

## **5 APPEAL DECISION - 36 BINGHAM TERRACE, DUNDEE (AN267-2003)**

Reference is made to the decision of the Council on 28th November 2002, under powers delegated to the Director of Planning and Transportation, to refuse Listed Building Consent for the above proposal. The proposal was considered to be contrary to Policy BE17 of the Dundee Local Plan 1998 as the design, number and location of the proposed rooflights would neither restore nor enhance the historic character of the property.

The decision was appealed by the applicant under the provision of Section 18 and Schedule 3 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997.

The appeal was determined by written representations and the decision was received by the Council on 1st May 2003. A copy of the decision letter can be found in the Member's Lounges.

The Reporter considered the determining issues to be whether the proposal would have an adverse effect on the listed building, its features or its setting and if so whether the reasons put forward in support of the appeal justified approval of the development.

In summary, the Reporter concluded that although he had less concerns about the proposals for the real elevation, the proposals for the Bingham Terrace elevation would detract from its appearance and could lead to pressure for further similar developments on adjacent properties and erode of the appearance of the dwellings as a group.

Accordingly, the appeal was **DISMISSED**.