

Demolition and Reconstruction of Listed Section of Façade of Former Tay Rope Works

KEY INFORMATION

Ward West End

Address

51 Magdalen Yard Road
Dundee
DD1 4LQ

Applicant

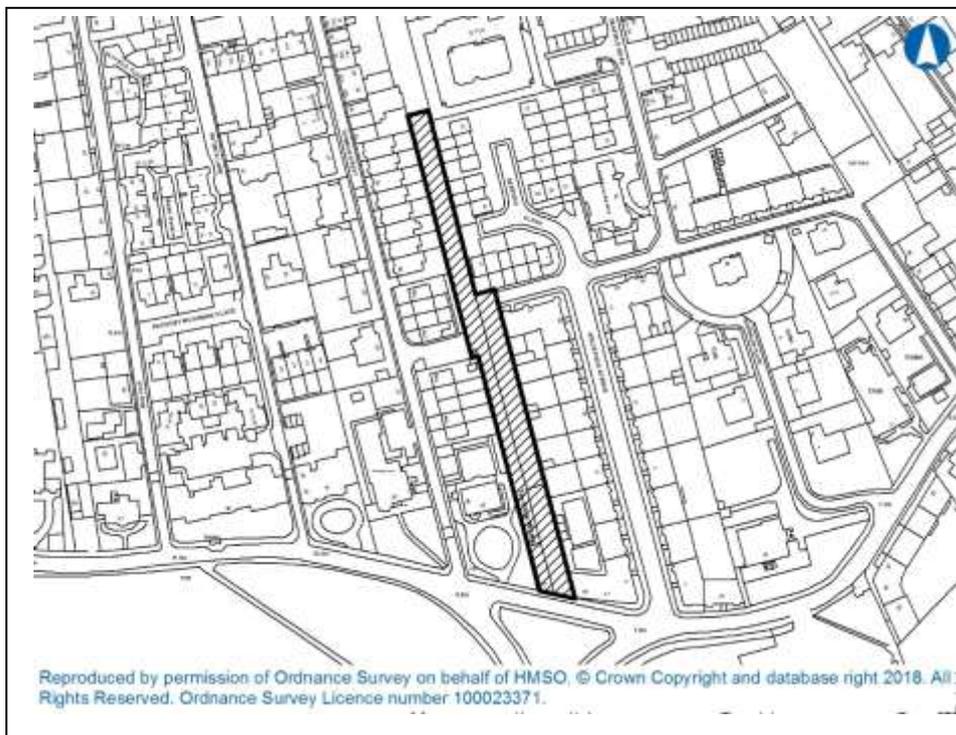
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Registered 8 March 2018

Report by: Executive
Director of City Development



SUMMARY OF REPORT

- The application proposes the demolition and reconstruction of the Category C listed façade of the former Tay Rope Works.
- The site of the former Tay Rope Works comprises two long narrow strips of land bounded by housing to the east and west. It is predominantly vacant and derelict with a southern elevation to Magdalen Yard Road comprising the listed façade of the original building.
- The application was the subject of statutory advertisements advising that this application may potentially effect a listed building and West End Lanes Conservation Area. No public comment was received.
- The application is being referred to the Planning Committee as related application 18/00127/FULL for the erection of 5 houses and 2 flats requires to be determined by Planning Committee.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/simpleSearchResults.do?action=firstPage>.

RECOMMENDATION

The proposed development satisfies the requirements of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and by approving the application the Council would be discharging its statutory duties in an appropriate manner. The application complies with Policy 49 and Policy 50 of the Dundee Local Development Plan 2014. The application is therefore recommended for APPROVAL.

1 DESCRIPTION OF PROPOSAL

- 1.1 Listed Building Consent is sought to dismantle the facade of the former Tay Rope Works and rebuild it, incorporating it into a proposed new development. The proposals include the demolition of the facade which will diminish the architectural integrity of the structure as it will no longer be original.
- 1.2 The rebuilt façade would include materials and design features from the existing structure, with widened opening onto Magdalen Yard Road to facilitate a vehicle entrance.
- 1.3 An associated application for the erection of 5 houses and 2 flats is present in a separate paper to Planning Committee (1800127/FULL).

2 SITE DESCRIPTION

- 2.1 The site was originally occupied by the Tay Rope Works which dated from mid-19th Century. The listed structure at the southern elevation on to Magdalen Green is the ground floor gateway of the original building with a later stone facade at upper level. The entablature at the facade is dated 1885. The original building was partly destroyed by fire in 1986. The adjoining facade is not listed.
- 2.2 The surrounding area is residential in character with dwellings to the north, east and west. To the south is Magdalen Yard Road with open space beyond including a play park and Magdalen Green.

3 POLICY BACKGROUND

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

DUNDEE LOCAL DEVELOPMENT PLAN 2014

Policy 49: Demolition of Listed Buildings

Policy 50: Development in Conservation Areas

PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN

Policy 50: Demolition of Listed Buildings

Policy 51: Development in Conservation Areas

SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS

Scottish Planning Policy 2014

Historic Environment Scotland Policy Statement 2016

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



Figure 1 – Existing Site Plan



Figure 3 – 3D Image



Figure 4 – Site Photo

4 SITE HISTORY

4.1 The following applications are of relevance:

- 11/00110/FULL for the erection of the residential development which is the subject of this further application was approved, subject to conditions on 1 September 2011. The application was subject to the statutory time limit of 3 years which was imposed as a direction to the permission;
- 11/00111/LBC, the associated Listed Building application for the dismantling and rebuilding of the facade to be incorporated into the new development approved under 11/00110/FULL was also approved subject to conditions on 6 June 2011;
- 14/00616/FULL sought to renew planning permission for the erection of the residential development as approved under 11/00110/FULL. 14/00616/FULL was approved subject to conditions in March 2015;
- 14/00617/LBC sought to renew listed building consent 11/00111/LBC for the dismantling and rebuilding of the façade of the former Tay Rope Works. 14/00617/LBC was approved subject to conditions in April 2015; and

- 18/00127/FULL is the current planning application for the erection of 5 houses and 2 flats. The proposals are as previously approved planning applications 11/00110/FULL and 14/00616/FULL. Planning application 18/00127/FULL is to be determined by Planning Committee.

5 PUBLIC PARTICIPATION

- 5.1 No public comments were received.

6 CONSULTATIONS

- 6.1 **Historic Environment Scotland** – had no comments on the proposals.

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.**

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997

- 7.2 Section 14 of the above Act requires planning authorities, in considering applications that affect listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.3 Similarly, Section 64 of the above Act requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.
- 7.4 The ground floor gateway is all that remains of the original building, the stone urns and pediment which are shown in early photographs were removed and replaced by the current stone facade on the upper floor around 1910.
- 7.5 There were historically two rope works in this part of the city. One between Union Place and Step Row has left little imprint on the current landforms as the site has been incorporated into new developments, gardens and open space and is now lost. The Tay Rope Works site is now a unique but virtually unseen and unappreciated feature which by the nature of the rope making technique, required long narrow buildings. The footprint and the red brick boundary walls remain as an important part of the city's industrial heritage.
- 7.6 The proposed development will involve the dismantling and retention of the listed facade and its incorporation into the new housing development. It will also retain and repair the original brick walls and the elongated form of the former Rope Works to create a new lane similar to the many lanes which are a characteristic of the Perth Road Lanes Conservation Area. This will enhance the setting of the rebuilt facade and make the site of the former Rope Works accessible to the public.
- 7.7 The facade will be dismantled and rebuilt in order to ensure that the access can accommodate vehicles and the sill heights of the windows meet technical requirements. The

Supporting Statement details the method of removal and provides justification for the works which are proposed to the listed building.

- 7.8 It is considered that the development removes an area of dereliction which has been partly vacant for many years and of little benefit to the character of the Listed Building or the Conservation Area. The new development incorporates the listed elements into a sympathetic design using appropriate materials.
- 7.9 The proposal is considered to preserve and enhance the listed building and its setting within the West End Lanes Conservation Areas.
- 7.10 The proposal therefore satisfies the requirements of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 7.11 **It is considered that the approval of the proposals would discharge the above statutory duties.**

OTHER MATERIAL CONSIDERATIONS

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

A - DUNDEE LOCAL DEVELOPMENT PLAN 2014

- 7.13 The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.
- 7.14 The requirements of Policy 49 (Demolition of Listed Buildings) and Policy 50 (Development in Conservation Areas) of the Local Development Plan are satisfied by the discharge of the statutory duties outlined by Sections 14 and 64 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and as discussed above. The proposals would be sympathetic to the listed façade and are considered to preserve the character and setting of this category C listed building and appearance of the West End Lanes Conservation Area. The proposal is therefore considered to comply with these policies.
- 7.15 **The proposal complies with the provisions of the development plan.**

B - PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN

- 7.16 The Proposed Dundee Local Development Plan 2 was approved by the Council on 21 August 2017. It sets out the spatial strategy that will guide future development up to 2029.
- 7.17 The proposed Dundee Local Development Plan 2 will in time replace the Dundee Local Development Plan 2014. Approval of the Proposed Dundee Local Development Plan 2 represents the Planning Authority's settled view as to what the final adopted content of the Plan should be. Whilst the Dundee Local Development Plan 2014 (along with TAYplan) constitutes the statutory Development Plan, the Proposed Dundee Local Development Plan 2 has the status of a material planning consideration to be taken into account in the assessment of planning applications.
- 7.18 The provisions of the Proposed Dundee Local Development Plan 2 relevant to the determination of this application are specified in the Policy background section above.
- 7.19 The requirements of Policy 50 (Demolition of a Listed Buildings) and Policy 51 (Development In Conservation Areas) of the Proposed Dundee Local Development Plan are satisfied by

the discharge of the statutory duties outlined by Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

- 7.20 **With the inclusion of conditions the proposal meets the requirements of the Proposed Dundee Local Development Plan.**

C - NATIONAL POLICY AND GUIDANCE

- 7.21 Scottish Planning Policy (2014) and the Historic Environment Scotland Policy Statement (2016) should be taken into account when determining applications for listed building consent. Scottish Planning Policy (Historic Environment) advises that change to a listed building should be managed to protect its special interest while enabling it to remain in active use; development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and its setting. The Historic Environment Scotland Policy Statement seeks to identify the key characteristics of the historic environment and establish the boundaries within which change can continue so that it enhances rather than diminishes historic character; the historic environment should be valued as an asset, rather than thought of as a barrier to development.
- 7.22 **It is therefore concluded that the proposed works comply with national planning guidance with regard to development affecting a listed building.**
- 7.23 **It is concluded from the foregoing that the material considerations support the approval of listed building consent.**

8 CONCLUSION

- 8.1 The proposed development satisfies the requirements of the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and by approving the application the Council would be discharging its statutory duties in an appropriate manner. The application complies with Policy 49 and Policy 50 of the Dundee Local Development Plan 2014. There are no material considerations which justify refusal of listed building consent.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 **Condition** - the listed facade shall be demolished in accordance with a Method Statement which has been submitted to the City Council for approval prior to the commencement of any demolition works on the listed fabric and if approved, the works shall be carried out only in full accordance with the approved details.

Reason - in order to safeguard the original fabric of the listed facade and ensure that as much material as possible is available to be incorporated into the new building.
 - 2 **Condition** - the retained original fabric of the facade shall be safely stored in a location to be agreed in writing by the City Council prior to the rebuilding hereby approved.

Reason – in order to safeguard the original fabric of the listed facade and ensure that as much material as possible is available to be incorporated into the new building.

- 3 **Condition** - the retained materials covered by Conditions 2 and 3 shall be incorporated into the new development in accordance with full details which have been submitted for approval prior to the commencement of the rebuilding of the retained facade and if approved, the works shall be carried out only in accordance with such approved details. The details should include details of mortar mixes and finishing materials.

Reason – in order to ensure that the retained facade is incorporated into the new building to protect its long term future.

- 4 **Condition** - prior to the commencement of development, full details for the safe removal, storage and subsequent reinstatement of the Tay Rope Works signage into the development hereby approved shall be submitted to the Council for written approval. For the avoidance of doubt, the information shall include a timetable and method statement for the reinstatement of the signage. Thereafter, the signage shall be finished in strict accordance with the details approved by this condition

Reason – the retained original fabric of the facade shall be safely stored in a location to be agreed in writing by the City Council prior to the rebuilding hereby approved.