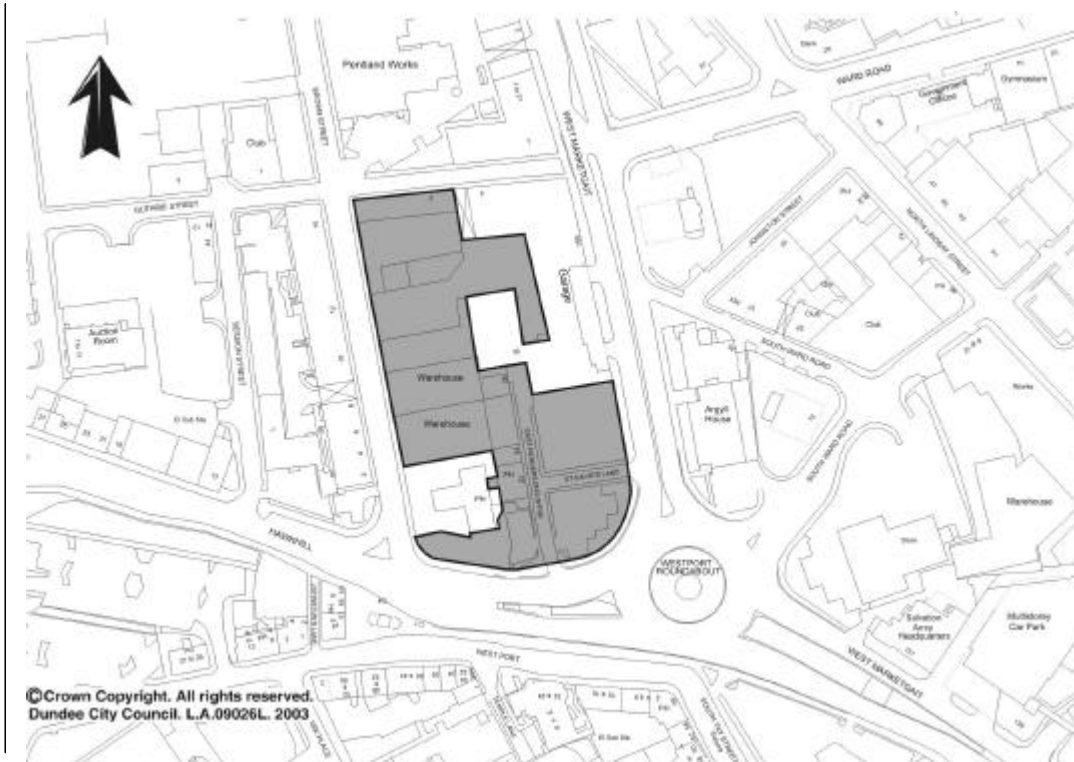


KEY INFORMATION**Ward** Law**Proposal**

Alterations to form childrens day care nursery

AddressLand to west of
152 West Marketgait
Dundee**Applicant**Marketgait Developments
Ltd
c/o James Stephen
Architects
Milton Studio
Glamis
DD8 1UN**Agent**James F Stephen
Milton Studio
Glamis
DD8 1UN**Registered** 30 Mar 2006**Case Officer** D Gordon

Proposed Childrens Nursery in Former Tay Works

Alterations to form a childrens day care nursery is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposal is in accordance with government guidance and advice and the relevant development plan policies relating to alterations to listed buildings.

The application is recommended for approval subject to conditions.

SUMMARY OF REPORT

- Listed Building permission is sought for alterations to a Category B listed building to facilitate its use as a children's nursery. The building formed part of the Tay Works complex that has now, in part, been converted into a variety of uses.
- The alterations primarily involve repair and maintenance works to the external facades of the property although some infilling of stonework and installation of several new window is proposed.
- The proposals were advertised in the local press and no objections have been received.
- It is considered that the proposed works are in accordance with the relevant provisions of the development plan and there are no material considerations that would justify the refusal of the application contrary to these policies.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves minor alterations to a listed building to form a children's day nursery. The majority of the proposal involves repair and maintenance works. Other improvements involve building up small areas of stonework and installation of new windows in previous bricked-up window openings. Alterations are also proposed to the boundary wall located on the west side of the site. No internal alterations to the structure have been submitted for consideration.

SITE DESCRIPTION

The site is located to the west of West Marketgait, to the south of Guthrie Street, to the east of Brown Street and to the north of Hawkhill. The building forms part of the former Tay Works complex and is a Category B Listed Building. The property is stone built and accommodates a slate roof. The building was most recently used as a motor vehicle workshop.

There are a number of listed buildings in the surrounding area eg the recently converted Tay Works to the east, the former Brown Street School to the south and South Mills to the west. The site is contained within the Blackness Conservation Area.

The surrounding area is of a mixed character with uses that are typical of a city centre location.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan Review 2005

The following policies are of relevance:

POLICY 60: ALTERATIONS TO LISTED BUILDINGS

The alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest.

The City Council will provide specific supplementary guidance on the following: window and door alterations, advertisements, shopfronts, roller shutters, treatments to masonry and painting and use of materials.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

NPPG 18 Planning and the Historic Environment sets out the framework for dealing with planning applications affecting listed buildings. It makes particular reference to the "Memorandum of Guidance on Listed Buildings and Conservation Areas" which provides detailed guidance on alterations to listed buildings.

The statutory duty to consider the desirability of preserving and enhancing the character and appearance of listed buildings is contained in Section 14 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

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 is relevant to the application and states that places, spaces and objects should combine meaning and beauty. A further aim is to create clean, safe and pleasant environments in which to live. The proposal will re-use a vacant listed building for appropriate purposes. This is considered to be consistent with the aims of Agenda 21.

SITE HISTORY

There are no recent planning applications that have been approved for this site that are considered to be of direct relevance to this proposal. A planning application for the re-use of the building as a children's day nursery (and the erection of a mixed use development immediately to the south) is to be found elsewhere in this agenda (06/00198/FUL refers).

PUBLIC PARTICIPATION

The application was advertised in the local press (alterations to a listed building) and no objections to the proposals have been received.

CONSULTATIONS

No adverse comments have been received from any of the consultees.

OBSERVATIONS

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

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

The proposals involve alterations and improvements to a Category B listed building to facilitate its use as a children's day nursery. Although the proposals involve the infilling of some stonework and the installation of several new windows, the majority of the works relate to the general repair and maintenance of the building.

It is considered that the proposed works would significantly improve the architectural integrity of the building and its historic interest. In this respect, the proposal is considered to comply with the provisions of Policy 60 of the Dundee Local Plan Review 2005, the guidance contained within NPPG 18 and the Memorandum and also with Section 14 of the Planning (Listed

Buildings and Conservation Areas)
(Scotland) Act 1997.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

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

The advice and guidance offered by the Memorandum of Guidance on Listed Buildings and Conservation Areas and the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 has been raised above in the consideration of the relevant development plan policies. These matters are now considered to be fully discharged in this instance.

It is concluded from the foregoing insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

It is considered that the proposed works to the building will significantly improve its appearance, its architectural integrity and its historic character.

CONCLUSION

It is considered that the proposed alterations to the building complies with government guidance and advice and the relevant development plan policies that relate to alterations to listed buildings.

RECOMMENDATION

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

- 1 The works must be begun not later than the expiration of 5 years beginning with the date of this consent.

Reason

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.