

## Appeal Decision Notice

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Decision by Michael J P Cunliffe, a Reporter appointed by the Scottish Ministers

- Listed building consent appeal reference: LBA-270-2004
- Site address: The Old Manse, Stittenham Road, Helmsdale KW8 6JG
- Appeal by Helen Smith against the decision by Highland Council
- Application for listed building consent 15/04048/LBC dated 28 October 2015 refused by notice dated 9 March 2016
- The works proposed: Replacement of two existing faulty roof lights in the attic floor with new double glazed roof lights
- Date of site visit by Reporter: 10 August 2016

Date of appeal decision: 12 August 2016

### Decision

I allow the appeal and grant listed building consent subject to the following condition:

1. Both replacement roof lights shall be of conservation type.

(Reason: to preserve the architectural character of the building.)

Attention is also drawn to the advisory note at the end of this notice.

### Reasoning

1. The determining issues in this appeal are whether the existing roof lights are life-expired so that replacement is justified and, if so, whether conservation-type roof lights should be used in both cases, or whether a standard modern roof light would be acceptable on the south-west side of the building, having regard to the duty imposed by section 14(2) of the Listed Buildings and Conservation Areas (Scotland) Act 1997 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

2. The appeal property is a two-storey house (with attic rooms) dating from about 1845, with harled walls and a slated roof. It is listed Category B. The north-east roof slope has a single roof light, while the south-west slope has three roof lights. The north-east roof light and the middle one on the south-west are traditional with cast iron frames and glazing bars, and are almost flush with the roof. The two outer roof lights on the south-west slope are modern timber-framed, metal-clad units that stand proud of the roof slope. They appear to have been installed without listed building consent by a previous owner at some time after the house was listed in 1984. The appellant seeks to replace the north-east roof light with a

Velux conservation-type double glazed unit, and the central south-west roof light with a standard modern Velux unit to match the two existing ones on either side of it.

3. My internal inspection confirmed that both the old roof lights are badly corroded and incapable of repair. Replacement is therefore justified. Paragraph 3.45 of Scottish Historic Environment Policy (SHEP, 2016) states that where a proposal protects or enhances the special interest of the building, for example through the like-for-like replacement of a window or door which is beyond repair or the reinstatement of important detailing, consent should normally be granted. However (paragraph 3.47), where a proposal involves alteration or adaptation which will have an adverse impact on the special interest of the building, planning authorities, in reaching decisions should consider carefully:

- a. the relative importance of the special interest of the building; and
- b. the scale of the impact of the proposals on that special interest; and
- c. whether there are other options which would ensure a continuing beneficial use for the building with less impact on its special interest.

4. Further guidance is given in *Managing Change in the Historic Environment: Roofs* (2010), where paragraph 4.8 states that the addition of new features to principal or prominent roof slopes should generally be avoided. New dormers and roof lights should be appropriately designed and located with care. The slate roof of the appeal property is one of the key features mentioned in the list description. In my view, while the use of conservation-type roof lights would protect the special interest of the roof, the introduction of an additional modern roof light would not. It would have an adverse impact on the special interest of the building, compounding the adverse effect of the two existing modern additions which are not consistent with the architectural character of the building. There is another option, namely the use of a conservation-type roof light on the south-west slope as well as on the north-east slope, that would avoid this adverse impact.

5. I note the view of the appellant and her agent that the proposed use of a modern roof light on the south-west slope would match the existing ones there and result in a more satisfactory visual appearance. I also note that the south-west roof slope is less visible from the public road than the north-east slope. However, the purpose of the listed building consent process is to preserve the building and the features of special architectural or historic interest which it possesses, rather than to achieve the best visual composition as might be the case with a modern building, and I consider that lack of visibility does not justify unsympathetic alterations to historic fabric.

6. I therefore conclude that a modern replacement roof light would not be appropriate, and that conservation-type roof lights should be used in both cases. I note that there is a Velux conservation roof window model which is acceptable to the council, and which I consider would be in keeping with the building. While I have rejected the appellant's detailed proposals, I have accepted the need to replace the existing life-expired roof lights, and to allow this to proceed quickly I have decided to grant listed building consent subject to the condition set out above.

*Michael J P Cunliffe*

Reporter

**Advisory note**

**The length of the consent:** This listed building consent will last only for three years from the date of this decision notice, unless the works have been started within that period. (See section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 (as amended).)

