



Appeal Decision Notice

Decision by Martin H Seddon, a Reporter appointed by the Scottish Ministers

- Listed building consent appeal reference: LBA-270-2012
- Site address: Blairlomond, 11 Drummond Crescent, Inverness IV2 4QW
- Appeal by Mr Brian Rizza against the decision by The Highland Council
- Application for listed building consent 21/00770/LBC dated 10 September 2020 refused by notice dated 6 May 2022
- The works proposed: erection of extension to garage with curtilage to listed building
- Date of site visit by Reporter: 14 September 2022

Date of appeal decision: 26 October 2022

Decision

I dismiss the appeal and refuse listed building consent.

Reasoning

1. The council considered the proposed extension to be of such a scale which constituted a level of development within the curtilage of a listed building which required listed building consent. The main issues in this appeal are the effect of the proposal on the setting of the Category B listed residential villa of Blairlomond, including the siting and design of the proposed extension, and on the character and appearance of the Inverness (Riverside) Conservation Area.

2. Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that in considering whether to grant listed building consent for any works special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 64 (1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that in the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions under the planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Impact on the listed building, siting and design of the extension

3. Blairlomond (No.11 Drummond Crescent) is a category B listed building, built in ashlar stone around 1850. The description of the building in the listed building record is that it has two storeys, a 3-bay front, centre porch with balustrade; left hand bay advanced and gabled with bay window at ground floor. Venetian window at first floor, right hand canted bay window with balustrade at ground floor, bipartite window with gabled dormer-head at first floor and broad eaves. The house has a later extension.

4. Guidance on the setting of historic assets is contained in the Historic Environment Scotland publication: *Managing Change in the Historic Environment – Settings* (2010). The building is set within substantive gardens and woodland comprising over 9000 square metres. Access is via a driveway from Drummond Crescent. The house has an existing detached garage, set back to the rear of Blairlomond, which was granted permission in 2001. The boundaries to the land are mostly undeveloped, with the exception of the existing garage. Immediately to the north of the garage is residential development at Drummond Circus. The setting includes open lawned areas, low trimmed hedges and the long driveway which enable views of the house and its architecture.

5. The existing garage has sandstone walls, and is part rendered with a slate roof. It has a length of around 15.30 metres and a width of approximately 7.37 metres at its widest point. The garage is symmetrical in design with a central gabled element. This central section has a garage door and projects slightly forward of the side parts of the building, which each have garage doors. At the time of my site inspection the central part of the building housed a car with the parts of the building at either side used for storage of equipment and machinery. The appellant has stated that the extension to the garage is required to store machinery and materials for the upkeep of the gardens associated with the listed building and the building itself.

6. The proposed extension to the garage would be built in matching materials and would have a gabled frontage to match the existing central gable, although its roof ridge would be set down from that of the existing building by around 0.90 metres to make it appear subservient. It would be around 8.0 metres in length by approximately 7.37 metres in depth at its widest point. The gable end wall of the existing garage may be seen in conjunction with the flank wall and front elevation of the listed building when approached near the end of the driveway. There is some screening from trees, but the proposed extension would also be seen in conjunction with the front elevation of the building when viewed from the driveway. The garage extension would be visible from parts of the garden area, introducing additional built form and detracting from the setting of the listed building.

7. Although the garage extension would respect the high quality of the existing garage in terms of its proposed materials and detailing, I consider that the extension would not make a positive contribution to the site's immediate/wider context or minimise the effect on the wider landscape, as contended by the appellant, and would appear as inappropriate development. This is because of the erosion of the attractive symmetrical design of the existing garage building and undue increase in its length and scale which would result from the extension. The extension would add development at the boundary of the site. It would also reduce the separation distance between the garage and the north-east of the rear section of Blairlomond to around 8.0 metres, as estimated by the appellant.

8. The appellant has provided examples of other developments in the area in terms of linear construction and percentage build areas for other garages and outbuildings within the conservation area as a means of demonstrating that the garage 'complex' would be in keeping in its scale, area, and length with other buildings in the area. Nevertheless, the circumstances of the examples differ from those of the proposal and appeal site and provide insufficient justification to allow the proposal.

9. Having regard to the duty under Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 I find that the proposed extension would preserve the special architectural interest of the listed building of Blairlomond but would fail to preserve its setting.

Riverside Conservation Area

10. The Riverside Conservation Area includes properties alongside the River Ness corridor stretching from the city centre to Lower Drummond. In terms of its character and appearance it includes detached houses and villas in spacious gardens and linear woodlands, as well as more closely packed infill residential development. Much of the appeal site is screened from public views within the conservation area because of tree cover within the grounds and adjacent dwellings. However, there would be some limited public views towards the extension against the backdrop of trees from Drummond Circus near No.24 and from near its southern junction with Drummond Crescent. There would be a direct view of the rear elevation of the extension from the rear garden of No.24 Drummond Circus and an angled view from the rear garden of No.22 Drummond Circus.

11. The Inverness Conservation Area Character Appraisal (2004) advised that the Victorian Riverside and Victorian suburbs are defined by the quality of the Victorian development in its landscape and riverside setting. It considered that the key strategy in these areas was one of control and this should involve attention to historic detail by ensuring “strict polices to prevent inappropriate infill to or development within gardens”. I have found above that the form and scale of the proposed extension would represent inappropriate development within the garden of Blairlomond. Therefore, having regard to Section 64 (1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 I find that the proposed extension would fail to preserve the character and appearance of the Riverside Conservation Area.

Other Matters

12. The council has suggested that it may have been possible to build to the east of, or opposite, the existing garage subject to ground conditions /slopes and mature trees being protected. In relation to alternatives, the appellant contends that there is nowhere on his land that is easily accessible by vehicles etc, which will not detract from the siting of the listed building or the mature trees (subject to Tree Preservation Order HRC15) existing on site. However, I have no detailed assessment before me to substantiate these views and have determined this appeal based on the plans and proposal refused by the council.

13. The appellant advises that the proposal would use cleared land where trees had been felled, but that would be insufficient reason to overcome the overall harm which I have identified. The appellant also contends that the proposal would help in the ongoing maintenance of the listed building by providing storage for machinery and materials. However, I consider that the proposal would not be the only potential means of achieving such an outcome.

Conclusions

14. I therefore conclude for the reasons set out above, that the proposed works would fail to preserve the setting of the listed building of Blairlomond and would fail to preserve or enhance the character and appearance of the Inverness Riverside Conservation Area. I have considered all the other matters raised but find that none lead me to conclude other than to dismiss the appeal and refuse listed building consent.

Martin H Seddon

Reporter