

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 09 AUGUST 2002

**02/0305/LB: PROPOSED REMOVAL OF TAPESTRY HANGING ON WALL
OF MORNING ROOM AT CRAIGENGILLAN HOUSE, DALMELLINGTON**

APPLICATION BY MR A GAVIN

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Listed Building Consent is sought for the removal of a tapestry hanging on the wall of the morning room of the house. The tapestry occupies the majority of the western wall of the drawing room and is fixed into the wall. There is no solid wall behind the tapestry.

1.2 Craigengillan was taken over by a new owner in 2000/2001. The tapestry was not included within the sale, and the previous owner now wishes to remove the tapestry. This is a civil matter between the two parties concerned, and is not a material consideration in the determination of the application.

2. RECOMMENDATION

2.1 It is recommended that the application be refused for the reason listed on the attached sheet.

3. CONCLUSIONS

3.1 As is indicated in Section 5 of the report, there are no development plan policies relevant to this application. As is indicated at Section 6 of the report, there are material considerations relevant to this application. It is considered that these support the refusal of the application.

3.2 In this case, the dwellinghouse is a Category A Listed Building. One of the reasons for its Category A status is the exceptional interior work by Jansen of Paris to the main hall, morning room, boudoir and master bedroom. The morning room was designed around the tapestry that is fixed in the wooden panelling of the room. The removal of the tapestry would be detrimental to the architectural significance of Craigengillan House and the morning room contained within. The proposal is not consistent with the policy provisions of the EALP.

3.3 In terms of the letter of objection from Scottish Civic Trust, and informal comments from Historic Scotland, it is acknowledged that the removal of the tapestry would have a significant effect on the architectural merit of the house.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning and Building Control, the application would not require to be referred to the Development Services Committee as it would not be a significant departure from the East Ayrshire Local Plan. The application would however require to be notified to Historic Scotland, prior to the issue of any consent.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a Listed Building Consent application which is to be considered by the Local Planning Committee under the scheme of delegation as the proposal is contrary to policy, is subject to an objection and is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located 1.1 kilometres south west of Bellsbank. The site comprises Craigengillan House and its associated curtilage. The house is Category A listed and is two and half storeys with stone walls and slate roof.

2.2 **Proposed Development:** Listed Building Consent is sought for the removal of a tapestry hanging on the wall of the morning room of the house. The tapestry occupies the majority of the western wall of the drawing room and is fixed into the wall. There is no solid wall behind the tapestry.

2.3 Craigengillan was taken over by a new owner in 2000/2001. The tapestry was not included within the sale, and the previous owner now wishes to remove the tapestry. This is a civil matter between the two parties concerned, and is not a material consideration in the determination of the application.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Dalmellington Community Council has not responded to the consultation letter at the time of writing.

Noted.

3.2 The Architectural Heritage Society of Scotland has not responded to the consultation letter at the time of writing.

Noted

3.3 Historic Scotland indicates that it would not support an application to remove the tapestry from Craigengillan. The tapestry, which could be 17th Century in origin, is clearly listed by virtue of being a fixture in a listed building, but it is of exceptional merit in being the focus of a room by an important firm of French interior designers that has led to the house being listed as Category A. The Inspectorate is firmly of the opinion that the layout and detailing of the morning room was designed around the tapestry and therefore its removal will have a significant effect on the architectural merit of the house. The house, with its interiors, associated buildings, and designed landscape has been recognised as being of national importance, but is also a very important part of Dalmellington's heritage. The Inspectorate would suggest that no part of this fine collection of cultural heritage should be lost to the area.

It is acknowledged that the tapestry contributes significantly to the architectural merits of the dwellinghouse and the cultural heritage of the Dalmellington area.

3.4 The Scottish Civic Trust indicates that they cannot condone the proposal to remove this very fine tapestry from the interior of this Category A Listed Building as it is a fixed feature and therefore part of the fabric of the building. They are aware that the house has recently been upgraded from Category B to Category A on the basis that it was internally re-fitted in 1902 by Jansen of Paris who are generally considered to have been the leading Parisian designers of their time. Furthermore, it is not only a very fine surviving example of their work, it is the only known example in Scotland.

Noted.

3.5 The panelling in each room is designed to have decoratively moulded and carved wooden frames with panels of fabric, in most instances that are of silk damask. However, most importantly, the morning room, arguably the most ostentatious room in the house, was designed around the tapestry, which is held within the main panel, opposite the fireplace. This tapestry is such an architecturally and historically significant feature that it is specifically included as part of the list description. On this basis we cannot support the removal of the principal element that inspired the design of this particular and distinctive room on the same basis, as they could not support the removal of a fireplace for example.

It is acknowledged that the tapestry is an architecturally and historically significant feature.

3.6 They would highlight that once a building is listed, it is afforded protection in order to maintain its character and fabric and this includes its interior and fixtures. If the Planning Authority were to grant permission for this application, it would be contrary to Policy ENV1 of the East Ayrshire Local Plan, Finalised Version with Modifications, which states that the "council will seek to protect, preserve and enhance all heritage resources requiring conservation". Given that the tapestry is a fixed part of the fabric and therefore

a feature of this building they would strongly encourage the Local Authority to refuse permission for the removal of this fine 18th century French tapestry in order to preserve it in situ and thus protect the character of the interior of this Category A Listed Building.

It is acknowledged that the tapestry is a fixture of the building and that its removal would be contrary to Policy ENV1 of the East Ayrshire Local Plan, Finalised Version with Modifications (See Section 6 below.

4. REPRESENTATIONS

4.1 One letter of objection, from the Scottish Civic Trust, has been received. This is outlined in paragraphs 3.4 to 3.6 above.

Noted.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application, the development plan comprises the Approved Ayrshire Joint Structure Plan (1999). There are no specific policies relevant to the determination of this application.

5.2 There is no relevant adopted local plan for the application site. The site was previously located outwith the boundaries of the former Cumnock and Doon Valley District Council until a Boundary Commission change. This area was previously the responsibility of Kyle and Carrick District Council and no local plan covering this area was ever adopted. There are not therefore any relevant development plan policies in the determination of this application.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan, Finalised Version with Modifications (2001), East Ayrshire Council's Design Guidance, the consultations and objections received and the planning history of the site.

East Ayrshire Local Plan

6.2 The Council has agreed that the East Ayrshire Local Plan, Finalised Version with Modifications (EALP) should be considered as a prime material consideration. The site is affected by Environment Policies.

6.3 Environment Policy ENV1 states that the Council will seek to protect, preserve and enhance all heritage resources requiring conservation including Listed Buildings.

The morning room was designed by Jansen of Paris, an important firm of French interior designers. They designed the room around the tapestry that is the main focus of the room. The rooms within Craigengillan house that were designed by Jansen of Paris, are the only known examples of their work in Scotland. Craigengillan house, and its interiors, is therefore an important heritage resource for both Ayrshire and Scotland. The removal of the tapestry would therefore be contrary to the provisions of the above policy.

Letters of Representation

6.4 The Scottish Civic Trust object to the proposals as the tapestry is an architecturally and historically significant feature.

See Paragraph 6.5 below.

Consultation Responses

6.5 The Scottish Civic Trust object to the proposals as the tapestry is an architecturally and historically significant feature. Furthermore, Historic Scotland indicates that they would not support the removal of the tapestry.

The architectural and historical importance of the tapestry is appreciated. It is considered that the removal of the tapestry from Craigengillan House would have an adverse affect on the architectural importance of the morning room.

Planning History

6.6 Craigengillan House has been subject of the previous applications:

- (i) 01/0174/LB Internal and external alterations, roof extension stores to form garage, demolition of workshops and siting of oil storage tank. Approved subject to conditions 8 May 2001.
- (ii) 01/0177/FL Installation of dormer window, roof extension to existing stores to form garage/store and siting of two oil storage tanks. Approved subject to conditions 20 April 2002.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As is indicated in Section 5 of the report, there are no development plan policies relevant to this application. As is indicated at Section 6 of the report, there are material considerations relevant to this application. It is considered that these support the refusal of the application.

8.2 In this case, the dwellinghouse is a Category A Listed Building. One of the reasons for its Category A status is the exceptional interior work by Jansen of Paris to the main hall, morning room, boudoir and master bedroom. The morning room was designed around the tapestry that is fixed in the wooden panelling of the room. The removal of the tapestry would be detrimental to the architectural significance of Craigengillan House and the morning room contained within. The proposal is not consistent with the policy provisions of the EALP.

8.3 In terms of the letter of objection from Scottish Civic Trust, and informal comments from Historic Scotland, it is acknowledged that the removal of the tapestry would have a significant effect on the architectural merit of the house.

9. RECOMMENDATION

9.1 It is recommended that the application be refused for the reason listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning and Building Control, the application would not require to be referred to the Development Services Committee as it would not be a significant departure from the East Ayrshire Local Plan. The application would however require to be notified to Historic Scotland, prior to the issue of any consent.

Alan Neish
Head of Planning and Building Control

30 July 2002
VE/HM/VE
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. East Ayrshire Local Plan, Finalised Version with Modifications.
5. Approved Ayrshire Joint Structure Plan.
6. Previous application 01/0174/LB & 01/0177/FL

Any person wishing to inspect the background papers listed above should contact Mr. Hugh Melvin on 01563 555481.

Implementation Officer: Dave Morris

Application no: 02/0305/LB

Location	Craigengillan House, Dalmellington
Nature of Proposal:	Removal of Tapestry Hanging on Wall of Morning Room
Name and Address of Applicant:	Mr A Gavin Craigengillan Estates Mossdale Cottage Carsphairn Road DALMELLINGTON KA6 7PZ

DPO's Ref:	[VE]
PPO's Ref:	[]

The above LISTED BUILDING application should be refused on the following grounds.

1. The proposed removal of the tapestry would be detrimental to the architectural merit of Craigengillan House and would therefore be contrary to Policy ENV1 of the East Ayrshire Local Plan, Finalised Version with Modifications which states that the Council will seek to protect, preserve and enhance all heritage resources requiring conservation including Listed Buildings.

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AGENDA