

KEY INFORMATION

Ward Strathmartine

Proposal

Installation of French doors with steps and decked access

Address

22 West School Road
Dundee
DD3 8PA

Applicant

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Downfield
Dundee
DD3 8PA

Agent

Registered 5 May 2006

Case Officer Eve Jones



Proposed French Doors 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 proposed deck and steps do not comply with Policy 1 of the Dundee Local Plan Review 2005 on grounds of loss of privacy and appearance. It would be likely to set an unacceptable precedent for other similar properties. The objection is supported. The application is recommended for **REFUSAL**.

SUMMARY OF REPORT

- Members will recall that this application was deferred by the Development Quality Committee on 19 June 2006 to allow officers to investigate other examples of such works elsewhere in the City.
- Planning permission is sought for the installation of French doors and the formation of steps and an access deck. The deck would be 0.65 metres above ground level with 4 steps to give access. It would be 2.86 metres wide and project 1.2 metres from the building. It is to be located 0.6 metres from the boundary. A possible screen 2m high is indicated on 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. The application property has a hard standing for vehicles adjacent to the proposed doors. There are no similar doors on the street elevation of the block and access to the flats 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.
- One objection was received on the grounds of loss of privacy, increased noise and that the development would be out of keeping with the rest of the area. The objection is supported.
- Members identified three other examples of such development elsewhere in the City. One had no permission, one was a different type of house and the other had no similar doors on the street elevation.
- It is concluded that there have been no recent approvals for this type of development on this type of house and the Director of Planning and transportation is entirely consistent in the recommendation for refusal. The development, if approved, would be likely to set an unacceptable precedent for similar developments in adjacent and similar buildings.

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 2.86 metres wide by 1.2 metres out from the face of the building. The deck will be 0.6 metres from the side boundary, which is marked by a low hedge. A possible screen 2m high is indicated on the drawings and referred to in a supporting statement.

Members will recall that this application was deferred by the Development Quality Committee on 19 June 2006 to allow officers to investigate other examples of such works elsewhere in the City. These are discussed in the Observations below.

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. There is a hedge between the application site and the adjoining neighbours to the west.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

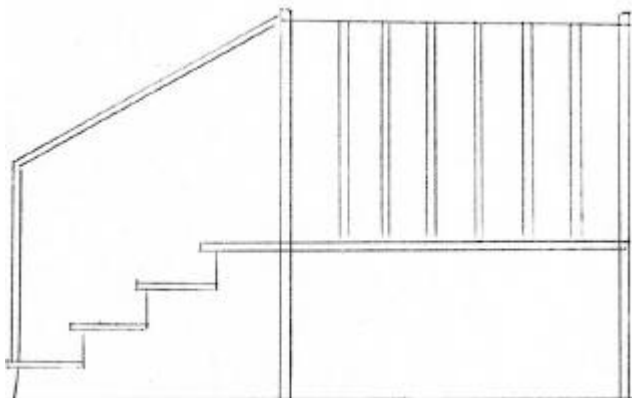
Dundee Local Plan Review 2005

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

05/00147/FUL: An application for a larger deck at this location was withdrawn unregistered in February 2005. 05/00237/FUL A planning application for a similar proposal at this location, which varied only in minor changes in measurements to this application, was refused by

Development Quality Committee on 23 May 2005.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from an adjoining neighbour on the grounds that the proposed structure would be out of character with the rest of the building and the area, would increase pedestrian activity, increase noise and reduce privacy to bedrooms which front the site.

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:

- 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 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. 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. In addition, the ability to park a car and then access the flat from these proposed doors will be likely to increase the pedestrian use of the area with the potential loss of privacy and increased noise to bedrooms.

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:

Objection. One objection was received from an adjoining neighbour on the grounds that the proposed structure would be out of character with the rest of the building and the area, would increase pedestrian activity, increased noise and reduced privacy to bedrooms which front the site. The objection is supported as noted above.

Supporting Statement. The applicant indicates that the proposals have been discussed and agreed with one neighbour and the screen is optional if required by the Council. The doors would be for occasional use and the main door would continue to be to the rear of the property. The Planning Authority could not control the degree of use of the doors by the imposition of a planning condition.

It should be noted that the deck and steps are immediately adjoining the applicant's car parking area and are therefore likely to be well used in the future.

Other similar developments

Members identified three other examples of such development elsewhere in the City:

- 1 Playfair Terrace which adjoins West School Road. There are no similar French doors on this elevation of any block in Playfair Terrace facing on to the street.
- 2 Mains Drive. There is an elevated terrace with French doors on the south side of the road. There is no record of any

planning permission for these doors and the development does not appear to be recent.

- 3 Brantwood Avenue. French doors were approved by Committee contrary to the recommendation of the Director of Planning and Transportation on 29 August 2005. However this is a different house type of four-in-a-block housing where the upper floor flat has a door on the front elevation of the building and the ground floor flat is accessed from the side elevation. In the application property, all of the flats are accessed from the rear elevation and there are no doors on the front elevation.

It is concluded that there have been no recent approvals for this type of development on this type of house and the Director of Planning and Transportation is entirely consistent in recommending refusal. The development, if approved, would be likely to set an unacceptable precedent for similar developments in adjacent and similar buildings.

The supporting statement is considered to be insufficient to overcome the objection and therefore there are no material considerations of sufficient strength to support the granting of planning permission contrary to the relevant policy 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 proposal is contrary to Policy 1 of the Dundee Local Plan Review 2005. The objection is supported and there are no material considerations 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 reason(s):

Reasons

- 1 The proposed development is considered to be contrary to Policy 1 Vibrant and Sustainable Communities of the Dundee Local Plan Review 2005 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 justify the granting of planning permission contrary to the terms of the policy.
- 2 The proposed development, if approved, is likely to create an unacceptable precedent for similar developments in the adjacent and similar buildings, which would have an unacceptable impact on their appearance and the appearance of the surrounding area.