

3.1 The Chairman explained that an application for Scheduled Monument Consent had been made in relation to Rowallan Castle. The Board's view was now sought on the Inspectorate's assessment of the application and its conclusions. If the Board endorsed the Inspectorate's assessment the Inspectorate would inform the applicant of its provisional view on the application. The applicant had a statutory right to be heard prior to any final determination and to request that the application be referred to Scottish Ministers for their own determination, with the final decision taken by the Planning Minister.

3.2 Introducing paper HSB 08/07, the Chief Inspector noted that Rowallan Castle was a scheduled ancient monument, that it was a property in the guardianship of Historic Scotland, that it was a category A listed building and that part of its grounds were registered on the inventory of historic gardens and designed landscapes.

3.3 The Castle was a multi-period stone-built structure incorporating elements from the 13th century onwards with earlier archaeological deposits surviving immediately below the courtyard. The national importance of the monument was recognised by the applicants in the application and this was not in question. The Board's attention was drawn to the assessment of the importance of the site against the scheduling criteria and to the interim statement of cultural significance for the monument, which were included as appendices to the Board paper. In addition to these a *summary contextualisation* had been undertaken as part of the assessment of the application in order to help assess the particular importance of Rowallan in broader Scottish terms. This was also included as an appendix to the Board report. This noted the concise layout of the tower house built round a courtyard; the entrance flanked by two towers; and the domestic scale of the monument. Although these three component elements were not unique, Rowallan was unique in bringing together all of these elements on one site. This unique grouping illustrated the changing nature of the domestic arrangements of the nobility in a way which it was not possible to see elsewhere in Scotland. It was also noted that Rowallan provided greater accessibility than other comparable sites to information such as building sequence and structural detail.

3.4 The application had been assessed using the same approach as that followed in giving pre-application advice to the owners of Castle Tioram (this was considered by the Board in August 2006, HSB 19/06). The key guiding principle was that scheduled ancient monuments should be preserved in the state in which they had come down to us, and that any works undertaken at a monument should be the minimum necessary consistent with the preservation of that monument. There could however be exceptional circumstances which meant that the minimum necessary intervention was not the most appropriate course.

3.5 Two examples where exceptional circumstances had been applied were given: firstly where the public's enjoyment and understanding of the monument would be significantly enhanced by an intervention greater than the minimum necessary for the preservation of the monument, and secondly where adaptive re-use was considered to be the best way of securing the monument's long term future.

3.6 The application included a detailed conservation plan. This had been prepared by an experienced and respected firm of architects who had a proven track record of working with historic buildings, and the application had sought to minimise intervention where possible. Although it did not contain full details of the work proposed in every room, the Inspectorate believed that enough information had been submitted to assess the principle of the acceptability of the application. Although it was not stated what the final intended use for the

building was, it was clear that domestic use was proposed; the application stated “Options for domestic use could include the use of the Castle as a hotel annexe, a single private letting facility or as a private residence.” An appendix to the Board paper included a tabulation of proposed works by room.

3.7 It was clear that the proposals went significantly beyond the minimum necessary intervention consistent with the preservation of the monument. There was also some risk that further interventions would be needed to bring the project to a satisfactory conclusion for the owner, and if the project went ahead there was the potential in due course that further proposals might come forward consistent with the principle of adaptive reuse.

3.8 The Inspectorate had gone on to explore whether there were any exceptional circumstances which might justify the setting aside of the principle of minimum intervention. With regard to public benefit and public access, it was acknowledged that for most of the last 15 years there had been very limited public access for a variety of reasons. There was greater public access in 2005 and 2006 and there appeared to be scope for this to grow. While the precise planned future use of the Castle by the applicant was not clear, if the property were used regularly as a hotel annexe it might attract more visitors than it did in 2005 and 2006, but it was difficult to predict numbers or to predict whether there would be increased public understanding and enjoyment.

3.9 Turning to the issue of securing the monument’s long-term future, the monument was in the care of Scottish Ministers and was in sound structural condition. Given its particular significance, its preservation is always likely to command high priority. The proposal would not therefore seem to offer significant benefits in terms of securing its future.

3.10 The Inspectorate’s conclusion therefore was that there were no exceptional circumstances to justify a departure from the principle of minimum intervention.

3.11 In the ensuing discussion clarification was sought of the relative importance of the Castle. It was argued that Rowallan was of outstanding significance and that it told a chapter of Scottish history which could not be told as well elsewhere. Were any scheme for adaptive re-use to be agreed, evidence pertaining to the historic sequence of masonry construction would be obscured. Rowallan provided invaluable access to the contemporary cultural context. Although it was not feasible to draw up a ranking order, Rowallan was among the more important of the many castles and tower houses cared for by the Agency.

3.12 In discussing potential risks, it was noted that if the likely use was as a hotel annexe, there was a significant likelihood that further significant interventions would be necessary to install the range of services required.

3.13 A question was asked about the suggested change of Agency policy in relation to guardianship in 1995. It was explained that there had been discussions with the previous owners in the early 1990s about the possibility of ending guardianship. This would have been an exceptional step for the Agency. These discussions had not reached a conclusion, however, and had been terminated when the Castle was put up for sale. The Agency had since then consistently maintained its firm intention to manage the Castle as a property in care. As guardian of the property, Scottish Ministers had a duty to preserve and provide access to the monument.

3.14 Turning to the issue of access to Rowallan, it was explained that because of pending applications and legal disputes the Agency had not promoted the site over the decade since 1995, but had more recently offered a limited number of managed visits which had been very successful. It was not envisaged that the other developments taking place within the estate would pose problems for expanding the programme of visits. Developing a relationship with stakeholders was key to successful preservation and access at other guardianship sites and Historic Scotland were committed to achieving this at Rowallan if this were possible.

3.15 It was noted that no pre-application advice for the current application had been sought by the applicant from the Inspectorate. Had such advice been sought, it might have influenced the nature and form of the information submitted by the applicant in support of the case.

3.16 Summarising the discussion, the Chairman said the Board were agreed that the Castle was of very high cultural significance and was among the more important of the castles in the care of Scottish Ministers. It brought together a range of evidence which would be obscured if the monument were to be adapted for habitation. The Board agreed that the impact of the proposed development went beyond the minimum necessary intervention consistent with the preservation of the monument. The Board had not been convinced that there were exceptional circumstances in this case which would justify departure from the principle of minimum intervention.

3.17 The Board agreed unanimously to endorse the provisional view recommended in Paper HSB 08/07 that Scheduled Monument Consent be refused for the proposed works specified in the application.

3.18 Board members pointed out that there were some minor typographical and errors in Paper HSB 08/07, none of which were material.