



Appeal Decision Notice

Decision by Robert Seaton, a Reporter appointed by the Scottish Ministers

- Listed building consent appeal reference: LBA-270-2014
- Site address: The Cart Barn and Smiddy, Glenuig, Lochailort, PH38 4NB
- Appeal by Timothy Palmer against the decision by the Highland Council
- Application for listed building consent 22/02462/LBC dated 30 May 2022 refused by notice dated 5 April 2023
- The works proposed: Extensions to Cart Barn and Smiddy
- Date of site visit by Reporter: 20 July 2023

Date of appeal decision: 26 July 2023

Decision

I dismiss the appeal and refuse listed building consent.

Reasoning

1. The two extensions proposed are to two buildings, known as the Smiddy and the Cart Barn, which form part of a group of listed buildings referred to in the listing as the Square. The buildings were once the home farm of Roshven House. The southernmost of the group was a watermill, although this use is not referred to in the listing.
2. The determining issues in this appeal are the effect of the proposed extensions of the Smiddy and Cart Barn on the character and architectural interest of the listed buildings and the degree to which – insofar as there is any adverse effect – it can be justified by the need to ensure that the buildings continue to have a viable future use.
3. In determining this appeal, I am required to have special regard to the desirability of preserving the buildings and their setting and any features of special architectural or historic interest that they possess. The development plan is a consideration (particularly the National Planning Framework's policy 7 on historic assets and places and policy 30 on tourism and the Highland-Wide Local Development Plan policy 44 on tourist accommodation and policy 57 on natural, built and cultural heritage). Historic Environment Scotland's Historic Environment Strategy and its advice on managing change in a historic environment are also considerations and are referred to by parties.
4. The buildings of the Square were thoroughly and carefully restored by the appellant from a dilapidated condition in the last twenty years for use as their own house and as tourist accommodation. The work involved extensive rebuilding and some re-modelling, including the re-roofing and extension of the Smiddy and the re-roofing of the Cart Barn and introduction of dormer windows as part of the creation of upper-floor bedrooms.

5. There is some disagreement about the origin of the buildings. The listing notes the fineness of certain aspects of the design, including the hipped gables, baronial tower at the north east corner of the Cart Barn, and the corbelled corner of what it refers to as the “Carriage/Implement Shed”. It states that these features

“suggest the involvement of an architect, possibly such as David Bryce, known to be working at Roshven House at about this date, with similarly Baronial input. However, the artistic hand of Jemima Blackburn, resident at Roshven House about this date, has been suggested as an influence on the design.”

I understand the reference to the date to be the dating given to the buildings in the listing, which is “circa 1860”. The evidence of the appellant, who gained a thorough knowledge of the buildings in the restoration process, is that differences in mortar used and stonework indicate that the group was not erected all at the same time in 1860 (as the listing might be read as suggesting) but rather had evolved, being added to over time as the needs of the farm required. The appellant draws from this that they were not a cohesive design.

6. The appellant’s evidence is convincing that the buildings were not all erected at one time to a single design. The layout of the grouping also does not suggest a single planned development. But it seems to me that the appellant can be correct (that the group has developed over time) without the listing being wholly incorrect. I do not wholly accept the appellant’s description of the Square as a shambolic collection of agricultural buildings. The features mentioned in the listing do suggest a conscious design through the involvement of an architect in the second half of the nineteenth century. They are not utilitarian features, which might be expected on buildings erected solely with farming purposes in mind. The tower in particular is a Scottish Baronial element. Elements of such a style are used in the design of Roshven House. These elements suggest deliberate addition in a remodelling of the buildings. It does not seem unlikely that they were added – as the listing indicates and the form of the features suggests – at a similar time to the construction of Roshven House. Whatever the truth of the matter, though, these features do contribute much to the attraction and interest of the group at the Square, as well as a sense of cohesion across the group.

7. I agree with the council that there is a strong building line to the north established by the Cart Barn and the Smiddy. The building line emphasises the tower at the corner of the Cart Barn as a feature. It seems to me that the architectural function of the tower is to create a pretence of fortification. The small windows in the Cart Barn gable (while they may pre-date the tower) confirm the impression. Without overstating the point, I believe the building line also plays some role in giving the impression beside the tower of a fortification’s outer wall. The land falls away to the north. Again, this confirms the corner tower’s pretence of fortification. Although the northern elevation, facing the garden, might be regarded now as the more private side of the Cart Barn, the presence of the tower makes it – in terms of the building’s character – a more formal, external elevation.

8. The rounded form of the tower is echoed by the rounded form of the two-storey Cart Barn gable as it meets the roof of the one-storey western range and also in the bevelled form of the other corners of the building. This perhaps also echoes the round form of the old mill’s southern gable.

9. The advice in Historic Environment Scotland’s guidance on extensions in its Managing Change in a Historic Environment series is that extensions must protect the character and appearance of the building, should be subordinate in scale and form, should be located on a secondary elevation and must be designed in a high-quality manner using appropriate materials. The appellant considers that, in terms of the guidance, the extensions make an assertive contrast to the existing building.

10. There are positive elements to the appellant's proposed design. The extension to the Cart Barn would limit the impact on the fabric of the listed building. It would connect to the existing wide north door, which presently opens onto the patio. The connecting corridor would have a flat roof, joining the main building at the level of its eaves, so it would not impact on the form of the original roof. There is no pastiche – the extension is designed to contrast with the building. The glazed doors of the connecting corridor would leave the original walls visible. The materials of the extension (the mortared random-rubble wall and timber cladding with slate roof) would reflect those of the Smiddy's recently erected lobby, while the wall and slate roof would also echo the materials of the original buildings.

11. I agree with the appellant that the proposed extension to the Smiddy would not appear out of proportion with the existing Smiddy building. It would involve an intervention in the fabric of the existing building, though that intervention would affect primarily the fabric of the recent extension.

12. However, I agree with the council that the addition of the proposed extensions would detract from the impact of the tower and from the strong building line. This is particularly so for the proposed extension to the Cart Barn. The extension would be on a main elevation, contrary to the Historic Environment Scotland guidance. The modern domesticity of the extension's large windows and flue would compete with the impression given by the tower and by the small windows of the Cart Barn's northern gable. It would detract from the tower's purpose.

13. The extension's angular form would be out of keeping the bevelled corners of the Cart Barn. This would detract a little from the charm of the building. The positioning of the extension parallel to the main building with a connecting corridor would create an odd space (probably rather dark, even allowing that the corridor would have glazed doors) with limited function between the building and the extension. The combination of the north-gabled smiddy extension and the east-west-gabled Cart Barn extension with the tower would result in a rather jumbled appearance when viewed from the north and north west.

14. I have not been provided with the previously approved plans that included the flue in the roof of the existing Cart Barn. Whatever other impacts such a development might have had, I do not believe it would have had a similar adverse effect on the function of the tower with the building line that the proposed extension would.

15. The appellant makes a number of arguments in favour of the extensions. He referred to the extensions as helping to maintain the buildings' viability into the future and making them more attractive for use potentially as homes as well as for holiday letting. He did not provide any study of viability, or evidence of any quantifiable adverse effect on the holiday-letting business from the restrictions imposed by the current form of the buildings or of a qualitative comparison between the existing accommodation and other holiday lettings of similar capacity. For that reason I must rely on my own observations about the existing accommodation the buildings provide, alongside the general claims made by the appellant.

16. As regards the extension to the Smiddy, the appellant argues that it is necessary to provide a bedroom in a building that has no separate bedroom. Although the Smiddy provided what appeared to me comfortable and attractive accommodation for one person or a couple, I accept that many potential holiday visitors would find it small and that the lack of a separate living room and bedroom took away from its attraction. I accept this would limit the potential market for it as a holiday let and its potential for lease as a home. But, from what I saw, I do not accept it would be impossible to lease viably either as a home or a holiday let, or that the building would become unviable without extension.

17. As regards the Cart Barn, the extension would essentially provide a second living room in addition to an existing fairly spacious living room (with an interesting nook formed in the base of the tower) and large kitchen on the ground floor of the existing building. I can appreciate that, for a house which accommodates six people, a second living space would be desirable and would make the house more attractive. The proposal for an extension positioned with views over the garden and with light from all directions (including south, with the proposed rooflight) would certainly add to the attraction of the existing accommodation. However, the accommodation provided in the existing building already appears to me to be comfortable and attractive. I reject any argument that the extension is necessary for the viability of the building.

18. The appellant has pointed out that extensions have been permitted at the East Lodge and West Lodge, which have similar gables. Those buildings are not listed though, so their position (at least in terms of the formal value accorded to them in law) is not the same as that of the buildings in the Square.

19. I take into account that the Square is C-listed: although a very charming group, the buildings are not treated by the listing as being of national importance. They are extensively restored, changed in function, and altered internally as well as, to a degree, in external form since the listing. Policy 30 of the National Planning Framework provides broad support for the extension of existing tourist facilities, as does policy 44 of the Highland-Wide Local Development Plan, subject to assessment of the proposal's impacts. Nonetheless, I find that the proposal would adversely affect the external character and special architectural interest for which the Square is listed, as that character and interest have been preserved in the restoration. I am not persuaded that the adverse effect is sufficiently justified by any argument made to me as to the buildings' viability. Nor is it overcome by the general policy support for extension of existing tourist facilities. I find that the proposed development is contrary to policy 7(c) of the National Planning Framework and to policy 57 of the Highland-Wide Local Development Plan. In terms of Historic Environment Scotland's Historic Environment Policy, I do not consider that the proposals' detrimental impact on the historic environment is unavoidable. For these reasons, I refuse the appeal.

Robert Seaton
Reporter