

KEY INFORMATION

Ward Strathmartine

Proposal
Installation of French Doors with steps and decked access

Address
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Dundee
DD3 8PA

Applicant
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Agent

Registered 15 March
2005

Case Officer Eve Jones



Proposed New French Doors and Decking in West School road

The installation of French Doors with steps and decked access is **RECOMMENDED FOR REFUSAL**.
Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposal does not comply with the policies in the Dundee Local Plan and the Finalised Dundee Local Plan Review on grounds of loss of privacy and appearance. It would be likely to set an unacceptable precedent. The objection is supported. The application is recommended for **REFUSAL**.

SUMMARY OF REPORT

- Planning permission is sought for the installation of French doors and the formation of steps and an access deck. The deck would be 1.65 metres above ground level with 4 steps to give access. Its would be 2.65 metres wide and project 1.2 metres from the building. It is to be located 0.5 metres from the boundary. The development is designed to give direct access to the flat from the adjacent parking area.
- The site is a ground floor flat in a two storey block of 8 flats. There are no similar doors on the street elevation of the block and access to them is gained from a footpath to the rear. There is a bay windowed lounge in the flat to the west which is approximately 1.5 metres away from the proposed deck. There is a low hedge between the two flats.
- Council policy seeks to ensure that new developments are not detrimental to the appearance of buildings and that the environmental qualities enjoyed by neighbours are not adversely affected. It is considered that there would be a loss of privacy to the lounge of the neighbouring flat from the proposed deck. The development would affect the appearance of the area by the introduction of doors, steps and a deck and this could set an unacceptable precedent for similar developments in other properties.
- One objection on the grounds of loss of privacy and that the development would be out of keeping with the rest of the building is supported.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the installation of French doors and the formation of steps and a decked access to the doors on the north elevation of the property. The deck will be 0.65 metres above ground level with 4 access steps and a balustrade of 1.1 metres. The deck area will be 2.56 metres wide by 1.2 metres out from the face of the building. The deck will be 0.5 metres from the side boundary, which is marked by a low hedge.

SITE DESCRIPTION

The application property is a ground floor flat in a well established development of two storey flats in a block of 8 flats. The existing access to the flats is from a footpath on the south side of the block. The north elevation is all windows, there are no other doors facing the street. The application property has a hard standing for vehicle parking on the north side adjacent to the site of the proposed doors.

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 Existing Residential Areas.

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.

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 "Diversity and local distinctiveness are valued and protected" is of relevance.

SITE HISTORY

A previous proposal for a larger deck was withdrawn unregistered.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from an adjoining neighbour on the grounds of loss of privacy from the proposed deck due to its proximity and height and that the proposed structure would be out of character with the rest of the building and the area.

CONSULTATIONS

There were no adverse comments from consultees.

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 Existing Residential Areas. The policy supports developments where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell. The proposed doors and access deck would be the only such development in the three similar, street facing blocks of flats in the area. It is

considered that it would have a detrimental impact on the appearance of the buildings and could set an unacceptable precedent for similar developments. The lounge of the adjoining property to the west has a bay window within approximately 1.5 metres of the proposed deck. The deck will be at floor level to allow access into the application property and the adjoining flat is at the same level. This will enable a person standing on the deck to see directly into the bay window of the adjoining lounge. It is considered that this will have a significant detrimental impact on the environmental quality enjoyed by the residents of the adjoining flat.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

Other Material Considerations

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

Policy 1 Vibrant and Sustainable Communities. New development should seek to minimise any affect on

the environmental quality enjoyed by local residents by virtue of design, layout parking and traffic movement issues, noise or smell. As noted above, the proposal does not comply with these criteria.

Objection. The objection is supported as noted above.

It is concluded from the foregoing that sufficient weight can be accorded to the material considerations such as to support the refusal of planning permission in terms of the provisions of the development plan.

Design

It is considered that the development would have an unacceptable impact on the appearance of the property and the surrounding area.

CONCLUSION

It is considered that the proposed is contrary to the development plan and the Finalised Dundee Local Plan. The objection is supported and there are no material considerations which weigh in support of the granting of planning permission contrary to the development plan. It is therefore recommended that planning permission be refused.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reasons:

Reasons

- 1 The proposed development is considered to be contrary to Policy H1 - Existing Residential Areas of the Dundee Local Plan 1998 as it would be likely to adversely affect the environmental quality enjoyed by local residents by virtue of the impact on the appearance of the building and the privacy enjoyed by adjoining residents. There are no material considerations of sufficient strength to support the granting of planning permission contrary to that policy.
- 2 The proposed development is considered to be contrary to Policy 1 Vibrant and Sustainable Communities of the Finalised Dundee Local Plan

Review 2003 as it would be likely to adversely affect the environmental quality enjoyed by local residents by virtue of the impact on the appearance of the building and the privacy enjoyed by adjoining residents.

- 3 The proposed development, if approved, is likely to create an unacceptable precedent for similar developments in the adjacent buildings, which would have an unacceptable impact on their appearance and the appearance of the surrounding area.