

KEY INFORMATION

Ward West Ferry

Proposal

Alterations and extension on rear elevation

Address

22 Duntrune Terrace
Broughty Ferry
Dundee
DD5 1LF

Applicant

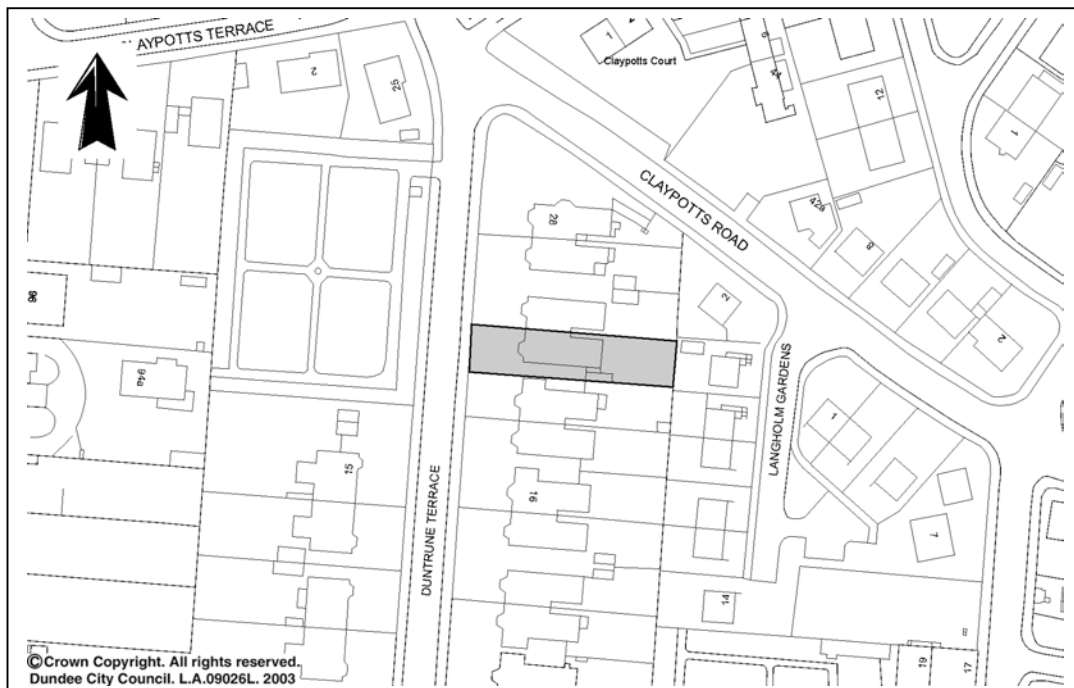
Mr and Mrs Hunter
22 Duntrune Terrace
Broughty Ferry
Dundee
DD5 1LF

Agent

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95 Dundee Street
Carnoustie
Angus
DD7 7EW

Registered 28 Sep 2004

Case Officer Julie Finlay



The alterations and an extension on the rear elevation is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to comply with the policies in the Development Plan and there are no material considerations that would justify refusal of the proposal.

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

SUMMARY OF REPORT

- Planning permission is sought for a single storey extension on the rear (east) elevation and a gazebo with a hot tub at 22 Duntrune Terrace, Broughty Ferry.
- Policies H4 and BE11 of the Dundee Local Plan 1998 and Policies 4 and 61 of the Finalised Dundee Local Plan Review are relevant to the consideration of the application.
- Two letters of objection were received from neighbours to the north and east raising concerns about overlooking, noise nuisance, adverse impact on conservation area, inadequate drainage and adverse impact on building due to inappropriate materials and design.
- It is considered that the proposal complies with Policies H4 and BE11 of the Dundee Local Plan 1998 and Policies 4 and 61 of the Finalised Dundee Local Plan Review and the objections do not merit sufficient weight to justify refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a single storey extension on the rear elevation and the erection of a gazebo with a hot tub within the garden ground of 22 Duntrune Terrace, Broughty Ferry. The proposed extension will be 4.4m high and provide a new kitchen and it will be finished in a cement render with fawn facing brick basecourse and slate roof. The gazebo will be located at the far end of the back garden and centred along the rear boundary. It will be constructed in timber with a slate-effect roof and will contain a hot tub. The height of the structure is 3m and it will be located 1.8m from the east boundary.

SITE DESCRIPTION

The application site is located on the east side of Duntrune Terrace with Claypotts Road to the north, Strathern Road to the south and Langholm Gardens to the east. The application property is within the West Ferry Conservation Area and is a Victorian 2 storey semi-detached, stone built villa with a slate roof. There is an existing single storey, lean-to extension on the rear elevation which is finished in a dry dash render and slate roof. A driveway is located along the south boundary and there is substantial garden ground to the front and rear of the property. The garden ground to the rear is bounded by 1.2m high timber to the north, a high hedge to the east and a wall of various heights to the south.

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:

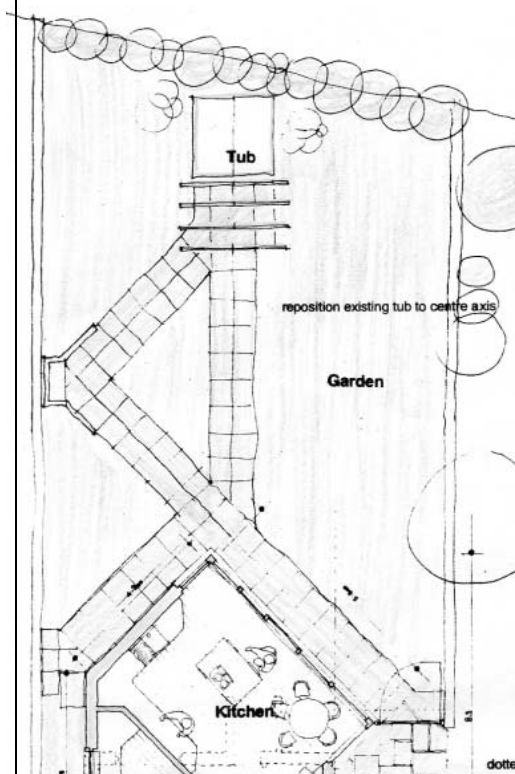
H4: Protection of Amenity - Alterations and extensions to houses will normally be approved provided the appearance of the house and surrounding area is not adversely affected. Approval is, however, unlikely to be granted where the siting and scale of the extension significantly

affects the amenity enjoyed by the occupants of adjoining property.

BE11: Development in Conservation Areas - Within Conservation Areas all development proposals will be expected to complement and enhance the character of the surrounding area.

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 extensions to houses will only be permitted where:

- 1 There is no adverse impact on the appearance of prominent elevations;
- 2 There is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties;
- 3 More than 50% of the original useable garden area will be retained;

- 4 The design and materials respect the character of the existing building.

Policy 61: Development in Conservation Areas - All development proposals will be expected to preserve or enhance the character of the surrounding area.

Scottish Planning Policies, Planning Advice Notes and Circulars

Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 advises that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Memorandum of Guidance on Listed Buildings and Conservation Areas is of relevance. It advises that new development which is well designed, respects the character of the area and contributes to its enhancement should be welcomed.

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 is relevant and states that places, spaces and objects should combine meaning and beauty with utility. It is considered that the proposal complies with these aims.

SITE HISTORY

A planning application was previously submitted for a 2 storey extension on the rear elevation and a gazebo in the rear garden on 8th June 2004. The application was proceeding to Committee with a recommendation for refusal due to the adverse visual impact of the proposal on the building and conservation area. Therefore the applicant withdrew the application and this current application is a resubmission with amendments.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and two letters of objection were received from neighbouring residents to the north and east stating

concerns about overlooking, adverse impact of the proposal on the conservation area, drainage problems, noise nuisance, design and adverse impact of the proposal on the building.

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.

Policy H4 specifies that extensions will be permitted provided the appearance of the house and surrounding area is not adversely affected. The proposed extension is single storey and will have a slate roof, which will blend in appropriately with the existing house. The extension is 4.4m high and will be 3.6m from the south boundary, 2.8m from the north boundary and some 26m from the east boundary. As discussed in the site description, there is a 1.2m high timber fence along the north boundary and high hedge along the rear(east) boundary. It is not considered that there will be significant levels of overshadowing as the dwelling to the east is protected by a high hedge and the extension is only single storey, so will not overshadow the property to the north. The dwelling to the north has a single storey extension on the rear elevation. In terms of overlooking, the dwelling to the east will not be overlooked as an existing high hedge provides a barrier and there will be a utility room window facing onto the north boundary.

Policy BE11 requires that all developments complement and enhance the character of the area. The proposed extension is on the rear elevation and the use of a cement

render and fawn facing brick basecourse are considered acceptable. Some of the neighbouring dwellings have similar single storey extensions on the rear elevations. The gazebo which will house the proposed hot tub is finished in timber and will be located at the end of the rear garden. The design is considered acceptable.

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:

Finalised Dundee Local Plan Review

Policy 14 reiterates the advice given in Policy H4 above and it is concluded that the proposal complies with this policy for the same reasons.

Policy 61 raises the same issues as Policy BE11 and the proposal is supported for the same reasons.

Objections

Two letters of objection were received from neighbours to the north and east. The objections raised were regarding noise nuisance, overlooking, loss of privacy, adverse visual impact on building and conservation area. The concerns of the objectors about most of these matters have been fully addressed in the consideration of the proposed development under Policy H4 of the adopted Local Plan. It was concluded that the design and scale of the extensions are satisfactory and there will be no unacceptable overlooking, overshadowing, noise nuisance or adverse visual impact on the building or conservation area. Other objections raised were regarding drainage for the hot tub and environmental impact of the hot tub. No objections were raised from consultees regarding these issues and it is considered there will be no adverse impact on the environment as it is a domestic scale hot tub.

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 extension will be designed and use materials to match the existing house which are considered acceptable.

CONCLUSION

It is considered that the proposal complies with the relevant policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review and there will be no adverse impact on the residential amenity enjoyed by surrounding residents. Therefore the application is recommended for APPROVAL subject to conditions.

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 the existing hedge on the east boundary shall not be topped, lopped or removed without the written consent of the City Council.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 In order to protect the amenity and privacy enjoyed by the neighbouring residents to the east.