stop
- 105414 Infill No Brush
- 105412 Bead Bar

2

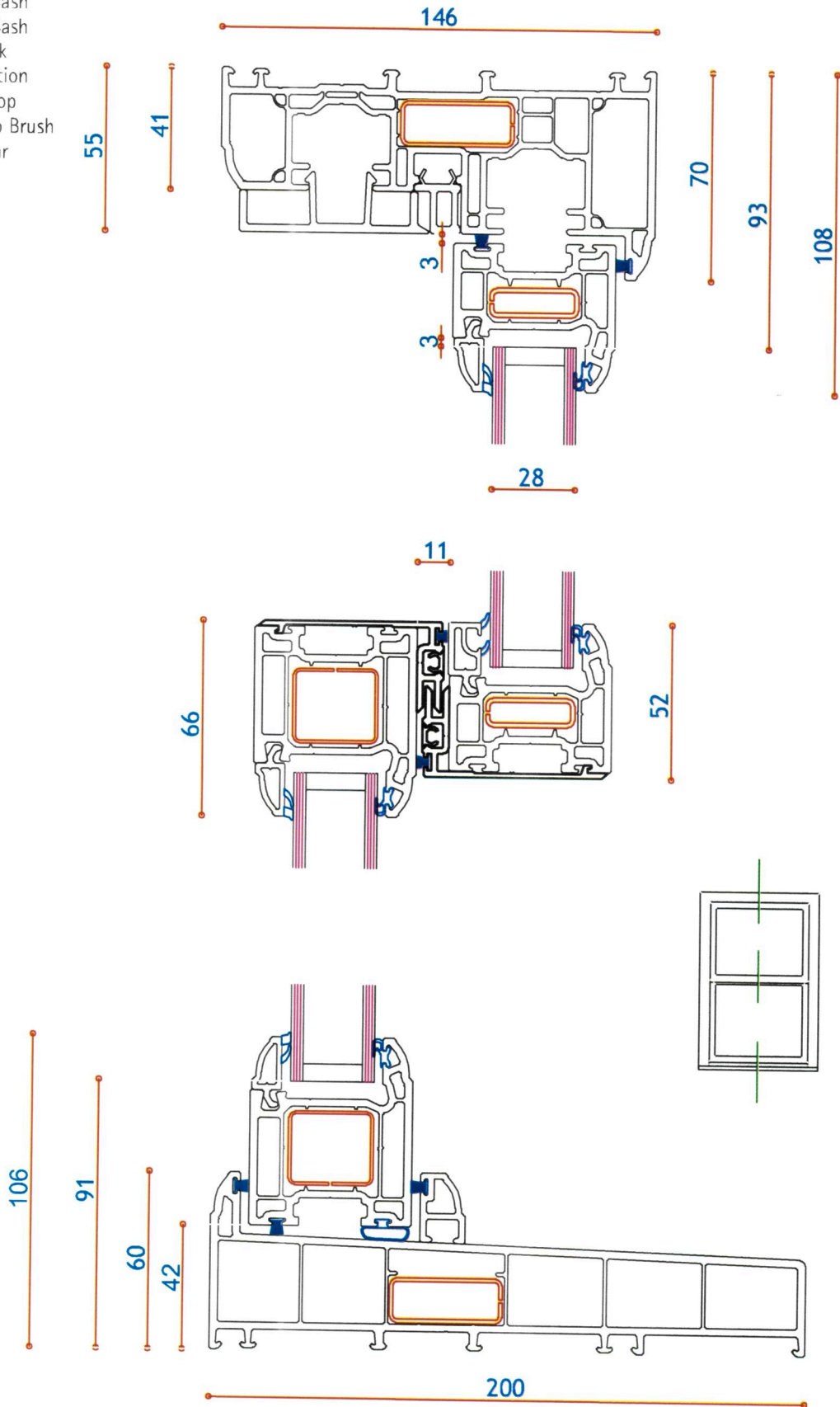


DIMENSIONS

VERTICAL CROSS SECTIONS

64mm Bottom Rail & 200mm Cill

- 105411 Outer Frame
- 105032 Upper Sash
- 105033 Lower Sash
- 105038 Interlock
- 105410 Cill Section
- 105415 Sash Stop
- 105414 Infill No Brush
- 105412 Bead Bar



2

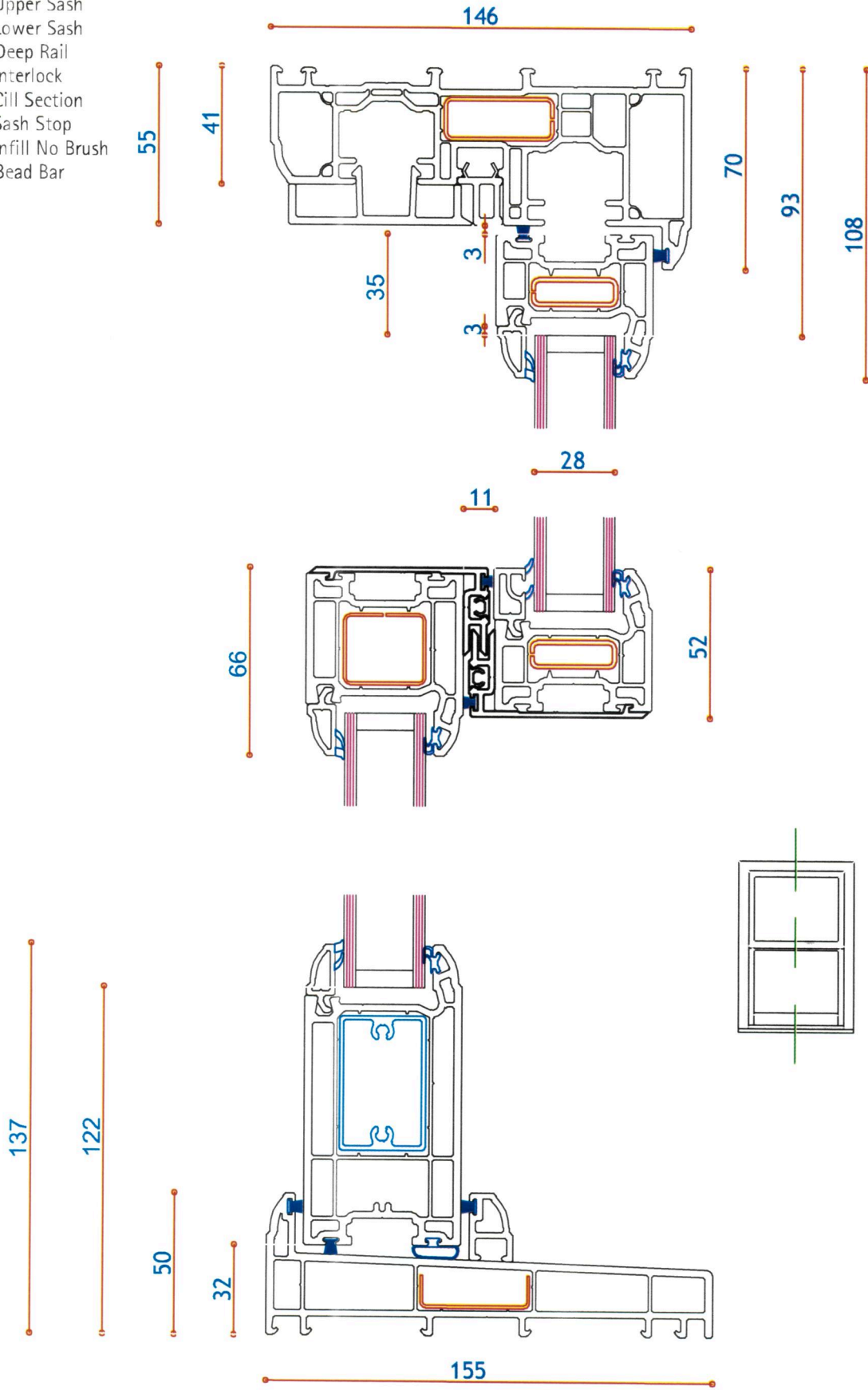


DIMENSIONS

VERTICAL CROSS SECTIONS

105mm Deep Bottom Rail & 155mm Cill

- 105411 Outer Frame
- 105032 Upper Sash
- 105033 Lower Sash
- 105034 Deep Rail
- 105038 Interlock
- 105037 Cill Section
- 105415 Sash Stop
- 105414 Infill No Brush
- 105412 Bead Bar



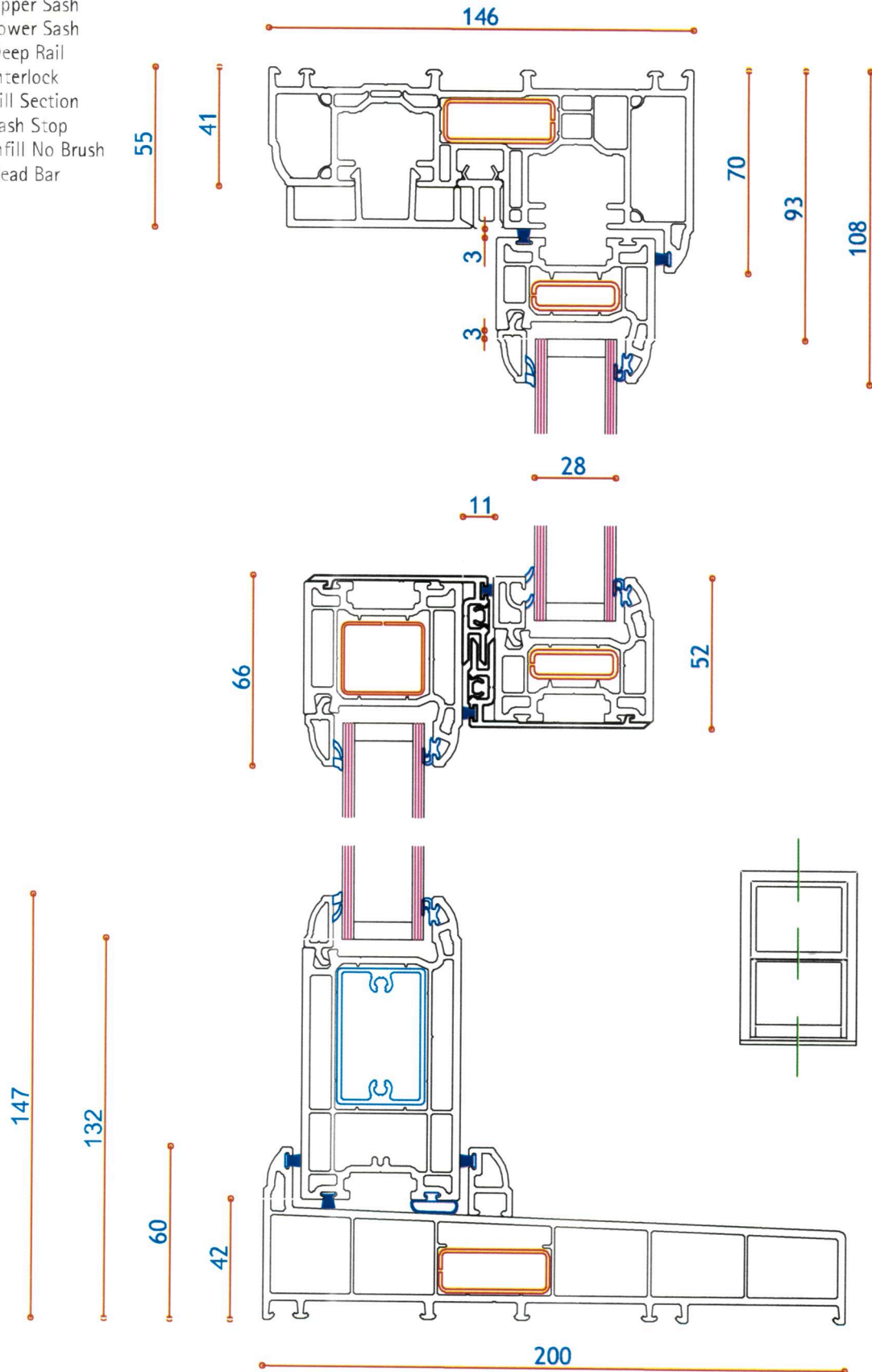
2

DIMENSIONS

VERTICAL CROSS SECTIONS

105mm Deep Bottom Rail & 155mm Cill

- 105411 Outer Frame
- 105032 Upper Sash
- 105033 Lower Sash
- 105034 Deep Rail
- 105038 Interlock
- 105410 Cill Section
- 105415 Sash Stop
- 105414 Infill No Brush
- 105412 Bead Bar



2



DIMENSIONS

HORIZONTAL CROSS SECTIONS

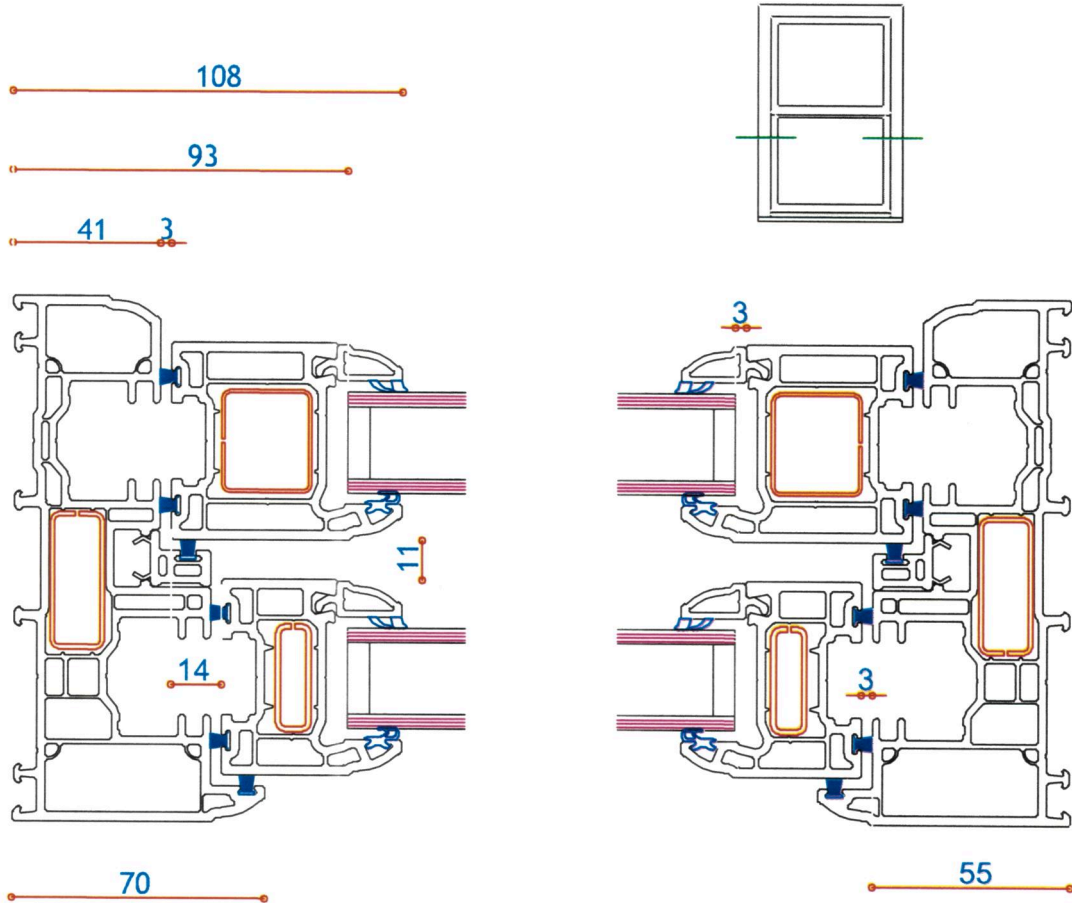
105mm Deep Bottom Rail & 155mm Cill

105411 Outer Frame

105032 Upper Sash

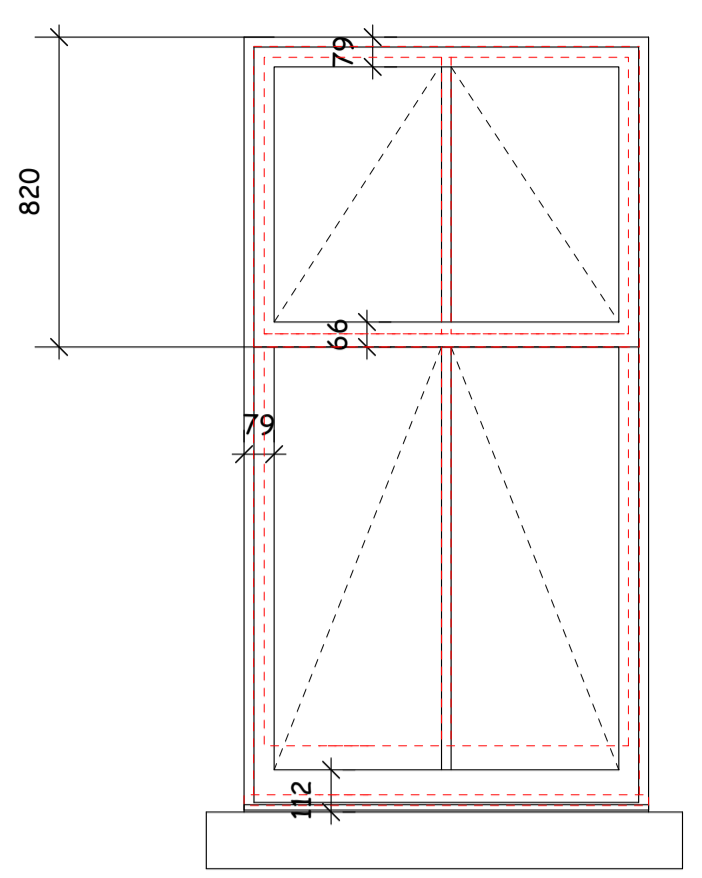
105033 Lower Sash

105413 Infill



2

No works to commence on site until Planning and/or Building Warrant Approvals are received. Contractors must visit the site and check site dimensions, roof pitches and familiarise themselves prior to ordering and manufacturing components and materials. Do not scale the drawings.



All window proportions will remain as existing, i.e. top window 40%, bottom 60% of total window dimension.
Existing timber framed window shown dotted red

Proposed Elevation 1 : 20

Windows all same height and width, bar smaller widths to Bay side windows



Example of window to be used, minus the Horns, as fitted in the former Park Hotel redevelopment, in the Conservation Area, which is immediately adjacent to Sunny Bank.

Window manufacturer will be same supplier, so sections, astragal, cill, operating mechanism, all the same.



Proposed West Elevation 1 : 50



Proposed South Elevation 1 : 50

Proposed North Elevation 1 : 50



Existing West Elevation 1 : 100



Existing South Elevation 1 : 100

Existing Elevation 1 : 20



Existing North Elevation 1 : 100

Proposed replacement windows at Sunny Bank House
Victoria Road, Forres
May 2020

Drwg. EN2 / 1 scale. 1:100
Rev :

IH Designs (Moray)
12 Councillors Walk, Forres IV36 1HA
Tel : 01309 674368
Email : ian54holmes@hotmail.co.uk
Web : www.ihdesignsmoray.co.uk

BRITISH STANDARDS / TOLERANCES

BRITISH STANDARDS INFORMATION

BS 7412 – PVCu Windows

Kitemark Licence No KM33686. Applies to factory glazed frames only.

BS 7412/PAS 24 WINDOWS – PVCu Windows

Kitemark Licence No KM61727. Enhanced Security.

BS 7412/PAS 24 DOORS – PVCu Doors

Kitemark Licence No KM85377. General and enhanced security.

BS 8529/PAS 24 DOORS – Composite Doors

Kitemark Licence No KM597995. General and enhanced security.

BS EN ISO 9001 – Quality Management System

Certificate No FM 29754



BS 7412
KM 33686

BS 7412/PAS 24
WINDOWS
KM 61727

BS 7412/PAS 24
DOORS
KM85377

BS 8529/PAS 24
DOORS
KM597995

FM29754

Consort PVCu Windows are classified and specified for weather tightness in accordance with BS 6375 Part 1.

DIMENSIONAL TOLERANCES

Outer frame width and height
Vent width and height



Up to 2000mm +/- 3mm
Over 2000mm +/- 4mm

Parallelism between Outer Frame Members, Transoms and Mullions

Up to 2000mm
Over 2000mm

Maximum run-out 3mm
Maximum run-out 4mm



Profile System Fully Sculptured Profiles

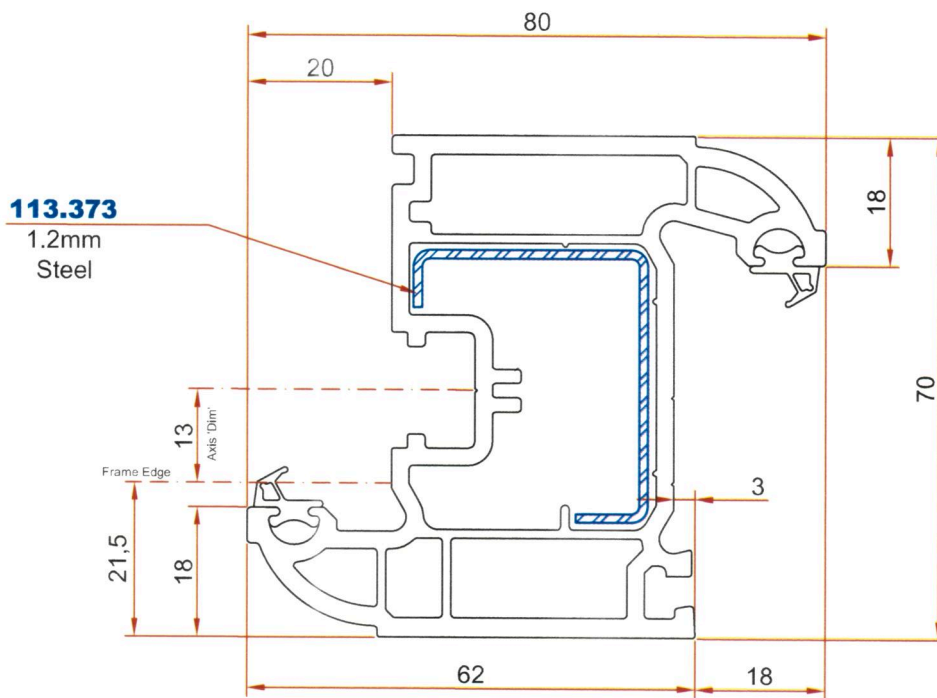
| | |
|-----------|------------|
| System: | Sculptured |
| Section: | 01 |
| Page: | 13:00 |
| Date: | Nov 04 |
| Revision: | |

Article No 103.267

80mm 'Z' Sash

Applications:

Tilt & Turn

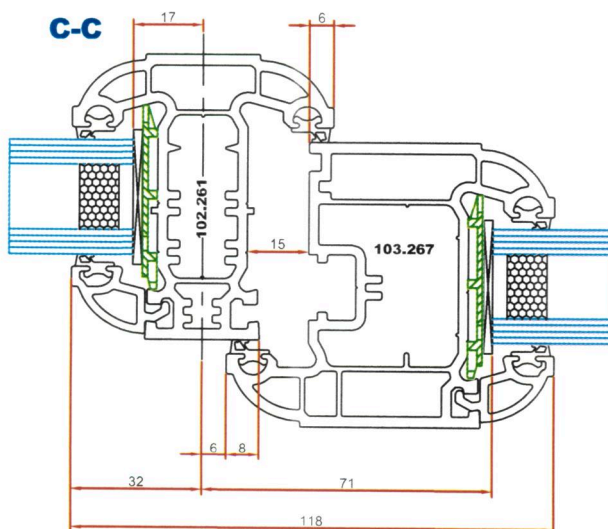
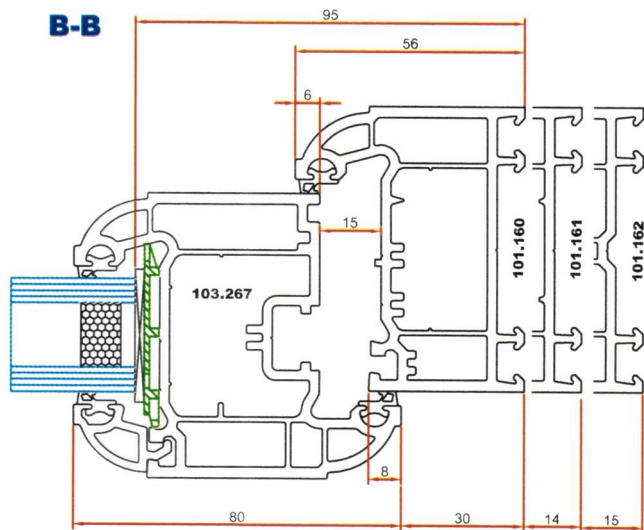
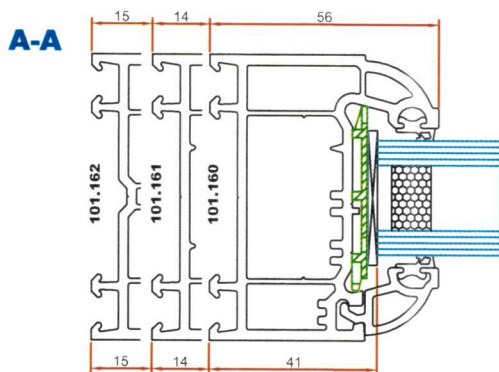
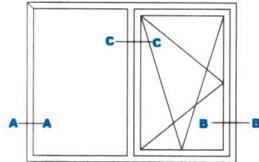




Profile System Fully Sculptured

| | |
|-----------|------------|
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| Section: | 02 |
| Page: | 02:00 |
| Date: | Nov 04 |
| Revision: | |

**Profile Combinations
Using 64mm Transoms/Mullions 102.260/261
With 80mm `Z` Sash 103.267**

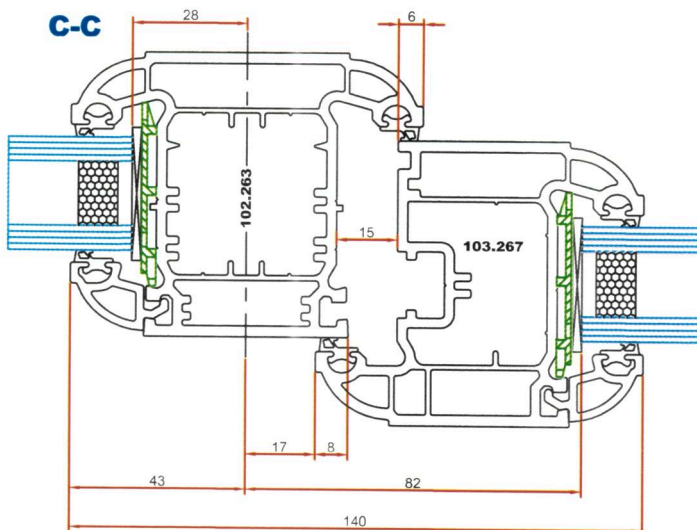
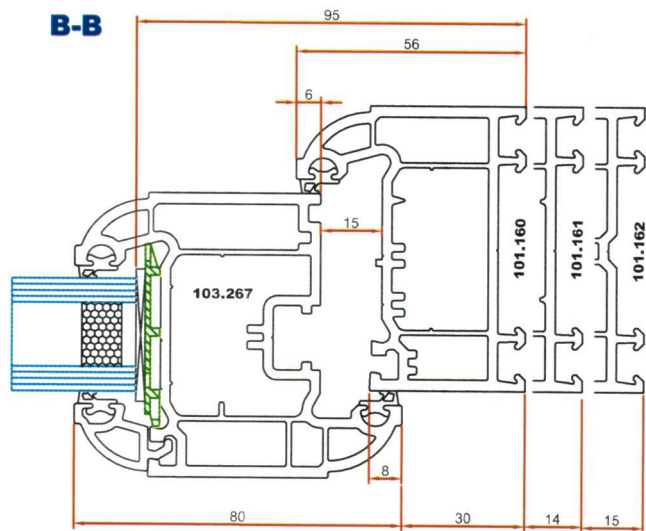
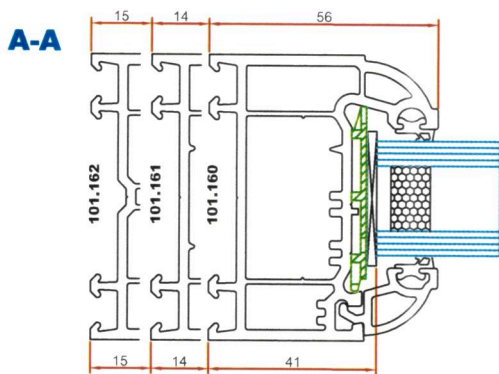
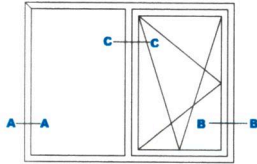




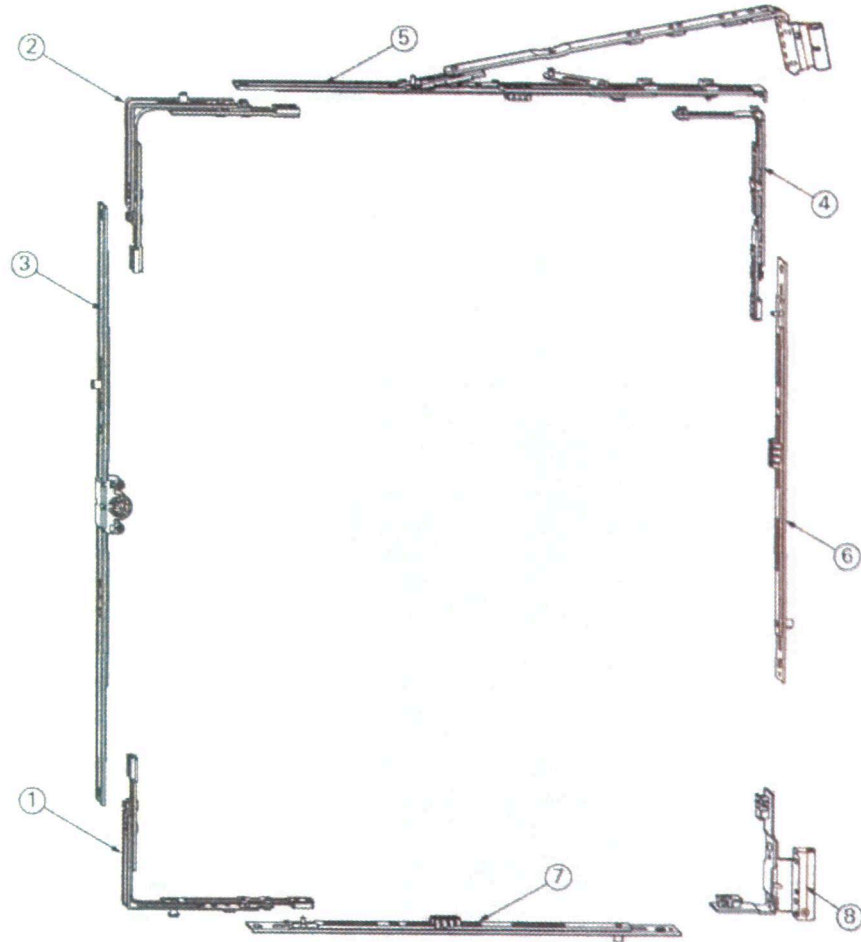
Profile System Fully Sculptured

| | |
|-----------|------------|
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| Section: | 02 |
| Page: | 02:01 |
| Date: | Nov 04 |
| Revision: | |

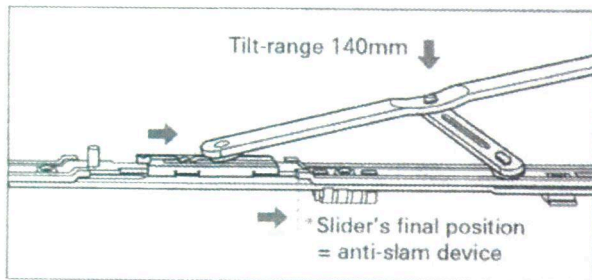
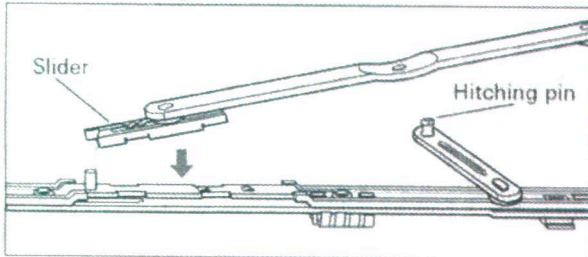
**Profile Combinations
Using 86mm Transoms/Mullions 102.262/263
With 80mm `Z` Sash 103.267**



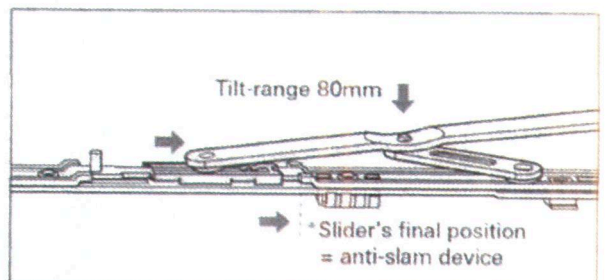
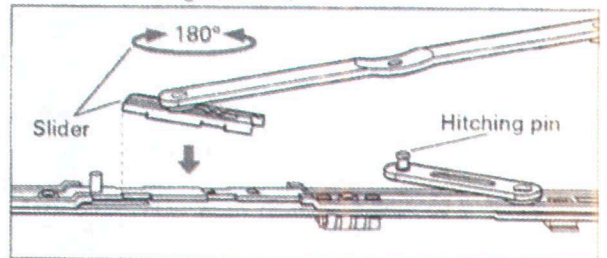
Suggested installation sequence



Standard tilt-range (140mm)

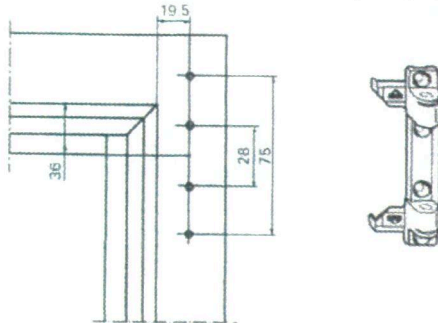


Reduced tilt-range (80mm)

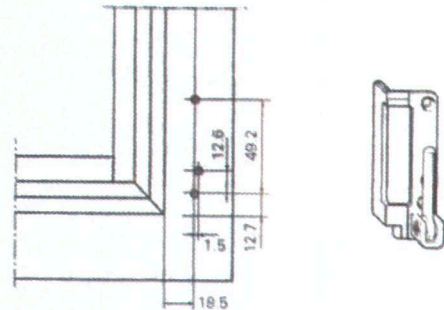




The slider's final position (anti-slam device) is reached automatically by means of tilting the sash.



Frame drilling dimensions: sash stay bearing A

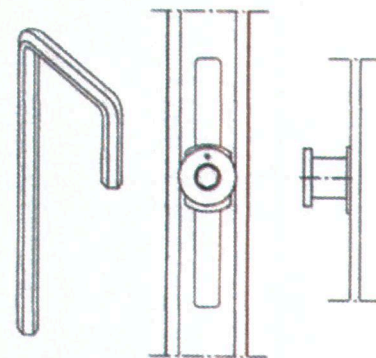
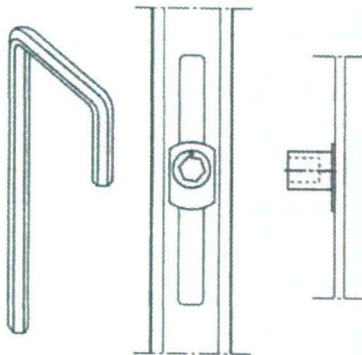


Frame drilling dimensions: corner pivot rest A

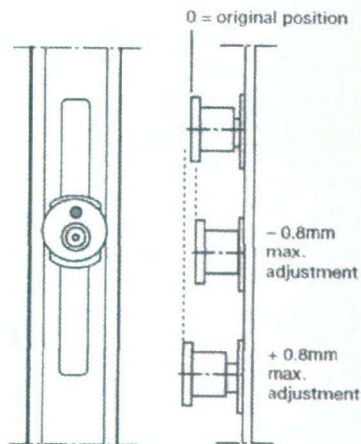
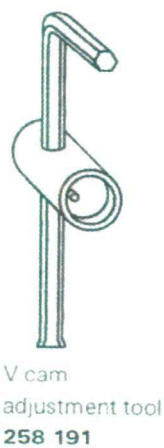






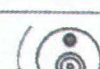
| Locking cam E | Adjustment range in ° | Gasket compression adjustment in mm |
|----------------------|--|-------------------------------------|
| | Original position  | - |
| |  | ± 0.8 |

| Locking cam P | Adjustment range in ° | Gasket compression adjustment in mm |
|----------------------|--|-------------------------------------|
| | Original position  | - |
| |  | ± 0.8 |



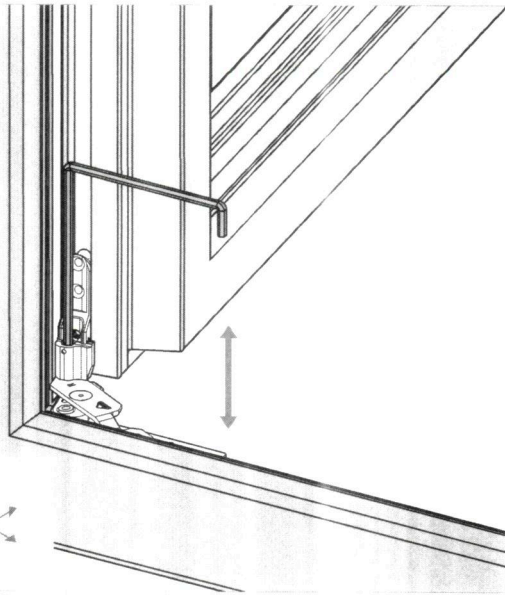
Locking cam **V**



| Adjustment range in ° | Gasket compression adjustment in mm | Height adjustment in mm |
|--|-------------------------------------|-------------------------|
| Original position  | - | - |
|  | ± 0.8 | ± 0.2 |
|  | - | ± 0.4 |
|  | ± 0.8 | ± 0.6 |
|  | - | ± 0.8 |

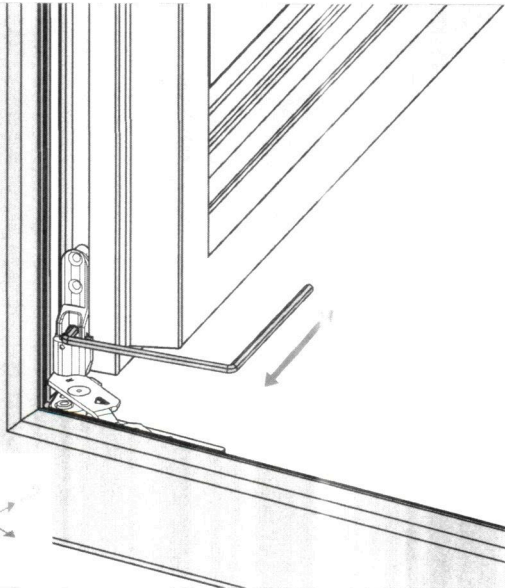
Adjustment instructions

Pivot rest / corner hinge

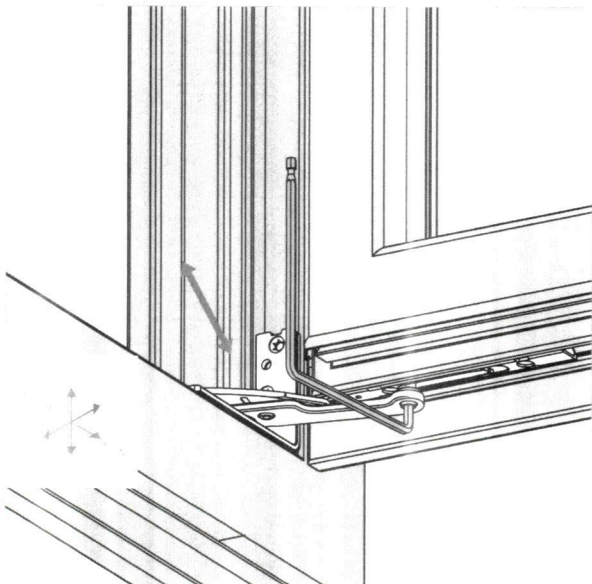


Height adjustment

After the height adjustment, the load transfer device has to be readjusted (refer to page 67).



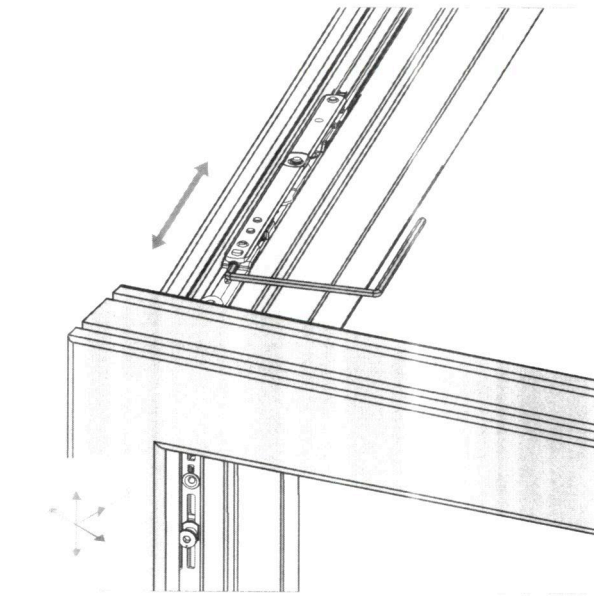
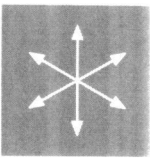
Lateral adjustment



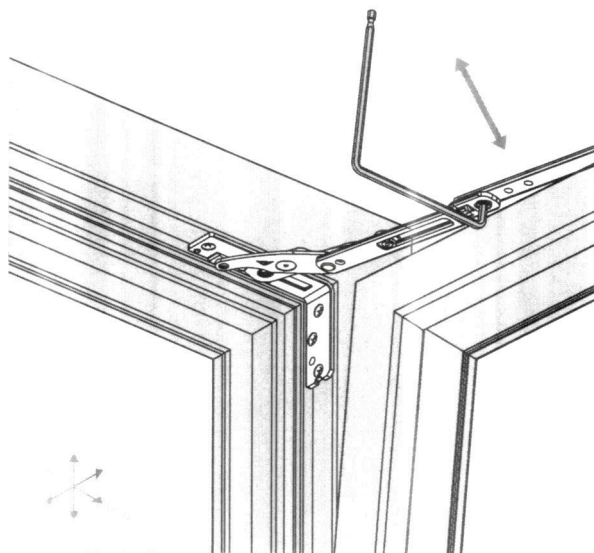
Gasket-compression adjustment

Adjustment instructions

Sash stay

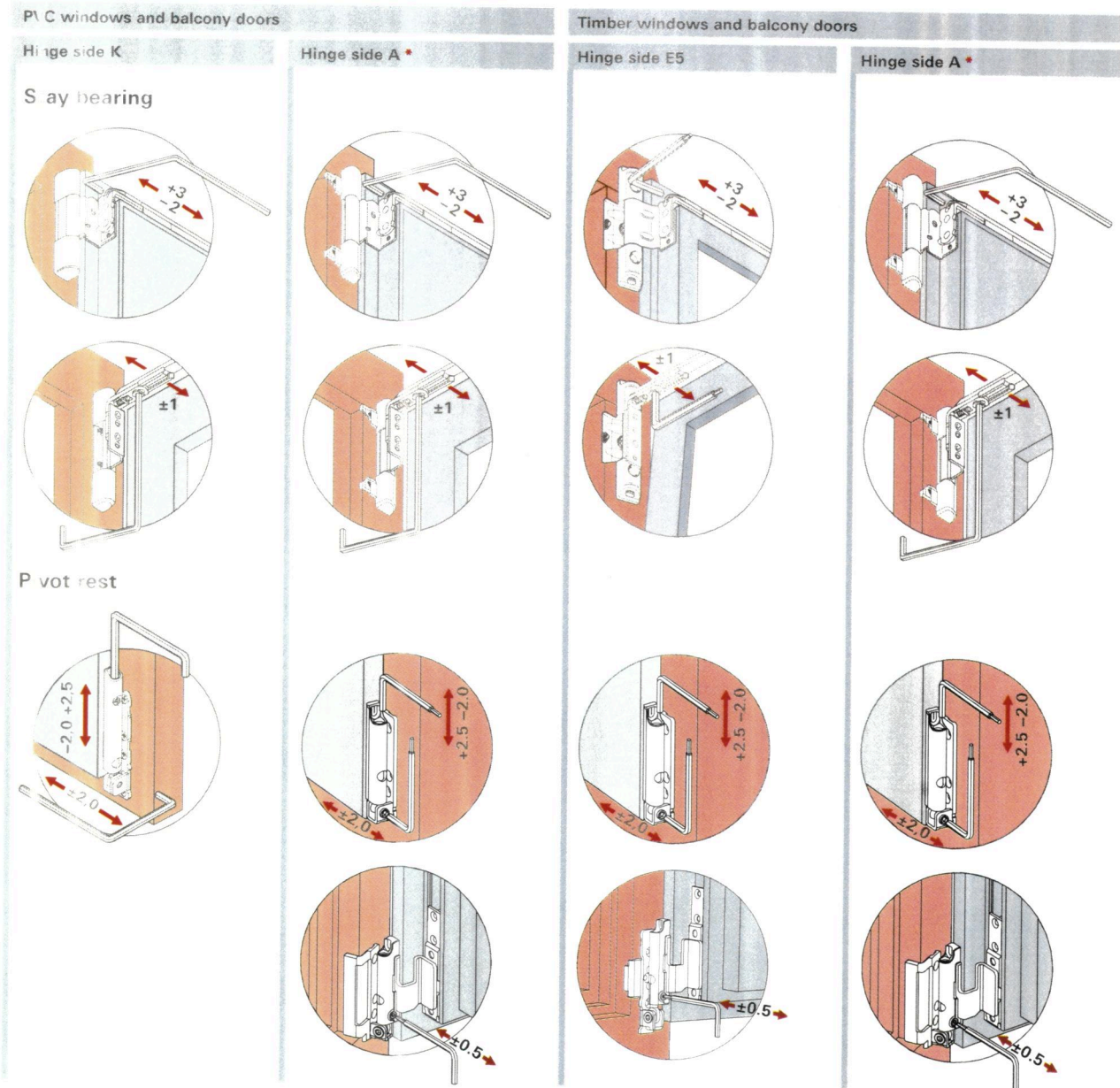


Lateral adjustment

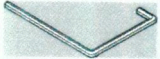



Gasket-compression adjustment

Adjusting Roto hardware components may only be carried out by authorised and qualified personnel.



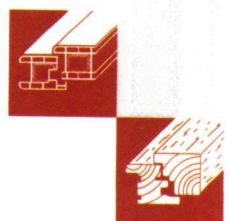
* The indicated adjusting dimensions change upon use of cover caps (on stay bearing / pivot rest) and corner-rebate-security components.

| Adjusting tools | | |
|---|-----------------------|--------------|
| Fig. no. | Description | Material no. |
|  | 4mm Allen key | 208609 |
|  | 2.5mm & 4mm Allen key | 230764 |

Roto Frank AG
Window and door technology

Winkel, Frank-Platz 1
70 711 Hanfelden-Echterdingen
Germany
Telephone +49 711 7598-0 • Telefax +49 711 7598-253
inf. @roto-frank.com • www.roto-frank.com


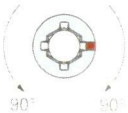

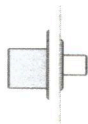
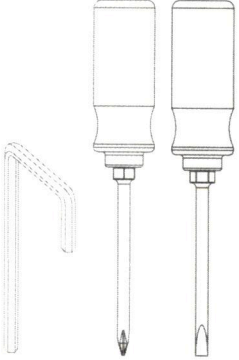
Roto NT – Hinge sides K, A, E5 - Adjustment instructions





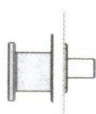
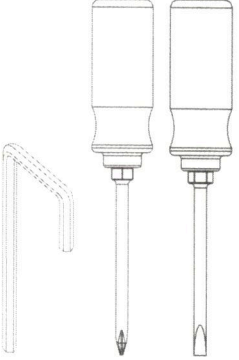
Vertikal einstellbare Schließzapfen

Car version Adjustment range Gasket-compression /mm Height Lateral view Adjusting tool

Locking cam E


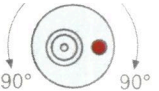


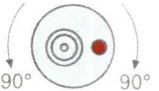






| | | | | | |
|---|---|---------------|---|---|---|
|  |  | <p>±0.8mm</p> |  |  |  |
|---|---|---------------|---|---|---|

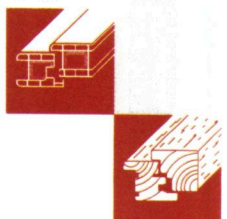
Locking cam P

| | | | | | |
|---|--|---------------|---|--|--|
|  |  | <p>±0.8mm</p> |  |  |  |
|---|--|---------------|---|--|--|

Locking cam V

Car version Adjustment range Gasket-compression adjustment /mm Height adjustment /mm Top view / Lateral view Adjusting tool

| | | | | | |
|---|---|---------------|---------------|---|---|
|  |  | <p>±0.8mm</p> | <p>±0.2mm</p> |  |  |
|  |  | <p>-</p> | <p>±0.4mm</p> |  | <p>±0.8mm max. adjustment</p> |
|  |  | <p>±0.8mm</p> | <p>±0.6mm</p> |  | <p>±0.8mm max. adjustment</p> |
|  | <p>-</p> | <p>-</p> | <p>±0.8mm</p> | <p>0 = Original position</p> | |



Planning Application

Replacement windows at Sunny Bank, Victoria Road, Forbes for Mrs Elma Noble.

1. Most of window sash bottom rails are rotten and in need of replacing.

The North elevation is particularly bad as this is directly facing the prevailing weather and has suffered the most. Various sills have been replaced in the past but are showing signs of rot again. The window frames and sash boxes are also showing signs of rot.

2. All external cills are rotten some worse than others which is causing a problem on either side of the boxes (needing windows replaced). Some windows have had the mortice and tenon joints spring open and have been bolted together!

3. On a practical level some first floor longer windows can not be safely used, especially in an emergency for escape purposes. To overhaul these would require removal and taken to the workshop for reconstruction.

4. Cost to replace windows with new wooden sash and case, sash boxes, chords and pulley weights, cost in the region of 3 times than similar that will look exactly the same. On an economical level the heat loss for the property would be greatly improved and safer to operate on a daily basis.

It should be noted that a single storey, open plan kitchen / lounge extension has upvc doors and windows.

REPORT OF HANDLING

| | | | |
|--------------------------------------|--|-------------------------|---------------------|
| Ref No: | 21/00593/APP | Officer: | Katherine Donnachie |
| Proposal Description/ Address | Replace single glazed windows with upvc double glazed units style to match existing at Sunny Bank Victoria Road Forres Moray | | |
| Date: | 30.07.2021 | Typist Initials: | LMC |

RECOMMENDATION

| | | |
|---|--------------------------|----------|
| Approve, without or with condition(s) listed below | N | |
| Refuse, subject to reason(s) listed below | Y | |
| Legal Agreement required e.g. S,75 | N | |
| Notification to Scottish Ministers/Historic Scotland | N | |
| Hearing requirements | Departure | N |
| | Pre-determination | N |

CONSULTATIONS

| Consultee | Date Returned | Summary of Response |
|------------------|----------------------|----------------------------|
| | | |

DEVELOPMENT PLAN POLICY

| Policies | Dep | Any Comments (or refer to Observations below) |
|----------------------------|------------|--|
| DP1 Development Principles | Y | Refer to observations |
| EP9 Conservation Areas | Y | Refer to observations |
| PP1 Placemaking | | Refer to observations |

REPRESENTATIONS

| | | |
|---|-----|--|
| Representations Received | YES | |
| Total number of representations received: ONE | | |
| Names/Addresses of parties submitting representations | | |
| Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations. | | |
| Summary and Assessment of main issues raised by representations | | |
| Issue: Writer advises they have no objection to the proposals. | | |
| Comments (PO): Noted. | | |

Proposals and Site

This application seeks full planning permission to replace all of the existing white painted wooden sash and case at a traditional stone and slate two storey semi-detached substantial dwellinghouse at Sunnybank, Victoria Road Forres. The existing windows are single glazed and there are a total of 14 windows (including 2 bay windows) to be replaced. The proposed new window will be white UPVC of the same proportions, of sash and case style appearance, and double glazed. The application has been advertised in the local press.

The application site is located to the north of Victoria Road with front elevation facing south over this road. To the immediate east is the other half of this semi-detached property. This property (The Pines) is also stone and slate with a front sun lounge with UPVC windows which was approved in 1998 (reference 98/01638/FUL) To the west is an access lane with the Park (now converted to residential accommodation) lying to the west of this set in its own policies and set back from the public road. Further residential properties lie to the rear (north). The site lies within Forres Outstanding Conservation Area.

In terms of planning history consent was granted in 2002 (reference 02/01559/FUL) to erect a double garage and extend existing garden wall at Sunnybank and in 2003 (reference 03/00617/FUL) to erect a sun room to the rear of the property.

Policy Background

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below:

Principle

Policy PP1 Placemaking seeks to ensure that new development is designed to create successful healthy places that improve people's wellbeing, safeguard the environment and support economic development, promote character and identity and biodiversity. Similarly Policy DP1 Development Principles is supportive of new development providing it meets all other relevant planning policies. Again this policy supports new development providing it is in keeping with the area and this will now be considered below.

Design, layout and impacts on Conservation Area

Policy DP1 Development Principles sets out the need for the scale, density and character to be appropriate to the surrounding area to create a sense of place, integrated into the surrounding landscape with no adverse impact upon neighbouring properties in terms of privacy, daylighting, or overbearing loss of amenity. It is considered that this window replacement proposal will have no impacts upon neighbours. The main planning policy issue therefore is the impact on the surrounding townscape given that the house is located within Forres Outstanding Conservation Area.

The key planning policy is Policy EP9 Conservation Areas which requires that all development within a Conservation Area preserves and enhances the established traditional character or appearance of the area. It notes that alterations will be refused where they adversely affect the character and appearance in terms of scale, height, massing, colour, materials and siting, explaining that this will typically require the use of traditional materials and style. With regard to replacement doors and windows the policy states that for unlisted buildings within conservation areas replacement windows must match the original windows in terms of proportions and appearance and shall open in a traditional sash manner or be in the form of casements whichever is appropriate. The use of UPVC windows may be deemed acceptable if it is of an appropriate traditional style and not located on a principal elevation or on an elevation on a public view. However the fundamental test will be whether the replacement will have a detrimental effect on the character of the building and/or the conservation area. The justification for the policy explains that unlisted buildings within a conservation area can

have significant townscape value and make a valuable contribution to the overall character of the area.

Policy EP9 explains that advice on the type of windows considered acceptable is set out in the Council's Replacement Windows and Door Guidance. This document is a material consideration in decision making. It sets out the importance of windows and doors to the character of historic buildings both individually and in the wider streetscape, explaining the desire to protect and preserve original windows where possible. It highlights that replacement will only be approved where there is no alternative, for example where they have clearly deteriorated beyond practical repair or are not original with the Council likely to request evidence to demonstrate that there is no scope for repair works. The guidance also goes on to clarify that double glazed units which have the correct astragal width and painted finishes are usually considered acceptable as replacements where there was previously no historic glass present. The guidance also explains that repairs to traditional windows are almost always cheaper than full replacements and that it is a common misconception that timber windows are difficult to maintain and that UPVC windows are maintenance free.

The application site is prominently located on Victoria Road which is the main approach into Forres town centre from the east. The north elevation is prominent from this approach and both the north and western elevations are open to public view when travelling east along Victoria Road with a bus stop also located in close proximity to the site. This part of Victoria Road lies within the designated outstanding Conservation Area and is characterised by villa type traditional buildings on the northern side of the road, some set back from the road in large garden areas. It forms a clear transition from the more modern developments to the east leading towards the higher density medieval core of Forres. Sunnybank is a substantial attractive property which retains important traditional elements such as the sash and case windows which add to the quality of the wider conservation area too.

Council policy is clear that UPVC windows will only be accepted where they are not located on a principal elevation or on an elevation on a public view. In this context it is only the windows on the rear (south) elevation which could be considered to not be on a principal elevation and to have any potential for replacement by UPVC windows of sash and case appearance. Window replacement on the other two elevations clearly fails to comply with policy. The other examples of consented UPVC windows cited by the applicant relate, in the case of Sunnybank and its neighbouring property at the Pines, to consents granted almost 20 years ago, well before current policy and guidance. Other examples quoted also seem to date from earlier than the current policy and guidance although consents have not been traced to date.

Finally, in terms of planning history it is noted that an application to replace timber windows with UPVC sliding casement windows at St Leonards Road Forres (reference 18/00223/APP) was refused in 2018 with a subsequent application to retain the installed new windows (reference 20/01059/APP) also refused. A subsequent appeal to the Local Review Body against this refusal was dismissed in 2020.

In these overall circumstances it is considered that the proposed development does not comply with Policy EP9 and would not preserve and enhance the established traditional character of the area. Sunnybank is a prominent building in the local townscape and conservation area and the loss of traditional finishes is not considered to be acceptable. Accordingly as recommended by the Council guidance and policy the repair of the existing windows should be explored followed, if necessary, by consideration of replacement on principal elevations with timber sash and case windows potentially double glazed. (The applicants' desire to reduce heat loss is appreciated but there are other ways to improve thermal efficiency and also preserve the heritage of the Conservation Area, for example suitable repairs or indeed replacement by double glazed units) This would require to be the subject of a revised application in due course as would any proposal for UPVC windows on the rear elevation.

Conclusion

The retention of timber sash and case windows is an important way of preserving the historic

appearance and fabric buildings and the character of the Conservation Area. There are opportunities to improve the thermal efficiency of traditional buildings whether through repairs or new windows, provided appropriate traditional materials are used. Council policy and guidance is clear on this subject setting out that the use of non-traditional materials such as UPVC on principal elevations will not be acceptable in a Conservation Area.

The proposed windows are not considered to preserve or enhance the established traditional character or appearance of the Conservation Area and therefore are not considered to comply with policy whereby refusal is recommended.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

Moray Council advice entitled "Replacement Windows and Doors Guidance"

HISTORY

| Reference No. | Description | | |
|----------------------|---|------------------------------|----------------------------------|
| 21/00253/ID | Replace existing timber frames sash and case windows with cream coloured UPVC glazing at Sunny Bank Victoria Road Forres Moray IV36 3BN | | |
| | Decision | Planning Permission Required | Date Of Decision 10/03/21 |
| 03/00617/FUL | Erect a sun room at Sunny Bank House Victoria Road Forres Moray IV36 3BN | | |
| | Decision | Permitted | Date Of Decision 19/05/03 |
| 02/01559/FUL | Erect a double garage and extend existing garden wall at Sunny Bank House Victoria Road Forres Moray IV36 3BN | | |
| | Decision | Permitted | Date Of Decision 27/09/02 |

ADVERT

| | | |
|-------------------------|--------------------------------------|-----------------------|
| Advert Fee paid? | Yes | |
| Local Newspaper | Reason for Advert | Date of expiry |
| Forres Gazette | Planning application affecting LB/CA | 08/06/21 |
| PINS | Planning application affecting LB/CA | 08/06/21 |

DEVELOPER CONTRIBUTIONS (PGU)

| | |
|---------------|------------|
| Status | N/A |
|---------------|------------|

DOCUMENTS, ASSESSMENTS etc. *

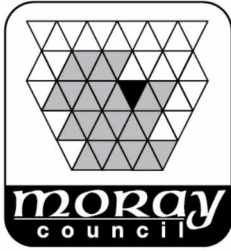
* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc

| | |
|---|-----|
| Supporting information submitted with application? | YES |
| Summary of main issues raised in each statement/assessment/report | |
| Document Name: Supporting Statement | |

| | |
|----------------|--|
| Main Issues: | Outlines that that most of the sash bottom rails are rotten with the north elevation particularly bad as it faces the prevailing weather. Sills have been replaced in the past but showing signs of rot again whilst window frames and sash boxes also showing signs of rot. Issues with joints which have been bolted together to prevent them opening and some first floor windows can no longer be safely used , so preventing their use for escape purposes. Repairing the windows would require removal to a workshop for reconstruction whilst replacement with sash and case windows would cost around 3 times the cost of UPVC windows which will look the same. Heat loss would also be addressed by installing new windows. Finally note that the existing extension has upvc windows. |
| Document Name: | Quotes and examples of other UPVC windows in Forres |
| Main Issues: | Copy quote has been provided for installation to UPVC windows and also a quote for installation of timber sash and case. This illustrates that timber windows are almost twice the price of UPVC. Photographs have been provided of other examples of UPVC windows in the area including an extension to the rear of the application property and a sun lounge to the front of the adjacent house. |

| | | |
|--|--|----|
| S.75 AGREEMENT | | |
| Application subject to S.75 Agreement | | NO |
| Summary of terms of agreement: | | |
| Location where terms or summary of terms can be inspected: | | |

| | | | |
|---|---|--|----|
| DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs) | | | |
| Section 30 | Relating to EIA | | NO |
| Section 31 | Requiring planning authority to provide information and restrict grant of planning permission | | NO |
| Section 32 | Requiring planning authority to consider the imposition of planning conditions | | NO |
| Summary of Direction(s) | | | |



**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Forres]
Application for Planning Permission**

TO



With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Replace single glazed windows with upvc double glazed units style to match existing at Sunny Bank Victoria Road Forres Moray

and for the reason(s) set out in the attached schedule.

Date of Notice: **2 August 2021**



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT

Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposed development is contrary to Policy DP1: Development Principles and Policy EP9: Conservation Areas of the adopted Moray Local Development Plan 2020 and, as a material consideration, associated Replacement Windows and Doors Guidance for the following reasons:

- the removal of original timber sash and case windows and replacement with non-traditional UPVC units located on principal elevations and elevations on a public view would fail to preserve or enhance the established traditional character and appearance of Forres Outstanding Conservation Area.
- the proposed finishes are considered to adversely affect the character and appearance of Forres Outstanding Conservation Area, are not appropriate to the surrounding area, and do not respect the architectural authenticity of the building and the character of Forres Outstanding Conservation Area.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

| Reference | Version | Title |
|------------------|----------------|------------------------------|
| | | Profile sections |
| EN/1 | | Elevations and location plan |

NOTICE OF APPEAL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be

permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

