

KEY INFORMATION

Ward Broughty Ferry

Proposal

Demolition of buildings at 51 Beach Crescent and 312 King Street, Broughty Ferry

Address

312 King Street & 51 Beach Crescent, Broughty Ferry, Dundee DD5 2BG

Applicant

Camperdown Construction
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Agent

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Registered 7 Nov 2002

Case Officer C Walker



Demolition of Existing Buildings at Beach Crescent and King Street

The demolition of buildings at 51 Beach Crescent and 312 King Street, Broughty Ferry is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The existing buildings do not make a substantial contribution to the character and appearance of the conservation area and are in poor structural condition. Despite extensive marketing, a suitable alternative use for 312 King Street has not been established. Finally the proposals for the redevelopment of the site are of a very good quality and the proposed demolition is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Conservation area consent is sought to demolish all the buildings on the site and to redevelop it in the manner described in the Report on application ref. no. 02/00790/FUL elsewhere in this Agenda.
- The applicants have submitted a case in favour of demolition based on the character and condition of the buildings and the failure to secure suitable alternative uses.
- 2 letters from local residents and 2 from amenity bodies were received objecting to the demolition of these buildings. The Royal Fine Art Commission for Scotland and the Community Council did not object to demolition. Historic Scotland notes the scaling down of the buildings and the simplification of the roof, states a preference for the retention of the existing building on Beach Crescent but if the site is to be redeveloped prefers a good modern building rather than a pastiche solution.
- It is considered that 51 Beach Crescent is not important to the character or appearance of the conservation area. 312 King Street presents a façade to King Street which despite its lack of openings or design features, sits well within the existing streetscape. However this building is in very poor condition and despite having been extensively marketed, a suitable alternative use has not been established. Finally it is considered that the proposed redevelopment of the site is of a very good quality. It is considered that a case has been made for the demolition of the buildings on the site.
- Should Members be minded to approve this application for conservation area consent, then the consent notice cannot be issued unless and until Historic Scotland formally determine not to call in the application.

DESCRIPTION OF PROPOSAL

Conservation area consent is sought to demolish all the building on the site and to redevelop it in the manner described in the Report on application ref. no. 02/00790/FUL elsewhere in this Agenda.

The applicants have submitted a case in favour of demolition. They state that over the years there have been major internal and external alterations to the Beach Crescent building which have substantially detracted from its character and appearance. They have also submitted structural reports on both buildings suggesting that they are in very poor condition. They point out that the King Street building has lain vacant for many years despite extensive marketing. They consider that the buildings are uneconomic to retain for any productive use.

SITE DESCRIPTION

The site comprises the former Castle Hotel now used as Broughty Ferry Ex-servicemen's Club at 51 Beach Crescent and a disused storage building last used as a pottery at 312 King Street, Broughty Ferry.

51 Beach Crescent is a 2 storey building facing Beach Crescent which has been much modified over time. Records show that the land was feued in 1808 and that the house was occupied as Ferry House in 1810. Its facade is rendered and painted white and its roof is slated. A single storey flat roofed function room extension has been added to the front of it. To the rear the building continues in an elongated form towards King Street. This section of the building is lower and similar in character to 312 King Street. The walls are harled and the slated roof projects over the walls with exposed rafters. There are also significant single storey flat roofed extensions to the rear of the building up to the northern and western boundaries.

312 King Street is a stone and slate building of industrial character. It also has projecting rafters and no openings on the north elevation to King Street other than vents. It appears to have been the stable block for 51 Beach

Crescent in the past, but it has had its own separate curtilage for many years.

The surroundings of the site are residential in character, comprising either houses or nursing homes. The sweep of Beach Crescent forms a focal point in the Broughty Ferry Conservation Area and includes a number of listed buildings (all the buildings between Gray Street and the application site are listed). Beach House lies directly to the west and is Category B listed. This is a large 2 storey over basement flatted building with attic accommodation also dating from the early 19th century. The ground floor flats are approached by steps from Beach Crescent and the basement and attic flats are approached via pedestrian access from King Street. There are 2 windows in the gable of this building facing the application site. There is a mutual garden area to



the north of the building. Also to the north, on King Street, is a single storey house at 298 King Street which is attached to 312 King Street. Further to the west is the Category B listed former Orchar Gallery (now a nursing home).

To the east is a one and a half storey cottage and its garden ground at 71 Beach Crescent and a modern flatted block of 4 storeys at 316 - 328 King Street. To the north, on the opposite side of King Street, are houses and flats of traditional and modern construction.

There is a considerable variety in the scale of buildings surrounding the site ranging from single storey cottages to 3 and 4 storey buildings of traditional and modern construction.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies of the adopted Local Plan are relevant:

Policy BE11 of the adopted Dundee Local Plan 1998 requires new development in conservation areas to complement and enhance the character of the surrounding area. Policy BE16 relates to the demolition of listed buildings but the preamble to this policy suggests it should also apply to the demolition of unlisted buildings in conservation area.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application.

Finalised Dundee Local Plan Review.

In January 2003 the Council approved this Plan. Policy 61 is similar to Policy BE11 of the adopted Local Plan and Policy 62 states that the demolition of a building that is worthy of retention in the conservation area must be fully supported by reports justifying demolition as well as acceptable proposals for the redevelopment of the cleared site.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Policy Guideline 18 - Planning and the Historic Environment.

This document provides statements of Government policy in relation to the historic environment with a view to its protection, conservation and enhancement. This NPPG deals primarily with, amongst other things, conservation and listed buildings.

Primary reference is made in this document to the Memorandum mentioned below.

Memorandum of Guidance on Listed Buildings and Conservation Areas 1998

This document by Historic Scotland offers Local Authorities and developers best practice advice in dealing with developments which may have an impact on or affect listed buildings or conservation areas.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application.

LOCAL AGENDA 21

The Councils Local Agenda 21 Policies seek to value and protect local diversity and distinctiveness.

SITE HISTORY

In June 2000 planning permission and conservation area consent to demolish all the buildings on the site and erect a 45 bedroom hotel were refused (application ref. nos. D24456 and DS00170 refer). Conservation area consent was refused because a case for demolition had not been made and there were no suitable proposals for the redevelopment of the site.

In April 2001 applications for a housing development on this site and conservation area consent to demolish the existing buildings were withdrawn by the applicants before they could be determined by the Committee (applications ref. nos. D25105 and DS00176 refer). The application for conservation area consent was recommended for refusal as insufficient justification had been provided for the demolition of the buildings and there was not an acceptable scheme for the redevelopment of the site.

In May 2002 further applications for a housing development on this site and conservation area consent to demolish the existing buildings were refused by the Committee (applications ref. nos. 02/00128/FUL and 02/00129/CON refer). The conservation area consent was refused as there was not an

acceptable scheme for the redevelopment of the site.

PUBLIC PARTICIPATION

The proposal to demolish these buildings was advertised and 4 letters were received objecting to demolition, 2 from neighbours and 2 from amenity bodies (copies available for inspection in the Members Lounges). The objectors state that the buildings at 51 Beach Crescent and 312 King Street should be retained and that the proposals for the redevelopment of the site area unacceptable. The issues raised in these letters are considered in the Observations section of this Report.

CONSULTATIONS

Broughty Ferry Community Council has objected to the proposed new development but not specifically to the demolition of the existing buildings.

Historic Scotland has informally commented on the proposed development. It notes the scaling down of the buildings and the simplification of the roof, states a preference for the retention of the existing building on Beach Crescent but if the site is to be redeveloped prefers a good modern building rather than a pastiche solution.

The Royal Fine Art Commission for Scotland considers that there have been improvements to the design of the development compared with previous proposals and do not object to the demolition of the existing buildings.

OBSERVATIONS

In accordance with the provisions of Sections 59(1) and 64(1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, special consideration must be given to the effects of the proposed development on the setting of listed buildings and on the character and appearance of the conservation area.

In assessing applications to demolish unlisted buildings in conservation areas the Memorandum of Guidance (which is referred to in NPPG18) states that an assessment should be made of the importance of the buildings to the character or appearance of the conservation area and the proposals for the redevelopment of the site. If the

buildings are of any value it suggests that a positive attempt should be made to retain them. It also states that consent to demolish should be given only where there are acceptable proposals for the redevelopment of the site.

In this case it is considered that the existing buildings do not contribute significantly to the character or appearance of the conservation area and the views set out in the letters of objection are not accepted. The building at 51 Beach Crescent has been substantially modified over time and has a particularly unattractive front extension that detracts from the appearance of the area. There is no doubt that it has historic interest due to its age but it is considered that this does not outweigh the fact that it does not make an important and positive visual contribution to the conservation area. Although the buildings to the rear of 51 Beach Crescent are of a more attractive appearance, they also have been substantially modified and are not visually prominent. It is therefore considered that these buildings are not worthy of retention.

The separate building at 312 King Street presents a façade to King Street which has been unaltered since it was constructed. It is a simple stone and slate building of industrial character and it is the demolition of this building that has attracted most objections. Despite its lack of openings or design features, it does sit well within the existing streetscape.

The building condition report states that this building is in a particularly poor state. It points out that roof timbers are decayed and suspect and that the first floor is not in sound condition. Even if it is considered that this report presents a worst case scenario, a simple visual inspection of the building confirms these points. The building has been on the market for many years but positive proposals for its retention and conversion have not emerged. The difficulty is that most of the commercial uses proposed by the owners have been rejected by the Council on residential amenity grounds. Conversion to residential use is problematic not just because of the condition of the building but also because any such conversion is likely to leave very little of the original building standing. In these circumstances it is considered that a

case has been made for the demolition of 312 King Street.

It is also significant that neither the RFACS nor the Community Council object to demolition and Historic Scotland in their informal comments do not rule out demolition subject to suitable replacement proposals.

Policy BE11 of the adopted Local Plan effectively repeats the statutory duty set out in Section 64 of the Listed Buildings and Conservation Areas Act 1997. There are no provisions in the adopted Plan relating to the demolition of unlisted buildings in the conservation area although Policy BE16 could be construed as also applying to the demolition of unlisted buildings in conservation areas. In order to satisfy the requirements of Policy BE11 the proposed development would have to represent an improvement on the existing buildings.

It has already been stated that the existing buildings do not make a substantial contribution to the character and appearance of the conservation area. It is considered that the proposals for the redevelopment of the site are of a very good design and this matter has been dealt with in the report on application ref. No. 02/00790/FUL elsewhere in this Agenda. It is concluded from the foregoing that the proposal complies with Policy BE11 of the development plan. It is also considered that the case made out for demolition satisfies the requirements of Policy 62 of the Finalised Dundee Local Plan Review.

Should Members be minded to approve this application for conservation area consent, then the consent notice cannot be issued unless and until Historic Scotland formally determine not to call in the application.

Design

The design of the existing buildings does not make a substantial contribution to the character and appearance of the conservation area and in the case of 51 Beach Crescent could be considered to detract from the conservation area. The proposals for the redevelopment of the site are of a very good design and in these circumstances the demolition of the existing buildings on the site can be justified.

to the detriment of the character and appearance of the area

- 3 In order to examine and record items related to archaeology and history.

CONCLUSION

The existing buildings do not make a substantial contribution to the character and appearance of the conservation area and are in poor structural condition. Despite extensive marketing, a suitable alternative use for 312 King Street has not been established. Finally the proposals for the redevelopment of the site are of a very good design.

RECOMMENDATIONS

Recommendation 1

This consent notice shall not be issued unless and until Historic Scotland formally determines not to call in the application.

Recommendation 2

It is recommended that planning permission be GRANTED subject to the following conditions:-

- 1 the development hereby permitted shall be commenced within five years from the date of this permission
- 2 The existing buildings on the site shall not be demolished until a Joint Contracts Tribunal building contract or a building contract of a similar recognised form acceptable to this Authority for the carrying out of the works of redevelopment of the site in terms of the details of application ref. no. 02/00790/FUL has been made and evidence thereof supplied to the Council
- 3 The Council or the RCAHMS shall be granted access to the building and curtilage thereof, at any reasonable time for a period of one month prior to demolition, in order to make a photographic record and measure survey.

Reason

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
- 2 to ensure that redevelopment of this site takes place immediately following demolition of the existing building, thereby ensuring that an unattractive gap does not exist in the street scene