

KEY INFORMATION**Ward** The Ferry**Proposal**

Alterations to car showroom to form new glazed frontage, roller access door, fire exit and entrance door.
Reinstatement of windows on east elevation and removal of raked floor, stage and exit ramp.

Address

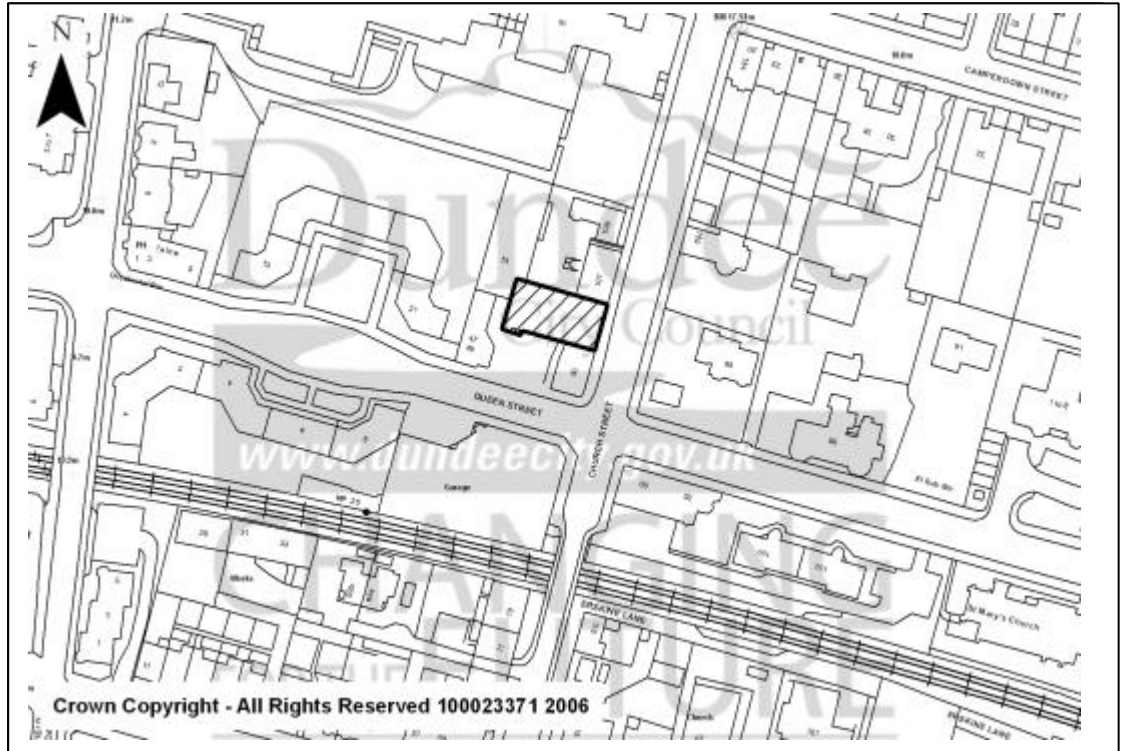
49-51 Queen Street
Broughty Ferry
Dundee

Applicant

West End Garage Ltd
28 Queen Street
Broughty Ferry
Dundee DD5 1BD

Agent

Gauldie Wright & Partners
2 Osborne Place
Dundee

Registered 8 Feb 2008**Case Officer** Paul Macari

Proposed Improvements to Car Showroom in Queen Street

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

RECOMMENDATION

The proposals are considered to comply with the provisions of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the Local Plan and withholding the grant of planning permission.

SUMMARY OF REPORT

- Full planning permission is sought for external and internal alterations to the B listed former Regal Cinema at 49-51 Queen Street Broughty Ferry. The proposed internal alterations will involve the removal of the timber stage and raked floor. The external alterations will involve the installation of ground floor, floor to ceiling glazing on the south elevation of the existing building as well as the formation of an aluminium roller door on the western elevation of the building and formation of a customer entrance. It is also proposed to fully restore the existing window and door openings on the front elevation of the building.
- Policy 1 (Vibrant and Sustainable Communities) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan review 2005.
- No letters of Objection have been received.

DESCRIPTION OF PROPOSAL

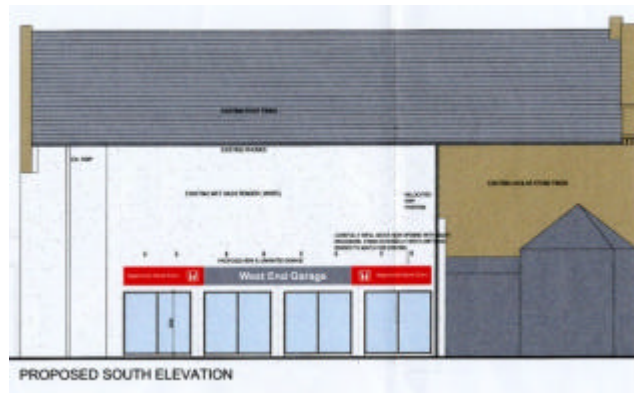
Full planning permission is sought for external and internal alterations to the B listed former Regal Cinema at 49-51 Queen Street Broughty Ferry. The proposed internal alterations will involve the removal of the timber stage and raked floor. The carved proscenium arch will be retained along with the carved timber gallery. The external alterations will involve the installation of ground floor, floor to ceiling glazing on the south elevation of the existing building matching the existing showroom to the west of the site as well as the formation of an aluminium roller door on the western elevation of the building and formation of a customer entrance. The aluminium roller door will be concealed within the car showroom adjoining the western gable of the building. The existing window and door openings as well as the feature bulls eye window centrally located on the eastern elevation shall be fully restored with timber framed windows. The light boxes currently situated in the southern elevation of the building will be removed during the installation of the glazed panels and relocated into the columns between the glazed panels. The main features of architectural and historical merit as detailed in Historic Scotland's listing of the building will be retained.

The applicant is aware that the proposed signage to be displayed on the south elevation of the building does not form part of this application for planning permission and requires to be the subject of a formal application for advertisement consent.

SITE DESCRIPTION

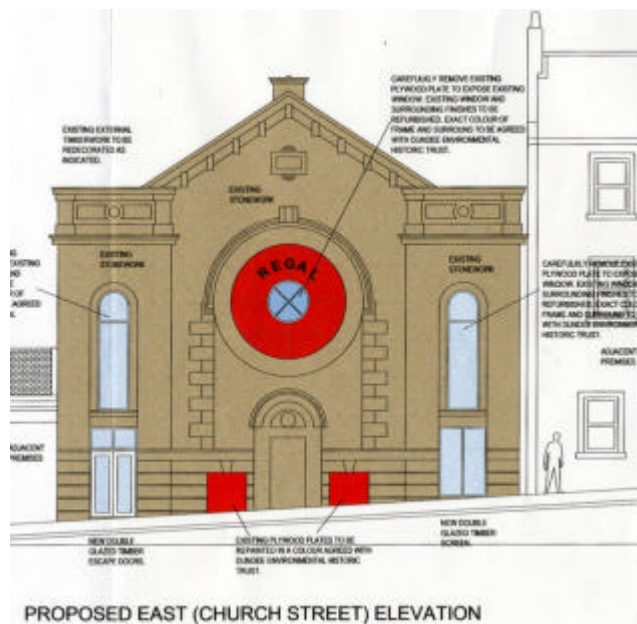
The application site is located on the north side of Queen Street and west side of Church Street. The site comprises a B listed former theatre. The existing building has a sandstone frontage (east elevation) adjoining Church Street with the south and western elevations finished in white painted wet dash render. The building has a pitched roof finished in natural slate. The building is currently used as car showroom and forms an integral part of the West End Honda Garage

complex. Internally, the building has maintained the key features of its former use with a stage situated on the eastern gable. The floor slopes from west to east and there is a gallery section above. The stage and gallery are constructed from timber and are



oak panelled.

The building is bound to the south by a single storey building that currently houses a hot food takeaway, as well as a car display area. To the north, the site is bound by a 3 storey block of flats and to the west by a traditional 2 storey building. The ground floor of



this building is used as a car showroom and has glazed eastern and southern elevations. The upper floor is used as office space and has large single glazed windows. The building has a slate hipped roof with the upper floor finished in a white painted render to match the southern elevation of the application site.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 2005

The following policies are of relevance:

Policy 1 Vibrant and Sustainable Communities - the Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development

should be in accordance with other policies in the Plan and seek to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell.

Policy 61 Development in Conservation Areas. All development in conservation areas will be expected to preserve or enhance the character of the surrounding area.

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

Planning application Ref: 92/17225/D and listed building application ref: 92/00727/DLB sought the respective

consents to change the use of 49-51 Queen Street with internal and external alterations from a theatre/ cinema to a car showroom. Planning permission and listed building consent were granted subject to conditions for the respective applications.

Planning application ref: 07/00430/FUL and listed building application ref: 07/00452/LBC sought respective consents for the provision of a fire exit in the car storage area of the former Regal Cinema following the part demolition of the building that housed the cinema projection booth and original fire exit. Both applications were permitted subject to conditions.

Planning application ref: 07/01089/FUL and listed building consent application ref: 07/01090/LBC sought respective consents for external and internal alterations to the existing car showroom at the Former Regal Cinema to install a glazed frontage on to Queen Street, a roller door and fire exit as well as remove the existing stage and raked floor. The proposals also included reinstating the existing window and door openings in the eastern elevation. Both applications were withdrawn by the applicant.

PUBLIC PARTICIPATION

The applicant has followed the statutory neighbour notification procedure as specified in Section 23 of the Town and Country Planning (Scotland) Act 1997.

No letters of objection have been received.

CONSULTATIONS

No adverse comments have been received from Consultees.

OBSERVATIONS

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 Development Plan

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

Policy 1 (Vibrant and Sustainable Communities) is supportive of proposals that encourage the development of a range of services and facilities close to and within housing areas. By way of design, proposals should seek to minimise the affect on environmental quality enjoyed by residents. In its current form the building does not lend itself easily to a car showroom given access limitations and layout. However, the proposed alterations while of a contemporary design will give the building versatility adding to its longevity and sustainability. This is demonstrated by the restoration and retention of the key features of architectural and historic merit through the sensitive creation of a ground floor glazed southern elevation. Although the existing blank southern elevation is characteristic of a cinema/ theatre building, the installation of floor to ceiling glazing will not prevent the building reverting back to its former Class 11 Use nor prevent the building being employed for a variety of other uses. Indeed the formation of an interesting street frontage will add to the character and diversity of Queen Street. This is because the decorative carved timber proscenium arch, balcony and light boxes will be retained so as to protect the character of the former Regal Cinema whilst the glazed frontage will "display" these features in their natural surroundings. The proposals will not result in a loss of amenity attributed to noise, smell or traffic/ parking issues. Most notably, the proposed developments will clear the forecourt area to the south of the application site allowing for customer parking. The point of entrance matches the proposed glazed panels in terms of scale, design and massing and will therefore create a uniform glazed ground floor elevation to the building.

With regard to Policy 61 (Development in Conservation Areas) the proposed restoration of the front (east) elevation of the building will enhance the visual appearance of the former Regal Cinema as well as the surrounding streetscape. This is because the existing building is of a scale, design and massing that

dominates the western Corner of Queen Street and Church Street. In its current form the dilapidated front elevation of the application site is a significant detractor from the historic and traditional architecture of surrounding buildings. The removal of the unkempt timber boards covering existing door and window openings and installation of new timber doors and restoration of the central bullseye window will significantly improve the visual appearance of the this building.

The existing car showroom to the west of the application site is of a historic and traditional design with ground floor glazed elevations that although very contemporary in style blend well with the character of the surrounding conservation area. The proposed installation of a ground floor glazed southern elevation and formation of customer entrance to the former Regal Cinema that matches the scale and design of the existing glazed elevations of the car showroom to the west of the site will form a continuation of the blend between traditional and contemporary architecture. The proposed developments will highlight the prominence of the application site in relation to the surrounding conservation area whilst retaining and restoring the key features of historic and architectural merit.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan. However, to ensure the full restoration and protection of key features of architectural and historical merit conditions relating to the submission of detailed sections and elevations of door and window openings shall be incorporated into planning permission should the Committee be mindful to approve this application.

Other Material Considerations

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

- a Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications in conservation areas to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

This matter has already been considered in the assessment of the

proposed development under Policy 61 of the adopted Local Plan and it was considered that the proposal would preserve the character and appearance of the conservation area.

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 proposed restoration of the east elevation and installation of contemporary ground floor glazed panels on the southern elevation is considered to blend with the traditional architecture of the existing building.

CONCLUSION

The proposals are considered to comply with the provisions of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the Local Plan and withholding the grant of planning permission.

RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 BEFORE WORK STARTS ON SITE, details of the proposed timber framed windows and bulls eye window to be restored on the eastern (front) elevation of the building shall be submitted to this Planning Authority for written approval. The details approved by virtue of this condition shall be implemented in full. For the avoidance of doubt the details submitted should include elevations and sections to a scale no less than 1:20.
- 3 BEFORE WORK STARTS ON SITE, details of the proposed glazed panels to be installed in the southern elevation of the building shall be submitted to this Planning Authority for written approval. The glazing details approved by virtue of this

condition shall be implemented in full in accordance with the stamped approved plans. For the avoidance of doubt, the glazing details to be submitted should include elevations and sections of the proposed windows to a scale no less than 1:20.

- 4 BEFORE WORK STARTS ON SITE, Sections through the southern elevation of the building showing the proposed location of the light boxes within the columns between the glazed panels shall be submitted to this Planning Authority for written approval. The details approved by virtue of this condition shall be implemented in full in accordance with the stamped approved plans.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interest of safeguarding the visual appearance of the Conservation Area.
- 3 In the interest of safeguarding the visual appearance of the building.
- 4 In the interest of safeguarding the historic character of the listed building.