

**KEY INFORMATION**

Ward West End

**Proposal**

Formation of Office  
Accommodation in New Roof  
Structure

**Address**

400-410 Perth Road  
Dundee  
DD2 1JQ

**Applicant**

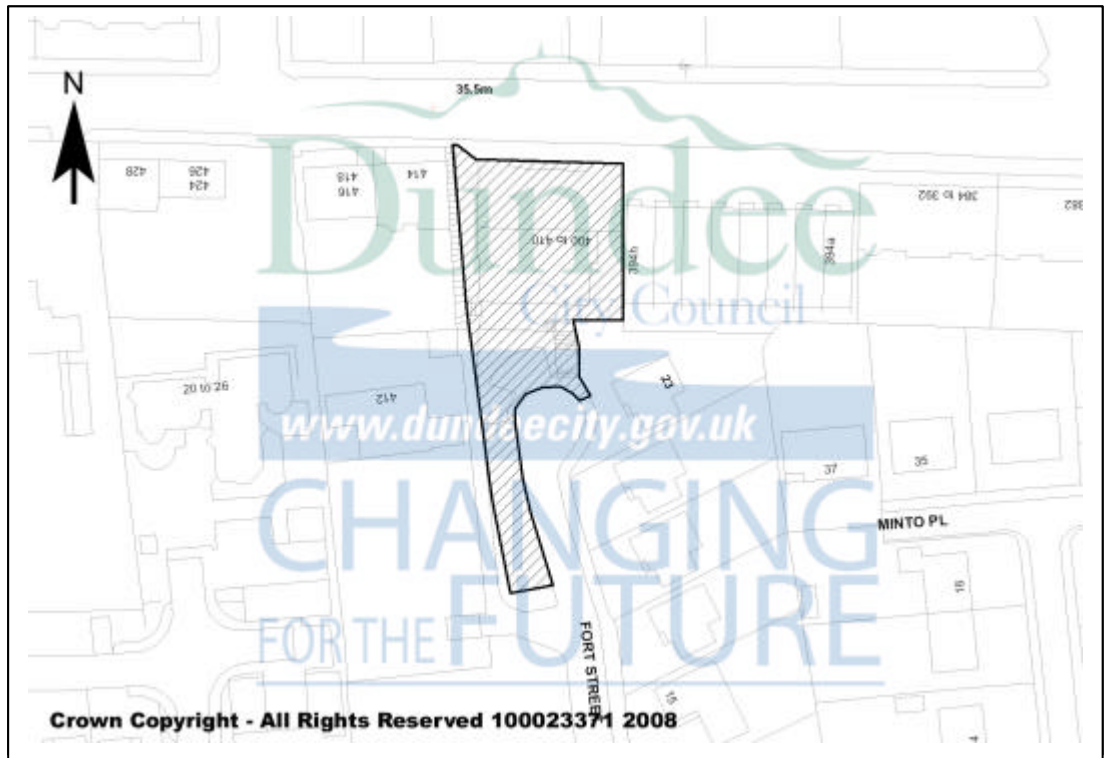
Clark Thomson Insurance  
Brokers Ltd  
24 Whitefriars Street  
Perth  
PH1 1PP

**Agent**

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2 Osborne Place  
Dundee  
DD2 1BD

Registered 19 Aug 2008

Case Officer D Gordon



## Additional Office Floor Proposed in Perth Road

The formation of office accommodation in a new structure is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation.

**RECOMMENDATION**

The proposed development, because it involves the provision of an extension of an inappropriate design and scale on the roof of a prominent building located within a conservation area, contravenes Policy 55 and Policy 61 of the Dundee Local Plan Review 2005. The application is recommended for **REFUSAL**.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a mansard extension on the roof of an existing office building located on the south side of Perth Road. The structure would be finished in 'lead effect' metal cladding and is required for additional floorspace associated with an existing business.
- The site is located within the West End Lanes Conservation Area. An assessment of the proposals under Policy 1, Policy 55 and Policy 61 of the Dundee Local Plan Review is considered to be relevant.
- Three letters of objection to the proposals have been received. The main concerns of the local residents relate to the impact the development will have on the privacy of their properties and the affect the proposals will have on the character of the conservation area and the setting of adjacent listed buildings.
- It is concluded that the proposed extension is inappropriate in scale and design and, as a result, is contrary to Policy 55 and Policy 61 of the Local Plan. There are no material considerations of sufficient weight, including the Planning and Design Statements submitted by the applicants, that would justify the setting aside of the adopted policies and granting permission for this development.

**DESCRIPTION OF PROPOSAL**

The proposal under consideration involves an extension on the roof of an existing building to provide additional office accommodation. An existing tank room and associated services are to be removed from the roof in order to facilitate this new development.

The extension will be of a mansard roof design that will be finished with 'lead effect' metal cladding. Arched windows in the roof space are proposed, five to the Perth Road frontage and seven on the south side of the building overlooking Fort Street.

A new fire escape stair is to be erected on the east side of the building from the upper ground floor level to the new second floor accommodation.

No additional off street car parking spaces for the building is proposed.

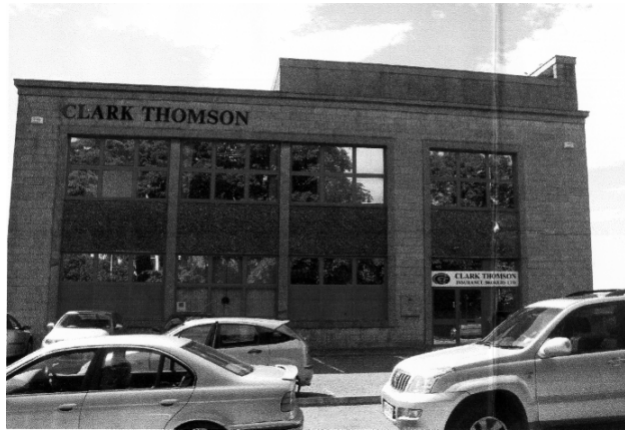
**SITE DESCRIPTION**

The site is located approximately 145 metres to the west of the junction of Perth Road and Windsor Street. The surrounding area accommodates a wide variety of building ages and styles, ranging from ornate Victorian villas set in large gardens that face the site across the Perth Road, to small scale modern infill housing that is built at a much lower level to the south. On either side of the site there are Victorian tenement and other flats of about the same era and the site immediately adjoins a modern residential development (east side).

The site is set back from the south side of Perth Road behind the more traditional building line, and behind a parking forecourt. To the rear, windows have clear views across neighbouring properties and the River Tay. The building under consideration is a modern, flat roofed, stone faced office block that is two storeys high at the front (north) and four storeys to the rear by virtue of the significant drop in ground levels. The front elevation of the building is relatively plain and the back is prominent and relatively unattractive. A raised flat roof structure extends along half of the roof

which accommodates a tank room and services.

A new development of modern town houses is currently under construction on the east side of the site. To the west is a set of steps and existing residential properties that are a mixture of Category 'B' and 'C (S)' listed buildings.



The site is identified as being within the West End Lanes Conservation Area.

**POLICY BACKGROUND**

**Dundee and Angus Structure Plan 2001-2016**

The following policies are of relevance:



Environmental Resources Policy 5A: Historic Environment. This policy, amongst other things, requires the protection and enhancement of conservation areas in order to conserve the diverse and distinctive qualities of the city.

**Dundee Local Plan 2005**

The following policies are of relevance:

Policy 1: Vibrant And Sustainable Communities - the City 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 affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 55: Urban Design - for all new developments the emphasis will be on design quality and the City Council will seek the creation of new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. All development should respect the setting of listed buildings.

The City Council requires the use of Design Statements for planning applications or listed building applications for new buildings or extensions to existing buildings on significant sites.

All development will, in its design and layout, be expected to contribute to an environment which is safe and accessible to all.

Policy 61: Development In Conservation Areas - within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

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

The following are of relevance:

Scottish Planning Policy 23: Planning and the Historic Environment (this document supersedes NPPG 18). This policy sets out, amongst other things,

the national planning policy for the historic environment with a view to its protection, conservation and enhancement.

Scottish Historic Environment Policy October 2008 and the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998. These documents by Historic Scotland offers Local Authorities and developers best practice advice in dealing with developments which may have an impact on or affect listed buildings or conservation areas.

## 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

D16206 - Erection of Free Standing Antennae - Approved 29/05/1991.

D23926 - C/U of Basement to Nursery - Refused 06/1999.

01/30303/FUL - Erection of Mast - Approved (on appeal) 23/04/2002.

03/00130/COU - C/U of Office to Caretakers Flat - Approved 26/06/2006.

## PUBLIC PARTICIPATION

The applicants have undertaken the statutory neighbour notification procedure. The proposals have attracted three objections from local residents. The main concerns raised by the objectors relate to:-

- 1 The proposal would be detrimental to residential amenity by virtue of a reduction in the privacy/increase in the overlooking of surrounding residents due to the increase in the amount of windows proposed on the south elevation of the building.
- 2 The proposed alterations would have an adverse impact on the setting of adjacent listed buildings, the streetscene and the

character of the surrounding conservation area.

It is intended to comment on these matters in the 'Observations' Section of this report below.

Members will already have had access to the objection letters.

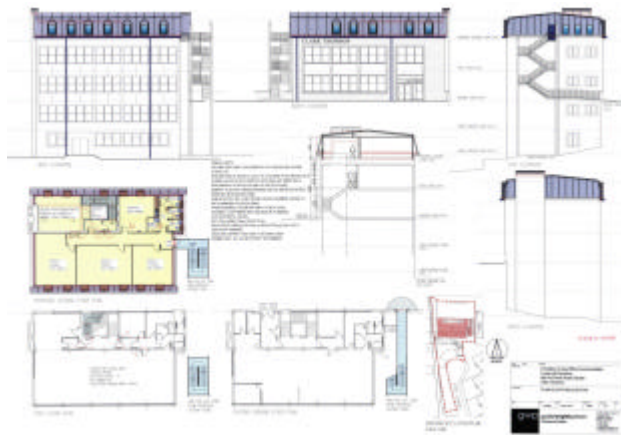
## CONSULTATIONS

No adverse comments have been received from any of the consultees.

## OBSERVATIONS

### Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland)



Act 1997 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 Statutory requirements under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

In accordance with Section 64 of the above Act the Council is required to have special regard to the desirability of preserving and enhancing the character or appearance of the Conservation Area.

### The Development Plan

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

The proposal under consideration involves the provision of an additional

storey on an existing building to accommodate new office floorspace. The extension will be in the form of a mansard roof that will finished in 'lead effect' metal cladding. New office windows will be provided on both the north and south elevations of the building and an external fire escape stair is to be erected on the east elevation. Three toilet windows are to be provided on the east elevation. An existing flat roof tank room and services structure is to be removed from the roof of the building as part of the proposals.

Policy 1 of the Dundee Local Plan Review 2005 seeks to minimise the affect new development would have on the environmental qualities currently enjoyed by virtue of design, layout, parking and traffic movement issues, noise or smell. It is considered that there are no layout, parking and traffic movement, noise or smell issues relating to this proposed development.

With regard to the design of the new extension, the proposal involves the provision of a large mansard roof that will project approximately 3 metres above the roof of the existing building. It is considered that the scale and

design of this extension is inappropriate and would result in the creation of a dominant feature that would be out of keeping with the appearance and character of existing building. However, while the appearance of the extension may not be appropriate, it is considered that there currently exists a certain degree of overlooking of the adjacent properties from this office building and the proposed additional windows would not compound this problem to any significant degree. Further it is also considered that the location and scale of the extension should not reduce the daylight/sunlight or overshadow the adjacent houses. In respect of the above it is concluded that the proposal is in accordance with Policy 1 of the Plan.

Policy 55 of the Plan places emphasis on the requirement for design quality in all new developments within the city. It has already been identified above that the proposed extension on the roof of the building looks heavy and cumbersome and does little to improve or indeed enhance the appearance of the existing building.

Discussions with the applicants' agents on possible improvements to the design of the structure have been undertaken and included the potential reduction in the size of the structure and the provision of a flat roof which would be more in keeping with the design characteristics of the existing building. However, the applicants have advised that, amongst other things, there are structural issues with the existing roof that would direct against the provision of a smaller extension. It is acknowledged that a new residential development is currently under construction on the east side of the site and that this development displays a modern and contemporary appearance. This modern design philosophy was intended to contrast with the more established building characteristics of the surrounding conservation area and this approach was found to be acceptable by the Council. It is accepted that while the proposed roof top extension may be minor in comparison to this adjacent modern development, the poor design of the new structure will have a significant impact on the appearance of the existing building to the detriment of the visual quality of the area. The impact of the proposal on the wider surrounding area is discussed more fully in consideration of Policy 61 (Development in Conservation Areas) below. From the above it is concluded that the proposal is contrary to Policy 55 (Urban Design) of the Plan.

Policy 61 requires that within conservation areas all developments proposals will be expected to preserve or enhance the character of the surrounding area. The building under consideration is a flat roof office building that has, over the years, attracted a degree of criticism on its appearance from local residents. However, the building does play a part in establishing the character of the conservation area with this role being emphasised when building is viewed from the south. It is considered that the heavy roof top extension will further emphasise the dominance of this building and as a consequence compound the inappropriateness of its roof top design. It is concluded that the proposal will neither enhance nor protect the character of the conservation area and therefore it is concluded that the development is contrary to Policy 61 of the Plan.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

The Statutory duty set out in Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the Council to pay special attention to the desirability of enhancing the character or appearance of the conservation area. As explained above in the context of the assessment of the proposal under Policy 61 of the adopted Local Plan, the proposed roof top extension would not preserve the character or appearance of the West End lanes Conservation Area.

### Other Material Considerations

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

1 Planning and Design Statement submitted by Applicants.

The applicants have submitted that additional office space is required to cover an expansion of the business and that the proposed roof top extension would be the most appropriate solution in this instance. They have advised of their opposition to the provision of a flat roof extension due to potential water drainage/leakage problems and have expanded on their support of the design proposed which would, in their opinion, improve the appearance of the existing building. The agents have also submitted information on the structural aspects of the roof and the problems that 'stepping' the extension back from the support wall would create.

The need by the applicants to increase office floorspace is recognised and accepted. However, it is considered that the support offered by the applicants in relation to the design and scale of the proposed extension does not carry sufficient weight to set aside the terms and requirements of the relevant Local Plan policies on urban design and developments in conservation areas.

2 Objections by Local Residents

- a Impact on Privacy. It is considered that this matter has been discussed and discharged in the context of

the assessment of Policy 1 (Vibrant and Sustainable Communities) above. It was concluded that there already exists a degree of potential overlooking of adjacent residential properties from the office building and that the provision of additional windows would not significantly increase this problem.

- b Impact of the development. The matter of the potential impact the proposed development would have on the character of the surrounding conservation area has been discussed and discharged in the assessment of Policy 61 (Development in Conservation Areas) above. It was concluded that the development did not preserve or enhance the character of the surrounding area.

3 Memorandum of Guidance on Listed Buildings and Conservation Areas 1998.

The Memorandum offers advice on new development within Conservation Areas and advises that all new development which is well designed, respects the character of the area and contributes to its enhancement should be welcomed. As noted above, it is considered that the proposed development fails to meet any of these aspirations and consequently the application should be resisted.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be refused.

### Design

It is considered that the proposed extension is inappropriate in terms of scale and design to the detriment of the appearance of the existing building and the character of the surrounding area.

### CONCLUSION

The building under consideration is a flat roof modern building that sits on a

highly visible site in the West End Lanes Conservation Area. From the north the proposed extension would be viewed a clumsy extension to the roof of the property. From the south the proposal would emphasise the visual dominance of the building and would only add to the large scale and considerable intrusive bulk of the property to the detriment of the appearance of the existing building and the setting and character of the surrounding conservation area.

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## RECOMMENDATION

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It is recommended that consent be REFUSED for the following reasons:-

- 1 The development contravenes Policy 55 and Policy 61 of the Dundee Local Plan Review 2005 by virtue of the inappropriate design and scale of the proposed extension and the adverse impact such a structure would have on the appearance of the existing building and the setting and character of the surrounding conservation area. There are no material considerations of sufficient weight that would justify the approval of this application contrary to the provisions of the Development Plan.
- 2 The proposed development would have a detrimental impact on the character and appearance of the West End Lanes Conservation Area by reason of the provision of an obtrusive extension of an inappropriate scale and design on the roof of a building located on a prominent site within the local area. The approval of this application would fail to meet the Statutory duty set out in Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.