

# Extensions to Listed Glass Pavilion Building

## KEY INFORMATION

**Ward** The Ferry

**Address**

The Glass Pavilion, The Esplanade, Broughty Ferry

**Applicant**

Perth Road Investments  
52A Church Street  
Broughty Ferry  
Dundee DD5 1HB

**Agent**

John Frullani Architect  
7 Arnhall Gardens  
Dundee DD2 1PH

**Registered** 6 August 2013

**Case Officer** Eve Young



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown Copyright and database right 2013. All Rights Reserved. Ordnance Survey Licence number 100023371.

## SUMMARY OF REPORT

- Listed Building Consent is sought for works to substantially extend the single storey Glass Pavilion Restaurant by constructing two storeys of residential accommodation above, to the rear and partly to the sides of the existing extended Listed Building.
- The existing restaurant will be largely unchanged but the development will include renovations and repairs to the building which comprises the extended and altered former Beach Shelter, a Category C Listed Building.
- Listed building consent was granted for a similar development of holiday let flats with an extension to the restaurant which is still valid.
- Objections have been received from Broughty Ferry Community Council and 14 local residents due to the impact on the listed building.
- This is a Category C listed building and formal notification to Historic Scotland is not required.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/simpleSearchResults.do?action=firstPage>.

## RECOMMENDATION

The proposal satisfies the requirements of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It is therefore recommended that the Listed Building Consent application is APPROVED subject to conditions.

## 1 DESCRIPTION OF PROPOSAL

- 1.1 Listed Building Consent is sought for works to substantially extend the single storey Glass Pavilion Restaurant by constructing two storeys of residential accommodation above, to the rear and partly to the sides of the existing extended Listed Building. The application indicates that the existing building will be retained but that renovations and repairs will be carried out to the existing building particularly in relation to its roof. The ventilation flue from the restaurant will be routed through the new building.
- 1.2 The extensions to the building are designed to harmonise as much as possible with the existing art deco Listed Building (see Figure 1). The front elevation will present a glazed appearance to the Esplanade and the first and second storey levels are set back in an attempt to diminish their impact on the ground floor building. The side and rear elevations are finished with white coloured render.

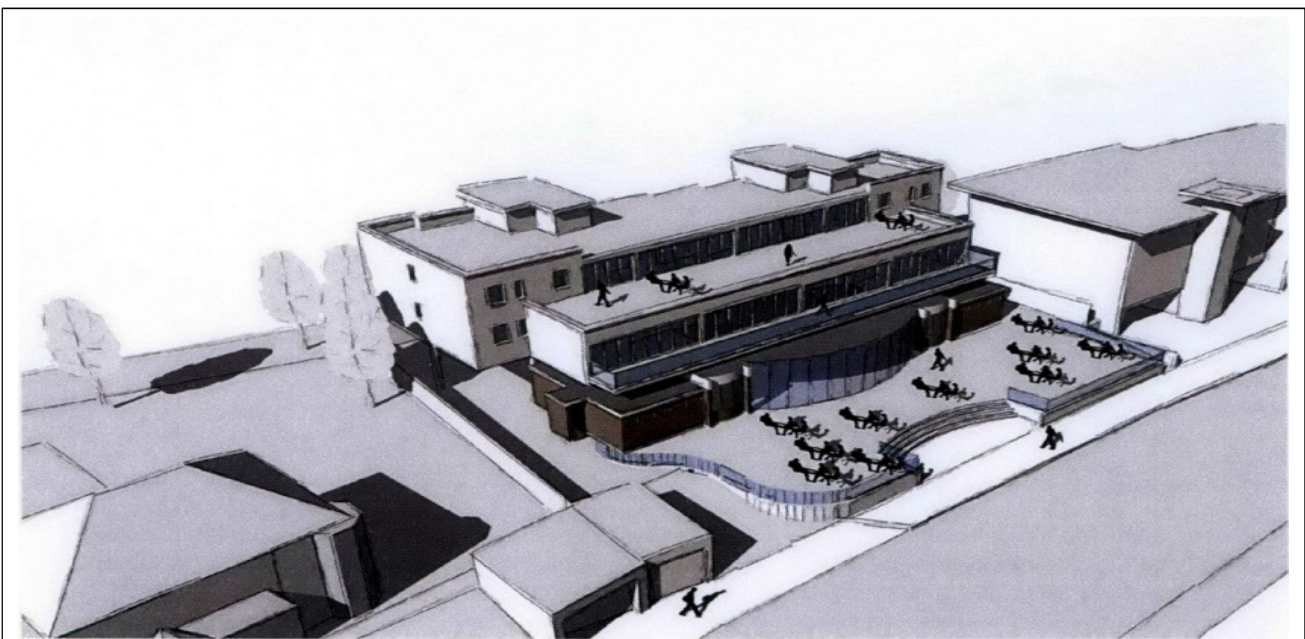


Figure 1 – Arial View of Model

## 2 SITE DESCRIPTION

- 2.1 The site is a former beach shelter now altered and extended and known as the Glass Pavilion restaurant. The original building is a Category C Listed structure built in 1934 in art deco style with brick walls, a flat concrete roof and decorative wrought iron grilles. A large curved glass extension to the south creates the main dining area which overlooks the beach (see Figure 3), with other additions to the rear. There is a large terrace to the south used for external seating. To the rear of the building there is a service yard and a small play area (see Figure 2).

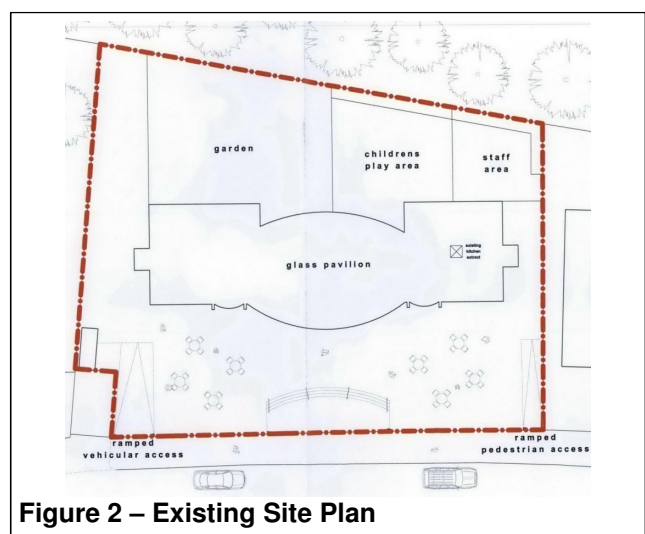


Figure 2 – Existing Site Plan

2.2 The site lies on the Esplanade opposite the beach at Broughty Ferry.



Figure 3 – Main Elevation

---

### 3 POLICY BACKGROUND

---

3.1 The following plans and policies are considered to be of direct relevance:

**DUNDEE LOCAL PLAN REVIEW 2005**

Policy 60 – Alterations to Listed Buildings

**PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN**

Policy 48 – Listed Buildings

**SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS**

Scottish Historic Environment Policy

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

---

### 4 SITE HISTORY

---

4.1 Planning permission and Listed Building Consent were granted in 2004 to convert and extend the beach shelter to form a shop and café - applications 04/00462/COU and 04/00478/LBC refer.

4.2 In 2005 planning permission was granted to amend conditions on the original planning permission to permit, amongst other matters, extended hours of operation and a wider range of cooking operations - application 05/00456/FUL refers. The restaurant has since been operating on this extended basis.

- 4.3 In January 2007 planning permission and Listed Building Consent were granted for substantial extensions to this building to provide an extended restaurant over 2 floor of accommodation. Applications 06/00925/FUL and 06/00924/LBC refer.
- 4.4 Planning permission and Listed Building Consent were granted for the extension of the restaurant at ground floor level and the construction of two floor of holiday let apartments on the upper floors - Applications 08/00863/FUL and 08/00864/LBC refers.
- 4.5 13/00472/FULL is the planning application associated with this Listed Building application and is also considered on this agenda.

---

## 5 PUBLIC PARTICIPATION

---

- 5.1 The application was advertised in accordance with statutory requirements and 14 objections were received.
- 5.2 The objections raise the issue that the proposed development will materially detract from the original appearance of the listed structure.
- 5.3 Members will already have access to these representations. The objections will be considered in the Observations below.

---

## 6 CONSULTATIONS

---

- 6.1 **Broughty Ferry Community Council** – objects to the proposed development on the grounds that the proposed development would smother and ruin the appearance of this Listed Building of local importance. The impact of the height, scale and design will not be ameliorated by the setting back of the upper floors. The development will threaten the Listed Building which may result in it being de-listed.
- 6.2 This is a Category C Listed Building and formal notification to **Historic Scotland** is not required.
- 6.3 Members will already have had access to the Community Council letter and the points raised are considered in the Observations Section of this Report.

---

## 7 DETERMINING ISSUES

---

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.**

### THE DEVELOPMENT PLAN

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

### STATUTORY REQUIREMENT

- 7.2 In accordance with 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.

7.3 The original art deco bathing shelter was a very low profile pavilion style building which provided public toilets at each end and an open loggia which formed the beach shelter. It was brick construction with a concrete flat roof. Only the original building is Listed Category C and this has been significantly altered by the addition of the large, glass fronted dining area and extensions to the rear. There has been no further review of this Listed Building since 1991 and the alterations which have already taken place may result in the building being de-listed when the next review is carried out.

7.4 It is accepted that the significant development currently proposed around this building will substantially increase its original scale and massing. The extensions adjoin the Listed Building but wrap around it to the rear and sides and the upper floors project above part of the roof line. It is considered that the lightness of the upper floor extensions, achieved by the predominantly glazed appearance of the principal south elevation and the use of white render on the other elevations means that the original character of the building, marked by the original brick and concrete detailing, will still remain significant.



Figure 4 – Decorative Features

7.5 The Listed Building requires refurbishment with partial covering of the existing glass roof. The applicant's supporting statement says that these works, which form part of the proposed development, will help to maintain the current use and preserve the fabric of the Listed Building. The existing flue from the kitchen will be re-routed through the new building to the discharge at roof level.

7.6 The original setting of the Bathing Shelter was within a group of buildings including the house to the west on an elevated site and a dance hall to the east. The hall/night club site to the east has been redeveloped with three storey flats immediately adjoining the application site which alter the local context. It is considered that the setting of the Listed Building has been significantly altered and the proposed development will be an acceptable addition, particularly as it is designed to step back from the main elevation.

7.7 It is concluded that this is a case where a Listed Building has already been altered from its original use and design and the proposed additions can be made without detracting from the original features, marked by the decorated brick and concrete detailing (see Figure 4). The design of the proposed extensions complements that of the Listed Building and the resulting development will make a positive visual contribution to this prominent site.

7.8 **It is considered that the proposed development satisfies the requirements of Section 14 the Act.**

## **OTHER MATERIAL CONSIDERATIONS**

### **THE DEVELOPMENT PLAN**

- 7.9 The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.
- 7.10 Policy 60 - Alterations to Listed Buildings.
- 7.11 Alterations should preserve or enhance the architectural or historic character of the building.
- 7.12 It is considered that these requirements have been taken into account in the assessment of the application against Section 14 above. Accordingly, it is concluded that the works proposed comply with Policy 60.

#### **PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN**

- 7.13 Policy 48 does not differ from the equivalent policy in the Dundee Local Plan 2005 in any significant way and it is concluded that the development complies with the policy for the same reasons.

#### **SHEP - SCOTTISH HISTORIC ENVIRONMENT POLICY**

- 7.14 The SHEP notes that work which affects the character of a Listed Building will require Listed Building Consent. It is concluded that the SHEP supports developments which ensure the retention of Listed Buildings. For the reasons given above in the assessment of the development in accordance with the Development Plan, it is considered that these objectives have been met by this proposed development.

#### **BROUGHTY FERRY COMMUNITY COUNCIL**

- 7.15 Broughty Ferry Community Council are concerned that the scale and design of the proposed extension to the original Listed Building will ruin its appearance and could endanger its listed status.
- 7.16 The issue of the relationship of the development to the Listed Building has been addressed in the assessment of the development against Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act and it was considered that the proposal would preserve the Listed Building. Accordingly, the objection is not considered to be a sufficiently strong material consideration to justify refusal of the application.

#### **REPRESENTATIONS**

- 7.17 The 14 objections which refer to the impact on the Listed Building, predominantly echoed the terms of the objection submitted by the Community Council and for the same reasons, the objections are not supported.

#### **DESIGN AND ACCESS STATEMENT**

- 7.18 The statement justifies the proposed extensions to the Listed Building and states that the development will ensure the existing use is maintained. This cannot be the subject of any conditions applied to any Listed Building Consent and the statement is considered to have neutral weight in support of the application.

#### **PLANNING HISTORY**

- 7.19 It is noted that Listed Building consent has previously been granted for substantial extensions to this building to provide upper floor accommodation similar to this application. It is considered that this is a strong material consideration in support of the application.

- 7.20 The proposed development is well designed, will preserve the character of the Listed Building by the setting back of the apartments and the use of extensive glazing. It will include repair and refurbishment of the restaurant to retain its character in accordance with the requirements of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 7.21 **It is concluded from the foregoing that the material considerations support the approval of planning permission. It is therefore recommended that planning permission be granted with conditions.**

---

## **8 CONCLUSION**

---

- 8.1 The proposal satisfies the requirements of Section 14 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997. There are no material considerations of sufficient strength which would justify refusal. It is recommended that Listed Building Consent be granted subject to conditions.

---

## **9 RECOMMENDATION**

---

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 Prior to the commencement of any development, the applicant shall take such steps and carry out such works including the erection of protective fencing as shall during the progress of the works, secure the safety and stability of the building which is to be retained. Details of the protective measures shall be provided to the City Council for approval prior to the commencement of any development and if approved, the protective measures shall remain on site during the development works hereby approved.
  - 2 Prior to the commencement of any development on site, full engineering drawings detailing the works shall be submitted to the Council and the works shall be carried out only in accordance with the written approval.

### **REASONS**

- 1 In order to safeguard the fabric of the statutorily Listed Building.
- 2 In order to demonstrate that the development works will not affect the fabric of the Listed Building.