

PLANNING STATEMENT

SITE AT BARRACK STREET, DUNDEE

**PLANNING APPLICATION : FORMATION OF HOTELS AND
LICENSED RESTAURANT UNIT ALL WITH ASSOCIATED
FACILITIES AND ANCILLARY WORKS TO INCLUDE
INFRASTRUCTURE, LANDSCAPING ETC. FOLLOWING
DEMOLITION (EXCEPT FOR SUBSTANTIAL FAÇADE RETENTION)
OF EXISTING STRUCTURES ON SITE**

**LISTED BUILDING APPLICATION : DEMOLITION OF VACANT
BUILDING / STRUCTURES WITH SUBSTANTIAL RETENTION OF
EXISTING FAÇADE AND INCORPORATION OF THIS INTO NEW
BUILD PROPOSALS ON SITE**

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mcinallyassociates



16 Robertson Street
Glasgow
G2 8DS

tel : 0141 332 5181
fax : 0141 332 5160
e-mail : tommcinally@mcinally-associates.co.uk

www.mcinallyassociates.co.uk

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1 INTRODUCTION

- 1.1 The site of the proposed development at the junction of Barrack Street and Willison Street is located within the centre of the City of Dundee immediately adjacent to the Overgate Shopping Centre.
- 1.2 The property which occupies the site is a Grade B Listed Building formerly used as a furniture retail store and has been vacant for more than 4 years during which time it has been actively marketed but with no other interests in re-use, refurbishment or redevelopment (see enclosed marketing letter and floorspace availability statement from J&E Shepherd, Chartered Surveyors). Since becoming interested in the property the applicant has undertaken extensive surveys and research on the building and has considered options for use of the building in its existing condition, with structural intervention to meet current building standards for its original and new uses. As a result it has been established that the building cannot be re-used without significant structural interventions, even for its original purpose and that the structural interventions required to make the building usable for any other uses would not be economically viable.
- 1.3 Against this backdrop, as you will be aware, the applicant initially sought to promote a scheme to completely demolish the Grade B listed Willison House (and associated structures) on site and promote a complete new build scheme of 282 student residences. The PAN notice and public exhibition attracted a considerable amount of negative feedback.
- 1.4 After this feedback was received the applicant looked again at the proposals with the view to retaining the listed façade of Willison House, introducing a further use into the proposals and limiting the number of student residences in the proposals, all while attempting to maintain the economic viability of the overall proposal.
- 1.5 After consultation these further proposals were subject to Applications 17/00226/FULM and 17/00227/LBC which sought to retain the B listed Willison House façade and incorporate this into new build proposals on site consisting of hotel (172 beds), student residences (85 in number) and a restaurant unit (306m²).
- 1.6 **In all regards it should be noted that the applications for planning permission and listed building consent now lodged and subject to this report represent a resubmission of current live applications 17/00226/FULM and 17/00227/LBC.**
- 1.7 **This follows on from meetings and correspondence with Dundee City Council officers which indicated a lack of officer support for the student accommodation element of Application 17/00226/FULM.**
- 1.8 **As such the enclosed planning application and listed building proposals represent a revised scheme which removes the student accommodation element of the proposals and replaces this with hotel accommodation.**
- 1.9 **In this regard the enclosed planning and listed building applications seek consent for the formation of hotels and licensed restaurant unit, all with associated facilities and ancillary works including infrastructure, landscaping etc. following demolition (except for substantial façade retention) of existing structures on site. As you will see from the enclosed it is intended to substantially retain the B listed Willison House façade (the most important part of the building) and incorporate**

this into the new build proposals on site. In this regard the carefully thought out new build proposals (as fully detailed in the attached plans and Design and Access Statement) consist of :

- Hotel (new build – 132 rooms)**
- Hotel (new build / façade retained – 115 rooms)**
- Restaurant unit (289m²)**

1.10 It is submitted that considerable time and expense has gone into justifying the proposals and in this regard, as well as a full suite of appropriate drawings, the following reports / studies are also included in relation to the proposals :

- Pre-Application Consultation Report (McInally Associates)
- Planning Statement (McInally Associates)
- Design and Access Statement (ADF Architects)
- Conservation Statement (ADF Architects)
- Engineering Report (David Narro Associates)
- Marketing Letter and Available Floorspace Statements (J&E Shepherd)
- Stage 1 Geoenvironmental Investigation Report (Johnson Poole & Bloomer)
- Transport Statement (Dougall Baillie Associates)
- Drainage Strategy Report (David Narro Associates)
- Ecological Survey Report, Bat Survey and Extended Phase 1 Habitat Survey (Direct Ecology)
- Sustainability Assessment (Henderson Warnock)

1.11 In all regards it is submitted that all of the information enclosed provides full justification for the proposals against a wide range of topic areas.

1.12 As with all applications the proposals must be assessed against the policies of the development plan which in this instance is the Dundee Local Development Plan 2014.

2 DUNDEE LOCAL DEVELOPMENT PLAN

- 2.1 The Dundee Local Development Plan sets out the land use strategy that will guide development across Dundee up to 2024 and beyond. Whilst this Plan was written amidst a UK-wide recession the plan states that :

“Dundee is looking forward with a justified optimism to an exciting period in the life of the City. Over the past 15 years great strides have been taken to revitalise Dundee’s City Centre, neighbourhoods, cultural offer and university areas. With Dundee’s foundation as a centre of excellence in research and technology there is now the opportunity to further modernise the City and embrace new technologies, diversify its cultural and leisure base and maintain the high quality environment. However, Dundee does face challenges and positive development of the City will require foresight, determination, and a land use planning context that encourages investment.”

and :

The vision for Dundee agreed through our Partnership is:

- Dundee will have a strong and sustainable city economy that will provide jobs for the people of Dundee, retain more of the universities’ graduates and make the city a magnet for new talent;
 - will offer real choice and opportunity in a city that has tackled the root causes of social and economic exclusion, creating a community which is healthy, safe, confident, educated and empowered;
 - will be a vibrant and attractive city with an excellent quality of life where people choose to live, learn, work and visit.”
- 2.2 As previously indicated the applications enclosed with this submission seek consent for formation of hotels and licensed restaurant unit, all with associated facilities and ancillary works to include infrastructure, landscaping etc. following demolition (except for substantial façade retention) of existing structures on site.
- 2.3 As you will see from the enclosed it is intended to substantially retain the B listed Willison House façade (the most important part of the building) and incorporate this into the new build proposals on site.
- 2.4 In this regard the carefully thought out new build proposals (as fully detailed in the attached plans and Design and Access Statement) consist of :
- Hotel (new build – 132 rooms)
 - Hotel (new build / façade retained – 115 rooms)
 - Restaurant unit (289m²)
- 2.5 These proposals can be assessed against the relevant Dundee Local Development Plan policies as follows :
- 2.6 In the first instance it should be noted that the site at 56 Barrack Street is within the ‘City Centre’ designated area of the Dundee Local Development Plan.
- 2.7 With regard to the proposals it is important to note that from paragraph 5.31 the Plan recognises that **“Tourism and leisure are important economic activities for a**

city and can generate a wide range of opportunities for business and employment opportunities” and that “the main focus and location for new developments of this nature will be the City Centre”.

- 2.8 It should also be noted that in Chapter 8 ‘Town Centres and Shopping’ of the Dundee Local Development Plan Class 3 uses (such as the restaurant unit proposed) are supported within the City Centre area.
- 2.9 The Local Development Plan goes on to discuss visitor accommodation from paragraph 5.34 as follows :

VISITOR ACCOMMODATION

- 2.10 The Dundee Local Development Plan addresses Visitor Accommodation in paragraphs 5.33-5.34, where it states that :

“It is important that the City provides a range of visitor accommodation to meet the needs of tourists and business visitors. This is particularly important in the City Centre where the potential exists to achieve the greatest economic benefit from visitors to the City in terms of shops, restaurants and other visitor facilities. The majority of quality hotel and visitor accommodation is currently located in the City Centre with a smaller scale cluster in Broughty Ferry. Given the City Centre’s role as a location of retail, business, leisure and tourist related activities, visitor accommodation will be encouraged to locate in the City Centre.

Outwith the City Centre there exists a wide range and choice of visitor accommodation, particularly related to the Kingsway and other main routes through the City. In order not to undermine the provision of new visitor accommodation in the City Centre there will be a general presumption against additional accommodation throughout the City.”

- 2.11 The policy is as follows :

“Policy 6: Visitor Accommodation

The provision of a range of high quality visitor accommodation within the City Centre is supported. Additional visitor accommodation that is complementary to the existing townscape, will be supported within the Central Broughty Ferry area to further enhance its attractiveness as a location for smaller scale tourism.

Visitor accommodation, with the exception of small scale B&B and guesthouse style accommodation, will not be supported outwith the City Centre or Central Broughty Ferry except where these involve enhancements to existing facilities.

Any development in the City Centre should not have an adverse effect, either alone or in combination with other proposals or projects, on the integrity of any Natura site.”

- 2.12 In this context the application site is within the Dundee City Centre and close to shops and all other facilities. In this regard, the proposed hotel (new build -132 rooms) and hotel (new build / façade retention – 115 rooms) offer the potential to contribute to the economic benefit of the City from occupation by tourists and business people alike and is clearly supported by Policy 6. In this regard the Design and Access Statement provided by ADF Architects outlines the nature of the proposal and the quality of the design and layout to meet all requirements of the Local Development Plan. As such the proposals will enhance the vitality and viability of the City centre in compliance with the Local Development Plan. In these

circumstances the proposal is clearly capable of positive consideration against the terms of Policy 6.

BUILT HERITAGE AND LISTED BUILDINGS

- 2.13 The Local Development Plan states that *“Preserving and enhancing the historic environment is an important factor in maintaining the heritage and distinct identity of Dundee”*. The Local Development Plan also states that *“the future survival of historic buildings depends on viable uses, effective maintenance and repair, and minimising the impact of adaptation and modernisation on historic fabric”*. The Local Development Plan also indicates that *“Generally, where existing use of a listed building has ceased, new uses giving rise to least impact on the fabric will be encouraged”* and that *“It is usually in the best interest of an historic building if it can be retained or returned to the use for which it was originally designed, although it is accepted that this is not always appropriate or practical”*.
- 2.14 The Dundee Local Development Plan makes it clear that *“There is a presumption against the demolition or other works that adversely affect the special interest of a conservation area, listed building or its setting”* and that *“Applications for demolition shall be required to be accompanied with detailed proposals for the redevelopment or treatment of the cleared site to prevent the appearance of unsightly gaps”*.
- 2.15 In this regard Policies 48 and 49 of the Dundee Local Development Plan concern listed buildings, as follows :

“Policy 48: Listed Buildings

a) Alternative Uses

Suitable alternative uses will be considered for listed buildings where this is necessary to secure their future. Any adaptation of the fabric must be undertaken carefully and sensitively and have minimum impact on the architectural and historic interest, character and setting of the building. A detailed justification statement shall be required to be submitted to support an application proposing an alternative use.

b) Alterations to Listed Buildings

The alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest. A detailed justification statement shall be required to accompany an application for alterations to a listed building.

“Policy 49: Demolition of Listed Buildings and Buildings in Conservation Areas

Applications for the demolition of a listed building or an unlisted building that is worthy of retention in a conservation area must be fully supported by reports on the condition and marketing history of the building along with a feasibility study which explores the viability of retaining the building in active use. Applications for demolition shall be required to be in accordance with Historic Scotland’s ‘Scottish Historic Environment Policy’.

Where the demolition of a building is acceptable, applications must be supported by acceptable proposals for the redevelopment or treatment of the cleared site.”

2.16 With regard to these policies the application is supported by evidence that the property has been marketed for almost 4 years with no interest in the reuse of the building. Closed in October 2011 the property has been marketed since then by J&E Shepherd Chartered Surveyors and jointly with Eric Young and Co. since 2012. The initial marketing was for a short term lease over the Christmas period from 2011 into 2012 but there was no interest. The joint marketing by Shepherds and Eric Young and Co. has also been unsuccessful over the subsequent 4 year period with no tangible interest in the reuse of the building. One interest for temporary use of the ground floor as an indoor market in 2013 did not materialise. Since then there has been no interest shown in this property, other than that by the Structured House Group.

2.17 In addition additional evidence is submitted with this application from J&E Shepherd in the form of a letter and evidence / details of the wide variety of available to rent / buy retail premises in Dundee City Centre (in excess of 30 substantial premises). In this regard the letter from J&E Shepherd clearly states the following :

“Please find appended hereto details of current retail availability in Dundee City Centre.

This sets out the current range of availability although as you can imagine throughout the marketing of 56 Barrack Street (which commenced in October 2011) there has always been a range of availability across the City Centre including larger spaces in better locations.

This subject property was marketed as a whole or in parts and the ground floor provides some 14,000 sq ft and each of the upper floors some 7,500 sq ft. As such the building offers accommodation from circa. 7,500 sq ft to 39,500 sq ft.

With the range of availability appended herewith there are better opportunities that could accommodate retail requirements ranging from 7,500 sq ft upwards including accommodation within prime locations and within Wellgate Centre. The British Home Stores at Wellgate has been vacated following the financial collapse of the retailer. The shopping centre owners explored options for the space which extends to some 54,000 sq ft planned over three floors and which could also be sub divided. The unit is under offer but the letting has not concluded and may come back to the market.

Of course, to facilitate reoccupation of 56 Barrack Street it will be necessary to invest heavily in the fabric of the property but this will create retail floor plates of 7,500 sq ft (following removal of the single storey ground floor section) in a market where there is no demand for retail units of this size in this location.

Importantly the owners of competing vacant accommodation, many of which have been vacant for some time and in most instances will be attracting vacant rates liabilities and other void costs, will be very keen to secure tenants and will offer reduced rents (in many instances substantially below advertised asking rents), competitive terms and incentives in the form of rent free periods and cash contributions towards adaptations and fit outs. For instance we are aware of a large unit in the prime stretch where a tenant occupies at nil rent, paying a service charge for common services and paying the rates liability. We do not foresee these competitive market conditions changing in the foreseeable future and hence even if the subjects were to be refurbished the returns available in the market, say £100,000 per annum, would simply not generate economic returns.”

- 2.18 Furthermore, additional evidence from David Narro Associates (see enclosed report) has confirmed that the building is not robust. This report outlines in great detail the lack of structural integrity of the building and the need for substantial structural intervention in the historic fabric for any alternative use which could be attracted to the building. It is however clear that there is no interest in seeking alternative uses for the building.
- 2.19 In this context the primary reason for this lack of interest is reflected in the engineering report and the aforementioned market information provided by J&E Shepherd which clearly illustrate that the cost of any necessary intervention would make any reuse of the building not viable with the complex nature of the existing structure and its lack of robustness entirely non fundable. In these circumstances it is maintained that the existing building at Barrack Street / Willison Street cannot be reused and as such consent for its substantial demolition should be granted.
- 2.20 Against this backdrop, as you will be aware, the applicant had previously sought to promote a scheme to completely demolish the Grade B listed Willison House (and associated structures) on site and promote a complete new build scheme, however negative feedback was received on this proposal.
- 2.21 After this feedback was received the applicant looked again at the proposals with the view to retaining the listed façade of Willison House, while attempting to maintain the economic viability of the overall proposal.
- 2.22 As you will see from the enclosed applications it is intended to substantially retain the B listed Willison House façade (the most important part of the building) and incorporate this into the new build proposals on site.
- 2.23 In this regard the carefully thought out new build proposals (as fully detailed in the attached plans and Design and Access Statement) consist of :
- ❑ Hotel (new build – 132 rooms)
 - ❑ Hotel (new / façade retained – 115 rooms)
 - ❑ Restaurant unit (389m²)
- 2.24 In these circumstances the attached reports and information support the conclusions that the proposals are capable of positive consideration against the terms of the outlined Listed Building policies.

DESIGN

- 2.25 The Dundee Local Development Plan covers design issues in Policy 7 as follows :

“Policy 7: High Quality Design

All development must contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change, mitigation and adaptation.

The design and siting of development should respect the character and amenity of the place and should create and improve links within the site and into the surrounding area beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

All proposals should also meet the following design criteria:

- 1) *consider and respect site topography and any surrounding important landmarks, views or skylines.*
- 2) *contribute to a sense of identity by developing a coherent structure of streets, spaces, and buildings that are safely accessible, respecting existing building lines where appropriate.*
- 3) *the design should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- 4) *all buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport and designed with future adaptability in mind.*
- 5) *existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*

All developments in Dundee with construction costs of £1 million or over will be required to allocate at least 1% of construction costs for the inclusion of art projects in a publicly accessible/visible place or places within the development."

- 2.26 In all regards it is submitted that reference to all of the information contained in the aforementioned and enclosed reports including the Design and Access Statement prepared by ADF Architects will demonstrate that the proposals can be considered positively against the terms of Policy 7.

SUDS

- 2.27 The Dundee Local Development Plan covers SUDS issues in Policy 42 as follows :

"Policy 42: Sustainable Drainage Systems

Surface water from new development must be treated by a Sustainable Urban Drainage System (SUDS) except for single houses or where discharge is to coastal waters. SUDS should be designed so that in a 1 in 200 year rainstorm event, flooding will not be higher than 300mm below floor level. In addition, proposals will be encouraged to adopt an ecological approach to surface water management, ensure an appropriate level of treatment and exploit opportunities for habitat creation or enhancement through measures such as the formulation of wetlands or ponds."

- 2.28 Reference to the enclosed Drainage Strategy report (David Narro Associates) will demonstrate that the proposals can be considered positively against the terms of Policy 42.

SUSTAINBLE AND ACCESSIBLE TRANSPORT

- 2.29 The Dundee Local Development Plan covers sustainable and accessible transport issues in a number of policies including numbers 54 and 55 as follows :

"Policy 54: Active Travel

New development should be designed in order to:

- 1) *minimise the need to travel by private car,*
- 2) *improve access to services, and*

3) *promote healthy lifestyles by encouraging active travel.*

All developments which border an existing or propose core path must ensure that it is immediately and easily accessible from that development by provision of appropriate facilities.*

All developments should make provision for walking and cycle access, including cycle parking and walking / cycle routes and to a standard that affords it priority over motorised transport. This requirement may be applied flexibly where the re-use of existing buildings is involved. Walking and cycling routes should be fully useable prior to the first occupation of a new development.

**appropriate – refers to the specification choice of: footways, footpaths, cycleways or shared surface paths”*

“Policy 55: Accessibility of New Developments

All development proposals that generate travel should be designed to be well served by all modes of transport. In particular the sustainable modes of walking, cycling and public transport should be afforded priority and allow walkable access to local amenities.

Development proposals will be required to :

- 1) incorporate facilities on-site (and/or off-site through developer contributions) for walking, cycling and public transport networks, including road/junction improvements and cycle parking. Developments without direct links to adjacent walking and cycling networks will not be supported; and Developments without direct links to adjacent walking and cycling networks will not be supported; and*
- 2) incorporate measures to permit access to public transport networks within a walking distance of no more than 400 metres from the centre of the development; and*
- 3) have no detrimental effect on the capacity or functioning of the existing road or rail networks; and*
- 4) ensure that safe and adequate provision is made for road freight and waste access, loading and unloading; and*
- 5) comply with Dundee City Council’s roads design standards Streets Ahead.”*

2.30 In all regards it is submitted that reference to all of the information contained in the aforementioned and enclosed reports including the Design and Access Statement prepared by ADF Architects and Transport Statement prepared by Dougall Baillie Associates will demonstrate that the proposals can be considered positively against the terms of Policies 54 and 55.

2.31 Given all of the aforementioned and having assessed the proposal against the relevant policies of the Dundee Local Development Plan it is maintained that the applications can be positively considered and should therefore be approved.

3 HISTORIC ENVIRONMENT SCOTLAND POLICY STATEMENT (JUNE 2016)

- 3.1 In addition to the planning policies of the Dundee Local Development Plan consideration has been given to Historic Environment Scotland Policy Statement (June 2016).
- 3.2 In this regard four possibilities were considered for the 56 Barrack Street site, with comments on each as follows :

1. THAT NOTHING HAPPENS AT ALL

- 3.3 Ian Thomson, Senior Heritage Management Officer of HES advised at a meeting held on 25th November 2015 that this is not a preferred option.
- 3.4 In the intervening period the development proposal was comprehensively revised reflecting and incorporating some of the comments from the February 2016 PAN public consultation, and the principle of the proposal to retain the facade of architectural interest of the listed building. This was presented to David Gray of Dundee City Council Development Department on 28th November 2016. It was noted during the meeting that this proposal to retain the facade of architectural interest was generally found to be a more welcome response to the architectural heritage of the existing building as opposed to the complete demolition as previously proposed.

2. THAT THE BUILDING IS RESTORED

- 3.5 Restoration is the process of returning a building to a past appearance. It should always be based on firm evidence. It must not stray into conjecture. Restoration is not referred to within British Standard BS7913, where the term 'Reinstatement' is preferred. The Burra Charter calls it 'Reconstruction' if missing elements are recreated.
- 3.6 Ian Thomson advised in a letter dated 4th March 2016, in response to the PAN and information presented at the public exhibition, that this was Historic Environment Scotland's preferred option.
- 3.7 In response to the revised information submitted by the application contained within the PAN public consultation event held on the 21st February 2017 Historic Environment Scotland noted the following within its letter to Mr David Gray of Dundee City Council Development Department, **'The move away from total demolition to incorporation of the paired-back Art Deco Facades into the mixed use development is a positive move. However, the proposals will still represent a significant intervention into the listed building and we had hoped that more of the structure could be retained. However, the majority of the architectural interest of 56 Barrack Street is in the facades and we welcome the commitment to repairing the faience. A high quality restoration of the facades will help maintain the more significant qualities of the listed building'**.

- 3.8 The David Narro Associates Structural Report which forms part of this planning application notes that while the structural repair of the building is ultimately possible, the reuse of the building for a contemporary use, or alternative use, other than which it was originally designed in terms of modern structural integrity and use (a furniture warehouse) is problematic. The Structural Engineer's report states that without intervention to strengthen the timber joists, steel beams, floors and the foundation, the building could not easily accommodate a change in use. The degradation of the existing building fabric, due to many issues including water ingress, plant growth and failing elements of the facade is evident.
- 3.9 This planning application proposal is to introduce a variety of alternative economically viable uses in this location of Dundee City. The use as a furniture warehouse is not economically viable, hence the period of time that the building has lain vacant, without market interest. The J & E Sheppard Marketing Report which accompanies this application examines the economic viability of the re use of the existing building as a furniture warehouse further. They clearly state that this is not a viable option. Please refer to the full J & E Sheppard report for further information on market viability /availability.

3. THAT THE FACADE OF THE BUILDING IS RETAINED

- 3.10 As previously outlined, the proposals for this site have been comprehensively revised reflecting and incorporating some of the comments from the February 2016 PAN public consultation, and the principle of the proposal to retain the facade of architectural interest of the listed building.
- 3.11 In response to the revised information submitted by the applicant contained within the PAN public consultation event held on the 21st February 2017 Historic Environment Scotland noted the following within its letter to David Gray of Dundee City Council Development Department **'The move away from total demolition to incorporation of the paired-back Art Deco Facades into the mixed use development is a positive move. However, the proposals will still represent a significant intervention into the listed building and we had hoped that more of the structure could be retained. However, the majority of the architectural interest of 56 Barrack Street is in the facades and we welcome the commitment to repairing the faience. A high quality restoration of the facades will help maintain the more significant qualities of the listed building'**.
- 3.12 Historic Environment Scotland's comments are welcomed. The current proposals, having considered the general feed back to the original proposal for complete demolition of the existing building, have as previously noted been entirely revised to retain the area of the building that is of architectural significance i.e. the faience clad facade, with a commitment to repair and replace elements of that facade where required.

4. THAT A NEW BUILDING IS CONSTRUCTED FOLLOWING DEMOLITION OF THE EXISTING STRUCTURE

- 3.13 Although the façade, the sole element of architectural interest, is to be retained, the rest of the structure is to be demolished as per the proposals. Demolition or substantial demolition requires applicants to set out the practical evidence-based steps that have been taken to try and retain the building.

3.14 Reference is made to section 3.42 of Historic Environment Scotland Policy Statement (June 2016) with comments below as follows:

“Where the application proposes the demolition of a listed building applicants will be expected to provide evidence to show that:

- a) that the building is not of special interest; or
- b) that the building is incapable of repair; or
- c) that the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d) the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.”

Section 3.42 a) The building is not of special interest

3.15 It is stated within the Dundee Central Conservation Area Appraisal that the character of the area is composed of a mix of buildings, representing a range of styles and eras. As such, Willison House does not form a constituent part of the Conservation Area nor would the interest of a group of listed buildings be damaged by the demolition or substantial change of a constituent part. If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated.

3.16 Willison House, has however remained vacant since the departure of the previous owners, Robertson’s Furnishers, in October 2011. As a purpose built shop solely used by Robertson’s, the building has never seen any other use. The Category B Listing, made on 30/03/1994, may reflect the nostalgia to this former business which once thrived in Dundee though has now been lost. In these six years since its closure, the building has seen the signs of neglect. The listing, which denotes regional significance, may also be granted to the Art Deco style of the building, which is paired back and simple in its articulation as a reflection perhaps of its practical and functional shop use.

3.17 The current building at 56 Barrack Street was constructed as a furniture shop in two stages between 1934 and 1936. It remained in use as originally intended up until 2011 when the furniture company went out of business. Throughout this period the site was in continual private commercial use with no intrinsic, contextual or associative cultural significance.

3.18 In response to the revised information submitted by the application contained within the PAN public consultation event held on the 21st February 2017 Historic Environment Scotland noted the following within its letter to David Gray of Dundee City Council Development Department, **'The move away from total demolition to incorporation of the paired-back Art Deco Facades into the mixed use development is a positive move. However, the proposals will still represent a significant intervention into the listed building and we had hoped that more of the structure could be retained. However, the majority of the architectural interest of 56 Barrack Street is in the facades and we welcome the commitment to repairing the faience. A high quality restoration of the facades will help maintain the more significant qualities of the listed building'**.

- 3.19 The Historic Environment Scotland letter acknowledges that the '**...the majority of the architectural interest of 56 Barrack Street is in the facades and we welcome the commitment to repairing the faience**'.
- 3.20 The current proposal has identified the actual important essence of the listed building and is proposing to retain and repair this element.

Section 3.42 b) The building is incapable of repair

- 3.21 At present, 56 Barrack Street is not in a position to contribute positively to the sense of place whilst vacant and in a state of decay. The Structural Engineer's report states that without intervention to strengthen the timber joists, steel beams, floors and the foundation, the building could not easily accommodate a change in use. The existing building is not robust as a result of the hybrid nature of the structure and its development over a number of years with the conversion of another building. It is advised that in its present condition it could only maintain lightweight use and that this use would require robust management.
- 3.22 As noted above, the David Narro Associates Structural Report which forms part of the enclosed planning application, notes that while the structural repair of the building would ultimately be possible, the reuse of the building for a contemporary use, or alternative use, other than which it was originally designed in terms of modern structural integrity and use (a furniture warehouse) is problematic. The Structural Engineer's report states that without intervention to strengthen the timber joists, steel beams, floors and the foundation, the building could not easily accommodate a change in use. The degradation of the existing building fabric is evident. Any proposal for repair must be seen through in the light of the economic viability of being capable of carrying the costs of that repair. See criterion 3.42(d) below.

Section 3.42 c) The demolition of the building is essential to delivering significant benefits to economic growth or the wider community

- 3.23 With very few empty lots within the city centre, developing this site, which has a construction value of circa £20m, has the potential to provide work for 2 years for local firms.
- 3.24 The mixed use of buildings will also provide a number of Facilities Management employment opportunities, in a variety of employment sectors.
- 3.25 With an increased number of hotel guests positive activity and associated spending will be brought to the area by way of support to local businesses, and also by providing high quality purpose built hotels in the city centre. The proposed restaurant will independently support the hotels as well as providing a restaurant facility for the general public of the City of Dundee.

Section 3.42 d) The repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

- 3.26 It is submitted that the entire repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

- 3.27 The included report and letter - submitted in support of this application - from J&E Shepherd dated 7th September 2017 - supports this, indicating that the city centre of Dundee has a abundant supply of more suitable properties - for uses to which the premises at 56 Barrack Street could be put - in terms of size configuration and rent level and that these are available to the market for the currently designated use of the building - in a similar or better general location for this use.
- 3.28 The professional opinion as expressed by J&E Sheppard is also submitted in support of this application. Within this preceding letter the steps taken to market the property are outlined and it is noted that this marketing had been unsuccessful in generating a serious, sustainable viable interest in the purchase or occupation of the property from the period of early 2012 until September 2015, a period of more than 3 years.
- 3.29 In support of the professional opinion noted within the letter dated 7th September 2017 the complimentary J&E Sheppard Marketing Report also dated 7th September 2017 specifically notes :
- 'Within the range of availability appended herewith there are better opportunities that could accommodate retail requirements ranging from 7,500 sq. ft. upwards including accommodation within prime locations and within Wellgate Centre'***
- 3.30 The report goes on to state :
- 'to facilitate reoccupation of 56 Barrack Street it will be necessary to invest heavily in the fabric of the property but this will create retail floor plates of 7,500 sq. ft. (following removal of the single storey ground floor section) in a market where there is no demand for retail units of this size in this location.***
- 'Importantly the owners of competing vacant accommodation, many of which have been vacant for some time and in most instances will be attracting vacant rates liabilities and other void costs, will be very keen to secure tenants and will offer reduced rents (in many instances substantially below advertised asking rents), competitive terms and incentives in the form of rent free periods and cash contributions towards adaption's and fit outs. For instance we are aware of a large unit in the prime stretch where a tenant occupies at nil rent, paying a service charge for common services and paying the rates liability. We do not foresee these competitive market conditions changing in the foreseeable future and hence even if the subjects were to be refurbished the returns available in the market, say £100,000 per annum, would simply not generate economical returns'.***
- 3.31 The J&E Sheppard Marketing Report and letter both dated 7th September 2017 clearly set out the non-viability of the reuse of the existing building within the context of the more attractive premises available in the immediate vicinity of the site. Furthermore it notes that currently, and for the foreseeable future, J&E Sheppard do not envisage that this competitive market condition will change.
- 3.32 With each passing period the existing building becomes less viable as a business premises and even more so in the context of alternative more suitable premises nearby. The current proposals seek to remedy this slow decline by providing a strong proposal which, retains and incorporates the best architectural elements of the existing building, while creating an appropriate economically viable mixed use development proposal.

CONCLUSION

- 3.33 With reference to Historic Environment Scotland Policy Statement Section 3.42 it is considered that the building in its current condition is not structurally robust to enable a wider range of uses without significant strategic intervention and repair. Consequently the investment required to the current building against projected future use and income is considered not economically viable. The current development proposals addresses each of the assessment criterion noted above and seeks permission to provide a valuable addition to the City of Dundee which retains the façade, the sole remaining architectural element of merit, while creating an appropriate economically viable mixed use development proposal. In all regards it is submitted that the development proposals can be positively considered against the terms of section 3.42 of Historic Environment Policy Statement (June 2016).

4 CONCLUSIONS

4.1 The enclosed planning and listed building applications seek consent for the formation of hotels and licensed restaurant unit all with associated facilities and ancillary works including infrastructure, landscaping etc. following demolition (except for substantial façade retention) of existing structures on site. Having assessed the proposal against the relevant planning policies the following conclusions are offered :

- ❑ In light of feedback received on a previous proposal it is intended to substantially retain the B listed Willison House façade (the most important part of the building) and incorporate this into the new build proposals on site.
- ❑ The carefully thought out and financially viable new build proposals (as fully detailed in the attached plans and Design and Access Statement) consist of :
 - Hotel (new build – 132 rooms)
 - Hotel (new build / façade retained – 115 rooms)
 - Restaurant unit (289m²)
- ❑ Considerable time and expense has gone into justifying the proposals and a full suite of appropriate plans and reports / studies are included and provide full justification of the proposals against a wide range of topic areas.
- ❑ The enclosed reports include Design and Access Statement, Conservation Statement, Engineering Report, Marketing Letter and Available Floorspace Statement. All of the enclosed information demonstrates that :
 - There is a need for additional high quality hotel accommodation in Dundee to meet the demands of the high level of visitors to the City.
 - The building at Barrack Street has been vacant for in excess of 5 years.
 - The property has been marketed for nearly 4 years with no interest in use of the existing building.
 - The structure of the existing building is not robust and would require significant investment and structural intervention to meet modern building standards for any use.
 - In this regard the attached J&E Shepherd Marketing Report and Available Floorspace Statement clearly sets out the non-viability of the re-use of the existing building within the context of the more attractive premises available in the vicinity of the site.
 - The building is not capable of economically viable restoration to allow any use for which there is demand in Dundee.
 - The proposed development will provide modern high quality accommodation for visitors to Dundee.
 - The proposed development will bring significant investment in the regeneration of the City Centre.
 - The proposed development will increase the vitality and viability of the City Centre.

- ❑ As outlined the proposals are considered to be capable of positive consideration against all relevant policies of the adopted Dundee Local Development Plan.
- ❑ As outlined the proposals are considered to be capable of positive consideration against all relevant policies in Historic Environment Scotland Policy Statement (June 2016).
- ❑ Given all of the aforementioned it is submitted that with each passing period the existing building becomes less viable as a business premises and even more so in the context of alternative more suitable premises nearby. The enclosed proposals seek to remedy this slow decline by providing a strong proposal which retains and incorporates the best architectural elements of the existing building, while creating an appropriate economically viable development proposal.
- ❑ It is considered that the building in its current condition is not structurally robust to enable a wider range of uses without significant strategic intervention and repair. Consequently the investment required to the current building against projected future use and income is considered not economically viable. The current development proposals seek permission to provide a valuable addition to the City of Dundee which retains the façade, the sole remaining architectural element of merit, while creating an appropriate economically viable development proposal.

4.2 In light of all of the information submitted with the enclosed applications and for the reasons stated it is submitted that the development proposals can and should be positively considered and therefore the appropriate planning and listed building consents should be granted.