

**KEY INFORMATION**

**Ward** Barnhill

**Proposal**  
Single Storey Extension

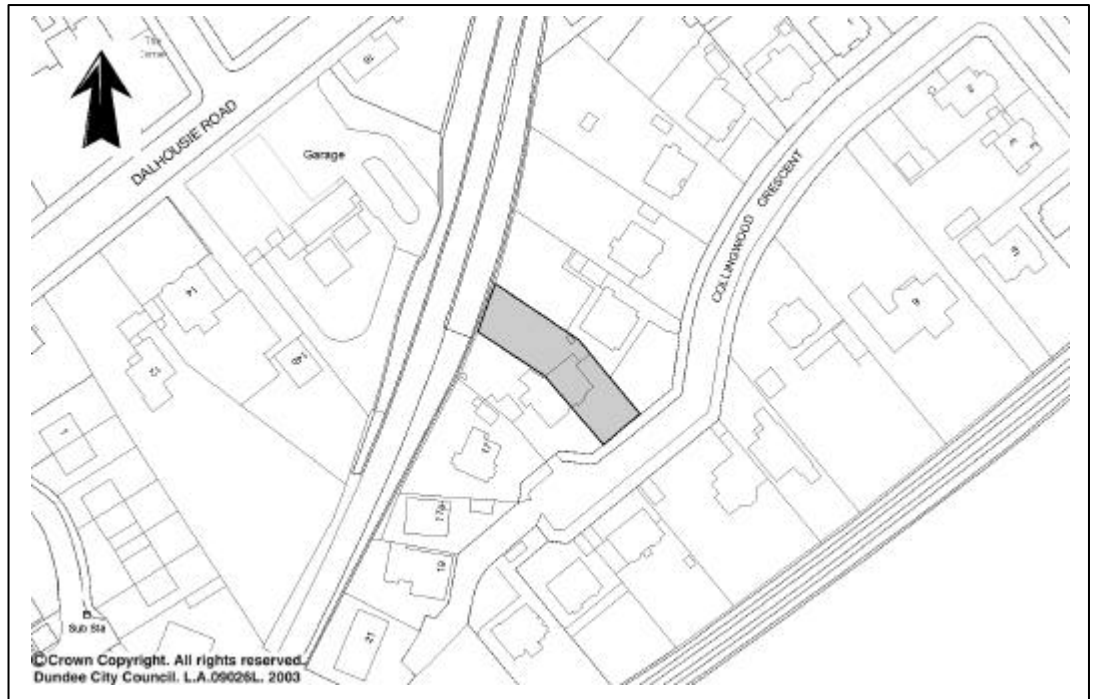
**Address**  
13 Collingwood Crescent  
Broughty Ferry  
DUNDEE  
DD5 2SX

**Applicant**  
Mr & Mrs J Lee  
13 Collingwood Crescent  
Broughty Ferry  
DUNDEE  
DD5 2SX

**Agent**  
Interbuild  
Milton Mill  
Monifieth  
DD5 4NZ

**Registered** 9 July 2004

**Case Officer** G S Reid



## Extension Proposed to House in Collingwood Crescent

A single storey extension is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development is considered to be in accordance with the policies of the development plan.

The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for a single storey extension on the east elevation of 13 Collingwood Crescent, Barnhill, Dundee.
- The proposed development raises issues for consideration in terms of the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review.
- A single letter of objection was received to the proposed development from the neighbour to the east. The main concern raised by the objector was that the window in the north elevation of the extension would overlook the rear garden of their property.
- It is considered that the proposed development, subject to conditions, is in accordance with the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review. In addition, it is considered that the concern raised by the objector is of insufficient weight to warrant refusal of the application.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey extension on the east elevation of 13 Collingwood Crescent, Barnhill, Dundee.

The extension is to be finished in materials to match the existing house. There are to be windows in the south, north and east elevations with no windows in the west elevation.

The proposal also includes the erection of a 2 metre fence along the eastern boundary of the application property.

## SITE DESCRIPTION

The application site is located on the north side of Collingwood Crescent and to the south of the former railway line. The application property is a 2-storey, semi-detached house with garden ground to the front and rear. The house is finished in a wet dash render to the walls and natural slate to the roof. There are windows at both ground and first floor in the rear (north) elevation. There is a driveway to the east of the house with a shed to the rear. There is a fence along the eastern boundary, which, is in a poor state of repair and various small trees. The rear gardens dog-legs slightly northwest.

## 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:

Housing Policy H4: this policy seeks to ensure that alterations and extensions to houses do not adversely affect the appearance of the property or the surrounding area. In addition, the policy advises that approval is unlikely to be granted where 1) the siting and scale of the extension significantly affects the degree of sunlight, daylight and/or privacy enjoyed by the occupants of adjoining property, 2) where the materials style and form are alien to the existing building and 3) where more than 50% of the original garden ground would be lost and off-street parking reduced.

### 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:

Policy14 Alterations and Extensions to Houses: this policy advises that proposals to alter or extend existing dwellinghouses will only be permitted where:



- a there is no adverse impact on the appearance of prominent elevations of the house; and,
- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties; and,
- c more than 50% of the original useable garden area will be retained; and,
- d the design and materials respect the character of the existing building.

### 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 15 is relevant to the consideration of this application. This theme seeks to ensure that diversity and local distinctiveness are valued and protected. It is considered that given the design and finishing materials proposed the development would be in accordance with Key Theme 15.

## SITE HISTORY

There is no site history of relevance to the consideration of this application

## PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and a single letter of objection was received to the proposed development from the neighbour to the east. The main concern raised by objector was that:

- 1 the window in the north elevation of the extension would overlook the rear garden of their property.

In response to the objectors concerns the applicant has amended the application to re-position the window in the north elevation further to the west and turn it length ways and in addition now propose to erect a 2-metre high fence along the eastern boundary. The applicant re-notified the objector of the proposed changes but no response to this was received. Therefore, it is assumed that the original objection to the proposal remains in place.

Copies of the letter of objection are available in the Members Lounges and

the issue raised is addressed in the "Observations" section of the report.

## CONSULTATIONS

No adverse comments were received from any of the statutory consultees.

## 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.

In response to the concerns of overlooking raised by the neighbour to the east the applicant has altered the position of the window in the north gable of the extension and introduced a 2 metre high fence along the eastern boundary. The objector has made no additional comment to these changes and as such it is assumed their original objection is being maintained.

The proposed single storey extension raises issues for consideration in terms of Housing Policy H4 of the Dundee Local Plan 1998.

Housing Policy H4 seeks to ensure that alterations and extensions to houses do not adversely affect the appearance of the property or the surrounding area. The extension is finished in materials to match the existing house and is of a design that is in keeping with the architectural style of the house. The extension is considered to be of an acceptable design and would not have an adverse affect on the appearance of the house or surrounding area.

Policy H4 advises that approval of proposals is unlikely to be granted where the siting and scale of an extension significantly affects the degree of sunlight, daylight and/or privacy enjoyed by the occupants of adjoining property.

Given the location and height of the extension it is considered that it would

not result in any significant adverse affect in terms of the degree of sunlight/daylight enjoyed by any neighbours.

The windows in the existing house at both ground and first floor already overlook the garden ground to the east. However, these windows are set further back and are either bedrooms or the kitchen. Given the proximity of the extension to the eastern boundary and the position of the window in the north gable it would result in additional overlooking of the neighbours rear garden ground to the east. No overlooking of the windows of the neighbouring property to the east would occur. The existing boundary fence is only approximately 1.2 metres in height and would not provide fully effective screening of the neighbours garden ground. In addition, the trees only provide limited screening.

The main ground of objection received to the proposed development from adjoining neighbours is the adverse impact from overlooking of their rear garden ground from the window in the north elevation.

In response to these concerns the applicant has redesigned the window moving it further to the west side of the elevation. In addition, they now propose to erect a 2 metre high fence along the boundary between the properties. It is considered that the fence should provide sufficient screening to address the concerns of overlooking.

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:

Policy 14 Alterations and Extensions to Houses sets out similar criteria to Housing Policy H4 of the adopted Local Plan. For the reasons set out above it is considered that the proposed development is in accordance with Policy 14.

The main concern raised by objector was that the window in the north elevation of the extension would overlook the rear garden of their property.

This concern is addressed in the consideration of the proposal against

Housing Policy H4 above. It is concluded that given the measures proposed by the applicant the degree of overlooking that would occur would not be sufficient to warrant refusal of the application.

It is concluded from the foregoing that there are no material considerations that would justify the refusal of planning permission and it is therefore recommended that planning permission be granted with conditions.

### Design

The extension has been designed and uses materials that are in keeping with the main house. The design is considered to be of a good quality and appropriate for the house.

## CONCLUSION

It is considered that the proposed development is in accordance with the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review. In addition, it is considered that the concern raised by the objector is of insufficient weight to warrant refusal of the application

## 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 Details of the fence along the eastern boundary shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 3 Notwithstanding the provisions of Schedule 1, Part 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended no enlargement to the size of or alteration to the position of the window in the north elevation will be permitted and no new openings in the north elevation will be permitted.

- 4 The fence along the eastern boundary shall be retained/replaced in accordance with the details set out in condition 2 of this permission.

### Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that there is no significant overlooking of the garden ground to the rear of the property at 11 Collingwood Crescent.
- 3 To ensure that there is no detrimental affect on the amenity of the adjoining neighbour to the east from overlooking.
- 4 To ensure that there is no significant overlooking of the garden ground to the rear of the property at 11 Collingwood Crescent.