

KEY INFORMATION

Ward Tay Bridges

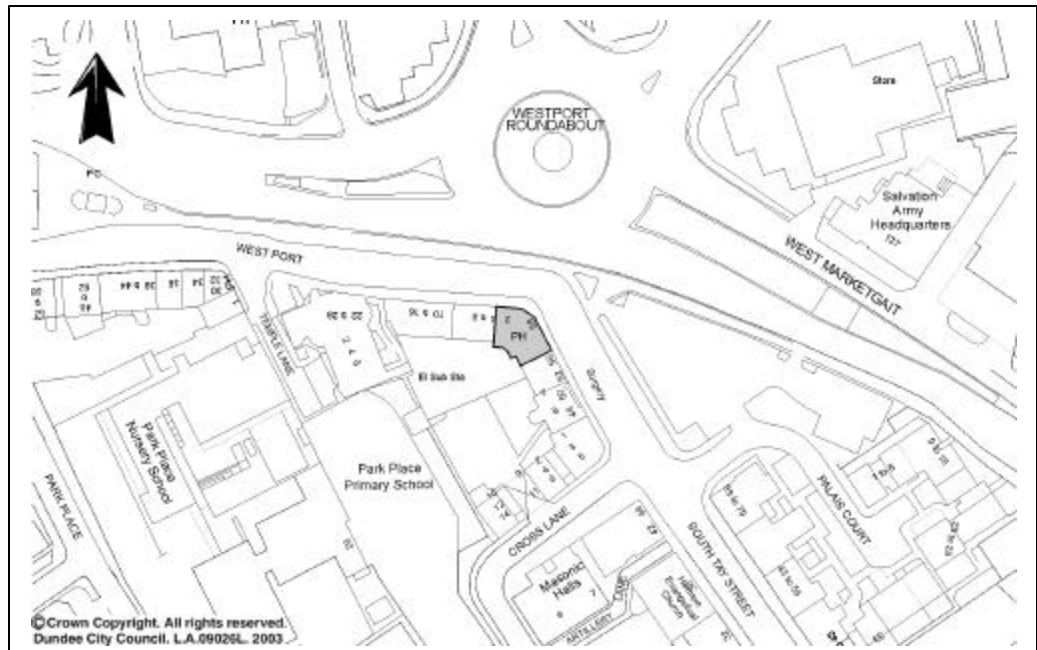
Proposal

Elevational Alterations

Address2 West Port
Dundee
DD1 5EP**Applicant**Mr K Nicoll
2 West Port
Dundee
DD1 5EP**Agent**The Lindsay Gray/Alan
Beaton Partnership
7 Ward Road
Dundee
DD1 1LP

Registered 29 Jan 2004

Case Officer R Anderson



Alterations to Public House Frontage Proposed in Westport

The elevational alterations are **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed alterations to the public house frontage make a positive contribution to the immediate building and the wider surroundings. It conforms to Local Plan policy and there are no material considerations which warrant overturning policy in this case. Accordingly, **APPROVAL** is recommended.

SUMMARY OF REPORT

- An application has been received for external alterations to a public house at the above address. The alterations include two new glazed areas and a new doorway all finished in a 1930's "Art Deco" style.
- The Property forms the ground floor premises of a category B listed building, located in the University Conservation Area. The property also lies within the council's emerging "Cultural Quarter."
- One letter of objection has been received regarding the noise pollution affecting neighbouring residential amenity.
- The proposed design makes a positive contribution to the appearance of the listed building and the character of the conservation area. Included in the overall development will be precise details of sound attenuation, which will ensure inaudibility in neighbouring properties. The proposal conforms to local plan policy and there are no material considerations, which warrant overturning policy. Accordingly the application is recommended for approval.

DESCRIPTION OF PROPOSAL

It is proposed to alter the frontage of the above premises, currently in use as the "Ascot Bar" public house. This corner site has three main bays, two windows and a doorway. The window areas, which measure some 24m² in area, will be fitted with five vertically emphasised windows each containing three panes, chrome stallrisers and stencilling. The frames are formed from timber and will sit below illuminated chrome downstands with illuminated glass signs above. The central doorway (on the corner of the frontage) will have similar proportions to the windows with a louver above and two new windows either side of the doorway will be fitted with timber frames and louvers above.

SITE DESCRIPTION

The site in question is located on the corner of South Tay Street and the West Port forming the ground floor premises. The building is a stone and slate flatted property and currently in use as a public house. It has residential properties above with commercial properties either side and a car park to the east. To the west is ground associated with the residences and primary school beyond. The building is category B listed and falls within the University Conservation Area.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

H1 - Existing Residential Areas

BE1 - Design Quality

BE2 - Townscape Quality

BE3 - Use of Materials

BE11 - Development In conservation Areas

BE17 - Alterations to Listed Buildings

Dundee Urban Nature Conservation Subject Local Plan 1995

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

Finalised Dundee Local Plan Review

The following policies are of relevance:

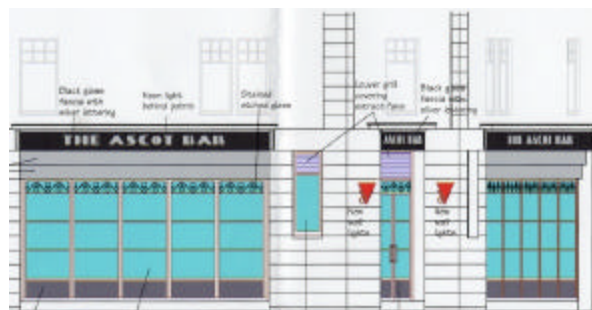
Policy 1: Vibrant and Sustainable Communities

Policy 17: Cultural Quarter

Policy 55: Urban Design

Policy 60: Alterations to Listed Buildings.

Policy 61: Development in Conservation Areas.



Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

NPPG 18 - Planning and the Historic Environment

Memorandum of Guidance on Listed Buildings and Conservation Areas

Non Statutory Statements of Council Policy:

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

LOCAL AGENDA 21

Key Theme 12 promotes opportunities for culture, leisure and recreation to be available to all. Key Theme 13 indicates that places, spaces and objects combine meaning with beauty. Key Theme 15 promotes diversity and local distinctiveness and indicates they

should be valued and protected. The proposed alterations go some way to meeting all of these themes.

SITE HISTORY

There is no site history of relevance to the application.

PUBLIC PARTICIPATION

One letter of objection has been received. The main issues arising relate to noise emanating from the public house and impacting on residential amenity. This issue will be assessed fully in the Observations section of this report.

CONSULTATIONS

Environmental Health and Trading Standards have asked that a full noise impact assessment be undertaken for the premises to ascertain that the noise levels experienced in neighbouring properties is acceptable. They are satisfied that this matter can be the subject of a suspensive condition.

No other adverse comments have been received.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- whether the proposals are consistent with the provisions of the development plan; and if not
- whether an exception to the provisions of the development plan is justified by other material considerations.

The Development Plan

H1 - Existing Residential Areas - The public house is an existing use and therefore the alterations to the exterior do not have a major land use implications. However the use of extensive glazing can increase the levels of noise pollution experienced by neighbouring residents. However in this case the glazing will be developed in conjunction with the internal refit of the pub and the overall effect will be that any noise emanating from the property will be within acceptable limits. In terms of the appearance of the building this has no

bearing on residential amenity. Any parking and traffic movements associated with the public house are not going to change as a result of this application. The proposal is acceptable under this policy.

BE1 - Design Quality; BE2 - Townscape Quality; BE3 - Use of Materials - The design employed by the applicants is to try and go for a 1930's style Art Deco appearance. This has largely been achieved. The remainder of the building is very "urban" in appearance and is a heavy solid building. The use of glazing, timber, chrome and neon lighting will have the effect of "lifting" the building and providing some vibrancy at ground level. The materials selected are of a sufficient quality to add visual interest to the building and complement the existing external materials. The site is a prominent location within the "Cultural Quarter" and highly visible from a major route into the city centre. The proposal represents good contemporary design and will be of benefit to both of these factors. The proposal is supported under the above policies.

BE11 - Development In conservation Areas - Following on from the above points the proposal represents development, which adds quality to South Tay Street and complements its surroundings. It is considered that the proposal enhances both the character and appearance of the Conservation Area and is supported under this policy.

BE17 - Alterations to Listed Buildings - In consultation with this department the basic concept of using the three "bays" at the ground floor level of this heavy building as the areas for expressing the design is supported. The solid external walls act as a frame and allow more expressive design in these spaces, which will enhance the listed building. The design takes account of architectural features and attempts to line up and be symmetrical with them. The use of light bold materials helps to offset the heavy stonework and adds a variety to the appearance of the building. In this respect the proposal is supported under this policy.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

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

Policy 1: Vibrant and Sustainable Communities - similar considerations are given to this policy as H1 above.

Policy 17: Cultural Quarter - The council's policy is to try and encourage venues and promote leisure activities, which will enhance visitor attraction. In conjunction with this aim is the promotion of bold contemporary architecture, which will be an attraction in itself, but also blends in with the formal surroundings of the conservation area. It is considered that the current proposal achieves these aims and is in line with this policy.

Policy 55: Urban Design - similar considerations are given to this policy as BE1, BE2 and BE3 above.

Policy 60: Alterations to Listed Buildings - similar considerations are given to this policy as BE17 above.

Policy 61: Development in Conservation Areas - similar considerations are given to this policy as BE11 above.

NPPG 18: Planning and the Historic Environment - The advice contained in this document regarding listed buildings and conservation areas echoes the national requirement to have regard for the impact of development on the character and appearance of both. It is considered that the development is positive in both cases and therefore conforms to the national guidance. Similar considerations are given when the proposal is assessed against the advice contained in the Memorandum of Guidance on Listed Buildings and Conservation Areas.

The Point Raised by the Objector - The issue of noise pollution emanating from the public house is a cause for concern for neighbouring residences, which could be made worse by an increased amount of glazing on the pub frontage, which allows noise to escape from the building easier. However in this case the applicants have employed a noise consultant who is putting forward a full attenuation scheme and insulation measures, which will ensure that any noise generated by the pub is inaudible from any nearby residence. In addition to this an informative will be attached indicating that when the doors/windows to the bar are open no

music is to be played inside the pub. This issue will also be covered in the noise assessment.

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 design of the pub frontage has been carried out in consultation with this department and it is considered that the style materials and positioning of the elements is both in harmony with the existing building, but also adds interest and a positive feature to the streetscene. This is beneficial to the character and appearance of the conservation area and advances the development of the "Cultural Quarter."

CONCLUSION

It is considered that the changes to the public house will be of benefit to the wider area in terms of its appearance and will be developed to a standard that will not impact adversely on neighbouring residential amenity. The proposal conforms to national and local policy and there are no material considerations that warrant overturning policy in this case. Accordingly approval of the application is recommended

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 That prior to the commencement of development a full noise attenuation scheme be submitted in writing, demonstrating that any music emanating from the public house is inaudible from inside the nearest residential property, and agreed to the satisfaction of the planning authority. Thereafter the agreed contents of the scheme to be implemented in full to the satisfaction of the planning authority.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of residential amenity.