

KEY INFORMATION

Ward Tay Bridges

Proposal

Partial demolition of facade and redevelopment within frontage of proposed residential flats

Address

51 Magdalen Yard Road
Dundee
DD1 4LQ

Applicant

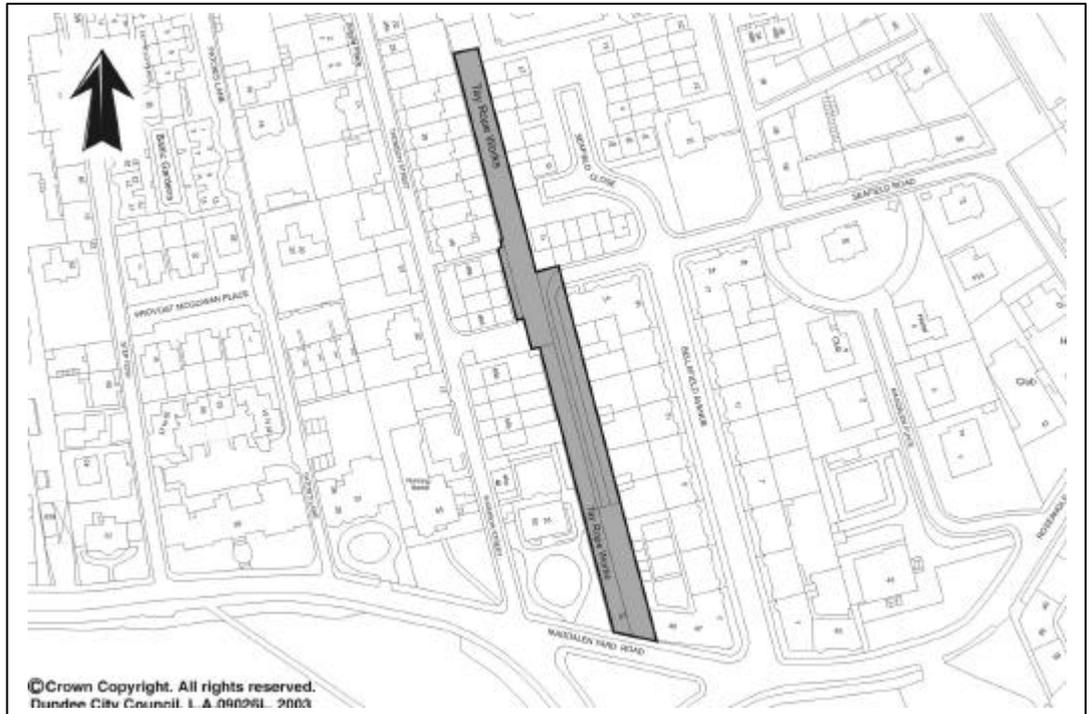
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Registered 11 Jan 2006

Case Officer E Jones



Proposed Demolition of Former Tay Rope Works at Magdalen Yard Road

The partial demolition of a facade is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**.
Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposal is in accordance with government guidance on alterations to Listed Buildings and also complies with the relevant Local Plan policy. The objections are not supported and Historic Scotland has given informal support.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Listed building consent is sought for the partial demolition of the facade of the former Tay Rope Works and its incorporation into the new building which is proposed to be erected on the site. This application is not referred to Historic Scotland for a final decision but falls to be determined by the Development Quality Committee because the building is Listed Category C and referral is not required.
- The site was originally occupied by the Tay Rope Works which dated from mid 19th Century. The listed structure at the southern elevation on to Magdalen Green is the ground floor gateway of the original building with a later stone facade at upper level.
- Policy 60 Alterations to Listed Buildings is the relevant Local Plan policy.
- Five objections to the alterations to the Listed Building were received and five letters of support praised the retention of the facade.
- A pre-application comment was received from Historic Scotland which advised that the Inspectorate considered that "the proposals are acceptable in terms of the treatment of the listed structure".
- The proposal is considered to preserve and enhance the listed building and its setting in accordance with Policy and as confirmed by Historic Scotland.

DESCRIPTION OF PROPOSAL

Listed building consent is sought for the partial demolition of the facade of the former Tay Rope Works and its incorporation into the new building which is proposed to be erected on the site. As the site is a Category C(s) listed building which is protected for its contribution to the streetscape, this application is not referred to Historic Scotland for a final decision but falls to be determined by the Development Quality Committee.

should be assessed in terms of their impact on the area.

The Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 is of relevance to this application.

06/00703/FUL - Planning application for the erection of two blocks of flats and 4 single storey houses. This current application combines the two parts of the former Rope Works for residential development and is considered elsewhere on this agenda.

SITE DESCRIPTION

The site was originally occupied by the Tay Rope Works which dated from mid 19th Century. The site, as required by the manufacture of rope, is extremely long and narrow. The listed structure at the southern elevation on to Magdalen Green is the ground floor gateway of the original building with a later stone facade at upper level. The entablature at the facade is dated 1885. The original building was partly destroyed by fire in 1986. The adjoining facade is not listed.



PUBLIC PARTICIPATION

This application was advertised in accordance with statutory procedures. The partner planning application was also the subject of statutory Neighbour Notification, was advertised as an application potentially contrary to the Development Plan and also affecting the setting of a Conservation Area and a Listed Building. The planning application received 46 objections and 24 letters of support. 5 objection letters referred to the impact of the development on the listed building and 5 of the letters of support specifically mentioned the retention of the listed facade.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Non Statutory Statements of Council Policy

There are no non statutory policies of relevance.

CONSULTATIONS

A pre-application comment was received from Historic Scotland which advised that the Inspectorate considered that "the proposals are acceptable in terms of the treatment of the listed structure". It goes on to state that "the new block on Magdalen Yard Road, which incorporates the listed elevation, does so with sensitivity and retains the original function of the elevation as primarily an entrance way

Dundee Local Plan 2005

The following policies are of relevance:

Policy 60 Alterations to Listed Buildings

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

NPPG18: Planning and the Historic Environment

The NPPG indicates that planning authorities should have regard to the acceptability of the proposal in terms of preserving and enhancing the character or appearance of the area and

SUSTAINABILITY ISSUES

It is considered that this application raises no issues in relation to the Council's sustainability policies.



OBSERVATIONS

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 settings or any feature of historic interest which they possess.

The ground floor gateway is all that remains of the original building, the stone urns and pediment which are shown in early photographs were removed and replaced by the current stone facade on the upper floor around 1910. The proposed development retains the original frontage, retains and repairs the original brick walls, retains the elongated form of the former Rope Works and creates a new lane similar to the many lanes which are a

SITE HISTORY

There is planning history in respect of planning applications for changes of use or new development on the site to the north of the facade. There were no relevant listed building applications.

characteristic of the Perth Road Lanes Conservation Area.

The development removes an area of dereliction which has been partly vacant for many years and of little benefit to the character of the Conservation Area. The new development is modern but it is of good design and proportions, it is not a pastiche or fake Victorian tenement. The materials seek to relate to the existing tenements by the use of red sandstone but the construction is of its time and using modern materials and construction methods.

The proposal is considered to preserve and enhance the listed building and its setting as confirmed by Historic Scotland.

Other Material Considerations

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

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above

Policy 60: Alterations to Listed Buildings

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.

Historic Scotland has commented on a pre-application consultation as follows; "Although the second storey of the elevation is to be removed, this is a later addition and of lesser interest; its removal, and that of the structure to the rear, is mitigated by retention and repair of the brick boundary walls, which are important in maintaining the linear character of the former rope walk."

It is considered that the proposals comply with Policy 60.

NPPG18: Planning and the Historic Environment

The NPPG indicates that planning authorities should have regard to the acceptability of the proposal in terms of preserving and enhancing the character or appearance of the area and

should be assessed in terms of their impact on the area.

The Memorandum of Guidance on Listed Buildings and Conservation Areas.

The Memorandum contains guidance on applications for developments which affect Listed Buildings.

As noted, Historic Scotland considers that the proposal complies with the national guidance on development and the historic environment. It is considered that the proposed development accords with the guidance in the Memorandum for alterations to a listed building on a site within a Conservation Area.

Representations

This is a proposal which has generated a high level of response from the public, both immediate neighbours and other interested parties. The majority of the representations comment on the wider planning issues and are dealt with in the partner planning application. One specific letter strongly objects to the removal of the upper floor stone addition with its attractive windows. 4 of the objection letters referred to the impact of the development on the listed building and 5 of the letters of support specifically mentioned the retention of the listed facade.

Modern developments in traditional environments always result in strong views. It is considered that on balance and for the reasons specified above that the high quality design of the layout and the buildings complies with the Council's declared objectives to preserve and enhance the architectural and historic character of listed buildings and maintain the architectural integrity of the building and its historic interest. It is considered that the objections are of insufficient strength to justify the refusal of this application.

CONCLUSION

The application seeks listed building consent to remove the later addition to the original Tay Rope Works entrance and incorporate the facade into a new development with the entrance to the site being formed through the original gateway. This will retain the historic and architectural reference to the Rope Works and the formation of the lane,

with the restoration of the boundary walls, will further preserve the footprint of this historic site. Historic Scotland has given informal comments and supports the proposal. The objections are not supported. Accordingly, the application is Recommended for APPROVAL subject to conditions.

RECOMMENDATION

It is recommended that planning permission 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 Prior to the commencement of any development on site, a detailed schedule of works shall be submitted to the City Council for approval and if approved, the works shall be carried out only in accordance with such details. The schedule shall detail the measures to be taken to protect the fabric of the listed building which is to be retained during demolition works and construction works.
- 3 Any remedial works to the fabric of the listed building shall be carried out using retained demolition material or new materials to replicate the original. Samples of materials to be used and a method statement for the works shall be provided for the approval of the City Council prior to the commencement of any remedial works and if approved, the works shall be carried out in accordance with such approved details.

Reasons

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
- 2 to ensure that the part of the Listed Building to be retained is preserved and protected during the period of the new works
- 3 to ensure that the part of the Listed Building to be retained is preserved and protected during the period of the new works