

KEY INFORMATION

Ward The Ferry

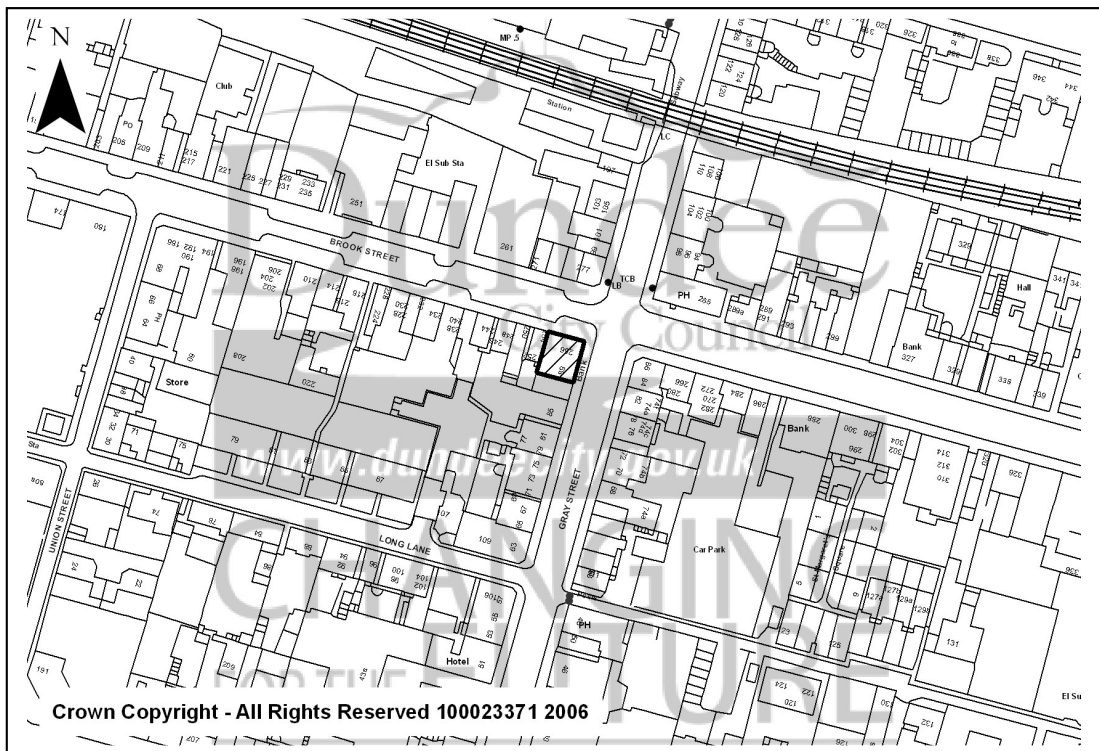
Proposal

Installation of air conditioning condenser unit

Address89 Gray Street
Broughty Ferry
Dundee**Applicant**National Australia Group
40 St Vincent Place
Glasgow
G1 2HL**Agent**Honeyman Jack and
Robertson
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Registered 27 Oct 2007

Case Officer P Macari



Air Conditioning Unit Proposed on Category C[s] Building in Gray Street

The installation of an air conditioning condenser unit is **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 Building and Conservation Areas)(Scotland) Act 1997 is also discharged. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Listed building consent is sought for the installation of an air conditioning condenser unit on the roof of a single storey extension to a Category C(s) listed building.
- Section 14 of the Planning (Listed Building 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 special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.
- There have been no objections to the proposed development.
- It is considered that the development will not impact upon the visual appearance of the building and consequently the aspirations of Policy 60 are met and the requirements of Section 14 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 are discharged.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the installation of an air conditioning unit at first floor level on top of an existing flat roof extension to the Clydesdale Bank at 89 Gray Street Broughty Ferry. The air conditioning unit will be located between the bank and 252 Brook Street a 2.5 storey terraced building with a commercial unit on the ground floor and a flat above.

SITE DESCRIPTION

The application site comprises a 2.5 storey stone built C(s) listed building with a slate mansard roof, located on the western side of Gray Street on the corner of Brook Street and Gray Street. A single storey flat roofed extension to the western elevation of the building links 89 Gray Street to 252 Brook Street.

Given the shape of both buildings the proposed air conditioning unit is to be located in a recess bound on 3 sides by high walls. A 1m high black painted steel balustrade is runs along the roof line of the extension between 89 Gray Street and 252 Brook Street. Both the bank and the upper floors of 252 Brook Street have windows that overlook the location of the proposed air conditioning unit.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 2005

Policy 60 (Alterations to Listed Buildings) of the Dundee Local Plan Review 2005 states that 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.

Scottish Planning Policies, Planning Advice Notes and Circulars

National Planning Policy Guideline 18: Planning and the Historic Environment sets out the framework for dealing with planning applications affecting listed buildings.

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



North East Elevation As Existing



North East Elevation As Proposed

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

Planning Application Ref 04/00174/LBC sought listed building consent for the formation of disabled access to 89 Gray Street. Listed Building Consent was granted subject to conditions.

Accompanying the current application for listed building consent is planning application 07/00859/FUL which is also on the agenda for consideration by the Committee. This application seeks full planning permission for the installation of an air conditioning

condenser unit. One letter of objection has been received raising concerns about noise disturbance. The City Council's Environmental Health and Trading Standards Department have recommended that a condition minimising the maximum Noise Rating of the air conditioning unit is attached to the relevant planning permission should the application be approved. This planning application is recommended for approval subject to conditions.

PUBLIC PARTICIPATION

The proposals were advertised in the local press and no objections to the development have been received.

CONSULTATIONS

No adverse comments were received from statutory consultees.

OBSERVATIONS

In accordance with the provisions of Section 14 of the Planning (Listed Building 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 the Category C(s) listed building is being treated in a sensitive manner with the scale, massing, design and location of the proposed air conditioning condenser unit considered

to be complimentary to the character and setting of the building. Indeed such an installation will not be visible from public elevations and will therefore not detract from the integrity of the building. Further, the appearance and setting of the building will not be adversely affected by the scale and design of the condenser unit as it will be obscured from public view given its recessed first floor location.

It is concluded that the development will preserve the character of the listed building and that the statutory duty set out in Section 14 of the Planning (Listed Building 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

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

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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 insufficient weight can be accorded to any of the material considerations such as to justify the refusal of listed building consent contrary to the provisions of the development plan. It is therefore recommended that listed building consent be granted with conditions.

Design

As discussed above, it is considered that the size, location and positioning of the air conditioning condenser unit coupled with the existing balustrade across the top of the existing single storey extension between 89 Gray Street and 252 Brook Street will obscure the proposed development

from view minimising the visual impact such a development will have on the streetscape below.

CONCLUSION

The proposed development by way of scale, massing, design and location will serve to preserve the visual appearance of this prominent listed building. The proposed development is considered to accord with the policies of the adopted local plan. It is therefore recommended that listed building consent be granted subject to conditions.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition:

- 1 The works must be begun not later than the expiration of 5 years beginning with the date of this consent.

Reason

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.