

**KEY INFORMATION**

**Ward** West Ferry

**Proposal**  
Extension & alterations to  
dwelling house

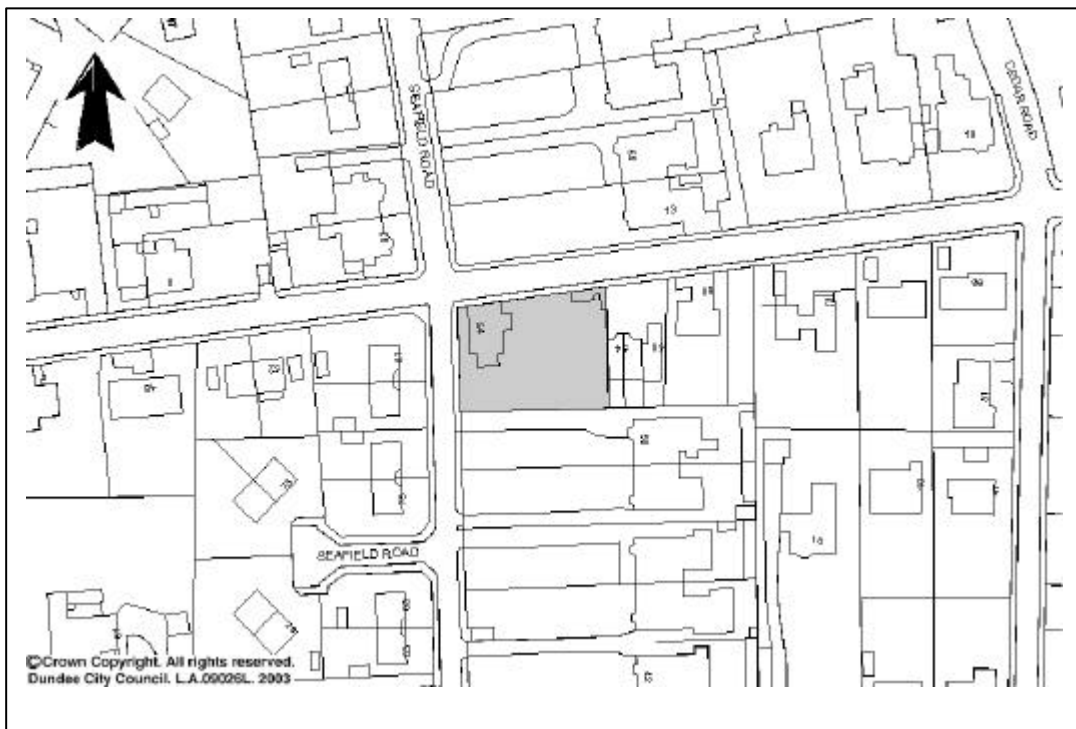
**Address**  
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**Applicant**  
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**Registered** 6 April 2005

**Case Officer** C Walker



# House Extension Proposed in Seafield Road

An extension and alterations to a dwelling house is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

Although the size of the proposed extension contravenes garden ground policies of the adopted and finalised Local Plans, the exceptional quality of the proposed development justifies the **APPROVAL** of the application.

**SUMMARY OF REPORT**

- Planning permission is sought to substantially extend this attractive stone and slate cottage in the Forthill Conservation Area.
- The design of the proposed extension is of a very high quality.
- Policies relating to house extensions, garden ground development and development in conservation areas in both the Adopted and Finalised Local Plans are of relevance as is the requirement to preserve or enhance the conservation area under Section 64 of the Planning (Listed Buildings and Conservation Areas) Act.
- Broughty Ferry Community Council objected to the proposed development stating concerns about the size of the extension, the removal of the roadside boundary wall, the possible impact on trees and the adverse impact on the conservation area.
- In the specific circumstances of this case where the design and form of the extension and the finishing materials to be used are of the highest quality and where the appearance of the original cottage and the setting of the conservation area are not compromised, then it is considered that there is a justification for approving the proposed extension contrary to the 20% limit in garden ground policies of the adopted and Finalised Plans.

## DESCRIPTION OF PROPOSAL

Planning permission is sought to substantially extend this house by demolishing a small garage to the south and a utility room to the east and effectively wrapping the house in one and a half storey extensions to the south and east.

The proposed extension would provide a double garage, guest bedroom, garden room and utility room at ground floor level and 2 additional bedrooms and a study room at first floor level. The proposed extension has a ground floor plan area of 160 sq. metres (resulting in an extension of 136 sq. metres when account is taken of demolitions).

The design of the proposed extensions is of a very high quality, utilising a traditional form and materials (stone and slate) on the front elevation and a more modern design on the other elevations with finishes of wet dash harl and standing seam roofs.

In order to provide access to the proposed garage a 9.8 metre section of the low roadside stone wall and hedge will be removed (and an existing 3.4 metre gap infilled). A tree survey has also been submitted indicating that all the important trees within the site will be retained and protected. It is proposed to remove 2 trees because of their poor health and a further tree and some hedging to accommodate the extension. The report indicates that the trees and hedging to be removed are either in poor condition or of little amenity value. New planting is proposed in the garden to the rear of the house to compensate for the loss of trees to the front.

The applicants have indicated that the proposed extensions have been designed with sustainability in mind and with standards of insulation, use of solar gain from the extensive glazed areas and high efficiency heating so that the substantially enlarged house will require the same energy to heat as the existing cottage.

## SITE DESCRIPTION

The site comprises May Cottage, an attractive stone and slate cottage with traditional dormers on the front elevation and a modern dormer extension on the rear. It sits at the junction of Seafield Road and Fintry Place. The plot measures some 945 sq.

metres and is enclosed by stone walls. The wall to Fintry Place is high but at Seafield Road it is low but additional enclosure is provided by hedging.

The site lies within the Forthill Conservation Area and its surroundings to the north and south are characterised by substantial stone villas in walled gardens set well back from Seafield Road. To the west are modern houses which are not in the conservation area and to the east is a modern infill development of 2 storey houses.

## 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:

The site is in an existing housing area and Policy H4 sets out standards for extensions to houses. The site is also within the Forthill Conservation Area and Policy BE11 requires all development proposals to complement and enhance the character of the surrounding area. Finally the site is within an area where Policy BE4 on garden ground development is applicable.

### 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 relevant policies in this Plan are similar to those in the adopted Local Plan, namely:

The site is in an existing housing area and Policy 14 out standards for extensions to houses. The site is also within the Forthill Conservation Area and Policy 61 requires all development proposals to preserve or enhance the character of the surrounding area. Finally the site is within an area where Policy 15 on garden ground development is applicable.

### 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

The proposed development is sustainable insofar as it is in a central location close to services and facilities.

## SITE HISTORY

A planning application to erect a house in the garden ground to the rear of this house was refused by the Council and subsequently on appeal in 1999 - application 98/23525/D refers.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposed development was advertised as affecting the Forthill Conservation Area. No public comments were received.

## CONSULTATIONS

Broughty Ferry Community Council objected to the proposed development stating concerns about the size of the extension, the removal of the roadside boundary wall, the possible impact on

trees and the adverse impact on the conservation area. A copy of this letter is available for inspection in the Members Lounges and the points raised are considered in the Observations Section of this Report.

The Councils Forestry Officer has considered the tree report submitted by the applicants and accepts its conclusions.

## 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.

Furthermore in terms of Section 64 of the Planning (Listed Buildings and Conservation Areas) Act 1997 special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Forthill Conservation Area.

## 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 states that extensions to houses will normally be approved provided the appearance of the house and the 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 property; where the materials, style and form are alien to the existing building and where more than 50% of the original garden ground would be lost.

In this case it is considered that the proposed development will have no adverse impact on the amenities of neighbours. The issues of the design, form and materials of the proposed extension are addressed in the context of Policy BE4 below.

Policy BE4 relates to garden ground development. Policy BE4 (A) seeks a high quality design and appropriate use

of materials. In this case the design of the proposed extensions is of a very high quality, utilising a traditional form and materials (stone and slate) on the front elevation and a more modern design on the other elevations with finishes of wet dash harl and standing seam roofs.

Policy BE4(C) is complied with as over 60% of the site will be left as cultivable garden ground.

Policy BE4 (F) contains a presumption against extensions exceeding 20% of the volume of the original building unless designed to appear independent and linked discreetly to the original house. In this case the extensions are larger than the existing house and the 20% figure is significantly exceeded. In addition the proposed extensions are not designed as an independent linked structure. This policy was written with substantial stone villas in mind where a 20% extension would be a very large structure. However despite this, there is no doubt that the proposed development contravenes this strand of Policy BE4.

Policy BE4 (H) states that breaches in existing walls will only be permitted where necessary to achieve safe vehicular and pedestrian access. In this case the wall being breached is a low stone wall, the extent of breach is the minimum required for safe access and the existing vehicular access will be infilled in stone.

Policy BE11 requires all development proposals to complement and enhance the character of the surrounding area. The character of this part of the conservation area is typified by large villas set back from Seafield Road in substantial landscaped gardens surrounded by stone boundary walls. This house is different, being a smaller cottage set close to the road. However it occupies an important corner position and is visually prominent. The proposed extension was therefore advertised as affecting the setting of the conservation area.

Although the proposed extension is large, it has been designed to fit in with the existing cottage and the surrounding conservation area. The form of the extension and the traditional finishing materials chosen for the front elevation are entirely appropriate. The more modern treatment on the other elevations is also of a very high quality and equally appropriate in this conservation area.

it is therefore concluded that the proposed development will serve to complement and enhance the character of the Forthill Conservation Area.

It is concluded from the foregoing that the proposal does not comply with Policy BE4 (F) of the adopted Local Plan.

## The Statutory duty set out in Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

This requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. As explained above in the context of the assessment of the proposal under Policy BE 11 of the adopted Local Plan, it is considered that the proposed development will preserve and enhance the character and appearance of the Forthill Conservation Area.

## Other Material Considerations

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

### The Finalised Dundee Local Plan Review

The policies in this plan are similar to those in the adopted Local Plan. Policies 14, 15 (except 15(e) which has identical wording to BE4 (F)) and 61 are complied with for the same reasons that the development complies with the same policies in the adopted Local Plan. It is therefore considered that the proposal contravenes Policy 15 (e) of this Plan.

### The Concerns of the Community Council

Broughty Ferry Community Council objected to the proposed development stating concerns about the size of the extension, the removal of the roadside boundary wall, the possible impact on trees and the adverse impact on the conservation area.

The issue of the roadside boundary wall has been considered in the assessment of the proposal against Policy BE4 (H) of the adopted Local Plan and has been considered to be acceptable. The loss of trees has also been assessed and the Councils Forestry Officer consulted. The important trees on the site will be

retained and protected and no significant trees will be lost. The impact of the development on the conservation area has also been assessed in the context of Policy BE11 of the adopted Local Plan and been considered to be acceptable.

The remaining issue relates to the size of the proposed extension which also has implications in terms of contravention of Policy BE4 (F) of the adopted Local Plan and Policy 15 (e) of the Finalised Local Plan.

Normally an extension of this size would not be acceptable and would contravene the relevant garden ground policy. However in this case the integrity of the existing cottage is maintained and the style, form and finishing materials used in the proposed extension are of the highest quality. The existing cottage is so small that even a modest extension would exceed the 20% limit in the garden ground policies. The size of the proposed extension has no implications in terms of residential amenity.

In the specific circumstances of this case where the design and form of the extension and the finishing materials to be used are of the highest quality and where the appearance of the original cottage and the setting of the conservation area are not compromised, then it is considered that there is a justification for approving the proposed extension contrary to the 20% limit in garden ground policies of the adopted and Finalised Plans. It should, however, be stressed that any diminution in the quality of the proposed development cannot be entertained.

It is concluded from the foregoing that there are material considerations that justify the approval of the proposed development despite that fact that the size of the proposed extension contravenes garden ground policies in the adopted and Finalised Local Plans and it is therefore recommended that planning permission be approved.

## Design

The design of the proposed extensions is of a very high quality, utilising a traditional form and materials (stone and slate) on the front elevation and a more modern design on the other elevations with finishes of wet dash harl and standing seam roofs. It achieves the high quality required by

Local Plan policy and the statutory requirement to pay special attention to preserving or enhancing the character or appearance of the Forthill Conservation Area.

## CONCLUSION

Although the size of the proposed extension contravenes garden ground policies of the adopted and finalised Local Plans, the exceptional quality of the proposed development justifies the approval 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 samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples
- 3 Details of the infilling of existing openings in the roadside boundary wall in natural stone 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.
- 4 The works to the existing trees and shrubs on the site including the protection of the trees to be retained and the formation of the parking space shall be carried out in accordance with the Tree Survey Report by Keith Vernon dated 6/4/05.
- 5 within six months of the first use of the building, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved by the City Council. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those

originally required to be planted in terms of this condition

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 in order to safeguard the visual amenity of the Conservation Area
- 3 in order to safeguard the visual amenity of the Conservation Area
- 4 to protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development
- 5 to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area