

KEY INFORMATION

Ward Brackens

Proposal
Erection of conservatory

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Applicant
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Registered 9 Jan 2003

Case Officer R Anderson



Proposed Conservatory on House in Clattowoods Place

The erection of a conservatory is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS.**
Report by Director of Planning and Transportation

RECOMMENDATION

The proposed conservatory, if finished in a light colour, will not cause any adverse impact on neighbouring amenity and therefore approval subject to conditions is recommended.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a 12m² pitched roof conservatory at the above property.
- One letter of objection has been received regarding potential impact of the structure on neighbouring amenity.
- The eastern wall of the conservatory under building regulations requires to be solid and will measure 2.9m by 3m, which had the potential to impact on the ambient light enjoyed by the neighbouring dining room.
- It is considered that by finishing the exterior (neighbour's side) of the wall in light colour will at least maintain the ambient light enjoyed by the property. The proposal conforms to local plan policy and therefore should be recommended for approval subject to conditions.

DESCRIPTION OF PROPOSAL

It is proposed to erect a conservatory onto the north elevation of the above property. The conservatory is square in plan, covers a floor area of 12m² and is finished in a dwarf brick wall, with a white UPVC frame and a solid brick wall to the eastern elevation. This solid wall is required for fire safety purposes under the Building Regulations. It has a pitched roof with a height of 3.6m.

SITE DESCRIPTION

The property is located on the north side of Clattowoods Place, some 80m west of its junction with Clattowoods Road. It is a semi-detached two-storey dwellinghouse, finished in a combination of brick, dry dash render and concrete roof tiles. To the south, east and west are other residential properties, whilst to the north are woods and a Scottish Water depot.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

H4 - Protection of Amenity.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 14 - Alterations and Extension to Houses

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.

Non Statutory Statements of Council Policy

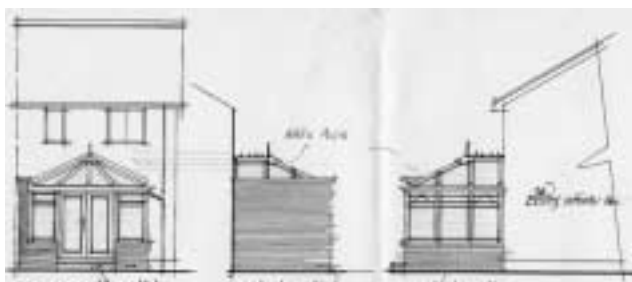
There are no non-statutory Council policies relevant to the determination of this application.

LOCAL AGENDA 21

Key Theme 12 indicates that opportunities for leisure, culture and recreation are available to all

SITE HISTORY

There is no site history of relevance to the application.



PUBLIC PARTICIPATION

One letter of objection has been received. The main issue arising is the impact of the structure on the neighbouring property.

CONSULTATIONS

No adverse comments have been received.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act 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 Development Plan

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

Policy H4 indicates that where the siting and scale of any extension significantly affects the degree of sunlight or daylight enjoyed by the neighbouring property it is unlikely to be approved. In this case the conservatory is to be developed on the northern elevation of the dwellinghouse and therefore it is unlikely to affect any direct sunlight that the neighbouring property enjoys which would not be significant if at all. However after visiting the neighbouring property the dining room in question clearly benefits from ambient light. It is unclear how much the conservatory will impact on ambient light. Ambient light is present all around the dining room and the immediate garden area and therefore it is difficult to judge whether a wall 3m in height and running perpendicular to the house will have a significant effect on this. (The solid wall is required for building control purposes. Alternatives have been explored but none were suitable). If it were direct sunlight and shining into the room then the wall would have serious effect on light. At present there is a two metre high fence between the properties (where the conservatory wall will be) which is 2m in length. The conservatory wall will be 3m long and 2.9m high. I consider that it will not present a major increase in the solid area that is present already. However it is appreciated that any small increase in the solid area may have some effect. It is considered that a suitable compromise would be to finish the outside of the wall in a light colour which will help to reflect/maintain any ambient light and make up for any potential loss that may be experienced. Under these terms I consider that the extension will not have an adverse impact on neighbouring amenity. It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

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

Dundee Local Plan Review

Policy 14: "Alterations and Extensions to Houses." Similar criteria and considerations are put forward in this policy as that of H4 of the 1998 plan outlined above. Any objection made on grounds of daylighting can be overcome by the condition.

The material considerations outlined are supportive of the provisions of the development plan and therefore it is concluded that approval of the application, subject to conditions should be granted.

Design

The design of the conservatory is one of modern materials attached to a modern house. The inclusion of the white finish on the neighbour's side of the wall improves the design to a satisfactory degree.

CONCLUSION

The houses in this estate are fairly small and it is clear that even small extensions may have implications for neighbouring amenity. However in this case a suitable compromise has been reached whereby amenity is maintained. In view of this approval subject to conditions is recommended.

RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 Notwithstanding the docquetted plans the eastern conservatory wall (on the neighbouring side) be finished in a light colour. Details to be agreed in writing to the satisfaction of the planning authority, prior to the commencement of development.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 In order to ensure that neighbouring residential amenity is maintained.