

Proposed Rear Extension, Double Garage and Alteration of Boundary Wall

KEY INFORMATION

Ward The Ferry

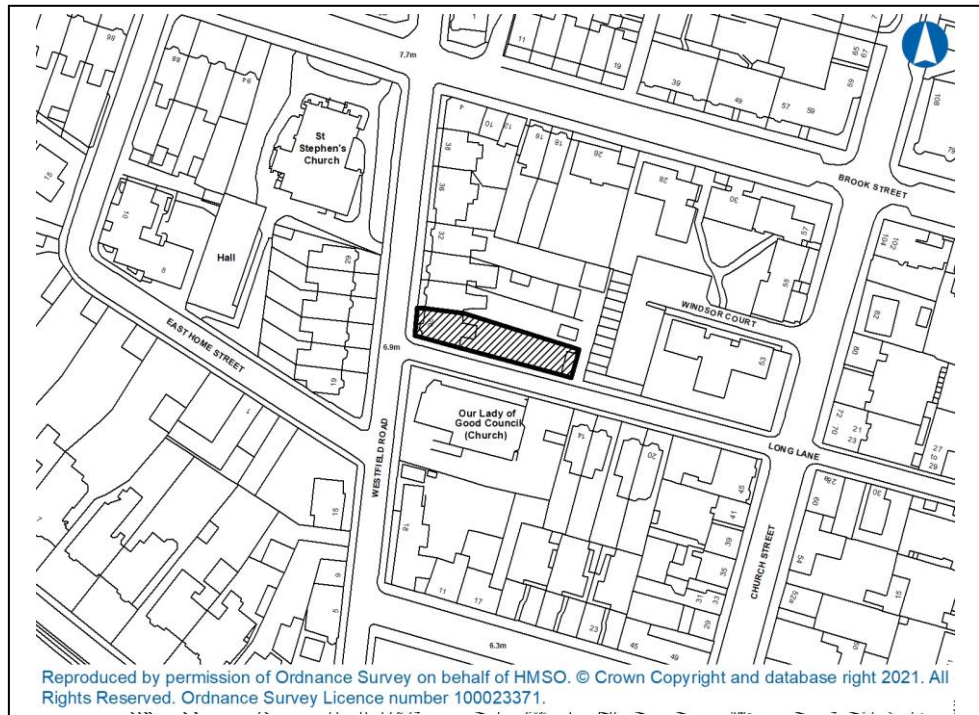
Address
26 Westfield Road
Broughty Ferry
Dundee
DD5 1EDZ

Applicant
Mr Jamie Cromar

Registered 2 July 2021

**Report by Head of Planning
& Economic Development**

Contact: Craig Swankie



SUMMARY OF REPORT

- Planning permission is sought for the erection of a rear extension, a double garage and alteration of an existing stone boundary wall. The proposed single storey extension would provide a living/dining area and kitchen. The proposed double garage would replace a single garage.
- The site is located within Broughty Ferry Conservation Area.
- The application is in accordance with the Development Plan.
- The statutory neighbour notification process was undertaken and the application advertised in the local press. Seven letters of objection have been received, and one neutral representation from Broughty Ferry Community Council.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as 6 valid objections have been received and the recommendation is to approve the application.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=QVGJSLGCJBK00>

RECOMMENDATION

The proposal is in accordance with the Development Plan. There are no material considerations of sufficient weight to justify refusal of planning permission. It is therefore recommended that planning permission be **APPROVED**.

1 DESCRIPTION OF PROPOSAL

- 1.1 Planning permission is sought for the erection of a single storey rear extension, double garage with office and replacement of the existing south boundary wall.
- 1.2 The proposed extension would measure 9.5 metres long, by 7.3 metres wide, by 3.3 metres high. The extension is of a modern design with finish materials to include smooth cement render finished in white, aluminium windows and doors and single ply membrane roof.
- 1.3 The proposed garage would measure 7.9 metres wide by 6.6 metres deep. The garage features a pitched roof 2.6 metres to eave height and 5.5 metres to ridge height with a dormer to the west elevation. The south elevation of the garage would contain a garage door, and west elevation would feature a window at ground floor level and dormer with window and first floor level. The proposed finish materials include reclaimed stone to form the south elevation, and smooth render finished in white to the north, east and west elevations. The roof would be finished in slate and windows are to be aluminium double-glazed units. Within the garage the ground floor would provide space for vehicles, and a first floor would provide office space. Vehicle access to the garage would be directly onto Long Lane, as the existing garage.
- 1.4 The proposals include the down taking and rebuilding of the stone boundary wall to the south elevation which has been rendered with cement in locations. The applicant proposes to remove the render, and carefully down take and retain all stonework from the wall. The wall is then to be rebuilt with an appropriate lime mortar.
- 1.5 The applicant has submitted the following in support of the application:
 - Supporting Statement; and
 - Sun Path Drawings.

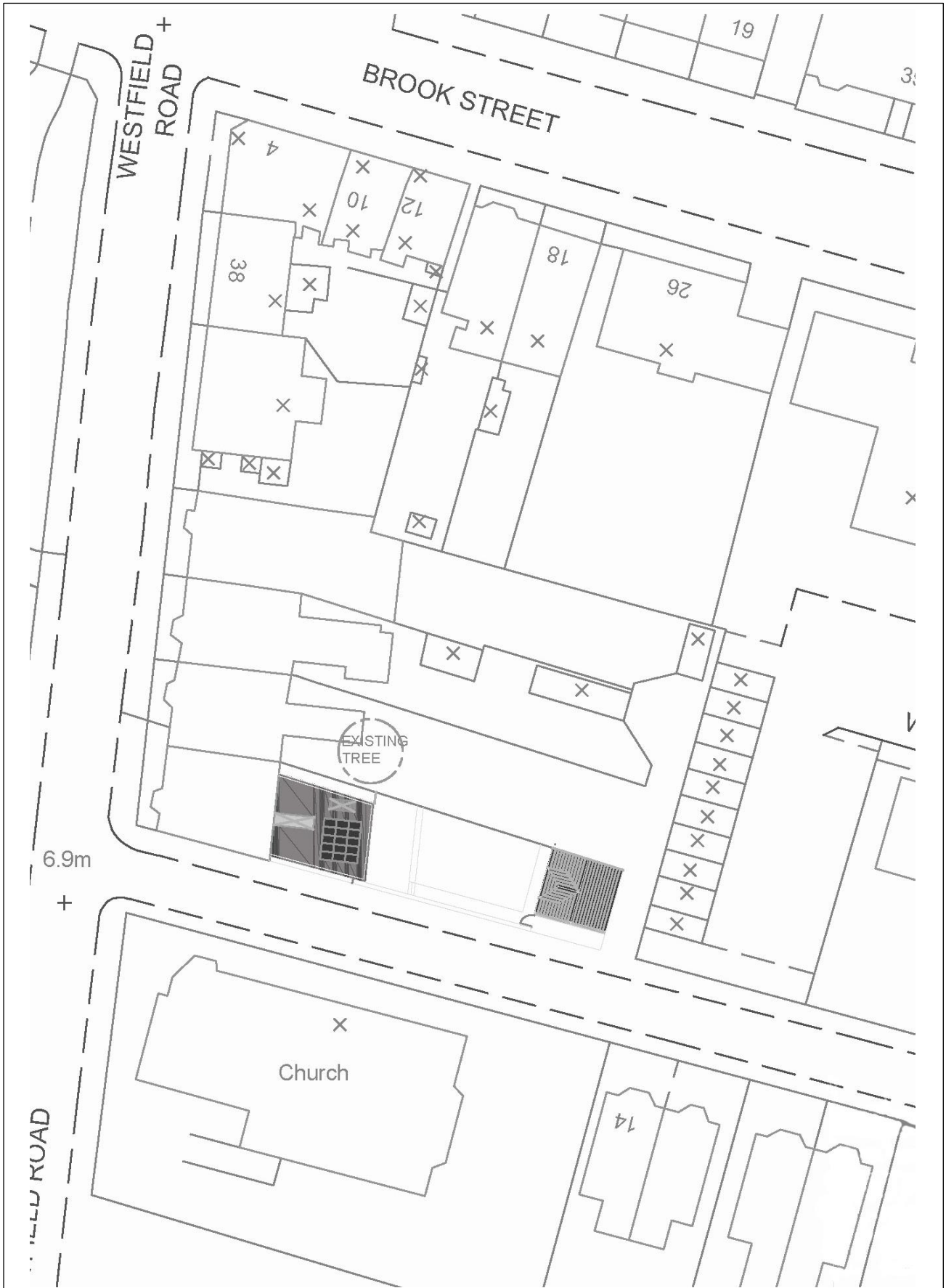
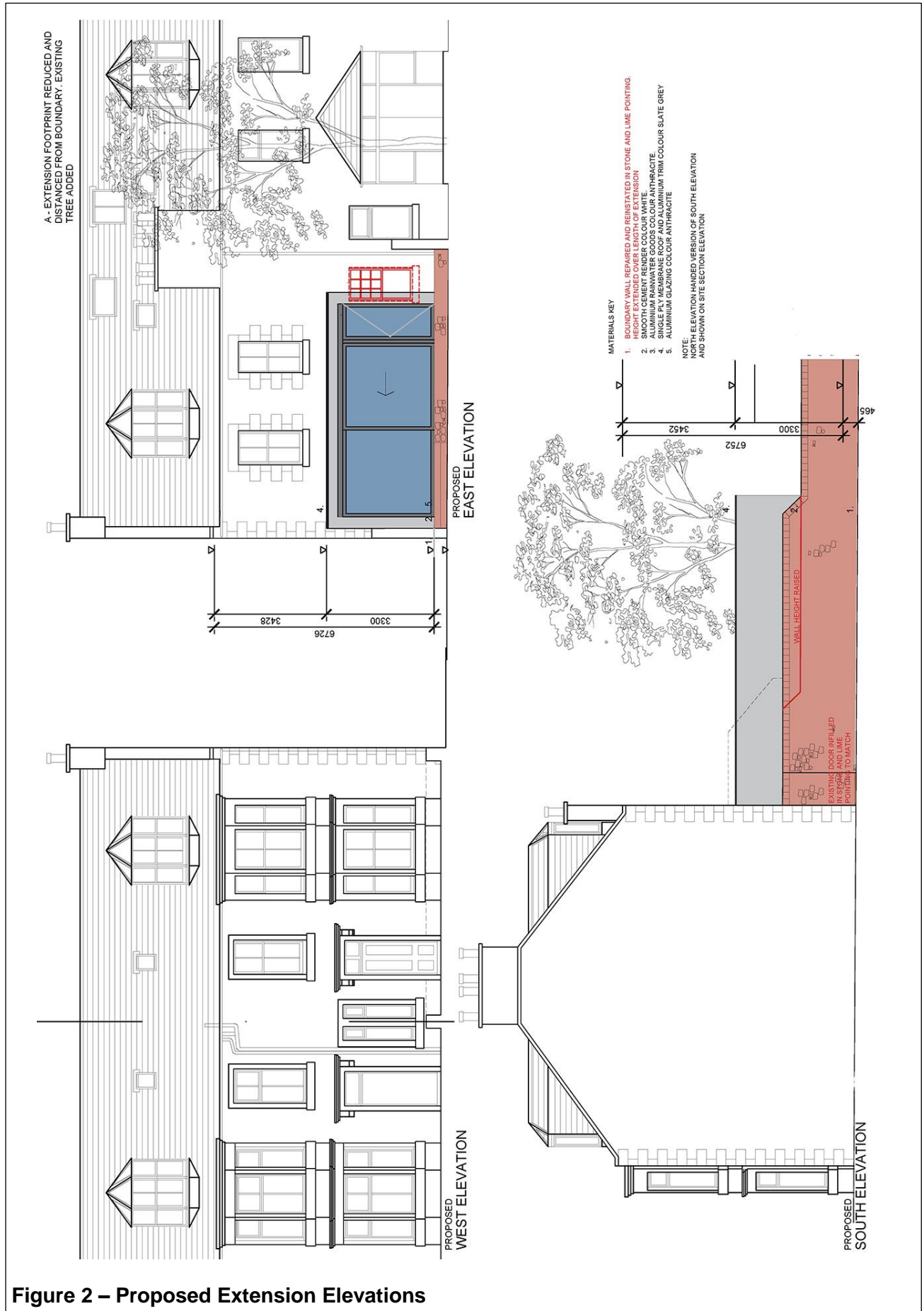


Figure 1 – Proposed Site Plan



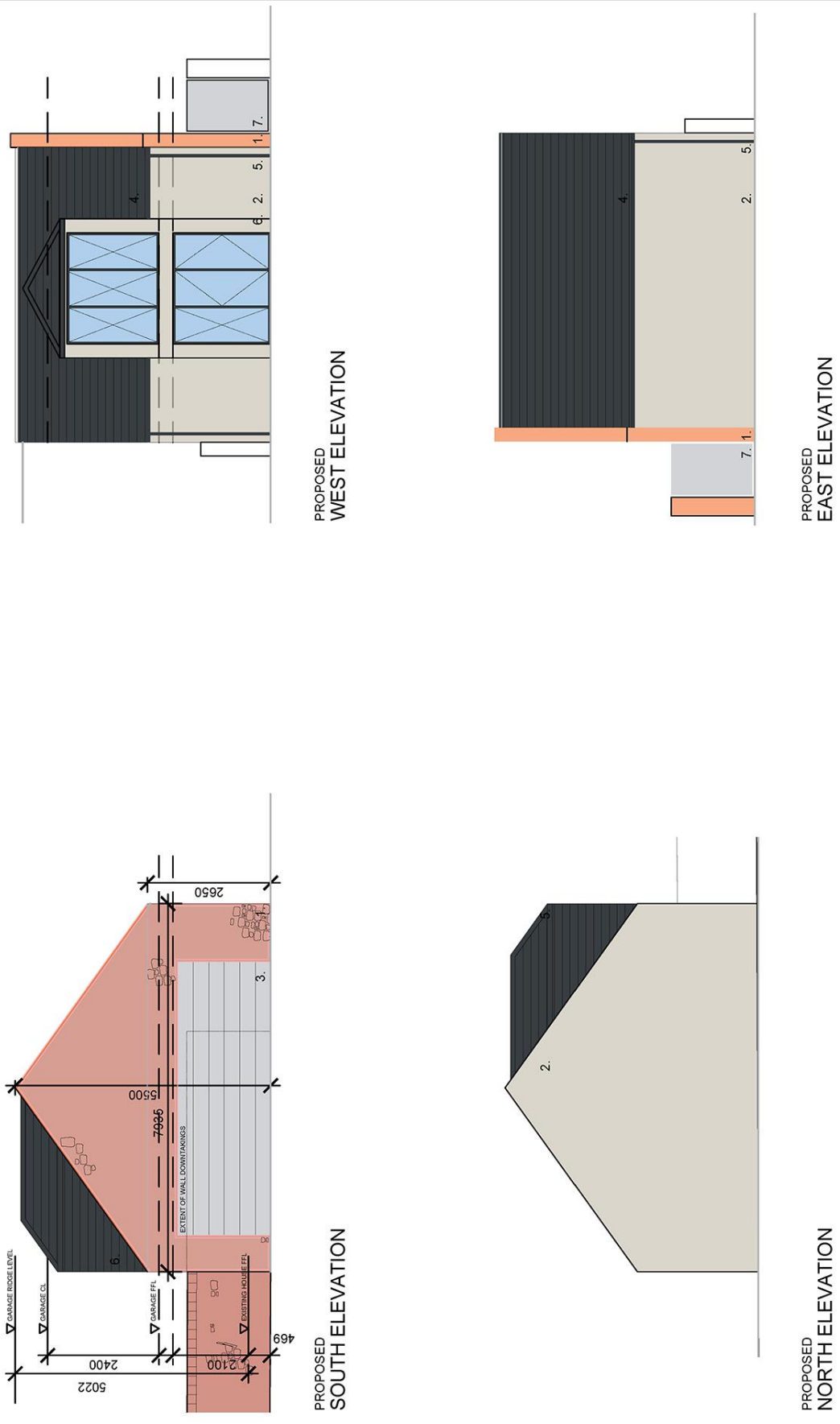


Figure 3 – Proposed Garage Elevations

2 SITE DESCRIPTION

- 2.1 The application site is located to the east side of Westfield Road, at the junction with Long Lane. It is a large end of terrace two storey traditional villa, with front and rear garden ground. The property has a traditional single storey rear extension with pitched roof and garden ground is enclosed by stone walls. An existing detached timber garage to the east (rear) of the dwelling has recently been demolished.
- 2.2 The surrounding area is residential in nature and includes a variety of dwelling types, styles and sizes. There are houses to the north and west of the application site, and a flatted development to the east. To the south is Our Lady of Good Counsel RC Church with houses beyond. The application site is contained within Broughty Ferry Conservation Area.



Figure 4 – Site Viewed From North



Figure 5 – Site Viewed From Long Lane



Figure 6 – Site of Former Garage and Access Onto Long Lane

3 POLICY BACKGROUND

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

TAYPlan 2016-2036

The application raises no issues of relevance.

DUNDEE LOCAL DEVELOPMENT PLAN 2019

Policy 11: Householder Development

Policy 51: Development in Conservation Areas

Dundee Local Development Plan Householder Development Supplementary Guidance (2019).

Dundee City Council's Broughty Ferry Conservation Area Appraisal

Breaches in Boundary Walls – Policy and Guidance for Dundee Listed Buildings and Conservation Areas

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

4 SITE HISTORY

4.1 There is no relevant planning history.

5 PUBLIC PARTICIPATION

- 5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.
- 5.2 In total 7 letters of objection have been received, raising the following valid material grounds:
- the proposed garage would result in a loss of on street parking and may increase vehicle trips to the site;
 - the proposed extension and garage are of a significant scale, raising concerns in relation to overlooking, overshadowing and a detrimental impact on the character of the conservation area;
 - use of the garage for business purposes;
 - the proposals would impact upon a tree to the north of the site; and
 - the existing wall does not require any alterations.
- 5.3 The valid grounds of representation are considered in the material considerations section of this report.

6 CONSULTATIONS

- 6.1 The following consultations were received.
- 6.2 The Head of Sustainable Transport and Roads has no objection to the application. It is recommended full details of alterations to the access from the proposed garage onto Long Lane be controlled by condition.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended 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.**

THE DEVELOPMENT PLAN

The provisions of the Development Plan relevant to the determination of this application are specified in the Policy Background section above.

DUNDEE LOCAL DEVELOPMENT PLAN 2019

- 7.2 Policy 11 (Householder Development) is supportive of householder developments which do not adversely impact on the level of amenity afforded to existing and neighbouring properties. There are four criteria that all householder developments must adhere to in order to be supported. These are:
- 1 does not have a detrimental impact on the character or environmental quality of the house and the surrounding area by virtue of size, design and materials;
 - 2 does not result in a significant loss of private/useable garden ground;

- 3 does not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking; and
 - 4 does not have a significant adverse effect on the existing level of parking provision.
- 7.3 The preamble to Policy 11 also states that householder developments should adhere to the guidance contained within the Dundee Local Development Plan Householder Development Supplementary Guidance (2019).
- 7.4 The Supplementary Guidance provides specific guidance in relation to extensions and outbuildings. The guidance advises that extensions should be smaller in scale to the main dwelling house and of an appropriate scale and proportion. They should not normally be situated to the front of the existing house and should not be over dominant in relation to the existing and surrounding properties. Outbuildings include a variety of buildings, such as garages, sheds and greenhouses. All outbuildings should respect and complement the character of the existing house and surrounding area. Outbuildings should be smaller in scale to the main dwelling house and of a scale appropriate to a domestic garden setting. They should not normally be situated in front of domestic properties and should not be over dominant in relation to the existing and surrounding properties. Garages should not be forward of the existing building line, they should allow sufficient space for off street parking and they should respect the scale and character of the existing house.
- 7.5 In respect of Policy 11, the proposal is assessed against the four criteria as follows:

- 1 The proposed rear extension is a single storey extension on a two storey end of terrace house. The proposed extension by virtue of its design and finish would be modern in appearance and in keeping with the scale and design of similar rear extensions at properties to the north of the site. The extension is of a design and scale which is appropriate to the existing house, and would utilise finishing materials which are of a high quality. The extension would not have a detrimental impact on the character or environmental quality of the house and surrounding area by virtue of size, design and materials.

The proposed double garage will replace an existing single timber garage which was recently demolished. The garage would provide access directly onto Long Lane as does the existing garage. The garage would be set back from the existing site boundary, and is of a similar scale and appearance to double garages immediately to the north of the site. The proposed finish of stone to the south elevation and slate finish to the roof would support the integration of the garage into the streetscape. The provision of two off street spaces would ensure the proposals do not impact on local on street parking. The provision of useable space and a dormer within the first floor of the garage for uses ancillary to the main dwelling house would be acceptable, and the dormer is of a scale and form which ensures the feature integrates into the west roof plane. The proposed garage will not have a detrimental impact on the character or environmental quality of the house and surrounding area by virtue of size, design and materials.

The existing wall which defines the south boundary of the rear garden is good condition, however it has been covered in a cement render. Subject to the reuse of stonework and an appropriate lime render, the removal of the render and rebuilding of the wall would complement the proposed developments and enhance the local streetscape. It is recommended a condition be attached to any planning permission granted to ensure a method statement for the dountaking and rebuilding of the wall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

Overall, the proposals would not have a detrimental impact on the character or environmental quality of the house and surrounding area by virtue of size, design and materials.

- 2 In relation to criterion 2, the existing house benefits from substantial garden grounds to the rear elevation (east). The proposed extension and garage would replace existing structures and occupy useable areas of the rear garden ground. The proposed extension has a footprint of 69.3m², and the proposed garage has a footprint of 52.1m². The existing useable private rear garden ground measures 200m². The proposed developments would reduce the level of rear garden ground by 50m² to 150m². Consequently, the proposal complies with Criterion (2).
- 3 In terms of criterion 3, in relation to physical impact, the proposals are of an appropriate scale for their setting. The garage would be set against the east boundary of the garden ground and so there would be no significant physical impact on any nearby residential properties or their respective areas of garden ground.

The proposed rear extension would be positioned within rear garden ground, 1.1 metres from the boundary with the neighbouring property to the north. The scale and form of the proposed extension is in keeping with that of extensions in the surrounding area. The single storey form of the extension ensures there would be no significant physical impact on neighbouring residential property or their garden ground. The proposed garage and rebuilt wall are located away from existing houses, and would impact on the applicant's garden ground and existing garages to the north east of the application site. These elements would therefore have no significant physical impact on neighbouring residential property or their garden ground.

In terms of overlooking, the extension includes windows and patio doors to the east elevation, which would afford views of the applicant's private garden ground. The proposed garage with office space within the first-floor feature windows and a dormer on the west elevation. The windows would afford views towards the applicant's property and neighbouring properties to the north west. However, the windows would directly overlook the applicants garden ground only, and there is in excess of 18 metres window separation between the windows of the existing houses and the proposed garage. Consequently, there would be no significant overlooking issues.

In terms of overshadowing, the proposal is for a single storey extension with flat roof, and a double garage with pitched roof. The extension would be located 1.1 metres from the north boundary and would extend 9.5 metres from the rear elevation. The applicant has submitted sun path drawings which illustrate the levels of overshadowing during the day. The drawings illustrate there will be a low level of overshadowing during the middle of the day. However, the level of overshadowing is not significant and would not impact on the usability of the neighbouring garden ground to the north. Given the location and design of the garage and height of the boundary treatments, there would be no significant overshadowing as a result of these proposal.

In order to protect residential amenity a condition is proposed to ensure that the garage and proposed office are used for domestic purposes only.

- 7.6 The proposal complies with Criterion (3).
- 7.7 In relation to Criterion (4), the proposal would increase the level of off-street parking provision from one space to two. Therefore, the proposal satisfies Criterion (4).

- 7.8 It is concluded that the proposal is in accordance with Policy 11 of the Dundee Local Development Plan. For similar reasons, it also complies with the Dundee Local Development Plan Householder Development Supplementary Guidance (2019).
- 7.9 **The proposal is in accordance with Policy 11.**
- 7.10 **Policy 51: Conservation Areas** - expects that all development proposals will preserve or enhance the character of the surrounding area, retaining all features that contribute to the character and appearance of the conservation area.
- 7.11 The site is located within the Broughty Ferry Conservation Area. The Conservation Area appraisal states that the area mainly consists of a traditional grid-iron layout which is unchanged since the 19th century. There are varying architectural styles throughout the conservation area including a mix of traditional Victorian Villas and modern house types.
- 7.12 The proposed development would maintain and respect the existing street layout and form of the application site. The proposed extension and garage are in keeping with the form and style of development in the surrounding area, and be in keeping with the mix of modern and traditional materials currently present within Broughty Ferry Conservation Area.
- 7.13 As has been discussed in the context of Policy 11, the proposals would have no significant impact on the amenity of neighbouring residents in terms of scale or overshadowing. Views of the proposed extension from Long Lane would be restricted by the boundary wall and the garage is of a form and finish which respects the existing streetscape. The proposed extension is appropriate for this domestic garden setting. It would not be situated in front of the main dwelling, the extension is a single storey development which has been designed to be subservient to the main dwelling, and it would not be over dominant in relation to the plot size, existing and surrounding properties. Consequently, this proposed development would have no significant impact on the character and appearance of the Conservation Area.
- 7.14 The proposed garage with stone frontage and rebuilding of the stone boundary wall are acceptable to the host building and the Broughty Ferry Conservation Area. The proposed finishing materials are considered to respect the character of the existing house and similar ancillary developments at neighbouring houses. As outlined above, should members be minded to approve the application it is recommended that the provision of a method statement for the down taking and rebuilding of the boundary wall be submitted for approval prior to any works on site to ensure the character of the conservation area is maintained. Therefore, the proposed development would not have a significant adverse impact on the character and appearance of the conservation area. Consequently, the proposed works are considered to be acceptable.
- 7.15 **The proposal is in accordance with Policy 51.**
- 7.16 **It is concluded that the proposal is in accordance with the Development Plan.**

Statutory Duty

- 7.17 Section 64 of the 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 or enhancing the character or appearance of that area.
- 7.18 For similar reasons to those explained above in the assessment of the application in accordance with Policies 11 and 51, the development would not have any significant adverse impact on the appearance of the Broughty Ferry Conservation Area. Doing so would satisfy the statutory obligations referred to above.

MATERIAL CONSIDERATIONS

7.19 The material considerations to be considered are as follows:

A – DESIGN STATEMENT

7.20 The applicant has provided a design statement which sets out their design assessment of the site and the proposal.

7.21 This notes that the design of the extension and garage have been considered, and developed to reduce any potential overshadowing and physical impacts on neighbouring garden ground. As such the applicant considers these proposals do not have any adverse effect on the street scene or Broughty Ferry Conservation Area.

7.22 With regard to the rebuilding of the wall, the present wall has been poorly finished in cement render. This render is not in keeping with the surrounding area which contains mainly traditional stone walls. Through the removal of the cement render and rebuilding of the wall with appropriate lime render the applicant considers the proposed alterations would enhance the streetscape.

7.23 It is agreed that the proposed development is an appropriate design for this site, would maintain the character of the local area, and have no significant adverse impact on the overall streetscape and the Broughty Ferry Conservation Area.

B – REPRESENTATIONS

7.24 Seven objections have been received raising the following valid material grounds.

- the proposed garage would result in a loss of on street parking and may increase vehicle trips to the site;
- the proposed extension and garage are of a significant scale, raising concerns in relation to overlooking, overshadowing and a detrimental impact on the character of the conservation area;
- use of the garage for business purposes;
- the proposals would impact upon a tree to the north of the site; and
- the existing wall does not require any alterations.

The grounds of objection are considered and assessed as follows:

7.25 **Objection** - the proposed garage would result in a loss of on street parking and may increase vehicle trips to the site.

7.26 **Response** – the proposed double garage would partially occupy the site of an existing single garage. To accommodate a double garage, the existing vehicle access onto Long Lane will require to be widened. It is considered the widening of the access may be achieved without impact upon existing on-street parking places on the south side of Long Lane. The addition of a double garage in this location, set back from the public footpath is acceptable in principle. The Head of Sustainable Transport and Roads recommends full details of the required alterations to the existing access be controlled by condition. Subject to a condition, the proposals will be provided with safe vehicle access. The provision of a double garage at the site would increase the number of off street parking within the local area by one space, reducing on street parking pressures.

- 7.27 **Objection** – the proposed extension and garage are of a significant scale, raising concerns in relation to overlooking, overshadowing and a detrimental impact on the character of the conservation area.
- 7.28 **Response** – as discussed in the assessment of the proposal against Policy 11 and Policy 51, the proposed development is of a scale and form which is appropriate to the application site. Broughty Ferry Conservation Area Appraisal states the local area contains a range of traditional and modern developments. The proposed extension and garage are of an appearance and scale which is in keeping with similar developments in the immediate area. The proposals would have no significant detrimental impact on the character or appearance of the Conservation area.
- 7.29 The extension and garage do not result in any direct overlooking of neighbouring properties and due to the separation distances between the garage and existing houses there would be no detrimental impact on privacy within habitable rooms houses on Westfield Road.
- 7.30 As discussed in the assessment of the proposal against Policy 11, the proposed extension would be single storey. Given the location and design of the extension there would be no significant overshadowing or loss of light as a result of the proposal. With regard to the garage the siting of the development at the east most end of the rear garden ensures the proposals would not significantly overshadow useable areas of neighbouring garden ground.
- 7.31 **Objection** - The proposals would impact upon a tree to the north of the site;
- 7.32 **Response** – there is an existing tree within garden ground to the north of the proposed extension. Whilst the tree is within proximity to the site boundary, the proposed extension would not require the tree to be felled, and would not have any significant impact upon the health of the tree.
- 7.33 **Objection** – the garage, including first floor office space could be used for business purposes.
- 7.34 **Response** – The proposal relates to a residential garage, any change of use will require a planning application. To provide clarity, and for the avoidance of doubt it is recommended the use of the proposed garage be controlled by planning condition to ensure the development is maintained for domestic purposes ancillary to the main dwellinghouse.
- 7.35 **Objection** – the existing wall does not require any alterations.
- 7.36 **Response** – the existing wall is formed from traditional stone which has been covered in a cement render. The removal of the cement render and re-instatement of the wall in its traditional form would contribute to the character of Broughty Ferry Conservation Area. The provision of a detailed method statement for the careful down taking and reinstatement of the wall will be controlled by condition to ensure original stonework and appropriate mortars are used.
- 7.37 The issues raised in the representations have been considered and addressed in the report and the grounds raised are not of sufficient weight to justify refusal of planning permission.
- 7.38 One neutral representation was received from Broughty Ferry Community Council. The Community Council refer to the unmade access road to the east of the site and suggest there is an opportunity to widen the narrow road at its junction with Long Lane. With regard to the returning of the wall to its original form, in conservation terms is to be applauded. However, the reinstating will have to be carefully managed.

- 7.39 The proposals would retain the width of the access road onto Long Lane at the existing width. However, the proposed garage is set back from the edge of the street to improve visibility onto Long Lane.
- 7.40 **It is concluded that there are no material considerations of sufficient weight in this case to justify refusal of planning permission.**

8 CONCLUSION

- 8.1 The application for the erection of an extension, garage and alteration of the south boundary wall is in accordance with the Development Plan. There are no material considerations of sufficient weight that would justify refusal of planning permission. Therefore, it is recommended that planning permission be granted.

9 RECOMMENDATION

- 9.1 It is recommended that planning permission be GRANTED subject to the following conditions:
- Condition** - a Method Statement for the dountaking and rebuilding of the south boundary wall, including any repair and treatment of stonework, shall be submitted prior to the commencement of development and if approved, the development shall be carried out only in accordance with such approved details.
Reason - in the interests of visual amenity and safeguarding the character and appearance of the Conservation Area.
 - Condition** - the double garage hereby approved will be used solely for domestic purposes ancillary to the main dwelling at 26 Westfield Road, Broughty Ferry. For the avoidance of doubt, any proposed use of the garage, or any part of the garage, for commercial purposes shall be notified in writing to the Planning Authority and full details of the commercial operation shall be provided in order for the Planning Authority to assess whether an application for planning permission would be required.
Reason - in order to protect residential amenity.
 - Condition** - details of the proposed amended site access including proposed road markings must be agreed prior to any works on site and the access must be formed and constructed to Dundee City Council standards and specifications.
Reason - in the interests of vehicle and pedestrian safety.

Informatives

Basic Radon Advisory Note

The site is within an area where basic radon protection measures should be installed as a matter of course in all new developments. This may include a suitable barrier membrane and ventilation. There is further information available at www.ukradon.org or the applicant may wish to discuss this with a Building Standards or Contaminated Land Officer.

Scottish Water:

If the new extension introduces a new volume of surface water to the public sewer system then the applicant must obtain any necessary approval from Scottish Water for any increased volume of surface water discharging to the public sewer.