

Report To: The Planning Board

Date: 3 May 2023

Report By: Director
Environment & Regeneration

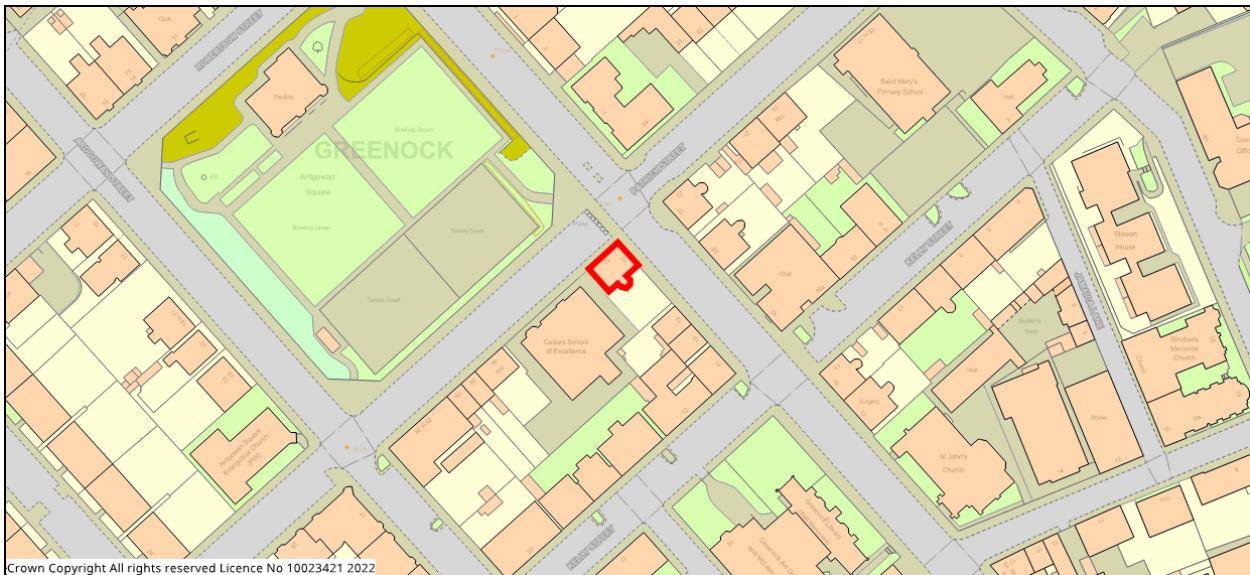
Report No: 22/0007/LB

Listed Building
Consent

Contact
Officer: David Sinclair

Contact No: 01475 712436

Subject: Notification of Appeal Decision by Scottish Ministers: proposed new dormer
window arrangement to upper floor flat at
Flat 2, 17 Union Street, Greenock



SUMMARY

- The listed building application was refused under delegated powers.
- The applicant has appealed the decision to the Scottish Ministers.
- The appeal was dismissed.

Details of the appeal may be viewed at:
<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=122936>

INTRODUCTION

In October 2022 listed building consent was refused under delegated powers for a proposed new dormer window arrangement to upper floor flat for the following reasons:

1. The proposed dormer window is uncharacteristic of a building of this period style to the detriment of the appearance and character of the listed building and this adverse visual impact is compounded by the position on the front roof plane and the prominent position of the building within the streetscape. The proposal is thus not supported by Policy 29 of both the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan.
2. The proposed dormer window cannot be considered to reflect local architecture and urban form and contribute positively to historic places. The proposal fails to have regard to the six qualities of successful places as set out in Figure 3 of both the adopted 2019 Inverclyde Local Development Plan and the proposed 2021 Inverclyde Local Development Plan and is therefore not supported by Policy 1 of both Local Development Plans.
3. The proposed design and unacceptable impact of the proposed dormer window conflicts with Historic Environment Scotland's guidance which seeks to ensure that new dormers are appropriately designed and located with care.

NOTIFICATION OF APPEAL DECISION

The appeal against the refusal was lodged with the Scottish Government. Andrew Fleming, a Reporter appointed by the Scottish Ministers was appointed to consider the case and undertook an unaccompanied site visit.

In his decision the Reporter considers that having regard to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the determining issues in this appeal are the effect of the proposals on the category C listed building and on the character and appearance of the Greenock West End Conservation Area.

In terms of the effect of the proposals on the category C listed building, the Reporter considers that whilst the proposal reflects some of the features within the existing building (i.e. the use of transoms and astragals), the single, large central dormer window does not reflect the proportions of the windows below. The insertion of the proposal would upset the balance that currently exists with the fenestration to the front of the building. The Reporter considers the fenestration to be a key feature of the building and is mindful that with the bi-folding doors fully open, in combination with the glazed balustrade, the result would be the creation of a covered roof terrace. Such a design feature is not in keeping with the character of the building and would jar with the building's Georgian period style which is currently respected and largely intact. The Reporter considers that, as a result, the proposal would have a detrimental impact on the architectural and historic interest of the listed building. The Reporter considers the visual impact of the proposal to be exacerbated by the proposed position and extent of the new dormer on the front roof plane and the prominent position of the building within the street scene. The Reporter acknowledged the off-centre position of the existing rooflights and the intention to address this to an extent with the proposed dormer, however, did not consider the off-set nature of the rooflights to be particularly noticeable or significantly detrimental to the building's overall appearance. The Reporter did not consider the existing rooflight arrangement to provide justification for the proposal.

In terms of the effect of the proposals on the Greenock West End Conservation Area, the Reporter noted during the site inspection that there are no dormer windows on the front facing roof planes of any of the buildings along the southern edge of Ardgowan Square on which the appeal property is located and that alterations to front roof planes on this row are limited to the insertion of rooflights. The Reporter acknowledged that there are buildings within this part of the conservation area that have dormer windows on principal elevations and considered three examples referred to by the appellant. On observation, the Reporter noted that two of the

examples comprised traditional style hipped dormer windows with angled windows as well as a smaller central box dormer window. The large-hipped dormer windows have been designed with central window frames that reflect the widths of the windows below. The Reporter noted that the arrangements on these examples are not directly comparable with the proposal subject of the appeal, notwithstanding the proposed use of bi-folding doors and a glass balustrade at the appeal property. The third example was considered by the Reporter to be unbalanced and not what he considers sympathetic to the building.

In his assessment, the Reporter did not consider the examples provide justification for the proposal. The Reporter also noted that he did not identify, during their site inspection, any examples of dormer windows that incorporate bi-folding doors or glass balustrades which are key elements of the proposal. The proposal with its uncharacteristic window opening and balustrade would be discordant with the surrounding historic built form. It was concluded that the proposal would neither preserve or enhance the character or appearance of the conservation area. The Reporter noted the Development Plan Policies and was satisfied that the proposal is contrary to the policies of the adopted and emerging local development plans. The Reporter also noted that whilst planning permission has been granted for the proposal, on review, planning permission in itself does not automatically guarantee that listed building consent would also be granted.

The Reporter therefore concludes that the proposal is harmful to the architectural and historic interest of the listed building and that it would neither preserve or enhance the character or appearance of the Greenock West End Conservation Area. Having considered all the other matters raised the Reporter noted that there are none which would alter this conclusion.

The appeal was dismissed.

RECOMMENDATION

That the Board notes the position.

Stuart W Jamieson
Director
Environment & Regeneration

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Sinclair on 01475 712436.