

Demolition of Vacant Building/Structures With Substantial Retention of Existing Facade and Incorporation of This Into New Build Proposals

KEY INFORMATION

Ward Maryfield

Address

Willison House
56 Barrack Street, Dundee

Applicant

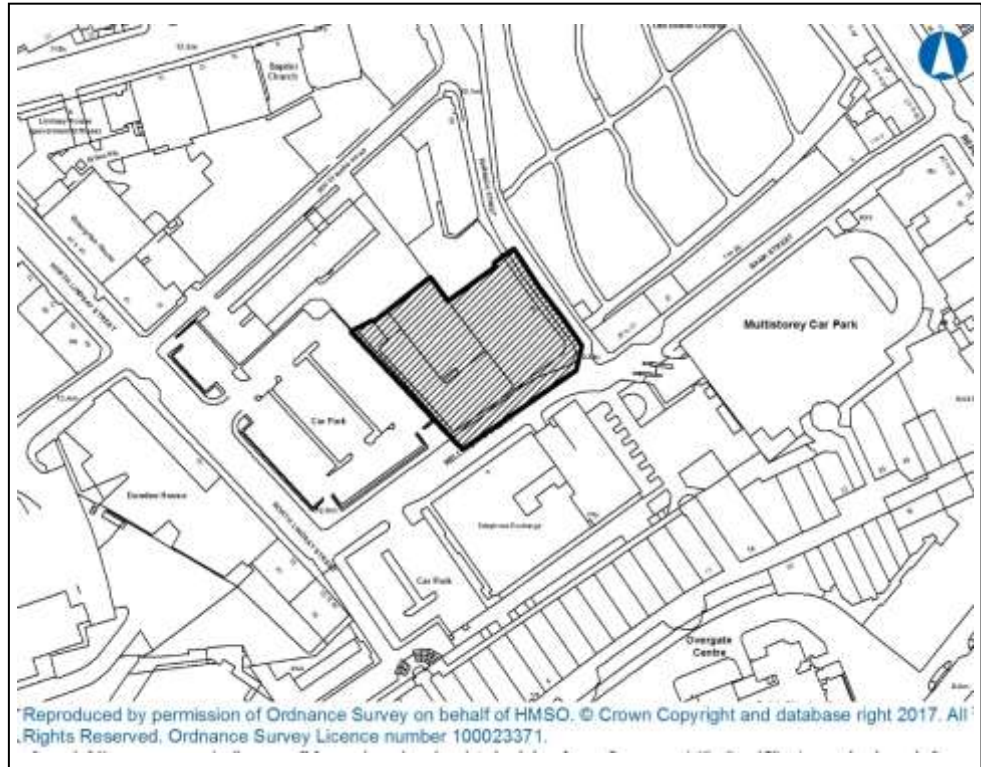
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Agent

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Registered 26 Sep 2017

Report by Executive Director
of City Development



SUMMARY OF REPORT

- The application is for the substantial demolition of the vacant B-listed Willison House and associated structures.
- The building's existing paired-back Art Deco façades are to be retained, restored and refurbished and incorporated into new build proposals for 2no hotels and a restaurant.
- The proposal site is located in the Central Conservation Area.
- The proposed development will restore a key element of the architectural interest of the B-listed building. It will bring a vacant, prominent corner site back into use and enhance the Central Conservation Area.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/simpleSearchResults.do?action=firstPage>.

RECOMMENDATION

Demolition of vacant building and structures with substantial retention of existing facade and incorporation of this into new build proposals on site is recommended for APPROVAL subject to conditions.

1 DESCRIPTION OF PROPOSAL

- 1.1 The application is for the substantial demolition of a vacant B-listed building and structures with the retention and refurbishment of the existing facade and incorporation of this into new build proposals for a hotel and restaurant.
- 1.2 A proposed hotel block (115 beds) will be set back from the retained tiled facade, creating 6 storeys finished in clay brick which will follow the line of the original street but on a recessed plane. The building services are located in a recessed roof top plant room and a licensed restaurant is proposed on the ground floor (265 m²).
- 1.3 To the west of this, a separate 6 storey hotel building (100 beds) is proposed to sit perpendicular to the street and provide elevations to the adjoining sites. The south elevation of the proposed hotel building, facing Willison Street, will be clad in copper coloured panels with the other elevations finished in a mix of brick, glass and aluminium metallic panelling. The building services are located to the rear of the building and are also recessed at roof level.
- 1.4 The proposed buildings are arranged in a splayed U-form around a central courtyard. The development will be served by a landscaped area to the west which provides access to a landscaped central courtyard, cycle parking and services.
- 1.5 An associated planning application for the proposed mixed use development is presented in a separate paper to the Planning Committee (17/00735/FULM).

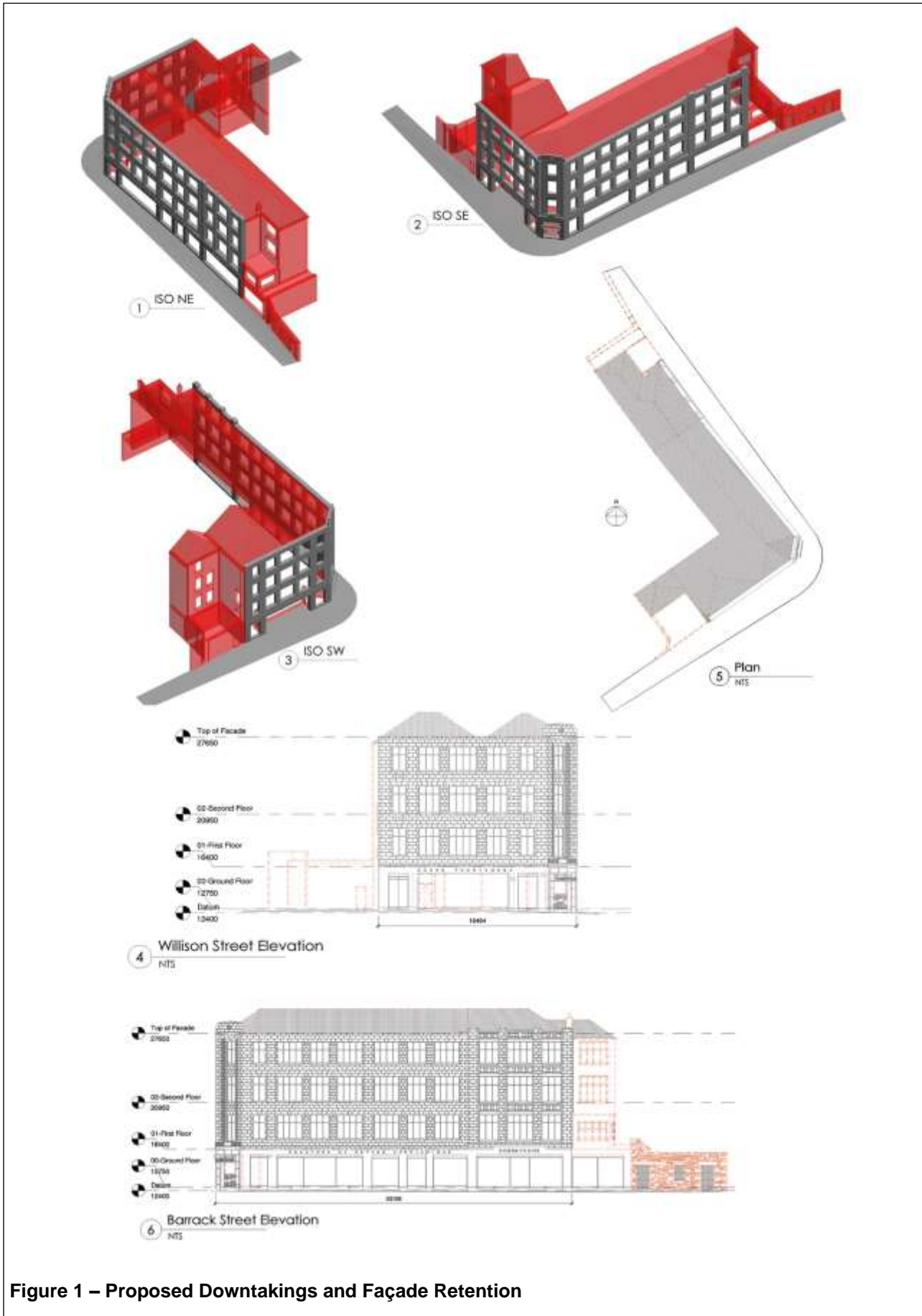


Figure 1 – Proposed Doughtakings and Façade Retention



Figure 2 – Proposed East Elevation

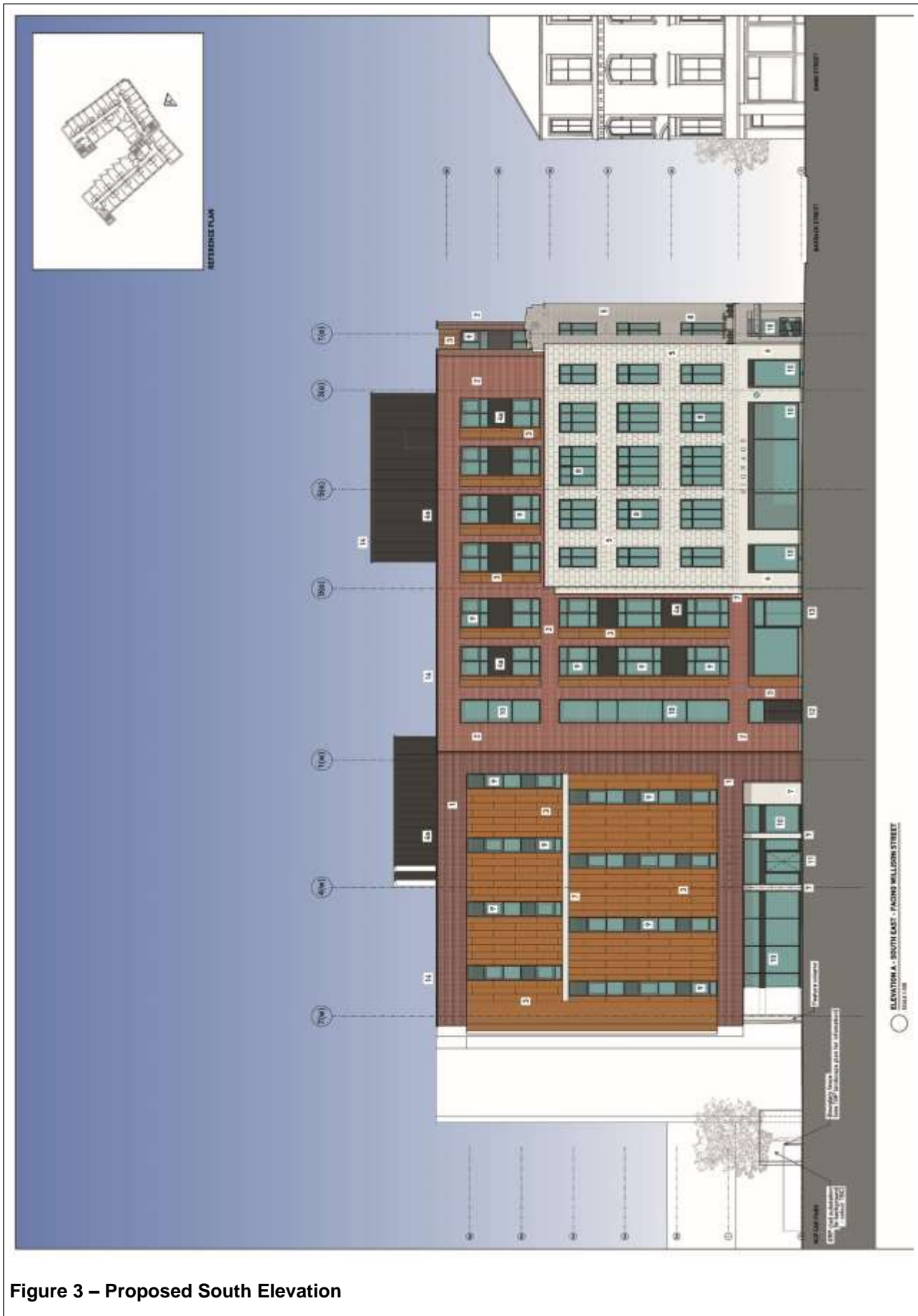


Figure 3 – Proposed South Elevation



Figure 4 – 3D Image Proposal Site Looking East on Willison Street

2 SITE DESCRIPTION

- 2.1 The proposal site is the B-Listed Willison House and associated hard standing located on a corner site on the west side of the junction of Barrack Street and Willison Street.
- 2.2 The 4 storey basically rectangular-plan, plain Art-Deco style furniture warehouse and shop has a feature faience-clad corner elevation and art deco style doorway to Barrack Street and Willison Street.
- 2.3 The listed building was the premises of the long established Robertson's house furnishers and has been vacant since the business ceased trading in 2011.
- 2.4 The proposal site is located in the Central Conservation Area within the City Centre.
- 2.5 To the east of the proposal site is the A-Listed The Howff and the 4 storey classically detailed B-Listed buildings on Bank Street. To the north of the site is the B-Listed Fairfield House, to the west is a NCP Ltd Car Park and to the south is the Telephone Exchange Building and adjacent to this pedestrian access to the Overgate Shopping Centre.



Figure 5 – Existing Paired Back Art Deco Facades



Figure 6 – Existing Entrance



Figure 7 – Existing South Elevation

3 POLICY BACKGROUND

3.1 The following plans and policies are considered to be of direct relevance:

DUNDEE LOCAL DEVELOPMENT PLAN 2014

Policy 48: Listed Buildings

Policy 49: Demolition of Listed Buildings and Buildings in Conservation Areas

Policy 50: Development in Conservation Areas

PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN 2

Policy 49: Listed Buildings

Policy 50: Demolition of Listed Buildings and Buildings in Conservation Areas

Policy 51: Development in Conservation Areas

SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS

Scottish Planning Policy (2014)

Historic Environment Scotland – Managing Change in the Historic Environment: Demolition (2010)

Historic Environment Scotland Policy Statement (2016)

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

- 4.1 15/00863/PAN – CLOSED - Demolition of derelict warehouse and erection of student accommodation, licensed restaurant and coffee shop units and ancillary works including infrastructure, landscaping etc.
- 4.2 17/00003/PAN – CLOSED - Formation of hotel, student accommodation, and licensed restaurant unit all with associated facilities and ancillary works to include infrastructure, landscaping etc.
- 4.3 17/00226/FULM – WITHDRAWN - Formation of hotel, student accommodation and licensed restaurant unit, with associated facilities and ancillary works
- 4.4 17/00227/LBC – WITHDRAWN - Demolition of vacant building/structures with substantial retention of existing facade and incorporation of this into new build proposals on site.
- 4.5 17/00735/FULM – Formation of hotels and licensed restaurant unit, all with associated facilities and ancillary works to include infrastructure, landscaping etc. following demolition (except for substantial facade retention) of existing structures on site - PENDING CONSIDERATION.

5 PUBLIC PARTICIPATION

- 5.1 In line with the Planning (Listed Building Consent and Conservation Area Consent Procedure) (Scotland) Regulations 2015 the listed building application was advertised in the Edinburgh Gazette and the Dundee Evening Telegraph.
- 5.2 One letter of objection was received which stated that “Dundee council appears to be allowing planning for a massive amount of hotels. I believe this is asking for yet more empty buildings once they are opened. Instead this prime example of art Deco architecture should be used to draw people to the area. The artist plans overshadow the actual facade of the building, turning it from something unique and special to the area, to yet another big box hotel.”

6 CONSULTATIONS

- 6.1 **Historic Environment Scotland** – Historic Environment Scotland have been involved in pre-application meetings and consultation prior to this listed building application being submitted. Their view is that the proposals do not raise historic environment issues of national significance and therefore they do not object. They do, however, comment on the design which it is suggested could be improved to reinforce the primacy of the retained façade by setting the new build element back further and using a different design and materials for the two new floors above.

7 DETERMINING ISSUES

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997

- 7.1 Section 14 of the above Act requires planning authorities, in considering applications that affect listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.2 Similarly, Section 64 of the above Act requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.
- 7.3 The application is for the substantial demolition of the vacant B-listed Willison House and structures in the Central Conservation Area. The building's existing paired-back Art Deco façades are to be retained, restored and refurbished and incorporated into new build proposals for 2no hotels and a restaurant.
- 7.4 Applications for demolition are required to be in accordance with Historic Environment Scotland's Policy Statement. This requires applications for demolition of a listed building to be assessed against the following tests
- importance of the building;
 - condition of the building;
 - economic viability of reusing the building; and
 - wider public benefits.
- 7.5 To obtain consent for demolition, applications will need to meet at least one of the above tests. Further, applications must be supported by acceptable proposals for the redevelopment or treatment of the cleared site.
- 7.6 A Conservation Statement has been submitted with the application to address the tests as follows:
- 7.7 Importance of The Building – the report records the history of the building and states that the current building was developed over a period of around seven years from 1928. Willison United Free Church, built in 1814 and significantly altered by 1868, sat in the centre of Barrack Street. In May 1928, Willison United Free Church was sold to John L Robertson, a Dundee based furniture retailer. The full conversion of the church structure occurred circa 1934. In 1936, an extension to the corner of Willison Street introduced cladding part of the building in faience tiles. The report notes that the actual structure, its design or material use is rudimentary and of no innovative or specific value beyond its own evolution. It concludes that the building is not of any significance in respect of age, architectural and historic interest and cultural significance. It highlights that the majority of the architectural interest of 56 Barrack Street is in the facades which are to be retained and notes the correspondence from Historic Environment Scotland which confirms this. The report refers to the Dundee Central Conservation Area Appraisal which states that the character of the area is composed of a mix of buildings, representing a range of styles and eras. As such, the report considers Willison House does not form a constituent part of the Conservation Area nor would the interest of a group of listed buildings be damaged by the demolition or substantial change of a constituent part.
- 7.8 Condition of the Building – reference is made to a Structural Engineer's report which states the existing building is not robust as a result of the hybrid nature of the structure and its complex development over a number of years with the conversion of another building. It is advised that in its present condition it could only maintain lightweight use and that this use would require robust management. The degradation of the existing building fabric is evident from water penetration; plant growth; corroding of the steel framed windows and the deterioration of masonry, flat roofs and the faience.

- 7.9 Economic Viability of Reusing The Building - the B-listed building was the premises of Robertson's house furnishers and has been vacant since the business ceased trading in 2011. As a purpose built shop solely used by Robertson's, the building has never seen any other use. A Marketing Report examines the economic viability of the re-use of the existing building as a furniture warehouse. This clearly states that this is not a viable option. A structural engineering report notes that while the structural repair of the building is ultimately possible, the reuse of the building for a contemporary use, or alternative use, other than which it was originally designed in terms of modern structural integrity and use (a furniture warehouse) is problematic. The Structural Engineer's report states that without substantial intervention to strengthen the timber joists, steel beams, floors and the foundation, the building could not easily accommodate a change in use. Supporting information confirms that even if the property was to be refurbished there is no demand for retail units of this size in this location.
- 7.10 Wider Public Benefit – the report notes that with an increased number of hotel guests, positive activity and associated spending will be brought to the area by way of support to local businesses.
- 7.11 Redevelopment of the Site - the report outlines the discussion which has taken place between the applicant, the Council and Historic Environment Scotland since November 2015. The applicant previously brought forward a proposal to demolish the B-listed building and complete a new build scheme on the site. However, negative feedback on the demolition proposal was received from Historic Environment Scotland and the Council. A proposal to substantially retain the B-listed façade and incorporate this into a new build scheme was the subject of further pre-application discussion with the Council and Historic Environment Scotland.
- 7.12 Correspondence from Historic Environment Scotland (dated 8 March 2017) has been submitted with the application. This states "The move away from total demolition to incorporation of the paired-back Art Deco façades into the mixed-use development is a positive move. However, the proposals will still represent a significant intervention into the listed building and we had hoped that more of the existing structure could be retained. However, the majority of the architectural interest of 56 Barrack Street is in the façades and we welcome the commitment to repairing the faience."
- 7.13 The supporting documents submitted with the application highlight that the listed facade is fundamental to the overall design of the development and the new buildings are designed to respect this and to be read as distinct elements within an overall composition. The red/brown fired clay bricks proposed for the hotel building to sit behind the façade provide a distinctive visual contrast to the retained tiled façade. This differentiation allows visual separation helping the retained facades to be read as an independent building. It is recommended that a condition is attached to any consent granted to request full details of the refurbishment works including materials and a method statement for the works to restore the facade of the B-listed building.
- 7.14 A separate 6 storey hotel building (100 beds) is proposed to the west of this to sit perpendicular to the street and provide elevations to the adjoining sites. The south elevation of the proposed hotel building facing Willison Street will be clad in copper coloured panels with other elevations finished in a mix of brick, glass and aluminium metallic panelling. Discussion with the applicant during the application process has resulted in the height of this new building being reduced from 8 storeys to 6 storeys. This responds better to the height of adjacent buildings and importantly respects the character of the surrounding historic built environment forming part of the Central Conservation Area.
- 7.15 In the interests of protecting the setting of the retained façade in the conservation area, it is recommended that a condition is attached to any consent granted to request that samples of

the finishing materials for the new build elements of the proposed development are submitted to the Council for written approval prior to the commencement of work on site.

- 7.16 Consultation – Historic Environment Scotland - Historic Environment Scotland was consulted on this application. Their view is that the proposals do not raise historic environment issues of national significance and therefore they do not object. They do however comment on the design which it is suggested could be improved to reinforce the primacy of the retained façade by setting the new build element back further and using a different design and materials for the two new floors above.
- 7.17 In response to this, the proposed hotel block (115 beds) will be set back from the retained tiled facade by 755mm-1050mm, creating a new facade of 6 storeys finished in clay brick which will follow the line of the original street but on a recessed plane. As outlined above, the proposed finishing materials of the new build elements of the development provide a distinctive visual contrast to the retained tiled façade. This differentiation allows visual separation helping the retained facades to be read as an independent building.
- 7.18 Historic Environment Scotland also highlight in their consultation response that as this application involves the demolition of a listed building, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow Historic Environment Scotland the opportunity to carry out recording of the building. It is recommended that this requirement is outlined in an advisory note attached to any consent granted.
- 7.19 It is considered that the application is supported by sufficient information to support the substantial demolition of the listed building with the retention of the Art Deco facade. The application includes proposals for the redevelopment of the cleared site and the refurbished listed facade remains a prominent feature in the high quality design of the mixed use development.
- 7.20 The proposed hotel and restaurant development will restore a key element of the architectural interest of the B-listed building. It will bring a vacant, prominent corner site back into use and enhance the Central Conservation Area.
- 7.21 The proposal satisfies the requirements of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It is concluded from the above assessment that by approving the application the Council would be discharging its statutory duties in an appropriate manner.

OTHER MATERIAL CONSIDERATIONS

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

A - DUNDEE LOCAL DEVELOPMENT PLAN 2014

- 7.22 The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.
- 7.23 The requirements of Policy 48 (Listed Buildings), Policy 49 (Demolition of Listed Buildings and Buildings in Conservation Areas) and Policy 50 (Development in Conservation Areas) of the Local Development Plan are satisfied by the discharge of the statutory duties outlined by Sections 14 and 64 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 7.24 The proposal complies with the provisions of the development plan.

B - PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN 2

- 7.25 The Proposed Dundee Local Development Plan 2 was approved by the Council on 21 August 2017. It sets out the spatial strategy that will guide future development up to 2029.
- 7.26 The Proposed Dundee Local Development Plan 2 will in time replace the Dundee Local Development Plan 2014. Approval of the Proposed Dundee Local Development Plan 2 represents the Planning Authority's settled view as to what the final adopted content of the Plan should be. Whilst the Dundee Local Development Plan 2014 (along with TAYplan) constitutes the statutory Development Plan, the Proposed Dundee Local Development Plan 2 has the status of a material planning consideration to be taken into account in the assessment of planning applications.
- 7.27 The provisions of the Proposed Dundee Local Development Plan 2 relevant to the determination of this application are specified in the Policy background section above.
- 7.28 The requirements of Policy 49 (Listed Buildings), Policy 50 (Demolition of Listed Buildings and Buildings in Conservation Areas) and Policy 51 (Development in Conservation Areas) of the Proposed Dundee Local Development Plan are satisfied by the discharge of the statutory duties outlined by Sections 14 and 64 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

C - NATIONAL POLICY AND GUIDANCE

- 7.29 Scottish Planning Policy (2014) and the Historic Environment Scotland Policy Statement (2016) should be taken into account when determining applications for listed building consent. Scottish Planning Policy (Historic Environment) advises that change to a listed building should be managed to protect its special interest while enabling it to remain in active use; development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and its setting. The Historic Environment Scotland Policy Statement seeks to identify the key characteristics of the historic environment and establish the boundaries within which change can continue so that it enhances rather than diminishes historic character; the historic environment should be valued as an asset, rather than thought of as a barrier to development.
- 7.30 It is therefore concluded that the proposed works comply with national planning guidance with regard to development affecting a listed building.

D - VIEWS OF OBJECTOR

- 7.31 One objection was received and this stated "Dundee Council appears to be allowing planning for a massive amount of hotels. I believe this is asking for yet more empty buildings once they are opened. Instead this prime example of art Deco architecture should be used to draw people to the area. The artist plans overshadow the actual facade of the building, turning it from something unique and special to the area, to yet another big box hotel."
- 7.32 Response: as outlined above, the proposed hotel and restaurant development will restore a key element of the architectural interest of the B-listed building. The proposed redevelopment of the site will bring a vacant, prominent corner site back into use and enhance the Central Conservation Area. The supporting documents submitted with the application highlight that the listed facade is fundamental to the overall design of the mixed use development and the new buildings are designed to respect this and to be read as distinct elements within an overall composition. The provision of a range of high quality visitor accommodation within the city centre is supported by Policy 6 (Visitor Accommodation) of the Local Development Plan.

- 7.33 The concerns of the objector are not of sufficient weight to justify refusal of the application.
- 7.34 **It is concluded from the foregoing that there are no material considerations that would justify refusal of listed building consent.**

8 CONCLUSION

- 8.1 The proposal satisfies the requirements of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It is concluded from the above assessment that by approving the application the Council would be discharging its statutory duties in an appropriate manner.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 **Condition** - prior to the commencement of work on site, details and samples of the proposed finishing materials of the development hereby approved shall be submitted to the Council for written approval. Thereafter, the proposed development shall be finished in strict accordance with the details approved by this condition.

Reason - in the interests of protecting visual amenity in the conservation area.
 - 2 **Condition** - prior to the commencement of work on site, details of the method and sample materials to be used for the repairs and refurbishment of the tiled façade shall be submitted to the Council for written approval. Thereafter, the proposed works to the facade shall be completed in strict accordance with the details approved by this condition.

Reason - in the interests of restoring the facade of the listed building and protecting visual amenity in the conservation area.
 - 3 **Condition** - no works of demolition shall begin until a binding contract has been entered into for the carrying out of works for redevelopment of the site in accordance with all the necessary permissions and consents.

Reason - to ensure that the site is redeveloped immediately following demolition and to ensure that premature demolition does not take place and that an unsightly gap or derelict site does not detract from the character and appearance of the area.