

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-1197 - Window Replacements
Date: 05 September 2017 08:26:51
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Thank you for your information request of 17 August 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

1. A list of all applications to replace windows in the Great Western Road conservation area from the period of April 2014 to June 2017.

Details of all planning applications within the identified period are published on the Council's website and can be accessed via the online Planning Register (Planning Search facility). On the Home page of the website, click on "Planning and Buildings Standards" link on left hand side menu. Then click on "Search our archive of all Planning and Building Standards Applications". On the next screen, click on the 'Advanced' tab. On this screen enter the following details –

'Description Keyword' – replacement windows or windows

'Conservation Area' – Great Western Road

'Dates' - (date received) 01/04/2014 and 30/06/2017

Then click search

This will bring up a list of all planning applications for replacement windows within the Great Western Road conservation for the period identified

2. Please annotate if the applications were for uPVC or timber windows and which material they would be replacing.

The information requested is published on the Council's website and is available via the online Planning Register (Planning Search facility) by following the instructions set out in Question 1. Clicking on a specific planning application on the list takes you to a screen that contains the details of that planning application. Click on the 'documents' tab, which brings up the drawings and documents. The information requested will be contained on the drawings and in the Report of Handling.

3. Please annotate as to whether the application was approved, refused or withdrawn.

The information requested is published on the Council's website and is available via the online Planning Register (Planning Search facility) by following the instructions set out in Question 1. Clicking on a specific planning application on the list takes you to a screen that contains the details of that planning application. On that screen the information requested is available under 'Decision'

4. Please provide a list of all unauthorised window replacements within any Conservation area in Aberdeen City that the council has become aware of and what action the council has taken in each case. The time period for this question is from April 2014 to June 2017.

<u>Address</u>	<u>Works</u>	<u>Action/Status</u>
Richmond Walk, Rosemount (Ref.123490)	Removal of existing windows	Approval given for window replacement as part of programmed improvement

		works
Anderson Drive (Ref.125173)	Design of new replacement windows not as approved	Minor discrepancy in window design not expedient to enforce.
Gaelic Lane (Ref.132034)	Upper floor windows replaced without consent	No response to several requests asking for unauthorised windows to be replaced. – still outstanding.
King Street (Ref.131123)	Upper flat front elevation windows replaced without consent	No response to several requests asking for unauthorised windows to be replaced. – still outstanding.
Gray Street (Ref.128100)	Windows replaced without planning consent.	Established that original windows had been replaced more than 4 years prior to receipt on enquiry and therefore immune to formal action.
University Road (Ref. ENF170061)	One original window removed and replaced with UPVC alternative.	Application seeking retrospective consent for new UPVC window refused – Established that new window may have been in place in excess of 4 years - Certificate of Lawfulness application to regularise situation to be lodged by property owner.
Kings Crescent (Ref. ENF170062)	One original window removed and replaced with new door without consent.	Application lodged seeking retrospective consent - decision currently pending.
Fraser Noble Building University of Aberdeen Elphinstone Road (Ref. ENF170103)	Several original windows replaced without formal consent.	Aberdeen University has been asked to submit a formal planning application seeking required retrospective consent.
Rubislaw Terrace (Ref. ENF170120)	New replacement windows installed without Planning or Listed Building consent.	Replacement 'like for like' timber sash & case installed. Property owner has been asked to submit formal Planning & Listed Building consent applications seeking retrospective approval.

5. Please provide a list of those planning application for window replacements from April 2014 to June 2017 within any Conservation area within Aberdeen City that have been appealed and the outcome of that appeal.

Appeals on planning applications that are refused by the Council's Planning Development Management Committee are made to the Planning and Environmental Appeals Division of The

Scottish Government. All appeals are published on its website, which can be found at <https://www.dpea.scotland.gov.uk>. Appeals can be searched by each Planning Authority area using a drop down menu. The search criteria can be narrowed by using the 'Advanced Search' facility.

Planning applications that are refused under delegated powers can, at the request of the applicant, be reviewed by the Local Review Board (LRB). The following applications for replacement windows were considered by the LRB

140065: Esslemont Avenue, Rosemount (original decision to refuse upheld)
140452 Stoneyhill Terrace, Cove (original decision to refuse upheld)
151162 South Square, Footdee (original decision to refuse upheld)
151849 Wallfield Crescent (original decision to refuse upheld)
151730 Wallfield Crescent (original decision to refuse upheld)
160141 Rosemount Place (original decision to refuse upheld)
151844 Caledonian Court, Ferryhill Terrace (original decision to refuse upheld)
160537 Nellfield Place (original decision to refuse upheld)
161326/DPP King's Gate (original decision to refuse upheld)
170030/DPP Burns Road (original decision to refuse upheld)
161506/DPP Colsea Road, Cove (original decision to refuse upheld)

As **A list of all applications to replace windows in the Great Western Road conservation area from the period of April 2014 to June 2017, if the applications were for uPVC or timber windows and which material they would be replacing and whether the application was approved, refused or withdrawn** is otherwise accessible on our website by following the instructions provided above, it is exempt from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are refusing your request under the terms of Regulation 6(1)(b) - Information Already Publicly Available - of the EIRs.

As **a list of those planning application for window replacements from April 2014 to June 2017 within any Conservation area within Aberdeen City that have been appealed and the outcome of that appeal** is otherwise accessible on a website at the link provided above, it is exempt from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are refusing your request under the terms of Regulation 6(1)(b) - Information Already Publicly Available - of the EIRs.

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC

considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

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Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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