

KEY INFORMATION**Ward** The Ferry**Proposal**

Extension and Refurbishment of Existing Restaurant and Ground Floor. Erection of 2 New Storeys of Residential Accommodation above, Consisting of 4 Holiday Let Apartments at First Floor and 2 Holiday Let Apartments at Second Floor Level

Address

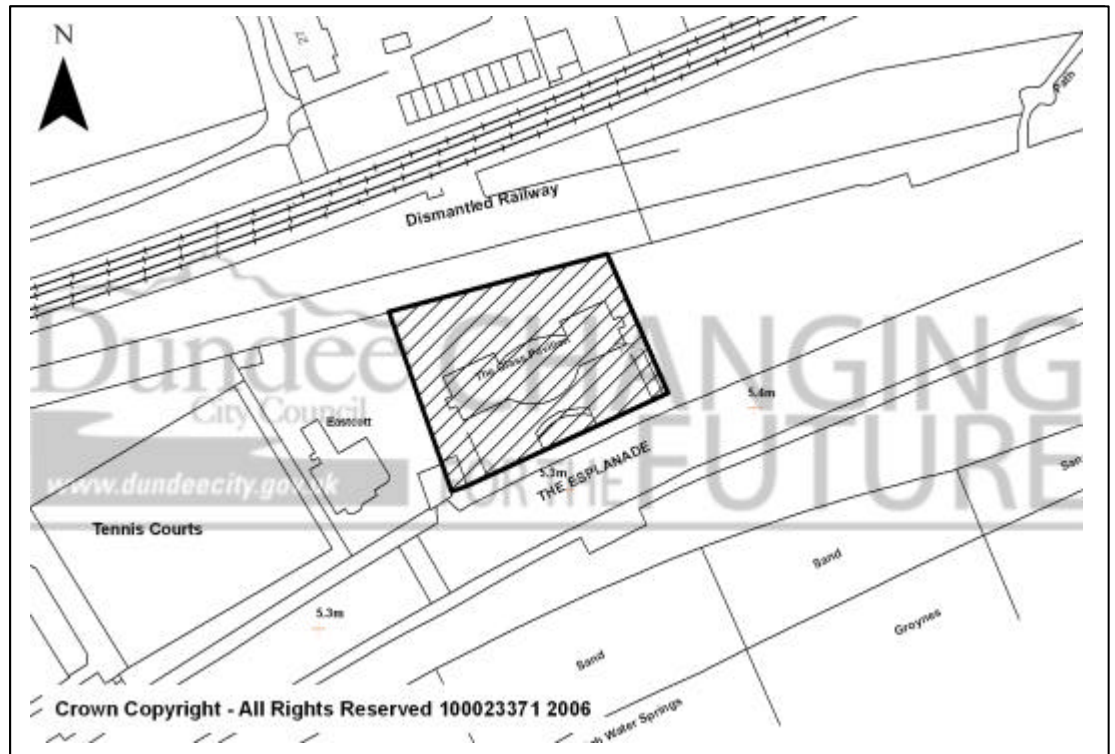
The Glass Pavilion
The Esplanade
Broughty Ferry

Applicant

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The Eagle Inn
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Broughty Ferry
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Agent

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Registered 8 Dec 2008**Case Officer** C Walker

Proposed Extension to Listed Building in the Esplanade

The extension and refurbishment of an existing restaurant is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

SUMMARY OF REPORT

- Listed building consent is sought to substantially extend the single storey Category C listed Glass Pavilion Restaurant building by adding a large extension to the rear and by constructing 2 upper floors containing 6 holiday let apartments.
- The extensions to the building are designed to harmonise as much as possible with the existing art deco listed building.
- The application was advertised and 2 letters of objection were received raising concerns that the proposed development will materially detract from the original appearance of the listed structure. The Community Council was also concerned about the size of the extensions.
- The proposed development is well designed and despite the size of the extensions, the resulting building will preserve the character of the listed building in accordance with the requirements of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

RECOMMENDATION

The proposed development is well designed and will preserve the character of the listed building in accordance with the requirements of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The application is therefore recommended for **APPROVAL** with conditions.

DESCRIPTION OF PROPOSAL

Listed building consent is sought to substantially extend the single storey Glass Pavilion Restaurant building by adding some 212m² of floor space to the rear and by constructing 2 upper floors containing 6 holiday let apartments.

The additional ground floor accommodation would provide an extended restaurant, virtually doubling the existing floor area to provide a gross floor area of 460m².

The first floor accommodation would provide 4 apartments with a gross floor area of some 315m². This level is set back some 4.5metres from the front elevation of the building with outdoor external decks provided in this area.

The second floor accommodation would provide 2 apartments with a gross floor area of some 200m². This level is set back almost 8 metres from the front of the building and the apartments are also provided with external decking.

The extensions to the building are designed to harmonise as much as possible with the existing art deco listed building. The front elevation will present an almost totally glazed appearance to the Esplanade and the first and second storey levels are set back in an attempt to diminish their impact. The side and rear elevations are solid in appearance with self coloured render finishing material. Windows on these elevations occupy narrow vertical or horizontal slots to give a sculptural appearance to the building.

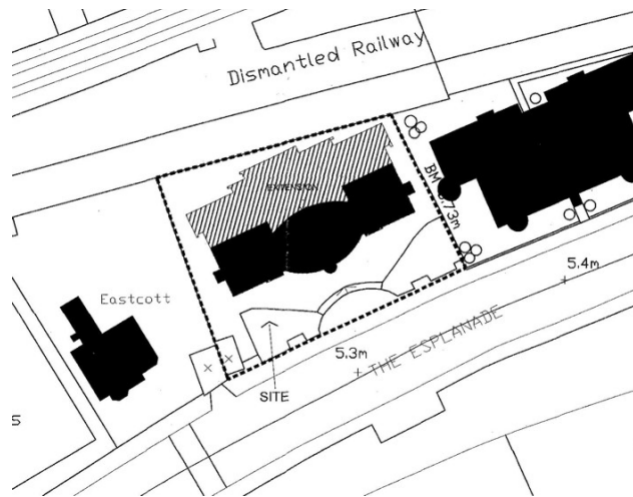
No changes to the front of the site are proposed or to the access arrangements for the site. The applicants have produced images comparing their proposed development with previously approved plans for an extended restaurant building on 2 levels in an attempt to demonstrate that their development, even although involving an additional storey, will not be as visually intrusive.

SITE DESCRIPTION

The site is an extended former beach shelter now known as the Glass

Pavilion restaurant. The original building is a Category C listed structure built in 1934 in art deco style with brick walls, a flat concrete roof and decorative wrought iron grilles.

To the west is a subdivided stone villa known as "Eastcott" and to the east is the site of the former Jacques Night



Club. The night club has been demolished and the foundations for a new 3 storey flatted development have been laid last year (in accordance with a recent planning permission) but work on that site has since stopped. To the north is land formerly occupied by a railway track (Dundee to Forfar line) and further to the north is the Dundee to Aberdeen railway track. Further to



PROPOSED CONTEXT ELEVATION

the north again, on the other side of the railway, is housing at Yewbank Avenue. To the south of the site, across the Esplanade, is open grassland and the beach.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 2005

Policy 60 states that 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

SPP 23: Planning and the Historic Environment sets out the framework for dealing with applications relating to listed buildings. More detailed guidance is provided in the "Memorandum of Guidance on Listed Buildings and Conservation Areas" published by Historic Scotland. It suggests that extensions should be subordinate to and not dominate the original building but suggests that there may be circumstances where quite substantial additions can be made to a building

without detracting from the character of the original work.

Non Statutory Statements of Council Policy

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

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

Planning permission and listed building consent were granted in 2004 to convert and extend the beach shelter to form a shop and café - applications 04/00462/COU and 04/00478/LBC refer.

In January 2007 planning permission and listed building consent were granted for substantial extensions to this building to provide an extended restaurant - applications 06/00925/FUL and 06/00924/LBC refer. Those extensions were not dissimilar in footprint and scale to the current proposals although only 2 levels of accommodation were proposed.

There is a current planning application for this development, the Report on which appears elsewhere in this

Agenda - application 08/00863/FUL refers.

PUBLIC PARTICIPATION

The application was advertised as a listed building application. Two letters of objection were received, 1 from the occupier of 1 of the flats in the subdivided villa known as Eastcott to the west of the site and 1 from the developer of the proposed apartments to the east of the application site.

Both letters raise the issue that the proposed development will materially detract from the original appearance of the listed structure and that the building would no longer bear any resemblance to its original appearance.

Members will already have had access to these letters and the points raised are considered in the Observations Section of this Report.

CONSULTATIONS

Broughty Ferry Community Council are concerned that the vast enlargement of the original listed building could endanger its listed status. They suggest that Historic Scotland should be consulted on this point.

This is a Category C listed building and formal consultation with Historic Scotland is not required. Historic Scotland has written to the Community Council explaining this position to them.

Members will already have had access to the Community Council letter and the points raised are considered in the Observations Section of this Report.

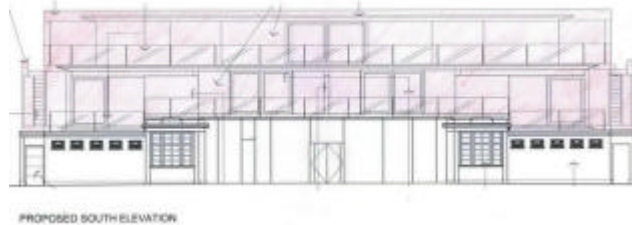
OBSERVATIONS

Statutory Requirements

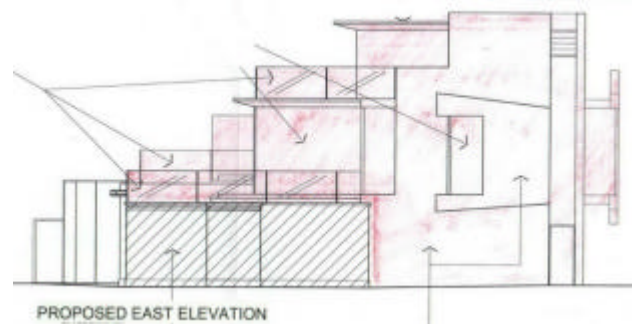
In accordance with Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

It is considered that the proposed development satisfies the requirements of the Act. The extensions to the listed

building are well designed and the resulting building is one which will enhance this very prominent site. The original art deco bathing shelter is obviously a very low profile pavilion style building and it is accepted that the significant extensions currently proposed will increase its original scale and massing substantially. However the lightness of the upper floor extensions, achieved by the



predominantly glazed appearance of the principal south elevation and the use of light coloured renders on the other elevations means that the original character of the building, marked by the original brick and concrete detailing, will still remain significant. It is concluded that this is a case where quite substantial additions can be made to a building without detracting from



the character of the original work (as referred to in the Memorandum of Guidance) and that the design of the proposed extensions complements that of the listed building.

However this is a very prominent site and one involving a listed building and should Members be minded to approve the proposed development it is essential that the design proposed is not diluted in any way.

It is considered that the development will preserve the character of the listed building and that the requirements of Section 14 of the Act are discharged.

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.

In terms of Policy 60, this matter has already been considered in the assessment of the proposed development under Section 14 of the Act and it was considered that the proposal would preserve the character and appearance of the listed building.

- b The Letters of Objection and the views of the Community Council - the letters of objection state that the proposed development will materially detract from the original appearance of the listed structure and that the building would no longer bear any resemblance to its original appearance. The Community Council also raises this issue and suggests that Historic Scotland should be consulted.

The issue of the relationship of the development to the listed building has been addressed in the assessment of the development against Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act and it was considered that the proposal would preserve the listed building. Historic Scotland do not need to be formally consulted for applications relating to Category C listed buildings and they have written to confirm that in this particular case they do not require to be notified.

It is concluded from the foregoing that the development will preserve the character and appearance of the original building and that listed building consent be granted with conditions.

Design

The extensions to the listed building are well designed and the resulting building is one which will enhance this very prominent site. The original art deco bathing shelter is obviously a very low profile pavilion style building and it is accepted that the significant extensions currently proposed will

increase its original scale and massing substantially. However the lightness of the upper floor extensions, achieved by the predominantly glazed appearance of the principal south elevation and the use of light coloured renders on the other elevations means that the original character of the building, marked by the original brick and concrete detailing, will still remain significant. It is concluded that the design of the proposed extensions complements that of the listed building and that the resulting development will make a positive visual contribution to this prominent site.

CONCLUSION

The proposed development is well designed and will preserve the character of the listed building in accordance with the requirements of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:

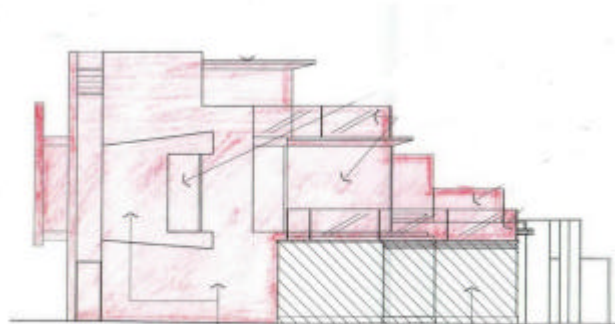
- 1 The works must be begun not later than the expiration of 5 years beginning with the date of this consent.
- 2 Samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.
- 3 Details of any alterations or additions to the building as extended including any vents, flues or other plant shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 2 In order to ensure that the character and appearance of the building as a building of

architectural and/or historic interest is retained.

- 3 In order to ensure that the character and appearance of the building as a building of architectural and/or historic interest is retained.



PROPOSED WEST ELEVATION

