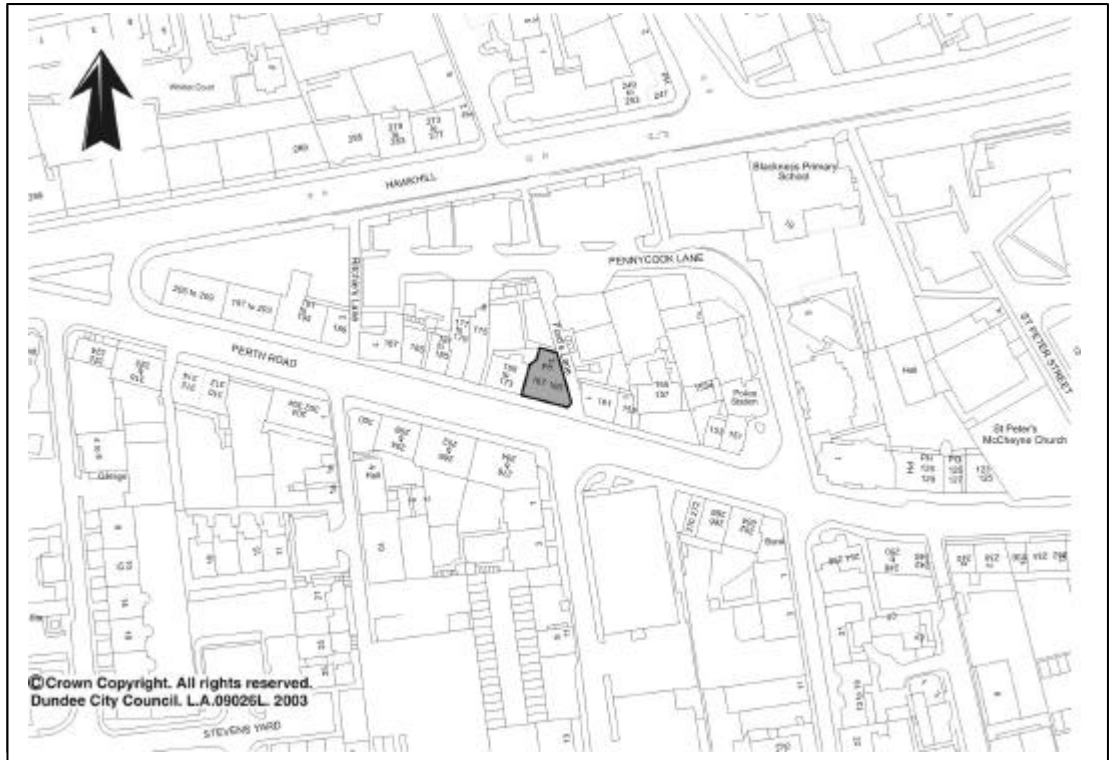


**KEY INFORMATION**

Ward Tay Bridges

**Proposal**

Proposed awning/canopy on front elevation

**Address**165-167 Perth Road  
Dundee  
DD2 1AS**Applicant**Jonathan Stewart  
165-167 Perth Road  
Dundee  
DD2 1AS**Agent**Ritchie Dagen and Allan  
Suite 2  
Stewarts House  
Kingsway East  
Dundee  
DD4 7RE**Registered** 27 Feb 2006**Case Officer** Eve Jones

## Awning and Smoking Area at Listed Pub - Perth Road

The proposed awning/canopy on front elevation is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

**RECOMMENDATION**

It is concluded that the proposed development does not comply with the provisions of Policy 60 of the Dundee Local Plan 2005 or the Memorandum of Guidance on Listed Buildings and Conservation Areas. It is recommended that planning permission be **REFUSED**.

**SUMMARY OF REPORT**

- Listed Building consent is sought for the installation of an awning on the front elevation of the building. The awning will be housed in an external box, 7.1 metres long and 211mm x 205mm, attached to the fascia. The awning will project 2.5 metres across the footway.
- The application site is a traditional public house occupying the ground floor of a 4 storey, stone built tenement on the north side of Perth Road and west of Ford's Lane. It is a B-listed building. The frontage to Perth Road is original and has large plate glass windows with Art Nouveau etching and original lettering on both the frontage and the fascia.
- Dundee Local Plan Review 2005 - Policy 60: Alterations to Listed Buildings - will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character.

## DESCRIPTION OF PROPOSAL

Listed Building consent is sought for the installation of an awning on the front elevation of the building. The awning will be housed in an external box, 7.1 metres long and 211mm x 205mm, attached to the fascia. The awning will project 2.5 metres across the footway.

## SITE DESCRIPTION

The application site is a traditional public house occupying the ground floor of a 4 storey, stone built tenement on the north side of Perth Road and west of Ford's Lane. It is a B-listed building. The frontage to Perth Road is original and has large plate glass windows with Art Nouveau etching and original lettering on both the frontage and the fascia describing the premises as a "Wine and Whisky Merchant", "Importer of Foreign Wines & Spirits" etc.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan Review 2005

The following policy is of relevance:

Policy 60: Alterations to Listed Buildings - will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character.

### Scottish Planning Policies, Planning Advice Notes and Circulars

The Memorandum of Guidance on Listed Building and Conservation Areas issued by Historic Scotland is of relevance to this application.

### Non Statutory Statements of Council Policy

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

## LOCAL AGENDA 21

The application fails to comply with Key Theme 7, "Access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all".

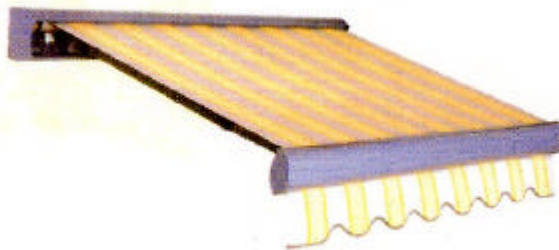
## SITE HISTORY

06/00130/FUL is a partner planning application, which is on this Agenda with a recommendation for refusal.



## PUBLIC PARTICIPATION

The application was the subject of a statutory advertisement in the Courier and there were no specific objections to the listed building application. Objections to the partner planning application included damage to the environment but the impact on the listed building was not specifically mentioned.



## CONSULTATIONS

There were no adverse comments from consultees.

## OBSERVATIONS

In accordance with the provisions of Section 14 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act the Committee 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.

As noted in the description, the public house has an original facade which includes fine Art Nouveau windows and original lettering. The proposed awning will cover two of the three windows on the Perth Road facade and will introduce a box-like cassette which will contain the retractable awning when not in use. It is considered that the installation of the awning will have a significant detrimental impact on the facade of the listed building in both the open and closed circumstances.

## Other Material Considerations

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

Policy 60 of the Dundee Local Plan Review 2005 states that alterations to listed buildings will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. The proposed projecting awning in its external box will have a detrimental impact on the architectural and historic character of this original public house building. The awning will obscure the important details of the frontage, will detract from its character and will be an incongruous feature on the original fascia. It is considered that the proposed development does not comply with Policy 60.

The Memorandum of Guidance on Listed Building and Conservation Areas provides guidance on the acceptability of proposed developments. Paragraph 2.21 notes that it is not merely the building itself which is important but also its contribution to the street in which it stands. This building is in a prominent

central location and makes a significant contribution to the character of Perth Road in this vicinity. The Guidance in Appendix 1 states that "traditional sun blinds (also referred to as awnings) above shop windows may be appropriate in some cases but as a general rule should only be considered where the display window to be protected may receive full sunlight for several hours a day and regularly contains perishable goods." It is considered that the proposed awning does not comply with these restricted conditions.

It is concluded from the foregoing that insufficient weight can be accorded to any material considerations such as to justify an exceptional grant of planning permission in the face of the proposal's contravention of the development plan.

## Design

The issues of design have been addressed in the foregoing observations.

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## CONCLUSION

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It is concluded that the proposed development does not comply with the provisions of Policy 60 of the Dundee Local Plan 2005 or the Memorandum of Guidance on Listed Buildings and Conservation Areas. It is recommended that planning permission be REFUSED.

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## RECOMMENDATION

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It is recommended that planning permission be REFUSED for the following reasons:

### Reasons

- 1 The proposed development is contrary to Policy 60 - Alterations to Listed Buildings of the Dundee Local Plan Review 2005 as it does not preserve or enhance the architectural or historic character of the building and will diminish the architectural integrity of the building and its historic interest. There are no material considerations of sufficient strength to justify the granting of planning permission contrary to the policy.
- 2 The proposal fails to comply with the Memorandum of Guidance on Listed Buildings and

Conservation Areas as the awnings would conflict with specific guidance in Appendix 1 and would have a significant detrimental impact on the facade of the listed building in both the open and closed situations.