

KEY INFORMATION**Ward** Ardler**Proposal**

Plot 63 – erection of conservatory on east elevation

Address

11 Troon Terrace
Dundee
DD2 3FX

Applicant

George Wimpey
28 Barnton Grove
Edinburgh
EH4 6BT

Agent**Registered** 10 Mar 2004**Case Officer** D Gordon

Proposal for Conservatory on New House in Troon Terrace

The erection of a conservatory is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed extension conforms to Development Plan policies and there are no material considerations that would justify overturning these policies. Accordingly, the application is recommended for **APPROVAL**.

SUMMARY OF REPORT

- The application seeks planning permission to erect a conservatory on the rear elevation of a new two-storey dwelling located within Ardler Village. The structure has been erected although the house is currently unoccupied.
- The conservatory measures approximately 12.7 metres in floor area and is finished in double glazing units, polycarbonate roof sheeting and a facing brick base course to match the existing house.
- One letter of objection has been received. The main issue raised relates to the impact the development has on the adjacent residential amenity.
- The design of the new conservatory is in keeping with the appearance of the existing house and the development characteristics of the local area. It is considered that, following the erection of rear garden boundary enclosures, the extension will not have a significant impact on the environmental quality enjoyed by the local residents. The application is recommended for approval

DESCRIPTION OF PROPOSAL

The application seeks retrospective permission to erect a conservatory on the south east (ie rear) elevation of a recently constructed detached dwelling located within the Ardler Village. The structure measures approx. 3.1m x 4.1m and is 3.1m high. The finishing materials are toughened double glazed units, polycarbonate roof sheeting and a facing brick base wall to match the existing house.

SITE DESCRIPTION

The site is located on the east side of Troon Terrace and forms part of the new Ardler Village. The dwelling house under consideration is a 2 storey, detached property that is finished in red roof tiles and light brown facing brick. The house has only recently been constructed and is currently unoccupied. The building enjoys both front and rear garden areas. No boundary enclosures have, to date, been erected along the south east or south west boundaries of the site ie around the rear garden area. The building sits on a slightly elevated position above the adjacent new houses located to the south east.

The surrounding area is residential in character accommodating a considerable number of new dwellings, a number of which are now occupied.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

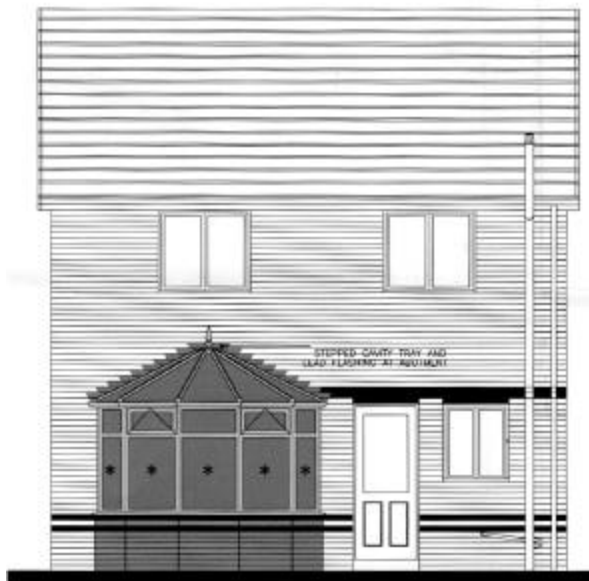
There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies are of relevance:

Policy H1 - Within areas where residential use predominates, developments will be permitted where they do not affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell and where they are in accordance with other policies and proposals in the Local Plan.

Policy H4 - Alterations and extensions to houses will normally be approved provided the appearance of the house and surrounding area is not adversely affected. Approval is, however, unlikely to be granted where the siting and scale of the extension significantly affects the degree of sunlight, daylight and/or privacy enjoyed by the occupants of adjoining properties; where the materials, style and form are alien to the existing building; and where more than 50% of the original garden would be lost.



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 1: Vibrant and Sustainable Communities.

Policy 14: Alterations and Extensions to Houses.

The terms of the above policies are reflected in Policy H1 and Policy H4 of the Dundee Local Plan above.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no Policies, Notes or Circulars relevant to this application.

Non Statutory Statements of Council Policy

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

LOCAL AGENDA 21

Key Theme 13 seeks to ensure that places, spaces and objects combine meaning and beauty with utility. The proposal is considered to adhere to the requirements of this Key Theme.

SITE HISTORY

The site forms part of Phase 2A of the Ardler re-development proposals that was granted planning permission on 26.08.2002 (02/00488/FUL refers).

PUBLIC PARTICIPATION

The applicants' agents have undertaken the statutory neighbour notification procedure and 1 objection to the proposal has been received from an adjoining occupier.

The main issues raised by the objector relate to the reduction in privacy of the adjacent property and the fact that the structure has been constructed without the requisite planning permission.

These issues will be addressed in "Observations" below.

CONSULTATIONS

There have been no adverse comments received relating to this proposed development.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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 H1 advises that within areas where residential use predominates, developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues. It is considered that the design of the proposed extension is in keeping with the characteristics of the existing house both in terms of appearance and finishing materials. There are no parking and traffic movement issues associated with this application.

Policy H4 indicates that extensions, that adversely affect neighbouring residential amenities, by virtue of overshadowing and impact on privacy and where 50% of garden ground is taken up, will not be acceptable. In this instance the proposed structure, that measures approx. 12.7 sq. m. in floor area, does not occupy more than 50% of the original garden ground. It is also the case that the new conservatory does not impact on the adjacent properties by virtue of overshadowing. The new extension sits in a slightly elevated position above the adjacent properties to the south east. The conservatory is located approximately 13 metres distant from the nearest new dwelling to the south east. This is below the distance normally accepted in such circumstances and the applicants' agents have been contacted on this matter. It is the case that the applicants have advised that a 1.8 metre high wooden fence, similar to the rear garden fence that has been constructed immediately to the north of the application site, is to be erected following occupation of the dwelling in May 2004. It is considered that this new fence will form a solid barrier between the neighbouring properties and will significantly lessen any reduction in privacy / overlooking of these adjacent occupiers.

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 considerations are

given to this policy as Dundee Local Policies H1 and H4 above.

Issues raised by the Objector

The main issue raised by the objector is the impact that the new conservatory has on the environmental quality currently enjoyed by local residents. It is considered that this matter has been discussed above and discharged. With regard to the erection of the conservatory prior to the grant of the required permission, the applicants' agents have been advised of the Councils concern in this matter.

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

Design

The conservatory is typical of many small house extensions to be found throughout the city. The materials, form, scale and design of the extension will not detract from the appearance of the existing house or the surrounding area.

CONCLUSION

In design terms the development is acceptable. The provision of a 1.8m - 2.0m high boundary enclosure along the rear boundary of the application site will help alleviate any significant affect on the environmental quality currently enjoyed by the adjoining occupants. The application conforms to the adopted policies of the Dundee Local Plan and there are no material considerations that would justify a refusal of the development.

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 That a boundary enclosure, constructed to a design to be agreed in writing with the planning authority, shall be erected along the south east boundary of the site within one

month of the first occupation of the dwellinghouse the subject of this application.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To protect local residents from overlooking and a reduction in privacy.