

5. **LRB 548** – Notice of Review Against Refusal of Full Planning Permission for Alterations to Dwellinghouse at The Granary, Shorehead, Stonehaven, Aberdeenshire, AB39 2JY – Reference: APP/2021/2221.
 - (ii) Response to additional information requested from the Planning Service.

LRB 548 - Notice of Review - APP/2021/2221 - Additional Information/Comment from the Planning Service

- i) The discrepancies between the reasons for refusal cited within the Report of Handling and the Decision Notice was caused by an administration error whereby an original draft reason for refusal was included in the decision notice instead of the correct reason outlining the inability of the proposed development to comply with Policy HE2 due to an unacceptable negative impact upon the conservation area was omitted.

This was specifically the result of a duplicate numbering error caused by a draft reason for refusal being erroneously retained in the Uniform operating system instead of being deleted. As the draft condition was the first to be numbered, this took precedent in the operating system when the decision notice was created and resulted in the correct reason for refusal being omitted.

For clarity – 2 no. Reasons for Refusal were intended to be included on the Decision Notice and these should read as follows:

01.

The application is considered by the Planning Authority to not be in compliance with the Aberdeenshire Local Development Plan 2017. The proposed alterations would not be deemed to preserve or enhance the character of the conservation area, and therefore would not comply with Aberdeenshire Local Development Plan Policy HE2 Protecting historic and cultural areas.

02.

The proposed alterations, by virtue of the enlarged window openings and external finishing materials proposed are not considered appropriate for a traditional building located within the conservation area and would detract from the character and appearance of the overall streetscape and therefore do not comply with Policy HE2 Protecting historic and cultural areas of the Aberdeenshire Local Development Plan 2017.

- ii) As clarified above, and consistent with the content of the discussion section of the Report of Handling, the Planning Service believes this development would not protect or enhance the special heritage characteristics of the listed building and as a result would have an unacceptable impact upon the character of the Stonehaven Conservation Area.
- iii) The Planning Service has outlined in the Report of Handling for APP/2021/2221 that the proposed lime harling of the southern and eastern elevations would be acceptable, however as the applicant would not agree to amend the plans to propose only these more minor acceptable alterations, the application was required to be determined based on the more significant and detrimental proposals outlined in the original application. See extract from Paragraph 11 of RoH:- *“the re-rendering of the southern and eastern walls in a lime harl finish and installation of a fire escape ladder painted to match the external walls on the southern gable would be deemed agreeable. However,*

when it was requested that the application was amended to display these accepted alterations as the only features of the proposal, this was not carried out by the applicant and therefore the application requires to be determined in its original form based on the information submitted.”

Nevertheless, in the time since the Planning Service refusal of APP/2021/2221, the Granary building has had the existing harling removed from these elevations without the benefit of planning consent – and subsequently tandem FPP/LBC applications APP/2022/1033 & 1034 have been submitted proposing the re-rendering of these elevations. These applications have been considered and granted for the eastern and southern elevations to have a new rendered finish applied – albeit with a condition attached which stipulates that the rendering work is not undertaken until early 2024.

- iv) Copy of Scottish Government DPEA reporter’s decision attached.



Appeal Decision Notice

Decision by Ailie Callan, a Reporter appointed by the Scottish Ministers

- Listed building consent appeal reference: LBA-110-2019
- Site address: The Granary, Shorehead, Stonehaven, AB39 2JY
- Appeal by Mr R.K Hunt against the decision by Aberdeenshire Council
- Application for listed building consent APP/2021/2224 dated 22 September 2021 refused by notice dated 29 December 2021
- The works proposed: Alteration to the current fenestration to form a large window to the second floor and an associated inverted dormer to the attic floor. Re-detailing of two number existing, non-original window elements. The installation of an external fire escape ladder. Re-render of east and south elevations.
- Date of site visit by Reporter: 4 May 2022

Date of appeal decision: 09 June 2022

Decision

I dismiss the appeal and refuse listed building consent.

Reasoning

1. In determining this appeal, I am required by section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended, to have special regard to the desirability of preserving the listed building or its setting, or any features of special architectural or historic interest which it possesses. As the property is within the Stonehaven Conservation Area, I am also required by section 64 (1) of the above-mentioned Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
2. In light of this, I consider that the determining issues in this case are the effects of the proposal on this category C listed building, and on the character and appearance of the Stonehaven Conservation Area.
3. The property is a three storey building located on Stonehaven harbour. The original building dates from the early 19th century and was renovated from a derelict granary to a residential dwelling in the 1970s. The flat roofed garage, with recent modern extension on top, forms part of the property and is attached to its south elevation. The property adjoins the Marine Hotel on its north elevation.
4. The property was listed on 25 November 1980. The listing describes the building as having regular fenestration on the first and second floors, and third floor piended dormer windows that break into the eaves. It notes that the tall windows on the outer right, northern end of the front elevation and the large square first floor window are located in the former loading door openings. A statement of special interest included in the listing states that the

property retains interest with its imposing massing and traditional profile and evidence of loading doors and hoist canopy. It also notes the importance of the building in terms of its prominent harbour-side location and as a reminder of the period when grain was one of Stonehaven's principal exports. What I take from the listing is that the renovations retained the traditional style of the building, reflecting and respecting its previous use and historic interest.

5. The appellant states that the proposed alterations should be considered in the context that the original granary was significantly altered prior to being listed. I accept that the dormer windows and tripartite windows on the front elevation are not part of the original building. However, the fact remains that the property was listed after these alterations were made, and I must make my decision based on the effects of the proposal on the building as listed.

6. Both the council and the appellant have cited policies from the Aberdeenshire Local Development Plan, adopted 2017. They refer me to policy HE1: Protecting historic buildings, sites and monuments, and policy HE2: Protecting historic and cultural areas. The council also makes reference to the Proposed Aberdeenshire Local Development Plan 2020, although it advises that given the status of the proposed plan, the 2017 local development plan remains the up-to-date plan and is the primary document against which applications should be determined.

7. As the appeal is against the refusal of a listed building consent rather than planning permission, the development plan policies do not have the status accorded to them by section 25 of the Town and Country Planning (Scotland) Act 1997 as amended. However, the policies provide an indication of how the council intends to achieve the statutory aims under section 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended, referred to in paragraph 1 above. I have taken them into account in reaching my conclusions.

Proposed alterations to windows

8. I saw on my site inspection that, excepting the large single pane first floor window and two small ground floor windows, the existing front elevation windows and dormer windows are currently arranged in 3 x 4 panes, with one bay of larger windows on the northern end arranged in 3 x 6 panes. I see from drawings s01 Rev B and 01 that permission has been granted for alterations to the building, and some of these changes have been carried out. These drawings show an approved windows arrangement of 2 x 3 panes and 2 x 5 panes with no changes to the window openings as a consequence of the approved alterations. The existing front elevation, as I saw on my site inspection and the proposed front elevation as shown in the drawings, is in my view well balanced, with the windows evenly spaced across the elevation. I find that this is important to the appearance of the listed building as it is well proportioned and visually cohesive, and results in a traditional building profile.

9. The proposed alteration to the southern-most second floor window on the front elevation is to enlarge the window opening to form a large, square single pane window with slim metal frame. The top of the proposed window would be in line with the top of the existing second floor windows. However, the bottom of the proposed window would lie closer to the top of the existing first floor windows, out of line with the bottom of the other second floor windows, with the exception of the longer second floor window. However, it would not mirror the proportions of that window either. It would align vertically with the proposed dormer above but it would not be vertically aligned with the first floor or ground floor windows below.

10. The spacing between the proposed second floor window and the existing large first floor window directly beneath it and the proposed recessed dormer above would be significantly smaller than the spacing between existing first and second floor windows and second floor and dormer windows. The spacing would also not be consistent with the horizontal spacing between the longer northernmost windows, as shown on drawings 105 Rev B and “Shorehead elevation proposed”.

11. In my opinion the enlarged window would be out of proportion and not in keeping with the majority of existing windows on this elevation. The property listing describes the regularity of the fenestration. I consider this would be significantly disrupted by the proposed window's proportions and alignment and the inconsistent spacing between windows.

12. I understand from the listing that the large first floor window is located in the place of a former loading door when the building was in use as a granary. As such, I consider that the first floor window intentionally has a unique shape and size to reflect the original purpose of this opening within the building. If the size of opening is replicated on the second floor, I consider that the ability to understand the original purpose and function of the opening at first floor level would be lost, diminishing the historical interest of the building. I note that the appellant proposes to make minor alterations to this window, installing a slim metal frame window in the original opening and reworking the window jamb. On their own, I find that these minor alterations would be acceptable.

13. The dormer immediately above the second floor window is proposed to be altered from its current form to an inverted dormer with recessed balcony area and glazed balustrade to the front elevation. It would result in a larger roof opening than the existing dormer windows. The piend roof design would be removed entirely in creating the proposed dormer. A flat horizontal finish would be given to the top of the recessed dormer which would be out of alignment with the row of existing dormer windows and, in my view would look out of place. The enlarged window opening, and glazed sliding doors would be of a similar size and shape to the proposed second floor window and existing large first floor window, but entirely dissimilar to the remaining dormer windows. I consider that the character of the listed building would be harmed by the introduction of an increased glazed element in the roofline and a style of dormer opening that would not be in keeping with the traditional profile of the building as noted in the listing.

14. With regards to the alterations to the two small ground floor windows, I agree with the council that, on their own, they would not constitute a significant alteration to the front elevation of the listed building. However, looking at drawing 105 Rev B, it is my view that the combination of the previously approved alterations, some of which have already been implemented, together with the proposed window alterations would increase the number and variety of window shapes on the front elevation. I consider that the overall effect of all of these window alterations would be visually confusing, drawing the eye and interest away from the historical elements of the listed building. The ability to understand the historical use of the building would also be diminished.

15. In the heritage and design statement, the appellant considers that the proposed alterations would improve the appearance of the building, unifying disparate elements. He states that the proposed windows would result in a more balanced fenestration, in accordance with the Historic Environment Scotland guidance: Managing Change in the Historic Environment – External Walls. I disagree. In my view the proposed window openings would be inconsistent with the guidance which advises that alteration proposals

should take into account the design and material characteristics of the historic wall. As I explain above, the proposed windows would interrupt the regular spacing and alignment of windows on the front elevation. I consider that the proposed windows would create an unbalanced fenestration to the detriment of the appearance and character of the listed building and affect its historic interest.

16. Taking all of this together, for the reasons set out above, I consider that the proposals would have a significant negative impact on the appearance of the listed building. The inconsistent visual effect on the front elevation, resulting from the varied window sizes, design, and window alignment would not preserve the character or appearance of the listed building or the features of special architectural and historic interest which it possesses.

Proposed replacement gutters, installation of fire safety ladder, replacement tabling and alterations to render

17. The appellant has proposed a number of other alterations to the dwelling, some of which would replace existing elements on the property. One of these elements is the replacement of the existing front elevation PVC gutters with cast iron gutters. The appellant has stated that the existing guttering is fragile and deteriorating, nearing the end of its life and cast iron guttering has been proposed as a more durable and appropriate material. I consider that this replacement would be appropriate to preserve the appearance of the listed building.

18. A fire safety ladder is proposed to be sited on the southern, secondary elevation of the property. It would be attached to the wall close to the eastern-most third floor window, running vertically down to first floor level above the existing garage roof. It would be stainless steel, and lie flat against the wall unless in use. The council considers that the ladder is discretely positioned, and I agree with this assessment. The council Environment team recommended a condition to reduce the visual impact of the safety ladder by requiring it to be painted to match the colour of the render. In my view as there would be no significant visual impact from the ladder due to its positioning on the building, I do not consider that such a condition would be necessary.

19. The proposal would also replace the existing tabling on the roof adjoining the Marine Hotel. The appellant has stated that the existing tabling was formed from inappropriate material that is no longer fit for purpose and now needs to be replaced. The proposed replacement material would be pre-cast concrete and would be of a form, size and proportion that is in keeping with local traditional details. I consider that this intervention and replacement of the tabling would be appropriate to preserve the listed building.

20. At the time of my site inspection, the front elevation of the property was enclosed in scaffolding and netting. The render had been removed from the front elevation of the building, exposing the brick and stone. I was therefore not able to see the condition of the render, but understand from the appellant's submissions that it was in poor condition and required replacement in order to preserve the historic building. This has not been disputed by the council.

21. I note from the appeal statement that the appellant proposes to use lime harl finish on both the front elevation and southern elevation. The council has stated that the proposed re-render of the front elevation and use of lime harl would not be inappropriate. As there is no evidence before me which could lead me to a different conclusion, I accept the council's position.

22. Taking these elements together, I consider that there would be no significant adverse impact on the listed building. However, taking all of the proposed works together, for the reasons set out above, overall they would not in my view preserve the listed building or its features of historic interest.

Impacts to conservation area

23. The building is located within the Stonehaven conservation area. The building is visually prominent as it forms a substantial part of the central block of buildings in Stonehaven harbour. As such, I consider that it is an important building within the Shorehead and harbour area and makes a significant contribution to the conservation area.

24. The existing windows have a regular rhythm, with consistent spacing between windows both vertically and horizontally. The existing window spacing and small window panes are common in the buildings on Shorehead. The existing style of dormer window on the property is also typical of the neighbouring buildings. I saw on my site inspection that there was one example of a recessed dormer at 100 High Street, also located on the harbour side. However, this building is not, in my view, as visually prominent on the harbour as the Granary.

25. I consider that overall, the proposal would introduce incongruous design elements and interrupt the regular rhythm of window spacing and style in the conservation area. I consider that the proposed alterations would negatively impact on the character and appearance of the conservation area.

Conclusions

26. Taking all of this together, I find that the proposed alterations would not preserve the listed building or the features of special architectural and historic interest which it possesses. Further they would not contribute towards the preservation or enhancement of the Stonehaven Conservation Area. I therefore conclude that the refusal of listed building consent by the council was justified, and dismiss the appeal.

27. I have considered all other matters raised but there are none that would lead me to alter my conclusions.

Ailie Callan

Reporter