

**KEY INFORMATION**

Ward Maryfield

**Proposal**

Internal alterations to ground floor level and erection of signage

**Address**

25-29 Cowgate  
Dundee  
DD1 2HS

**Applicant**

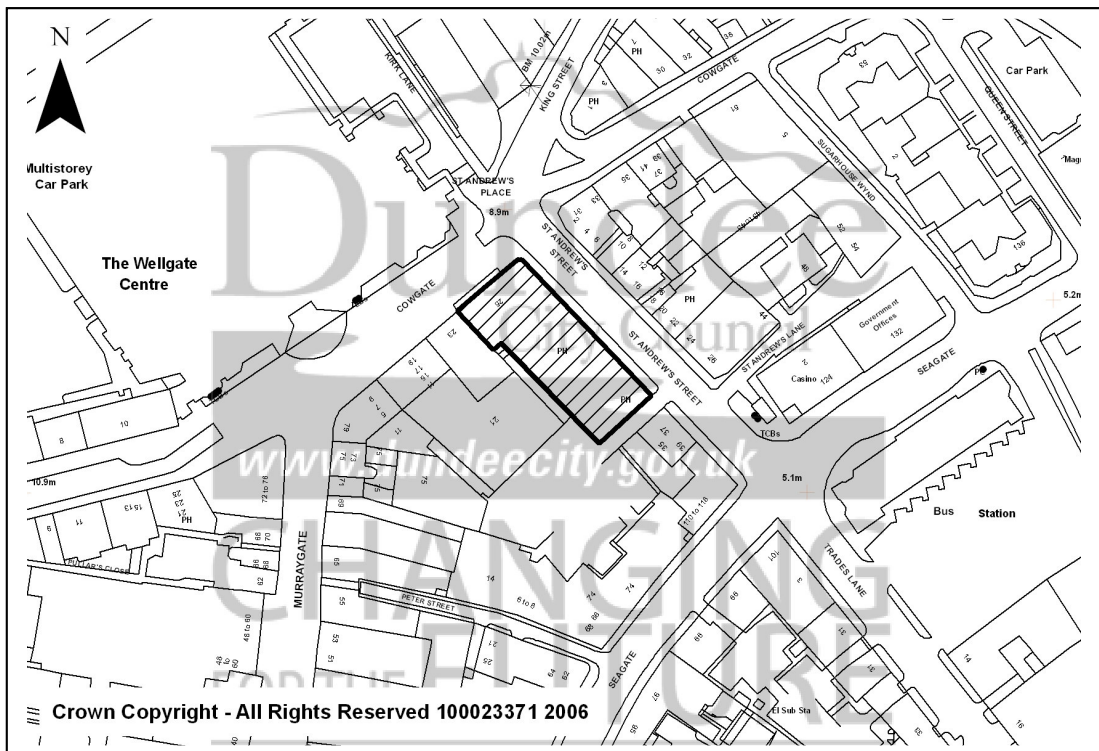
Auld Reekie Pub Co  
Belsize Road  
Broughty Ferry  
Dundee  
DD5 1NS

**Agent**

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111 King Street  
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Registered 13 Sep 2007

Case Officer C Walker



# Proposed Alterations to Category B Building in Cowgate

Internal alterations to the ground floor level and the erection of signage is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development will preserve the listed building, its setting and its features of interest. The application is recommended for **APPROVAL**.

**SUMMARY OF REPORT**

- Listed building consent is sought to carry out alterations to part of the ground floor of this Category B listed building in connection with a proposed change the use to a restaurant and takeaway. The external alterations comprise new signage. The proposals initially included the painting of the exterior of the building but this was dropped following discussions with the applicants.
- A letter of objection was received from the Architectural Heritage Society of Scotland who state that the proposal to paint the external stonework would be detrimental to the listed building.
- With the deletion of the proposed painting scheme the concerns of the objector are resolved and the development will preserve the listed building in accordance with statutory requirements and Policy 60 of the Local Plan.
- The application will now be formally referred to Historic Scotland before it can be approved.

## DESCRIPTION OF PROPOSAL

Listed building consent is sought to carry out alterations to part of the ground floor of this listed building in connection with a proposed change the use to a restaurant and takeaway. The external alterations comprise new signage in the form of fascia signs on the Cowgate and St Andrews Street elevations and a hanging sign above the entrance.

The proposals initially included the painting of the exterior of the building on either side of the entrance doorway in corporate colours to match the new use but this was dropped following discussions with the applicants.

Internally minor modifications are proposed to accommodate the new use.

## SITE DESCRIPTION

The site comprises the Deja Vu nightclub premises at the junction of Cowgate and Seagate. This impressive red sandstone building lies within the Central Area Conservation Area and is Category B listed. It was originally constructed in 1908 as the Kings Theatre. It was subsequently used as a cinema and then a bingo hall and in more recent times has been a nightclub. The cinema and bingo hall uses involved the destruction of much of the interior of the building.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan Review 2005

Policy 60 Alterations to Listed Buildings requires such alterations to have regard to the preservation or enhancement of the listed building.

### Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.

## Non Statutory Statements of Council Policy

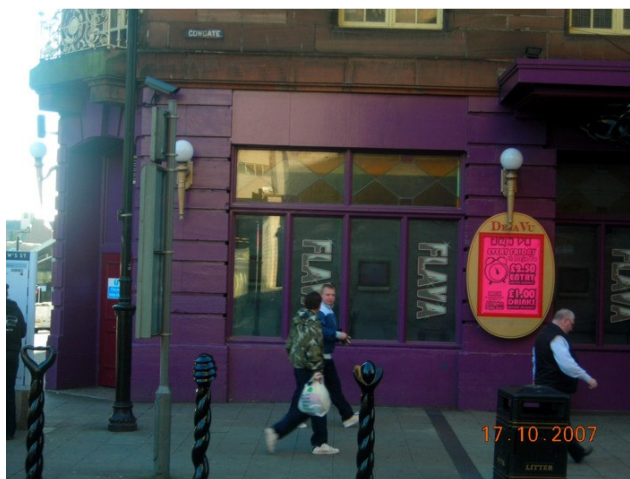
There are no non statutory Council policies relevant to the determination of this application.

## SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

## SITE HISTORY

Listed building consent was granted for external and internal alterations to the premises in connection with a change the use of this building (last used as a bingo hall) to a public house and live music venue in May 1997 - application 97/01443/DLB refers.



In January 2002 listed building consent was granted for internal alterations to the premises in connection with the conversion of the basement and part of the ground floor to a separate public house - application 01/30489/LBC refers.

There is a current application to alter the upper floors of the premises to form a casino - application 06/00301/LBC refers.

Finally there is a current application for planning permission for this development, the Report on which appears elsewhere in this Agenda - application 07/00817/COU refers.

## PUBLIC PARTICIPATION

The proposal was advertised as a listed building application and a letter of objection was received from the Architectural Heritage Society of Scotland who state that the proposal to paint the external stonework would be

detrimental to the listed building. They suggest a uniform less vivid colour scheme should be applied to the building.

Copies of this letter are available for inspection in the Members' Lounges and the issues are discussed in the "Observations" section below.

## CONSULTATIONS

Historic Scotland will have the opportunity to consider the proposals when they are formally referred to them if Members are minded to approve the application.

## 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 setting or any features of special architectural or historic interest which they possess.

In this case the conversion of the listed building involves little change to its appearance. Although initially it had been proposed by the applicants to paint this section of the building in a different colour to the rest of the building, following discussions the applicants have indicated a willingness to leave the building in a single colour. Discussions have also resulted in the proposed signage being toned down. The internal alterations are minor and do not affect the appearance of the building. It is considered that on this basis the development will not have an adverse impact on the listed building.

## Other Material Considerations

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

(A)The Development Plan - Policy 60 of the adopted Local Plan requires alterations to a listed building to have regard to the preservation or enhancement of its architectural or historic character.

This matter has already been considered in the assessment of the proposed development against Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and it was considered that

the proposal would preserve the listed building.

(B) The Concerns of the Objectors - the objectors are concerned about the painting of the exterior of the building. These concerns were shared by this Department and the applicants were encouraged to delete these proposals from the application. The resulting proposals overcome the concerns of the objectors.

It is concluded from the foregoing that listed building consent should be granted for this development.

## **Design**

The conversion of the listed building involves little change to its character and appearance and the design of the development will preserve the listed building.

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## **CONCLUSION**

The proposed development will preserve the listed building, its setting and its features of interest.

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## **RECOMMENDATION**

### **Recommendation 1**

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

### **Recommendation 2**

It is recommended that listed building 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 This permission shall not include the painting of the exterior of the building.

## **Reasons**

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 2 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.