

KEY INFORMATION

Ward Tay Bridges

Proposal

Part redevelopment
refurbishment of existing
Arnotts store to include
façade retention to form
retail floorspace

Address

Arnotts
80 High Street
Dundee DD1 1SD

Applicant

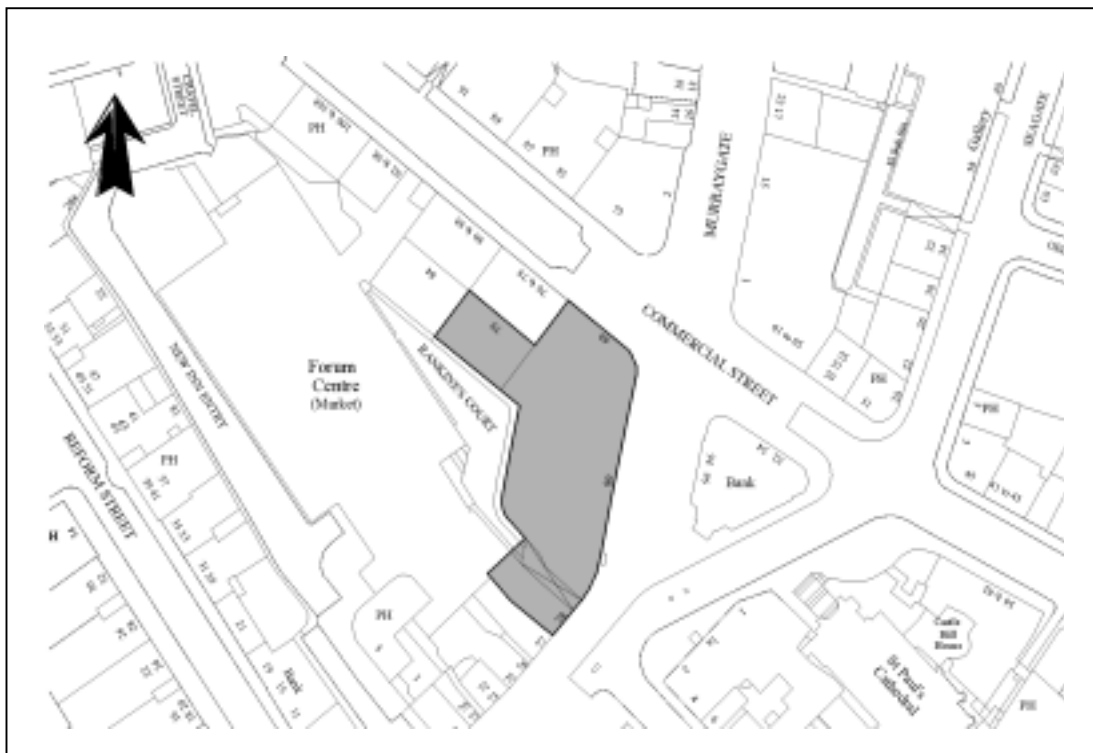
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Registered 5 Sept 2002

Case Officer C Walker



Proposed redevelopment of former Arnotts Store

The part redevelopment/part refurbishment of the existing Arnotts store to include façade retention to form retail floorspace is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

This development represents a major investment in city centre retailing and secures the use of this dominant building at a key location. The extent of demolition is justified. The development is in compliance with Structure and Local Plan policy and the statutory duties to have regard to the listed building and conservation area.

SUMMARY OF REPORT

- Planning permission is sought to demolish most of the existing Arnotts building, retaining the front façade and the section above the pend leading to Rankine's Close. It is proposed to erect a new building behind the retained façade providing 5 storeys of retail accommodation. The plans indicate the subdivision of the building into 3 units, with a total of some 7,366 sq metres of floorspace (a small decrease when compared with the current retail floorspace).
- Development Plan policies encourage retailing at this location and Policy BE16 of the Local Plan set out criteria for the demolition or part demolition of buildings.
- The RFACS supports the principle of redevelopment behind a retained façade and the Scottish Civic Trust has opposed demolition of the building. Historic Scotland was consulted informally and states concerns about weaknesses and omissions in the Conservation Plan that was submitted. It is also concerned about the proposals for façade retention and whether the scheme will ultimately be delivered. It also seeks to ensure that damage to the façade over the years is repaired. No public comment was received.
- The Director of Environmental and Consumer Protection seeks to ensure that the development does not adversely affect residential amenity by reason of noise disturbance.

DESCRIPTION OF PROPOSAL

Planning permission is sought to demolish most of the Arnotts building, retaining the section above the pend leading to Rankine's Close, the original façade of the buildings on High Street and Commercial Street and most of the single storey storage building on Rankine's Court. The top floor with dormers, which were not an original part of the building are to be demolished.

It is proposed to erect a new building behind the retained façade providing 5 storeys of retail accommodation (including the basement level). The plans indicate the subdivision of the building into 3 units, a small 235 sq. metres ground floor corner unit, a larger 1,888 sq. metres unit comprising 540 sq. metres of ground floor and all of the basement and finally a unit of some 5,244 sq. metres comprising 700 sq. metres of ground floor space and all the upper floors of the redeveloped building. No occupiers have been identified for the proposed units although clearly the unit of 5,244 sq. metres, which includes all of the upper floors of the building, is of a format that is best suited to a department store. The total of some 7,366 sq. metres (which excludes service stairs and lifts) represents a small decrease when compared with the former retail floorspace.

It is proposed to construct a new elevation to Rankine's Court. The proposed walls use reconstituted stone at ground floor level, render on the upper floors and an aluminium cladding system at roof level to conceal plant and machinery. To provide variety and interest it is proposed to provide large areas of glazing at the stair areas.

Although the vast majority of the new development falls within the envelope of the existing building there will be a small amount of new development on Rankine's Court to provide a fire exit stair. This structure will be some 8.5 metres from the rear windows of 2 flats on Commercial Street which will be enveloped by the new building.

The applicants submitted a supporting statement with their application and a conservation plan and building condition survey with the

accompanying application for listed building consent for this development. In the Supporting Statement they state that their proposals comply with Structure and Local Plan policies on retailing. They note that whilst the Structure Plan suggests caution about new retail floorspace in the city centre, their proposal is for replacement floorspace. They also state that their proposal complies with the Built Environment policies in the Plan.

The building condition survey points out the defects in the existing building. Many of these defects, including timber and stonework decay, are not untypical of a building of this age.

The Conservation Plan is considered in more detail in the Report on the separate application for listed building consent for this development. It identifies the street front façade of the building as the crucial item in defining



the cultural value of the site. It also identifies the former tearoom as a culturally valuable attribute. It accepts the demolition of most of the building and proposes as mitigation measures the retention of the façade and the preservation of the dome.

Finally a letter has been submitted indicating the marketing of the premises and the difficulties in securing a retailer who could occupy the existing structure.

SITE DESCRIPTION

The site comprises the former Arnotts store, a Category A listed building on High Street and Commercial Street. It was built in the 1870's as a result of the 1871 City Improvement Act when Commercial Street was built on an impressive scale with uniform facades.

It has been modified on many occasions since then. It is a very imposing sandstone building occupying one of the most prominent sites in the city centre. The stone work is attractively detailed although it has suffered from corrosion. At the junction of High Street and Commercial Street the building has a domed roof with cast iron crown and flagpole. The polished granite shopfronts date from the 1930's. Internally the building has been substantially modified over time. The principal features of interest are the Edwardian Tea Room at fourth floor level and staff canteen at fifth floor level both above the retained section of building at 78 High Street. The rear elevation at Rankine's Court is more functional in character but it does contain all the stair case windows and includes a section of a row of single storey with attic stone buildings.

The building was occupied by D M Browns Department Store in 1888 which subsequently expanded to occupy the whole block by 1914. The building has been in retail use ever since and Arnotts ceased trading from the site on 4/1/03.

The redevelopment site does not include the ground floor at 78 High Street, a vacant shop unit in separate ownership, and 2 flats at forth and attic levels on Commercial Street above what was the electrical division of the store.

To the north west, Commercial Street continues as no 68-110 built in a similar style and also Category A listed. The ground floors are occupied by commercial premises and upper floors are in residential use. At Rankine's Court the storage buildings continue to the north west and on the opposite side of the road is the Forum Centre. To the south west High Street continues on to Gardyne's Land, and these medieval buildings are also Category A listed.

POLICY BACKGROUND

The Dundee and Angus Structure Plan 2002 in Town Centres and Retailing Policy 3 supports further retail development in the city centre, including the extension of the prime shopping area, where this can be suitably integrated with the existing

shopping area. However the preamble to this Policy notes that due to the limited spare expenditure capacity (due to significant recent retail commitments) there was a need for caution when considering proposals for non food retail development.

The site is within the city centre retail core area and Policy S3 of the adopted Dundee Local Plan 1998 contains a presumption against non retail uses. Policy S1 promotes the comprehensive redevelopment of the Forum Centre and the frontage buildings on High Street and Commercial Street (including the current application site) to increase the city's prime retail floorspace. The Council produced a Design Brief for the site in 1995. Policy S2 of the Plan prevents any development or redevelopment that would materially prejudice the achievement of Policy S1.

The buildings on the site are Category A listed buildings in the City Centre Conservation Area. Policy BE11 requires development proposals to complement and enhance the character of the surrounding area. Policy BE16 sets out criteria for the demolition or partial demolition of listed buildings and Policy BE17 requires alterations to a listed building to have regard to the restoration or enhancement of its architectural and historic character. Policy BE26 seeks to protect sites of archaeological interest.

LOCAL AGENDA 21

It is considered that the proposed development is in conformity with the Councils Agenda 21 Policies because it retains those parts of the building of significant architectural character.

SITE HISTORY

There is no relevant history of planning applications relating to this site.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and no public comment was received.

CONSULTATIONS

The Royal Fine Art Commission for Scotland considers that the principle of redevelopment behind a retained

façade represents the continuation of a tradition. It questions whether putting the entire building including all the upper floors into retail use is realistic. It considers that the design of the rear elevation is unsatisfactory and suggests that the long term future of this backland area should be considered as part of the development. Finally it considers that damage to the principal facades of the building should be repaired.

The Scottish Civic Trust has opposed demolition of the building and considers that the interior is worthy of preservation. It suggests that the extent of demolition is not justified and contravenes Policy BE16 of the Local Plan and the advice in the Memorandum of Guidance on Listed Buildings and Conservation Areas published by Historic Scotland. It criticises the proposed alterations to the façade and the demolition of buildings on Rankine's Court which it states predates the 1870's buildings on the site. Finally it is concerned that the redevelopment of the site will damage important archaeological features contrary to Policy BE26 of the Plan.

Historic Scotland was consulted informally on the proposed development. It states concerns about weaknesses and omissions in the Conservation Plan that was submitted. It is also concerned about the proposals for façade retention and whether the scheme will ultimately be delivered. It also seeks to ensure that damage to the façade over the years is repaired.

The Director of Environmental and Consumer Protection seeks to ensure that the development does not adversely affect residential amenity by reason of noise disturbance. He therefore proposes planning conditions restricting noise from plant and controlling night time deliveries.

OBSERVATIONS

The determining issues for the Committee in this instance are:

- 1 Does the proposed development accord with the retailing policies of the Development Plan?
- 2 Does the demolition of a significant portion of this Category A listed building accord with the Built Environment Policies of the Local Plan and the statutory requirements to have

regard to the listed building and the conservation area?

It is considered that the proposed redevelopment of the Arnotts store fully accords with the retailing policies of the Structure Plan and the Local Plan. It represents a significant investment in the city centre which the policies of both Plans encourage. Although the Structure Plan suggests caution about additional non food retail development, in this case the proposed development involves the replacement of existing floorspace. It may also involve a food retailer.

Policy S1 of the Local Plan promotes the comprehensive redevelopment of the Forum Centre and the frontage buildings on High Street and Commercial Street and Policy S2 of the Plan prevents any development or redevelopment that would materially prejudice the achievement of Policy S1. In this case the redevelopment of the Arnotts store can be seen as furthering the aim of enhancing the prime retail floorspace in the city centre. In addition there is nothing in the layout of the redevelopment that would inhibit future linkages to a redevelopment of the Forum Centre.

The demolition of a significant portion of this Category A listed building requires to be assessed in the context of Policies BE16 and BE17 of the Local Plan as well as the statutory duty set out in Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

Policies BE16 and BE17 of the Local Plan reflect the terms of the Memorandum of Guidance. From the information provided by the applicants it is clear that there are great difficulties in securing a retail operator for the existing building due to its physical limitations. These include the large number of structural support columns, heavy masonry walls, floor layout and level configurations, floor to ceiling heights, floor loading capacity and hence the lack of flexibility to satisfy modern retailing demands. The building was marketed since March 2000 and the applicants state that there was no success in attracting a retail occupier.

Both Policy BE16 and the Memorandum of Guidance accept that if the retention of a building is structurally and financially impracticable and that efforts were made to dispose it to someone prepared to retain it without success then this can provide a justification for demolition (albeit in this case it is proposed to retain a portion of the building and all of its principal façade). In this case it is considered that the applicants have established a case for the part demolition of the building. The retention and restoration of all of the façade coupled with the retention of the most significant part of the interior means that the impact of the proposed development on the Conservation Area in terms of Policy BE11 would be positive rather than negative. In addition, whilst most of the interior of the building will be lost, it has been much altered over time and is unlikely to be reoccupied in its current format.

It is therefore considered that the proposed development satisfies Policies BE11, BE16 and BE17 of the Local Plan as well as the statutory duty under Sections 59 and 64 of the Listed Buildings and Conservation Areas Act 1997 to have regard to the desirability of preserving the building and its features of interest and preserving or enhancing the character or appearance of the conservation area.

The RFACS did not oppose the extent of demolition involved and although an objection was received from the Scottish Civic Trust it is considered that the extent of demolition is justified. Historic Scotland will have an opportunity to consider the accompanying listed building application for this development but their views on restoring the façade have been taken into account by the applicant.

With regard to other issues raised, planning conditions are proposed to protect the archaeology of the site, to ensure that the building is not demolished before a contract is let for the redevelopment of the site and to address the concerns of the Director of Environmental and Consumer Protection about noise from the development.

Design

The principal elevations of the building to High Street and Commercial Street will not be significantly altered. The more recent dormers will be removed and damage to the stonework will be repaired. The net result will be a significant enhancement of the streetscape and the wider conservation area. Entirely new elevations will be provided to Rankine's Court to the rear of the building. Initially the proposals for this area treated it as a rear elevation and were quite bland. Following discussions, which emphasised the importance of Rankine's Court and the possibility of opening up this area, the plans were amended. The revised plans include a reconstituted stone base, large areas of glazed curtain walling at the stair areas and coloured render finishes over the rest of the walls. In addition a tower feature is proposed. In their comments on the proposals, the RFACS considered that the large scale elements of glass curtain walling would be monotonous and overpowering and that the tower feature would be incongruous. These are the very elements introduced into the scheme with the encouragement of the Council.

It is considered that the resulting rear elevation is of attractive design. The glazing and tower feature will add interest on an elevation where there is very little scope for innovation given that all the services and escape stairs are to the rear of the building.

CONCLUSION

This development represents a major investment in city centre retailing. It secures the use of this dominant building at a key location in the retail core area of the city centre. The extent of demolition is justified by the difficulties in reusing the existing building and the mitigation measures in terms of retaining the facades of the building and the most significant part of the interior. The development is in compliance with Structure and Local Plan policy and the statutory duties to have regard to the listed building and conservation area.

RECOMMENDATIONS

Recommendation 1

That this permission shall not be issued unless and until Historic Scotland decide not to formally call in the accompanying application for listed building consent for this development (ref. no 02/00653/LBC)

Recommendation 2

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

- 1 the development hereby permitted shall be commenced within five years from the date of this permission
- 2 no part of the building shall be demolished until both a Joint Contracts Tribunal building contract or a building contract of a similar recognised form acceptable to the Council for carrying out of the works of redevelopment of the site in accordance with the plans hereby approved has been made and evidence thereof supplied to the Council
- 3 A method statement providing full details of the retention, restoration and repair of the front façade including
 - a the restoration to its original full height the roof, brattishing, ballustrading and urns at the section of the building above the pend and shop unit at 78 High Street and
 - b the preservation and re erection of the domed roof
 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
- 4 a photographic survey and full inventory of the interior of the building shall be undertaken prior to the commencement of any demolition. Details of the use of the former tea room and staff canteen and the salvage and reuse of items of interest from the interior of the building shall be

- submitted to the Council for approval before any demolition takes place or any development is commenced and if approved the development shall be carried out only in full accordance with such approved details
- 5 details of the new entrance doorway to Unit 2 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
 - 6 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
 - 7 no development or demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Council
 - 8 the proposed stair tower to the south west of the flats at 74 Commercial Street shall not be erected unless and until the 2 southmost flats in that block outwith the applicants ownership have been acquired by the applicants and incorporated within the retail redevelopment. If the flats are not acquired by the applicants then the stair tower shall be relocated further to the south to avoid it being directly opposite the windows on those flats and details of the relocated stair tower 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
 - 9 details of noise emitted from all mechanical and electrical 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

- 10 the applicants shall either
 - a ensure that there are no deliveries to the premises or associated activities between 23.00 and 7.00 hours or
 - b submit details in the form of a Noise Impact Assessment relating to night time deliveries and associated activities indicating noise mitigation measures and final predicted noise levels as measured 1 metre from the façade of the nearest affected residential accommodation.

If the applicants choose option (b) then these details shall be submitted to the Council for approval before any development is commenced and if approved the servicing of the premises shall be carried out only in full accordance with such approved details

- 11 any deliveries shall take place by means of the vehicles parking either on Commercial Street or within Rankine's Court and not on High Street.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 to ensure that redevelopment of this site takes place immediately following demolition of the existing building, thereby ensuring that the retained façade is not left for an extended period of time to the detriment of the character and appearance of the conservation area
- 3 in order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 4 in order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 5 in order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 6 in order to safeguard the appearance of the statutorily

listed building and to improve its architectural appearance.

- 7 the site is in an area of archaeological interest and it is considered important to ensure that items of archaeological interest are protected and recorded and salvaged if appropriate
- 8 it is considered that the erection of the stair tower within 9 metres and directly to the south west of windows on these flats would have an unacceptable adverse impact on the residential amenities of the occupiers of these flats
- 9 to protect the residential amenities of the occupiers of nearby dwellings
- 10 to protect the residential amenities of the occupiers of nearby dwellings
- 11 in order to prevent delivery vehicles parking in front of the premises at daytime in the interests of preserving and protecting the visual amenity of the conservation area