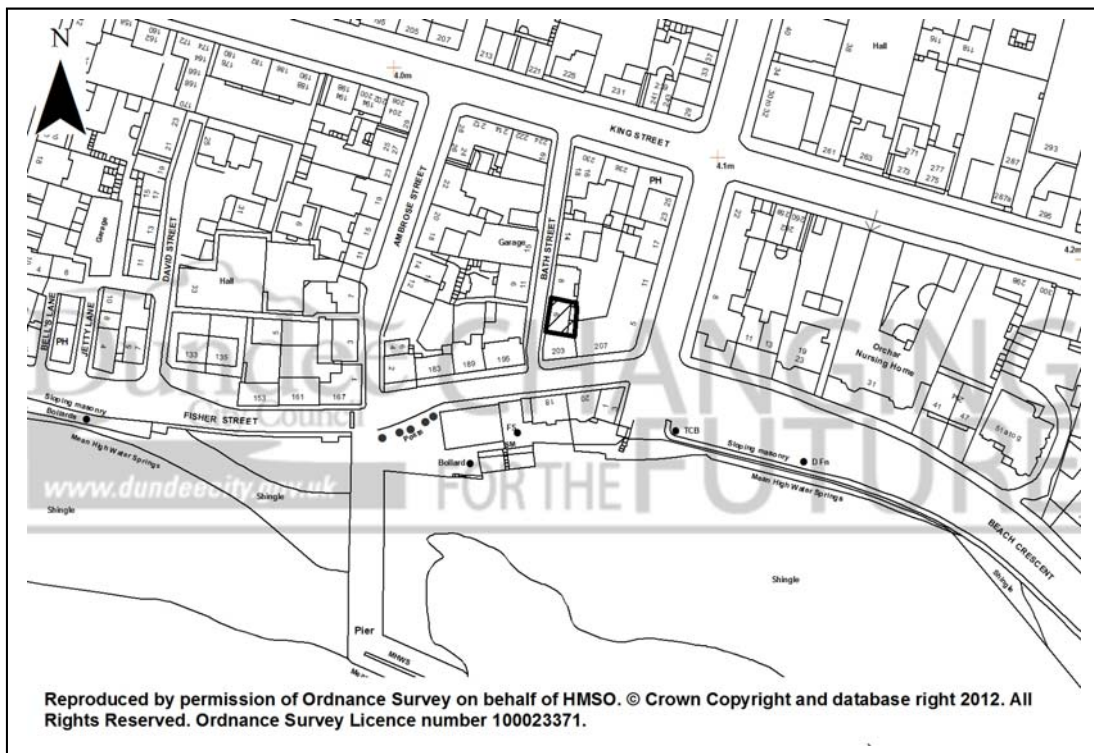


**KEY INFORMATION**

Ward The Ferry

**Proposal**

Extension of cellar

**Address**6 Bath Street  
Broughty Ferry  
Dundee  
DD5 2BY**Applicant**Graham Rosie  
6 Bath Street  
Broughty Ferry  
Dundee  
DD5 2BY**Agent**Registered 5 Oct 2012  
Case Officer David Rennie

# Listed Building Consent for Extension at Bath Street

Extension of cellar is **RECOMMENDED FOR APPROVAL**. Report by Director of City Development.

**RECOMMENDATION**

The extension is not detrimental to the C listed building, any features of special architectural interest which it possesses and its setting. Therefore, the application for listed building consent is recommended for **APPROVAL**.

**SUMMARY OF REPORT**

- This application seeks listed building consent for the retention of an extension to a shed/cellar at 6 Bath Street, Broughty Ferry, Dundee.
- The Council is required to discharge the Statutory Duty set out in the Listed Buildings and Conservation Areas Act, namely that special regard be paid to the desirability of preserving listed buildings, their setting and any features of special architectural interest which they possess.
- One valid letter of objection was received. One of the concerns raised was the visual impact on the C listed building. The views of the objector are not supported.
- As the extension is not detrimental to the listed building or its setting, it is recommended that listed building consent be granted.
- The application is being referred to the Development Management Committee at the request of an elected member.

## DESCRIPTION OF PROPOSAL

This application seeks listed building consent for the retention of an extension to a shed/cellar that has been built prior to listed building consent being granted. The extension measures 1.88m wide by 1.25m deep by 2.16m high. The walls have been rendered and the roof is covered with felt. The door of the existing cellar has been reused on the extension.

## SITE DESCRIPTION

The site lies to the east of Bath Street, Broughty Ferry and lies within the Broughty Ferry Conservation Area. The site is surrounded by traditional cottages, villas and tenements.

On the site is a 1½ storey traditional cottage. Attached to the gable end on the south elevation is a relatively small shed/cellar, which has recently been extended; it is the extension to the cellar that is currently under consideration. Beside the gable end and the cellar is a relatively small yard that is enclosed by a 2m high wooden fence and gate that runs along the boundary with Bath Street.

The cottage is believed to date from 1893 and is category C listed. The prominent elevation of the cottage (facing Bath Street) has traditional stone walls and a slate roof. The gable end on the south elevation has been rendered and lacks the historic character of the prominent elevation. The render on the wall of the extension matches the render on the gable end of the cottage.

## POLICY BACKGROUND

### TAYplan Strategic Development Plan 2012

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.

## Proposed Dundee Local Development Plan

The following policies are of relevance:

Policy 48: Listed Buildings.

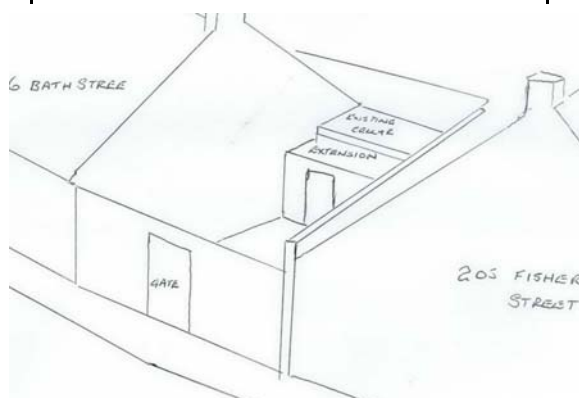
## Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.



## 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

12/00633/FULL – Retrospective extension of cellar – pending consideration.

88/13909/D – Part demolition of building – approved.

20/02/89.88/00525/DLB – Listed building consent for partial demolition of building – approved 20/02/89.

## PUBLIC PARTICIPATION

This application was advertised in accordance with statutory requirements.

One valid letter of objection was received from the resident of the immediately adjoining property. Some of the concerns raised are not considered to be valid considerations to be taken into account in the determination of listed building consent. The concerns raised were:

- Due to the poor quality of the design and materials, the visual appearance of the extension affects the setting of the listed building and the conservation area. The affect on the setting of the listed building is relevant to the determination of this application and will be considered in the Observations section below.
- The timber fence and gate have been erected without necessary consents being obtained and have not been included in the application.

The fence and gate are not considered to affect the setting of the listed building. The applicant has stated that the fence and gate were erected around 8 or 9 years ago. As such, the fence and gate are not required to be included in this application.

- Appropriate permission may not have been granted for other extensions that have been built on the property.

Records show that permission was granted in 1989 for alterations to the property.

- Prior to the works being carried out, consents were not obtained from both the Council and the owner of the neighbouring property.

This is not considered to be a valid consideration to be taken into account in the determination of listed building consent. The applicant has subsequently submitted applications to obtain the necessary consents; that the

extension was built without consent should not influence the determination of these applications. There have been separate discussions between officers of the Council and the applicant and the objector over the ownership of the boundary wall and it is considered that this is a legal matter to be resolved between the applicant and the objector.

Members will already have access to the letter of objection. The planning issues raised are considered in the Observations section below.

A second letter was received that did not raise any planning issues, but stated that the extension had been built prior to the necessary consents being granted.

---

## **CONSULTATIONS**

---

No adverse comments were received from any of the consultees.

---

## **OBSERVATIONS**

---

### **Statutory Requirements**

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 interest which they possess.

In terms of traditional appearance, it is considered that the prominent elevation of the cottage retains more character and original architectural features than the rendered gable. The extension to the cellar has been built against the gable. The extension has a simple design and the materials used match the gable and the original cellar. The extension is of a relatively small scale and is barely visible from the street due to the high wooden fence and gate. Given its positioning, design, materials and scale, it is considered that the extension is not detrimental to the historic character, setting and appearance of the C listed building.

In essence, Policy 60 (Alterations to Listed Buildings) of the Dundee Local Plan Review 2005 and Policy 48 (Listed Buildings) of the Proposed Dundee Local Development Plan

repeat the statutory duty under Section 14 of the Act. Given the above assessment, the extension is considered to be in accordance with these policies.

One letter of objection was received from the resident of the immediately adjoining property. The objector is concerned about the visual appearance of the extension due to the poor quality of the design and materials and the subsequent affect on the setting of the listed building. As discussed above, due to its positioning, design, materials and scale, it is considered that the extension is not detrimental to the historic character, setting and appearance of the C listed building. As such, the views of the objector are not supported.

Accordingly, the statutory duty outlined by Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is discharged. It is therefore recommended that listed building consent be granted.

### **Design**

The extension has a simple design that respects the character and setting of the C listed building at 6 Bath Street, Broughty Ferry.

---

## **CONCLUSION**

---

The Council has carried out the statutory duty set out in Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The extension is not detrimental to the C listed building, any features of special architectural interest which it possesses nor its setting. It is recommended that listed building consent be granted.

---

## **RECOMMENDATION**

---

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

- 1 No Conditions attached to this consent.

### **Reason**

- 1 No Reasons attached to this consent.