

Alterations (sub-division) to Listed Building to Create 3no Flats and Alterations to Boundary Walls

KEY INFORMATION

Ward Maryfield

Address
69 Dalkeith Road, Dundee,
DD4 7HF

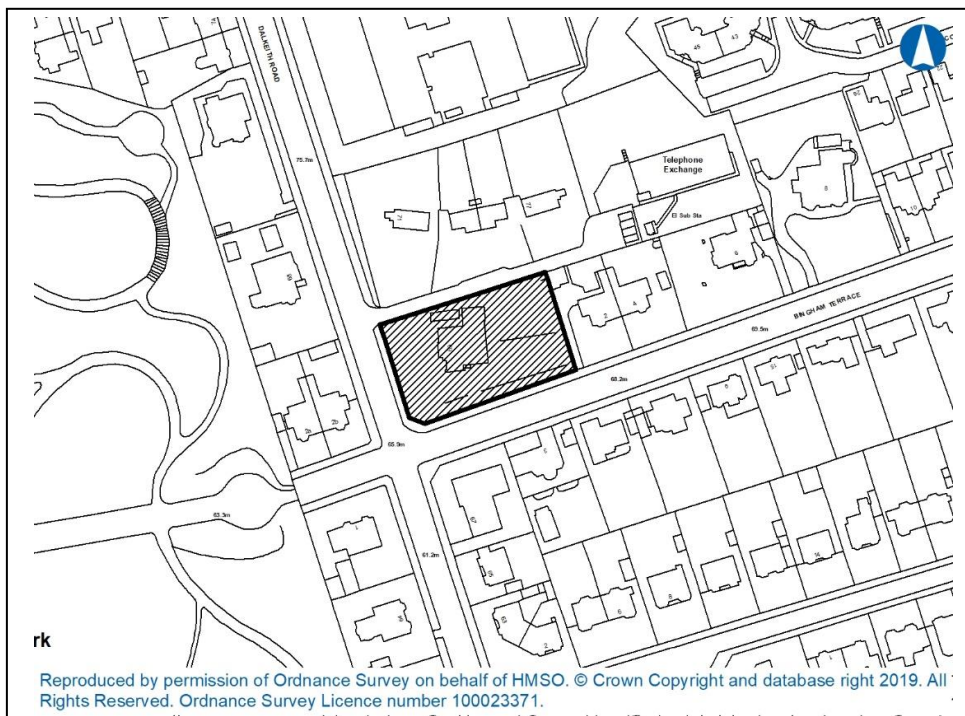
Applicant
Mr and Mrs Dow
69 Dalkeith Road
Dundee
DD4 7HF

Agent
Neil Gray

Registered 10 March 2020

**Report by Head of Planning
& Economic Development**

Contact: Ross Pattenden



SUMMARY OF REPORT

- Listed building consent is sought for the sub-division of the existing dwellinghouse to create 3no flatted dwellings and for alterations to the boundary walls.
- The statutory neighbour notification process was undertaken and the application advertised in the local press. No letters of representation were received.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee at the request of an Elected Member.
- More details can be found at <http://idoxwam.dundeeccity.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=Q6OIS6GCJ2100>

RECOMMENDATION

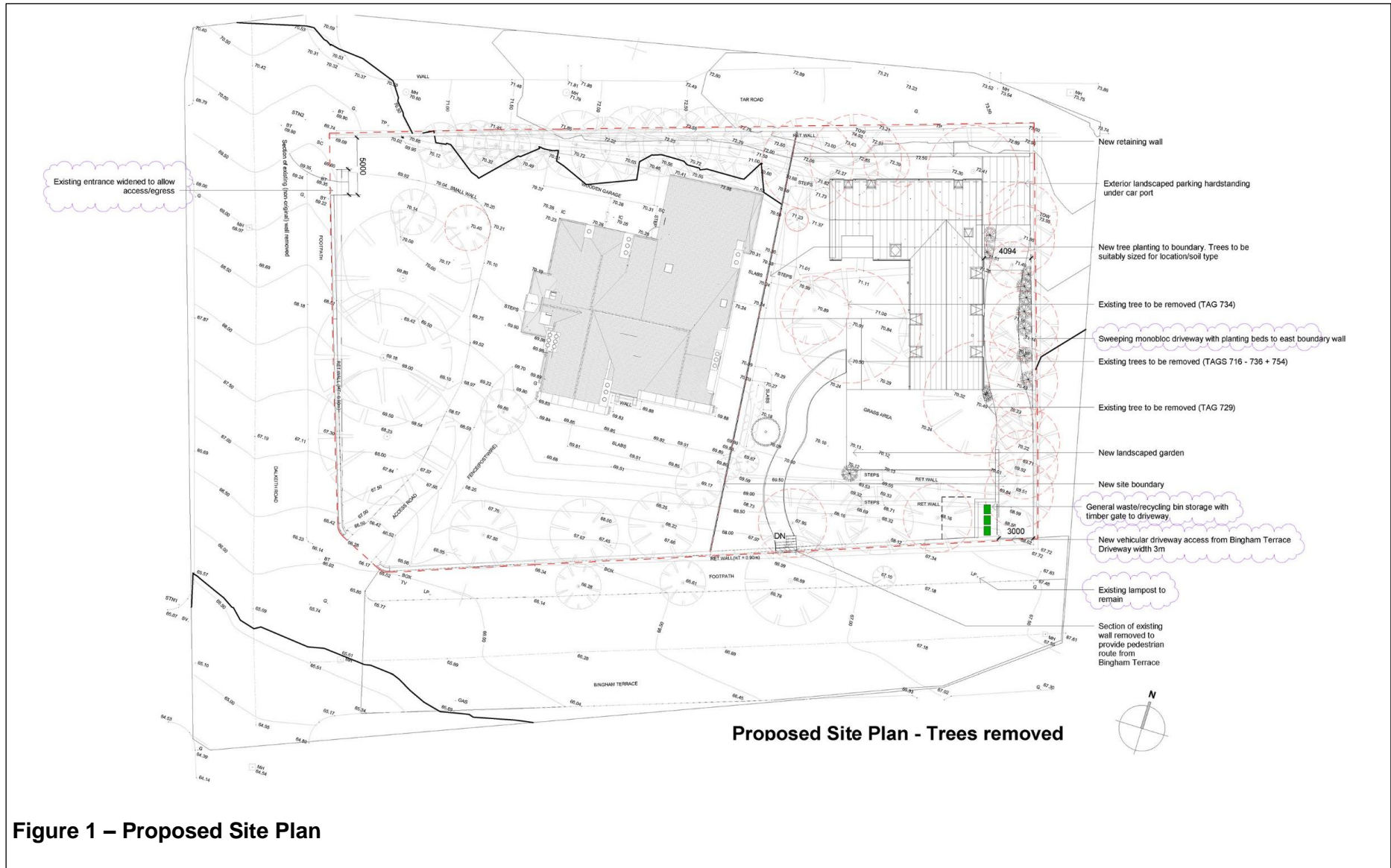
The proposed development satisfies the requirements of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The application complies with the Development Plan. There are no material considerations of sufficient weight to justify refusal of listed building consent. It is therefore recommended that listed building consent be APPROVED subject to conditions.

1 DESCRIPTION OF PROPOSAL

- 1.1 Listed building consent is sought for proposed alterations and conversion of the existing dwellinghouse to form 3 flatted units and alterations to the listed boundary walls.
- 1.2 The proposal involves the sub-division of the existing building to create 1no. four bedroom flat and 2no. two bedroom flats. The proposal includes external alterations to the existing building by proposing the replacement of an existing window opening to reinstate an access door on the south elevation of the property as well as the installation of a new heritage style rooflight to be installed on the east elevation.
- 1.3 The existing access to the west boundary is proposed to be widened to accommodate the vehicular movement and the existing access to the south west of the site would be blocked off. A new vehicular and pedestrian access to the associated proposed house in garden would be provided by the formation of creating openings in the low stone boundary wall on the south elevation.
- 1.4 Supporting design statements and reports were submitted as part of the application with further information on the proposed sub-division of the B-listed building.

The applicant has submitted the following in support of the application:

- Planning Statement;
- Design Statement; and
- Viability Statement.





2 SITE DESCRIPTION

- 2.1 The site comprises a two and a half storey stone built dwelling and its garden ground. The site is located on an elevated corner plot at the east of Dalkeith Road and north of Bingham Terrace. The property at 69 Dalkeith Road is a Category B-listed building dating from 1889-90 and was built as the manse of St Mary's Church. The building is in residential use over three levels (ground floor, first floor and attic). The existing building is a neo-medieval style villa and has a historic decorative interior and attractive external architectural detailing. The building has a pitched sloping slate roof and white timber sash and case windows. The main door access to the property is on the west elevation with garden ground to the south and east of the property. The boundaries of the site are formed by stone walls and there are a number of existing mature trees and vegetation within the site. The site is located within the Baxter Park Conservation Area.



Figure 3 – Photo



Figure 4 – Photo

3 POLICY BACKGROUND

3.1 The following plans and policies are considered to be of direct relevance:

TAYPlan 2016-2036

The application raises no issues of relevance.

DUNDEE LOCAL DEVELOPMENT PLAN 2019

Policy 49: Listed Buildings

Policy 51: Development in Conservation Areas

SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTICES AND CIRCULARS

Scottish Planning Policy 2014

Historic Environment Scotland Policy for Scotland 2019

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

4.1 20/00142/FULL - sub-division of existing dwellinghouse to create 3 no flatted dwellings and erect a single dwellinghouse in garden ground including formation of new access. Pending decision.

4.2 19/00026/FULL - sub-division of existing dwelling house to create 5 flatted properties and erection of a single house in garden ground. Application refused in March 2019.

4.3 19/00027/LBC – sub-division of existing B-listed dwellinghouse to create 5 flatted properties with associated parking provision and amenity space. Application refused in March 2019.

5 PUBLIC PARTICIPATION

5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press. No representations were received.

6 CONSULTATIONS

6.1 **Consultee: Historic Environment Scotland** – have stated that they do not object to the proposal and provided comments on the proposal to the listed building include the principle of the development as enabling development, the alterations to the existing boundary treatment and potential for retaining appearance of the gate at the access proposed to be blocked up, advised details on external services and ventilation should be submitted and commented on retaining the original and historic features of the villa including the historic doors and retention of the existing sash and case windows.

7 DETERMINING ISSUES

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

- 7.1 Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications that affect listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which they possess.
- 7.2 The existing property is a Category B-listed building of a traditional appearance is located within the Baxter Park Conservation Area. The proposal site is on an elevated corner site and the site has a number of mature trees which significantly contribute to the character of the site and the surrounding area.
- 7.3 The proposed flats would result in the existing building being sub-divided to form 3no. flatted units. Unit 1 would be a 4 bedroom flat located on the western side of the building at ground floor, first floor and attic level. Unit 2 would be a two bedroom flat located on the eastern side of the building at ground floor level. Unit 3 would be a two bedroom flat located on the eastern side of the building at first floor and attic floor level. All of the proposed flatted units would have main living areas located on the principal elevation facing south and each would have an attractive open outlook.
- 7.4 The existing main entrance on the west elevation is to be retained and would provide access to Unit 1. A separate existing entrance on the west elevation would provide communal access to Unit 2 and Unit 3.
- 7.5 The ground floor conversion would involve internal alterations to subdivide and reconfigure existing rooms to form Unit 1 on the western side and Unit 2 on the eastern side of the building as well as the formation of internal storage space at the northern side of the building. The existing rooms on the ground floor have largely retained their original high quality decorative schemes. The proposed works would sensitively sub-divide the ground floor and would largely retain the existing plan form of the rooms with retention of timber panel doors to fix close existing openings and retention of decorative plasterwork cornice and would preserve the attractive historic fabric and features of the existing building.
- 7.6 At first floor level the proposal is to form the first floor of Unit 1 on the western side of the building and the lower accommodation of Unit 3 on the eastern side of the building. Unit 3 would be accessed from first floor level and would involve internal alterations including the insertion of a new internal staircase to provide access. The proposal includes internal alterations including the subdivision of existing rooms and repurposing of rooms. The existing master bedroom which has largely retained its original plan form and decorative plasterwork and chimneypiece would be retained in form and used as a lounge. The insertion of an internal staircase for Unit 3 would not diminish the character and appearance of the property.
- 7.7 The attic floor would be subdivided to form the upper floor of Unit 1 on the western side of the building and upper floor of Unit 3 on the eastern side of the building. Small scale external alteration is proposed with the insertion of an additional heritage style rooflight on the south elevation. The proposal insertion of the internal staircase would not diminish the character of the building or impact historic features and the attic would be sensitively sub-divided largely retaining the existing plan form. The attic hallway built-in shelved linen cupboards provide a distinctive, historic feature and the appearance would be preserved as a result of the proposal.
- 7.8 The proposed internal works to the existing building would largely retain the existing plan form and room proportions would not be detrimentally altered or compromised. The proposal would

also reinstate door openings from the original plan form of the building and where alterations are being made to subdivide the property into flats this has been proposed to be sympathetically done so by fixing closed the existing doors so that the existing historic door panel would remain visible and the character of the property would be retained. The existing external appearance of the building is characterised by a historic complex slated roof and following pre-application discussions the applicant has retained this key feature of the property with the only inclusion being a small heritage style roof light opening on the east elevation. On the south elevation the proposal includes the reinstatement of an access door to replace the existing window. These external alterations to the property would not detrimentally alter the appearance of the historic character of the existing property. It is recommended to attach a planning condition that would require the full details of the external alterations including the rooflight window, the external access doors and any alterations or works to the existing timber windows in the interests of maintaining the historic character of the listed building. Similarly it is recommended that a separate planning condition is attached to ensure that a schedule and method statement for the alterations to the listed boundary walls are submitted for approval. The proposed external works would not diminish the historic architectural integrity of the existing listed building and would retain the character and appearance of the existing property.

- 7.9 The concurrent planning application (20/00142/FULL) includes the erection of a dwellinghouse in the garden ground to the east of the existing building. The applicant has provided supporting planning and design statements detailing that the proposed house has been set back into the site to limit the visual and physical impact the new house would have on the setting of the existing listed building from prominent streetscapes from the south and west. During the course of determining the application further amendments to the design, scale and siting of the proposed house were submitted to reduce the physical impact on the existing building. The proposed house would be of a design and siting that would not have a detrimental impact on the character or setting of the listed building.
- 7.10 The proposal includes alterations to the existing boundary walls to widen an existing access at the west boundary, block an existing access at the south west and form new vehicular and pedestrian access in the low south boundary wall. It is recommended to attach a planning condition requiring full details and a method statement of any works to the boundary walls for approval prior to commencement of development.
- 7.11 From the foregoing, it is considered that the proposal would preserve the existing historic character, architectural interest and setting of the B-listed building.
- 7.12 Section 64 of the Act requires that the Council have special regard to any buildings or other land in a conservation area and special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.
- 7.13 The proposed external works would be of a small scale and would not significantly impact the appearance of the historic building. The proposal would not have a detrimental impact on the setting of the B-listed building and would preserve the character and appearance of the Baxter Park Conservation Area.
- 7.14 The proposed works are considered to be acceptable and will not impact on the special architectural and historic interest of the listed building. The proposed works will preserve the character and appearance of the area. The proposal satisfies the requirements of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 7.15 It is concluded from the above assessment that by approving the application the Council would be discharging its statutory duties in an appropriate manner.

MATERIAL CONSIDERATIONS

The material considerations to be taken into account are as follows:

A – DUNDEE LOCAL DEVELOPMENT PLAN 2019

- 7.16 The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.
- 7.17 The requirements of Policy 49 (Listed Buildings) and Policy 51 (Development in Conservation Areas) of the Dundee Local Development Plan 2019 have been satisfied by the discharge of statutory duties outlined by Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 7.18 The proposal complies with the requirements of the Dundee Local Development Plan 2019.

B - SUPPORTING INFORMATION

Supporting Planning and Design Statements and Previous Planning History

- 7.19 The applicant has provided Planning Statement and Design Statement as well as supporting Tree Report which have been taken into consideration during the assessment of the proposal against the relevant policies and national guidance in the report above.
- 7.20 The Planning and Design Statements were submitted by the agent in support of the proposed sub-division of the B-listed building and the associated proposed house in garden ground. These documents include an analysis of the site, proposed design principles and concept as well as an assessment of the proposals against policies within the Dundee Local Development Plan as well as explanation on the alterations that have been made to the proposal since the previous applications 19/00026/FULL and 19/00027/LBC were refused in 2019.

Planning and Design Statement Proposed Sub-division of 69 Dalkeith Road

- 7.21 The applicant states that the primary concept of the change of use of the building was that as a result of the size of the house the running costs and maintenance were unmanageable for a single owner and a viability statement has been provided. The design solution states that the proposal would have full consideration for the conservation and salvation of the historically important architectural details of the internal and external fabric of the building. Furthermore the proposal would preserve and respect the listed building to provide high quality residential flats with minimal alterations to the external fabric. As assessed above and in the assessment of the concurrent application ref 20/00142/FULL the proposed sub-division would be considered to sensitively retain the historic character and internal features particularly on the ground and first floor where the existing plan and room proportions would largely be retained. The external alterations to the property are minimal and would preserve the character and appearance of the listed building.

B - OTHER RELEVANT STATUTORY OR NON STATUTORY STATEMENTS OF POLICY

Scottish Planning Policy and Guidance

- 7.22 Scottish Planning Policy (2014) and Historic Environment Scotland Policy for Scotland 2019 should be taken into account when determining applications for Listed Building Consent.

- 7.23 Planning Policy (Historic Environment) advises that development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and its setting. The Historic Environment Scotland Policy Statement seeks to identify the key characteristics of the historic environment and establish the boundaries within which change can continue so that it enhances rather than diminishes historic character; the historic environment should be valued as an asset, rather than thought of as a barrier to development.
- 7.24 Managing Change in the Historic Environment: Guidance Notes provide guidance on making changes in line with Scottish Historic Environment Policy and Scottish Planning Policy. Guidance on New Design in Historic Settings states that new development should respond to the urban structure, urban grain, density and mix, scale, materials and detailing, landscape, views and landmarks and historical development. Specifically it states that new development should seek to make a positive contribution to the pattern of development blocks, streets and buildings and should respect the pattern of streets and spaces.
- 7.25 It is concluded that the proposal would comply with national planning guidance with regard to development affecting a listed building and its setting.
- 7.26 **It is concluded that there are no material considerations of sufficient weight in this case to justify refusal of listed building consent.**

8 CONCLUSION

- 8.1 The proposed development satisfies the requirements of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and by approving the application the Council would be discharging its statutory duties in an appropriate manner. The application complies with Policy 49 and Policy 51 of the Dundee Local Development Plan 2019. There are no material considerations of sufficient weight which justify refusal of listed building consent.

9 RECOMMENDATION

- 9.1 It is recommended that listed building consent be GRANTED subject to the following conditions:
- Condition** – prior to commencement of development, details of all new and replacement external finishing materials shall be submitted to the Council for approval and shall only be completed in accordance with the approved details. For the avoidance of doubt, this shall include details of all new and replacement external finishing materials for the existing building and proposed house.
Reason - in order to ensure a high standard of design and appearance.
 - Condition** - prior to the commencement of development on site full details of all works to the windows of the listed building shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt the details shall indicate what works and repairs are being carried out to every window contained within the development site and include full details of any secondary glazing to be installed. The works shall thereafter be implemented in full accordance with the agreed details.
Reason - in order to ensure the character and appearance of the category B Listed Building.

- 3 **Condition** – prior to commencement of development, full details of the proposed new rooflight window and proposed external doors of the listed building shall be submitted to the City Council for approval and the works shall be carried out only in accordance with such approved details.

Reason - in order to ensure the character and appearance of the Category B Listed Building.

- 4 **Condition** – prior to commencement of development, full details of the position and form of all proposed ducts, flues and vents shall be submitted for approval and the development shall be carried out only in accordance with such approved details.

Reason - in order to ensure the character and appearance of the Category B Listed Building.

- 5 **Condition** – prior to commencement of development, the full details and method statement shall be submitted for the works, repair and treatment of the listed boundary walls for approval by the Council. Thereafter the development shall be carried out only in accordance with such approved details.

Reason - in order to ensure the character and appearance of the Category B Listed Building

- 6 **Condition** – prior to commencement of development, details of the proposed privacy glazing to be installed in the first floor bathroom window on the east elevation of flat Unit 3, shall be submitted for approval by the Council. Thereafter, the privacy glazing shall be installed prior to occupation and shall be maintained as such for the lifetime of the development.

Reason - in the interests of residential amenity.