

KEY INFORMATION

Ward Tay Bridges

Proposal
Elevational alterations

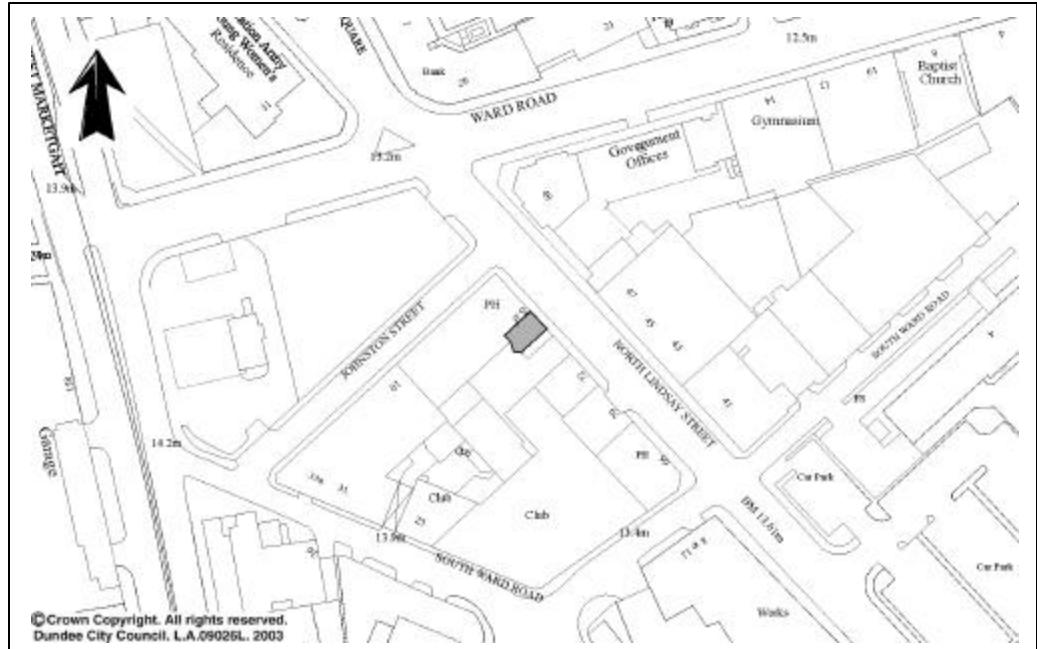
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Registered 14 Nov 2003

Case Officer R Anderson



Proposed Shopfront Alterations in North Lindsay Street

The elevational alterations are **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed window will be disruptive on the front elevation of this listed building and does not accord with national and local plan policy. Accordingly refusal of the application is recommended.

SUMMARY OF REPORT

- An application for Listed Building Consent has been received covering the installation of a single pane window on the front elevation of the ground floor of this category B listed building.
- The window measures 1.28m in height by 1.5m in width and sits 1.3m above ground level. It is double-glazed and finished in timber frame. It is to be installed into hot food takeaway premises.
- The Architectural Heritage Society of Scotland has objected to the proposal on the grounds that the window is badly sited and disrupts the symmetry and proportions of the front elevation of the overall building.
- It is considered that the window forms an incongruous, conspicuous feature on this important elevation and due to its siting, style and proportions disrupts a well balanced symmetrical frontage to the detriment of the appearance and character of the building. As such the proposal is contrary to the terms of national guidance and the statutory requirement as well as local plan policy. Accordingly refusal of the application is recommended.

DESCRIPTION OF PROPOSAL

It is proposed to install a single pane window on the ground floor of the above premises. The window is to be single double glazed pane with a timber frame, measuring 1.5m width by 1.28m height. It is located 1.3m above ground level adjacent to the main doorway into the premises.

SITE DESCRIPTION

The property which is located on the ground floor of this four storey category B listed building is located on the west side of North Lindsay Street some 15m south from its junction with Johnston Street. The property is used as hot food takeaway and is surrounded on all sides by commercial premises. The southern elevation of the building has a symmetrical arrangement of windows and doors.

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 are of relevance:

BE 17 - Alterations to Listed Buildings

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan 2003

The following policies are of relevance:

Policy 60 - Alterations to Listed Buildings

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

NPPG 18 - Planning and the Historic Environment

Non Statutory Statements of Council Policy

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

LOCAL AGENDA 21

Key Theme 13 Places, spaces and objects combine meaning and beauty with utility

Key Theme 15 Diversity and local distinctiveness are valued and protected

The proposal does not comply with these key themes.

SITE HISTORY

There is no site history of relevance to this application.



PUBLIC PARTICIPATION

The Architectural Heritage Society of Scotland have objected to the proposal on the basis that the building has a symmetrical window arrangement and a distinctive solid to void ratio and the insertion of the proposed window will disrupt it. This point will be clarified in the Observations section of this report.

CONSULTATIONS

There are no adverse comments regarding the application.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider

- a whether the proposals are consistent with the provisions of the development plan; and if not

- b whether an exception to the provisions of the development plan is justified by other material considerations

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

Policy BE17 indicates that any alterations to listed buildings should have regard to the architectural and historic character of the building. The proposed window is neither of a scale or appearance that complements the other windows on the southern (main) elevation. It is sited in a position where it is disruptive, conspicuous and presents an incongruous element on an otherwise interesting frontage. It is considered that the proposal does not respect the architectural character and appearance of the building and therefore is contrary to policy BE17.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

Other Material Considerations

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

NPPG 18 paragraph 42 echoes the statutory requirement set out in The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 para 59 to have regard to the enhancement and restoration of the architectural and historic character of the building. As indicated above this proposal does not and therefore is contrary to the statutory requirement outlined in NPPG 18.

Policy 60 of the Dundee Local Plan Review 2003 covers the same points raised in consideration of policy BE17 above and the proposal is contrary to it.

The Memorandum of Guidance on Listed Buildings and Conservation Areas para 1.2.1 indicates that additional windows should always be refused when inserted into original symmetrical or well-balanced elevations with a high wall to window ratio. This point has been raised by the Architectural Heritage Society of Scotland and is considered valid.

It is concluded from the foregoing that the material considerations stated above all weigh against the proposed development. It is therefore recommended that Listed Building Consent be refused.

symmetrical, well balanced elevation with a high proportion of wall to window.

Design

The design of the window is considered to be out of scale and proportion with others on the elevation and is sited in a located where it is conspicuous and disrupts the rhythm and symmetry of the architectural elements.

CONCLUSION

It is considered that the proposed window does not conform to local or national policy and in addition to this there are material reasons, which support a refusal of the application. Accordingly refusal is recommended.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reasons:

Reason

- 1 That the proposed window by virtue of its siting, design and external appearance does not have due regard to the building's special architectural features or its historic interest and therefore fails to meet the statutory requirement outlined in section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and stated in para. 42 of NPPG 18.
- 2 That the proposed alterations to this listed building do not have due regard to the restoration or enhancement of the architectural and historic character of the building, by virtue of the siting, scale and proportions of the window and as such is contrary to policy BE17 of the Dundee Local Plan 1998.
- 3 That the proposal is contrary to the advice given in the Memorandum of Guidance on Listed Buildings and Conservation Areas para. 1.2.1 as it represents the insertion of a window into an original,