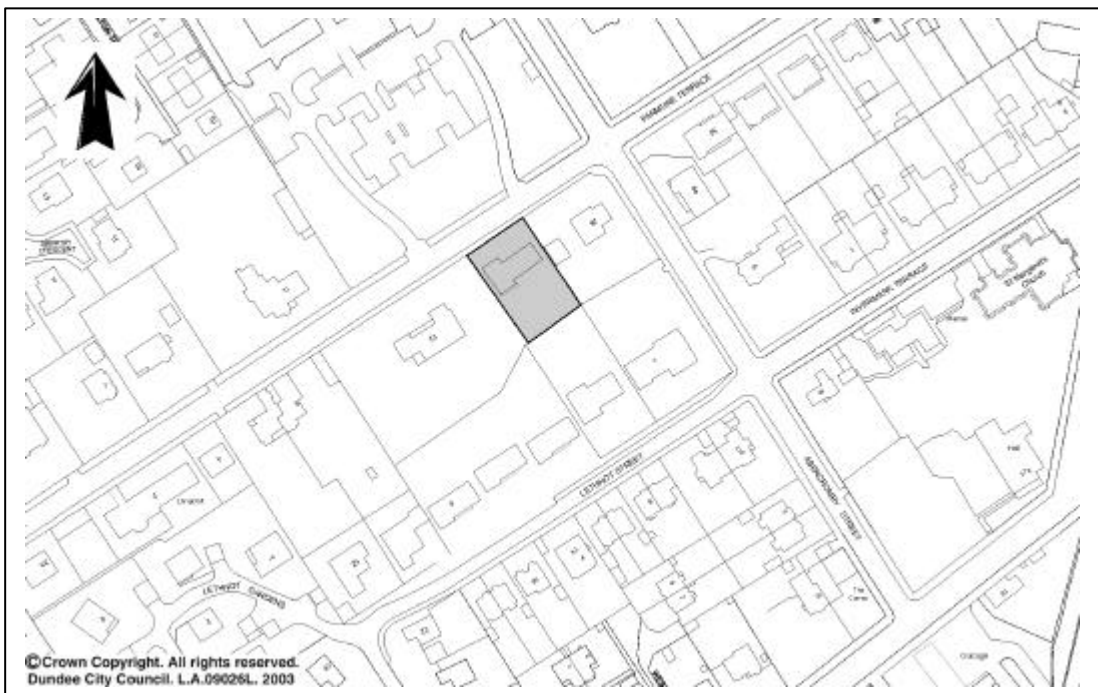


KEY INFORMATION

Ward Barnhill

Proposal

Extension to South of House

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House Extension Proposed in Panmure Terrace

An extension to a house is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with the policies of the adopted and finalised Local Plans and with an appropriate condition on screening, it will not have an adverse impact on the amenities enjoyed by neighbouring properties. It is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought to erect a large extension to the south of the house in the rear garden area. Its design is in the form of a glass box with a solid wall on the east elevation.
- The application site comprises a large modern detached house on the south side of Panmure Terrace.
- A letter of objection was received from the occupiers of a neighbouring dwelling stating concerns relating to potential overlooking and overshadowing as well as overdevelopment of the plot.
- The proposed extension will not result in any unacceptable overshadowing or loss of daylight to neighbouring properties and with the imposition of a condition privacy can be protected. Its design is light and modern, and the plot is large enough to take an extension of this scale.
- The proposal complies with the provisions of the adopted Local Plan and the Finalised Local Plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a large extension to the south of the house in the rear garden area. The proposed extension provides an internal floor area of almost 80 sq metres. Its design is in the form of a glass box with a solid wall on the east elevation and will provide a living area with a small physiotherapy pool. An upper level balcony will be provided over the western end of the new roof and an open deck area with a depth of some 2.5 sq. metres extends to the south and west of the extension. Including the decking and access ramp the proposed extension covers some 145 sq. metres (30%) of the rear garden area.

SITE DESCRIPTION

The application site comprises a large modern detached house on the south side of Panmure Terrace. It is a multi level house with a 2 storey section at the western end of the site, the next section to the east sits between these 2 levels and the garage at the eastern end is a half level below that. It is finished with walls of brick and roughcast and a tiled roof.

The garden to the south of the house slopes down to the south and is enclosed by timber fences augmented by trees and shrubs. To the east is a detached 2 storey house with a garage along the mutual boundary. To the west is a bungalow set in substantial grounds. To the south, at a much lower level, are houses on Lethnot Street. A Tree Preservation Order covers the grounds of the application site and all the surrounding houses although there are no trees affected by the proposed extension.

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 H4 Protection of Amenity is of relevance and seeks to ensure that, amongst other matters, extensions do

not adversely affect the degree of sunlight, daylight or privacy enjoyed by neighbours or use materials, style and form that are alien to the existing building.

Policy BE4 Development in Garden Ground: this policy sets out the criteria for the consideration of proposals within grounds of existing houses and seeks to resist overdevelopment of these areas within the City.

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 is of relevance and sets out criteria for extensions which are similar in wording to Policy H4 of the adopted Local Plan.

Policy 15 Development in Garden Ground: this policy sets out the criteria for the consideration of developments in garden ground and highlights that the scope for acceptable new development in garden ground is limited.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no Government policies 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

The proposed development raises no issues in terms of the Councils Local Agenda 21 policies.

SITE HISTORY

There is no site history of relevance to the determination of this application.

PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and a letter of objection was received from the occupiers of a neighbouring dwelling to the east. Their concerns relate to potential overlooking and overshadowing as well as overdevelopment of the plot. Copies of this letter are available in the Members' Lounges and the points raised are addressed in the Observations section of this report.

CONSULTATIONS

No adverse comments were received from any 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 seeks to ensure that, amongst other matters, extensions do not adversely affect the degree of sunlight, daylight or privacy enjoyed by neighbours or use materials, style and form that are alien to the existing

building. In this case, the house on the application site and those on the surrounding plots are typified by a low density of development. Although the proposed extension is large, at the nearest point it will be some 33 metres from the houses to the south, some 18 metres from the house to the west (although the proposed deck area is only some 2 metres from the mutual boundary) and some 6 metres from the mutual boundary with the house to the east.

At these distances there will be no impact whatsoever on the houses to the south of the site at Lethnot Street. The house to the west is a considerable distance from the proposed extension but the deck area and upper floor balcony are close to the mutual boundary. Reasonable screening is provided by trees and shrubs along this boundary but it is considered that further screening will be necessary at the upper level balcony to prevent unreasonable overlooking of the garden area and a planning condition governing this matter is proposed. The decking area is further away from the garden of the house to the east and again trees and shrubs, as well as a pergola, provide a screen but because of the difference in level it is considered that further screening is also required at this location and a planning condition governing this matter is proposed. Other than the matter of protecting the privacy of the adjoining occupiers to the east and west of the site it is considered that the proposed development complies with all the other strands of Policy H4. It will not result in any unacceptable overshadowing or loss of daylight to neighbouring properties. Its design is light and modern, with the appearance of a glass box surrounded by timber decking, and will enhance the appearance of the existing building. It will have no impact on off street parking and will not result in the loss of over 50% of the original garden area (the figure is some 30% of the rear garden or 21% of the overall garden area).

Built Environment Policy BE4 of the Dundee Local Plan 1998 seeks to ensure that certain areas throughout the City whose unique character is provided by villas set in large garden grounds with mature planting is maintained. Pressure from development has threatened to remove the character of these areas through

over-development and the loss of trees. In order to protect the architectural appearance and landscaped features of such areas Policy BE4 sets out a range of criteria in which to consider applications. In this case Policy BE4 is not directly relevant because the site contains a modern house surrounded by similar houses and there is no original stone villa enclosed with stone walls at this location. In terms of this policy reference to the "original house" refers to the house as existed in 1947.

The proposed extension is of a high quality design as required by Criteria (A) of BE4. Criteria (C) relates to the extent of development of the plot. It states that not more than 40% of the original grounds should be developed with buildings and hard standings and 60% of the original grounds should be left as cultivable garden ground. However this requirement is set in the context of looking at an original house and its garden area as existed in 1947 whereas in this case there was no original house whose grounds were developed.

In addition the existing house on this plot is large and most of the front garden area is a hard standing devoted to parking and circulation so that some 37% of the plot is covered. A strict adherence to Policy BE4(C) would mean that this house could not be meaningfully extended despite having a rear garden area of some 475 sq. metres. In this case although the proposed extension is large, the existing house and the extension excluding the deck occupy some 30% of the total garden area and this increases to 37% if the deck area is included. If the driveway to the front is added to this the total figure is some 54% of the overall site. Whilst this exceeds the 40% figure in Policy BE4(C) it is considered that the proposed extension is otherwise acceptable and that it is not appropriate to apply this strict mathematical formula in circumstances where the grounds of a traditional stone villa have not been affected.

The proposed extension does not alter the existing situation with regard to window distances governed by Policy BE4(D) except to the south where the distance involved is well in excess of 25 metres in any event. Finally the proposed development does not affect any existing trees on the site.

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:

The Finalised Dundee Local Plan Review

Policy 14 sets out criteria for extensions whose wording is similar to that of Policy H4 of the adopted Local Plan and for the same reasons it is considered that the proposed development complies with Policy 14.

Policy 15 on development in Garden Ground sets out similar criteria to Built Environment Policy BE4 of the Dundee Local Plan 1998. For the same reasons it is considered that the proposed development complies with this policy.

Objections from Neighbouring Property

The concerns of the neighbour relate to potential overlooking and overshadowing as well as overdevelopment of the plot. The issues of overlooking and overshadowing have already been considered in the context of Policy H4 of the adopted Local Plan. Given the scale of the proposed extension and its distance from the objectors house and garden area coupled with the screening provided by trees and shrubs, it is considered that there will be no unacceptable overshadowing of the neighbours property and any potential overlooking can be prevented by additional screening at the decking area which can be achieved by a planning condition.

The issue of overdevelopment of the plot has been considered in the context of Policy BE4 (C) of the adopted Local Plan. This is a large extension at 80 sq metres in extent which increases to 145 sq. metres when the outdoor decking area is included. However in terms of overdevelopment the impact of the proposed development is not significant. This is because the building itself has a light and open design with extensive areas of glazing and the open decking does not have a significant visual impact. The garden area is sufficiently large to accommodate this extension and leave ample private garden ground (some

330 sq. metres) to the rear of the house.

It is concluded from the foregoing that insufficient weight can be accorded to the views of the objector such as to justify the refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

Design

The design of the proposed extension is well thought out and forms an entirely appropriate extension to the house. The proposed extension is designed as a light and modern glass box surrounded with timber decking.

CONCLUSION

The proposed development complies with the policies of the adopted and finalised Local Plans and with an appropriate condition on screening will not have an adverse impact on the amenities enjoyed by neighbouring properties.

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 provision of screening to ensure that:
 - a the use of the deck area on the east elevation of the extension shall not result in unacceptable overlooking of the garden of the house to the east; and
 - b the use of the deck area and upper level terrace on the west elevation of the extension shall not result in unacceptable overlooking of the garden of the house to the west;

shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To protect the privacy enjoyed by the occupiers of the adjoining dwellings in the interests of residential amenity.