

Appeal Decision Notice

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Decision by David Buylla, a Reporter appointed by the Scottish Ministers

- Listed building consent appeal reference: LBA-290-2002
- Site address: Mauldslie West Cottage, Temple, Gorebridge, EH23 4TB
- Appeal by Ms L Oddy against the decision by Midlothian Council
- Application for listed building consent 12/00050/LBC dated 31 January 2012 refused by notice dated 16 March 2012
- The works proposed: installation of replacement door and windows
- Date of site visit by Reporter: 16 July 2012

Date of appeal decision: 20 July 2012

Decision

I dismiss the appeal and refuse listed building consent.

Reasoning

1. Bearing in mind the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, relevant provisions of the development plan and national policy and guidance on heritage matters, the determining issues in this appeal are whether the proposal would preserve this listed building, its setting, and any features of special architectural or historic interest it possesses.
2. The appeal property is an early nineteenth century former estate worker's cottage, which is category C(S) listed. The property has been altered in the past by the addition of a large flat roofed extension to the rear and the replacement of some of its windows including two with PVC-U replacements. However, the building is otherwise quite original and it retains much of its original architectural and historic interest.
3. It is proposed to replace the existing timber windows on the front, rear and side elevations, which with two exceptions are of timber sash and case construction. It is also proposed to replace a modern glazed timber door in the extension. All of the replacements would have PVC-U frames. On the front, vertically sliding windows would be used. Those on the rear of the building would be tilt and turn in operation.

4. On the front and side elevations, although the proposed PVC-U windows would replicate the sash and case method of opening, they would not closely resemble those they would replace. The flat and uniform finish of PVC-U would not have the character of the existing windows' painted timber finish and, as a consequence of using one double-glazed float glass unit in each sash, the proposed glazing would have a flatter appearance than the existing windows' multiple panes. The proposed windows would therefore lack the existing windows' subtle variations in reflection and tone that are important to the architectural interest of the building.

5. The planning officer's report states that the windows would not have astragals, but the drawings appear to show the upper and lower panes divided into four or six panes, and the brochure for the intended window system indicates that astragals are available as an option. Even if astragals were fitted, this would not significantly improve the windows' appearance as this would not overcome the issues I have identified above.

6. On the rear of the building, the proposed tilt and turn windows would be of a very different appearance to those they would replace. Even when closed, they would not resemble sash and case windows due to their flat appearance and when open, their contrast with the type of window one would expect to find on a property of this age would be very significant. The fact that they would be inserted in an extension rather than an original part of the cottage does not excuse their inappropriate appearance and design.

7. The existing glazed timber door has no architectural or historic interest in itself. If I were required only to consider the effect of the proposal on the building's appearance, the replacement of this door might not be objectionable. However, as I have explained below, an assessment of whether the proposal would preserve the listed building's historic interest requires a consideration of more than just the building's appearance.

8. The windows to the rear would not easily be seen from outside the appellant's garden and, due to the isolated location of the property, even those on the front and sides would be seen by very few. This has little bearing however on the impact the proposal would have on the character and historic integrity of this listed building. The use of PVC-U for the replacement windows and door, even if this had been undetectable from any public view of the building, is inconsistent with the simple rustic character of the cottage and would detract significantly from its historic interest.

9. I conclude that, through its use of inappropriate materials and its unsympathetic design and appearance, the proposal would detract from the special interest of this listed building.

10. The Scottish Historic Environment Policy sets out a presumption against works that would adversely affect the special interest of a listed building. How this applies to proposals for window and door alterations is set out in two guidance notes that were issued by Historic Scotland in 2010. The guidance confirms that windows make a substantial contribution to the character and physical integrity of most historic buildings, particularly in simple vernacular buildings such as this. Policy RP24 of the Midlothian Local Plan only permits alterations to a listed building where the siting, scale and detailing would, as a

minimum requirement, not detract from the original character of the building. For the reasons I have set out, the proposal would conflict with this policy and guidance. This adds significant weight to my conclusion that the proposals are inappropriate.

11. I have had regard to the exposed location of the property and the appellant's desire to achieve effective insulation, a high degree of weather resistance and low maintenance. However, these are not attributes that are entirely the preserve of PVC-U windows, and even if they were, these factors would not outweigh the harmful effect the proposal would have on the listed building's special interest. I have been referred to two other examples of local listed buildings with PVC-U windows. However, there is no evidence that these were installed after those buildings were listed and, if so, that they were authorised. And in any event, each case must be considered on its merits so neither example could set a binding precedent that I am obliged to follow.

David Buylla

Reporter