

KEY INFORMATION

Ward West End

Proposal

Alterations to former hotel to form Aparthotel and residential units

Address

Tay Hotel
Whitehall Crescent
Dundee

Applicant

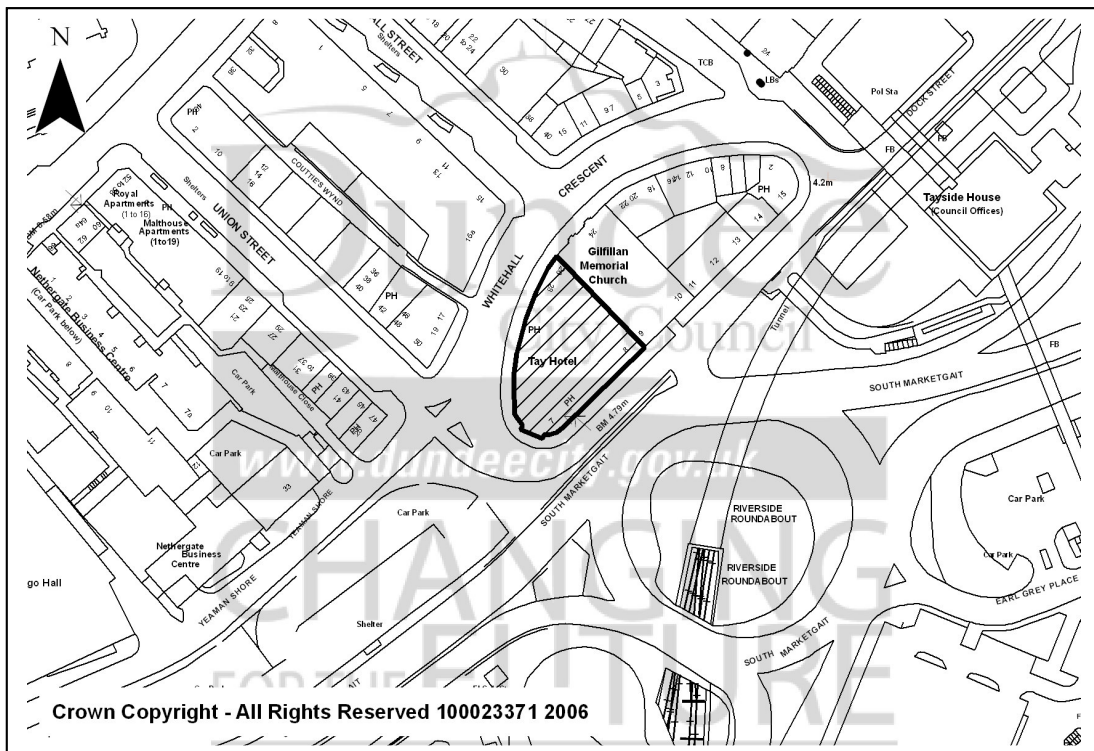
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Registered 1 Feb 2007

Case Officer D Gordon



Alterations Proposed to Former Tay Hotel Building

Alterations to a former hotel are **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with Policy 60 of the Dundee Local Plan Review 2005. The statutory duty set out in Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is also discharged. The proposals for this important city centre building are welcomed and the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Listed building permission is sought for alterations and extension to a Category B listed building (former Tay Hotel) to provide a mixed use development including new flats, apartment hotel accommodation and a bar / restaurant.
- Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Policy 60 (Alterations to Listed Buildings) of the Dundee Local Plan Review 2005 require the Council to have regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess
- A letter of objection to the proposal has been received from the Dundee City Centre and Harbour Community Council. A letter of support has been submitted by Dundee Civic Trust.
- It is considered that the development of this visually important property will preserve and enhance the appearance and character of the listed building and consequently the aspirations of Policy 60 of the Local Plan are met and the requirements of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are discharged. The application will require to be sent to Historic Scotland should the Members be minded to support the proposals.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves alterations to the former Tay Hotel building to create a mixed use development consisting of residential flats, an apartment hotel and a bar/restaurant.

The bar/restaurant will occupy the ground floor and a mezzanine level on the Dock Street elevation. Above this, on the corner of Whitehall Crescent and Dock Street, it is proposed to locate a series of flats grouped around the existing central stair of the building and accessed via the existing main entrance on the corner.

The two 'wings' of the building on Whitehall Street and Dock Street will become apartment hotel rooms (44 in total) which will be served by a new circulation system overlooking the existing triangular lightwell. These rooms will be located on the 1st - 4th floors of the building. Above this a series of 2 storey flats will be created on the fifth and sixth floors, making use of the existing mansard roof space on the main elevations and extending the roof space to the rear overlooking the lightwell. A new seventh floor is proposed to provide two penthouse apartments. This new 'lightweight' structure will be approximately 2.8 metres in height and will accommodate full height frameless glazing panels with slim framed aluminium sliding doors. The extension will also accommodate aluminium solar shading. A new planted atrium space will be created at the centre of the building, lit by a large glazed opening on the east facade. A total of 22 flats are to be provided.

The existing small windows on the lower and upper ground floors of the Dock Street elevation will be enlarged to form shopfront type windows to allow light to enter the proposed bar restaurant. These openings will be related in their treatment to the existing shop-fronts to be found along the Whitehall Crescent elevation.

SITE DESCRIPTION

The building is bounded to the north and west by Whitehall Crescent. To the south and east the property is bounded by Dock Street. The surrounding area is predominantly

made up of ground floor commercial with residential uses on upper floors. The Tay Hotel forms an important element within a large formal 'city block'.

The building is category B listed, and lies within the Dundee Central Conservation Area. It was constructed in 1889, originally as a hotel - formerly Mathers Hotel and latterly the Tay Hotel. The building is five storeys with double attic and has a convex plan to Whitehall Crescent and basement to Dock Street. The building incorporates a former nightclub and bar to Dock Street. The Whitehall Street elevation has a number of retail/commercial units at ground floor level (nos 26-42) which are in separate ownership from the Hotel, and are therefore outwith the scope of this planning application. The building has significant value, both architecturally as a separate entity, and in terms of its townscape value within the context of the Central Conservation Area.



The Whitehall Crescent and Dock Street elevations are finished with ashlar sandstone with a grey slated mansard roof. The rear elevations, facing onto a central courtyard, are built in cream coloured brickwork. The prominent entrance incorporates decorative carved stonework in limestone (a rare example of this Dundee). At roof level, the building contains a number of chimney's which are an important element of the character of the building.

The south west roof corner elevation is finished with a rectangular-domed roof and finialled pagoda-like cap. The roof also accommodates a cupola which provides light to the internal staircase.

Internally, the most significant feature is the grand elliptical staircase,

although the cast iron balusters of the staircase are presently encased by reinforced plaster.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The following policies are of relevance:

Environmental Resources Policy 5A: Historic Environment - this policy supports the protection, enhancement and conservation of the city's historic environment.

Dundee Local Plan Review 2005

The following policies are of relevance:

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.

The City Council will provide specific supplementary guidance on the following: window and door alterations, advertisements, shopfronts, roller shutters, treatments to masonry and painting and use of materials.

Scottish Planning Policies, Planning Advice Notes and

Circulars

The following are of relevance:

National Planning Policy Guideline 18 - Planning and the Historic Environment

Memorandum of Guidance on Listed Buildings and Conservation Areas - Historic Scotland 1998.

Non Statutory Statements of Council Policy

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

SUSTAINABILITY ISSUES

The proposal involves alterations to a prominent city centre building to provide a new mixed use development that will result in the significant improvement and enhancement of this visually important listed building. The application raises no concerns in relation to the Council's sustainability policies.

SITE HISTORY

07/00072/FUL - Proposed Mixed Use Development - A report on this application can be found elsewhere in this agenda.

PUBLIC PARTICIPATION

The proposal was advertised in the local press as Development Affecting a Listed Building.

An objection to the proposals has been submitted by the Dundee City Centre and Harbour Community Council. The main relevant issue raised that relates to this listed building application is as follows:

- 1 That the proposed provision of two new penthouses on the roof of the property will detract from the appearance and integrity of the building by virtue of their design and proposed materials.

It is intended to comment on this issue in the 'Observations' Section of this report below.

A letter of support of the application has been received from Dundee Civic Trust. The Trust welcomes the conversion of this important listed building and commends the efforts that have been made, to date, by the relevant parties to achieve this.

CONSULTATIONS

Historic Scotland was consulted on the emerging proposals for this listed building at the pre-application stage of the development and was supportive of the principle of the re-use of the vacant building for the purposes proposed. Comments on several of the design aspects of the scheme were offered at that time and some concerns remain over certain details relating to the proposed extension to the roof of the property including the height of the proposed extension, the quantity of glazing on the level below the

proposed penthouses and the impact of the proposal on the dome feature located on the west side of the building. In addition, Historic Scotland has also sought an economic justification from the applicants for the additional two flats at penthouse level.

The applicants have now submitted an economic justification for the proposed rooftop flats and have also submitted information on the requirements for the new extension to be of the height, position and the design proposed.

The Members are advised that if they are minded to support these proposals there is a requirement to refer the application to Historic Scotland for formal determination.

OBSERVATIONS

In accordance with the provisions of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the Committee is required to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.

In this case it is considered that the Category B listed building is being treated in a sensitive manner and any interventions are well designed and complementary to the character and appearance of the building. It is further considered that the proposed alterations to the roof of the building are appropriate in this instance as they will not detract from the integrity of the property. Further, the appearance and setting of the building will not be adversely affected by the scale and design of the proposed new build element.

It is concluded that the development will preserve the character of the listed building and that the statutory duty set out of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is discharged.

Other Material Considerations

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

The Development Plan

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations.

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

In terms of Policy 60 (Alterations to Listed Buildings), this matter has already been considered in the assessment of the proposed development under Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and it was concluded that the proposals would preserve the character and appearance of the listed building. It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Views of the Objectors

- 1 Proposed Penthouses on the Roof of the Building. This matter has been fully discussed and discharged in the consideration of the proposals under the relevant section of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 and Policy 60 of the Dundee Local Plan Review 2005. It is considered that the proposed penthouses will not detract from the appearance of the integrity of the building.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The treatment of this visually important and prominent listed building is handled sensitively and any interventions and extensions have been restricted to those considered necessary to provide an appropriate level of accommodation for the proposed development.

CONCLUSION

The proposed development will serve to preserve this visually important listed building. It also complies with the relevant policies of the adopted Local Plan. It is recommended that listed building permission be granted.

RECOMMENDATION

Recommendation 1

This consent shall not be issued unless and until Historic Scotland has formally decided that the listed building application will not be called in for determination by the Scottish Ministers.

Recommendation 2

It is recommended that consent 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 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.
- 3 That prior to the commencement of development, details of any works to the windows of the building, including any repair, maintenance, improvements, alterations or replacement shall be submitted to and approved in writing by the planning authority and these works shall be carried out only in strict accordance with such approved details.
- 4 That prior to the commencement of development, a Method Statement for any works or repair works to the external stone of the building shall be submitted to and approved in writing by the planning authority and these works or repair works shall be carried out only in full accordance with the approved Method Statement.
- 5 That prior to the commencement of works, details of any proposed external ventilation flues or vents shall be submitted to and approved in writing by the

planning authority and these works shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 2 In order to ensure that the character and appearance of the building as a building of architectural and/or historic interest is retained
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