

KEY INFORMATION**Ward** West Ferry**Proposal**

Erection of dwelling in garden with link wall to listed building

Address

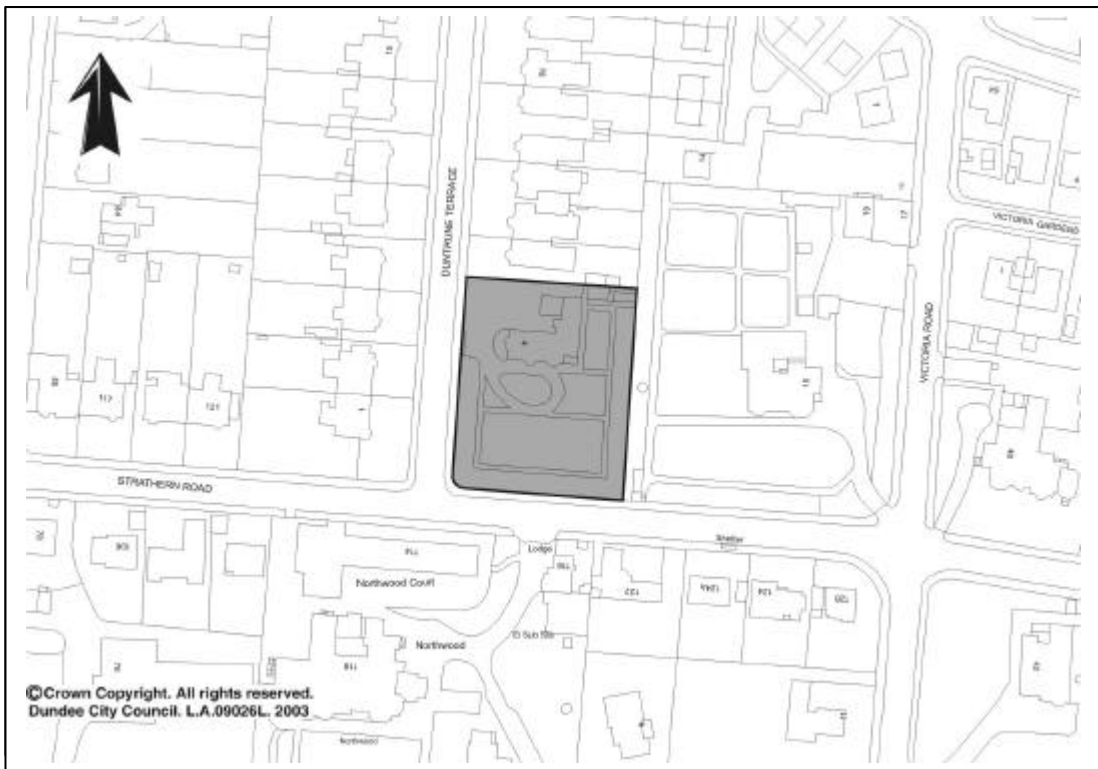
Land in garden ground
4 Duntrune Terrace
Broughty Ferry

Applicant

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Registered 26 May 2006**Case Officer** C Walker

Proposal for New House linked to Listed Building in Duntrune Terrace

The erection of a dwelling in garden ground with link wall to listed building is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development will adversely affect the listed building and its setting contrary to the terms of the statutory duty under Section 14 of the Act. Therefore, the application is recommended for **REFUSAL**.

SUMMARY OF REPORT

- Listed building consent is sought to erect a new house in garden ground to the east of 4 Duntrune Terrace, a substantial Category C Arts and Crafts style listed building set in landscaped garden ground.
- Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, requires the Council to have special regard to the desirability of preserving listed buildings or their setting and this duty is reflected in Policies 55 and 60 of the adopted Local Plan.
- An adjoining occupier, Broughty Ferry Community Council and Historic Scotland have raised concerns about the impact of the development on the listed building.
- The proposed development significantly disrupts the symmetry of the principal elevation of the house in a negative manner. In addition the close proximity of the new house to the existing house along with its form and bulk results in an incongruous appearance that detracts from the listed building.

DESCRIPTION OF PROPOSAL

Listed building consent is sought to erect a new house in garden ground to the east of 4 Duntrune Terrace, a substantial Category C listed building set in landscaped garden ground. Listed building consent is required because it is proposed to construct a link wall with arches between the listed building and the new house.

The proposed new house is sited 4 metres from the existing house and is linked to it with a wall with arches. It is designed to match it by using similar finishing materials and window detailing.

The proposed new house will share the access to the existing house, with its driveway running to the north of that house. It is proposed to subdivide the garden ground by allocating the eastern portion of some 850 sq. metres to the new house.

SITE DESCRIPTION

The site extends to just less than 0.3 ha of ground at the corner of Duntrune Terrace and Strathern Road. 4 Duntrune Terrace, a substantial Category C listed building, sits in the centre of the northern half of the site. This building, which dates from 1927, is in an Arts and Crafts style with brick and harl walls and a slated roof. The site is enclosed by high stone boundary walls and mature deciduous trees are planted inside these walls on the Duntrune Terrace and Strathern Road elevations. Vehicular access to the site is from Duntrune Terrace.

The site lies within the West Ferry Conservation Area and is surrounded by dwellings. To the east is a substantial subdivided stone villa. Mature deciduous trees to the west of that site overhang the application site. To the north and west are semi detached stone villas on Duntrune Terrace. To the south, on the opposite side of Strathern road, is the listed gate lodge at Northwood and a modern block of flats.

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 55: Urban Design

All development should respect the setting of listed buildings.

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.



Scottish Planning Policies, Planning Advice Notes and Circulars

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

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Non Statutory Statements of Council Policy

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

LOCAL AGENDA 21

The proposal does not comply with Key Theme 15: Diversity and Local Distinctiveness are Valued and Protected.

SITE HISTORY

There is an accompanying application for planning permission for this development, the report on which appears elsewhere in this Agenda - application 06/00510/FUL refers.

PUBLIC PARTICIPATION

The proposal was advertised as a listed building application and a letter of objection was received from the occupiers of an adjoining dwelling.

The objector is concerned that the new house will detract from the listed building.

Copies of this letter are available for inspection in the Members Lounges and the points raised are considered in the Observations Section of this Report.

CONSULTATIONS

Broughty Ferry Community Council has objected to the proposal on the basis that the new house will have an adverse impact on the original house and

its garden area, unbalancing the principal south elevation and obscuring the east elevation.

Historic Scotland was consulted informally on this application and have responded stating that the original house is carefully positioned in the centre of the north-south axis of this large plot, and the key south garden front elevation was clearly conceived by the architect as a strongly symmetrical elevation. The proposals would unbalance and disrupt both the carefully symmetry of the south elevation, and the siting of the house within its setting. The Memorandum of Guidance states that:

"....any proposal to extend which would unbalance the original concept

of the design should be firmly refused..." (appendix 1, section 6.0.0).

Although the proposal is not an extension in the usual sense, its proximity and partial link to the existing building means that its impact will be as great. The Memorandum of Guidance advice on listed buildings and their settings (appendix 1, section 10.0.0) also relates.

OBSERVATIONS

In accordance with the provisions of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

The principal elevation of this listed building faces south into relatively secluded garden grounds screened by stone walls and trees. This elevation has a largely symmetrical appearance and the house occupies a central location between the eastern and western site boundaries.

The proposed new house and link wall effectively extend the house to the east. This addition is not set back from the building line established by the original house. The result is that the proposed development significantly disrupts the symmetry of the principal elevation of the house in a negative manner. In addition the close proximity of the new house to the existing house along with its form and bulk results in an incongruous appearance that detracts from the listed building. The use of finishing materials and a window design to match the existing house does not alter the basic fact that the development appears unbalanced and the new house is effectively shoe horned in the area of garden ground between the listed building and the eastern site boundary.

It is concluded that the development will detract from the listed building and its setting.

Other Material Considerations

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

a 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 60 relates to alterations to listed buildings, and its wording is similar to that in Section 14 of the 1997 act. For the reasons set out in the assessment of the development against Section 14 it is considered that the proposal will contravene Policy 60 of the adopted Local Plan.

Policy 55 makes specific reference to the need to respect the setting of listed buildings. Again this matter is referred to in Section 14 of the Act. For the reasons set out in the assessment of the development against Section 14 it is considered that the proposal will also contravene Policy 55 of the adopted Local Plan.

b The Concerns of the Objector and Consultees

These concerns relate to matters already addressed in this report, namely the adverse impact on the listed building. It has been concluded that there will be an adverse impact and the views of the objectors and consultees are supported.

c NPPG 18: Planning and the Historic Environment and the "Memorandum of Guidance on Listed Buildings and Conservation Areas".

These documents provide guidance on matters such as development affecting the setting of listed buildings, and section 10 of Appendix 1 of the Memorandum states that at all times the listed building should remain the focus of the setting. For the reasons set out in the consideration of the application under Section 14 of the Act it is also considered that the proposal runs contrary to the advice set out in NPPG18 and the Memorandum of Guidance.

It is concluded from the foregoing that the development runs counter to the statutory duty under Section 14 of the Act to preserve listed buildings or their setting.

Design

The applicants have attempted to integrate the new dwelling with the

listed building as much as possible by using similar finishing materials and window proportion and design. However its close proximity to the listed building and the fact that it is to be constructed in line with its principal south elevation means that it will appear incongruous in the context of the listed building. In order to provide as much accommodation as possible, the proposed house incorporates an entire upper floor within the roofspace. This gives the proposed house a bulky and squat appearance, and the large roof lights required on the east and west elevations would appear incongruous.

CONCLUSION

The proposed development will adversely affect the listed building and its setting contrary to the terms of the statutory duty under Section 14 of the Act.

RECOMMENDATION

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

Reason

- 1 The proposed development significantly disrupts the symmetry of the principal elevation of the listed building in a negative manner and its close proximity along with its form and bulk results in an incongruous appearance that detracts from the listed building. The proposal is therefore contrary to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, which requires the Council to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.