

KEY INFORMATION

Ward Broughty Ferry

Proposal

Erection of conservatory on south elevation

Address

18 Panmure Street
Broughty Ferry
Dundee

Applicant

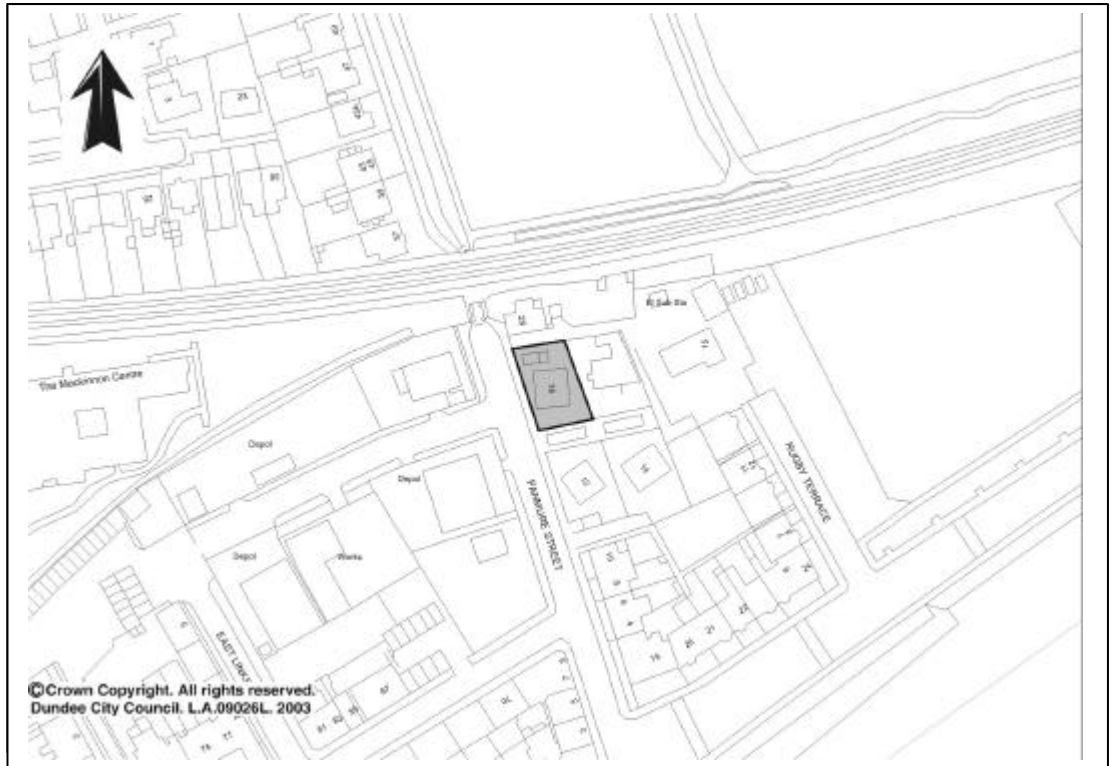
Mr Alex Kydd
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Agent

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Registered 21 June 2006

Case Officer S Johnson



Proposed Conservatory in Panmure Street

The erection of a conservatory is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed extension complies with Policy 14 of the Dundee Local Plan Review 2005. It is considered that the objection submitted does not carry sufficient weight to justify refusal of the application. Therefore the application is recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought for a conservatory extension on the south elevation of 18 Panmure Street, Broughty Ferry.
- One letter of objection was received from a neighbouring resident on the grounds that the proposed extension will block what is presently an open aspect; it will reduce the light; it will overlook the garden; it will be out of character with the other properties; and it will dominate the garden area and add a disproportionate percentage to the existing floor area of the applicant's property.
- Policy 14 of the Dundee Local Plan Review 2005 is relevant to the determination of the application as it seeks to protect the amenity of neighbouring residents and the amenity of the area.
- It is considered that the proposal complies with Policy 14 of the Dundee Local Plan Review 2005. The views of the objector are not supported because it is considered that as this is a single storey conservatory extension it will have minimal impact on the neighbouring property. There are no material considerations that would justify the refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a conservatory on the south elevation of 18 Panmure Street. Although this is the front elevation of the property, it does not face onto the street. It looks onto a landscaped area with raised flower beds which the majority of houses in this immediate area look onto. The conservatory will measure approximately 5.1m in width and 3.6 metres in length.

SITE DESCRIPTION

The application site is located on the east side of Panmure Street. It is a one and a half storey detached dwelling with a separate garage and parking within the curtilage. This is a residential area with a mixture of house types and styles where the majority of dwellings are one and a half and two storey properties. On the west side of Panmure Street are a number of small businesses which include Rentokill, Auto Services and a Joiner and Contractors. To the north of the property is the Aberdeen rail line.

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 14: Alterations and Extensions - Proposals will only be permitted where they do not adversely affect the prominent elevations of the house, there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties, more than 50% of the original useable garden ground will be retained and the design and materials respect the character of the existing building.

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 13 is relevant to the determination of the application and states that places, spaces, and objects should combine meaning and beauty with utility. This proposed development is in line with these considerations.



South Elevation

SITE HISTORY

The erection of a garage was approved in 1973 (Planning Reference 73/00103/BWH).

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and one letter of objection was received from a surrounding neighbour. The grounds of objection are:

- the proposed extension will block what is presently an open aspect towards the road;
- it will reduce the light reaching the front garden;
- it will overlook the garden;
- it will be out of character with the other properties in the area; and
- it will dominate the garden area and add a disproportionate percentage to the existing floor area of the applicant's property.

Copies of the objection are available for inspection in the Members'

Lounges and the issues are discussed in the "Observations" section below.

CONSULTATIONS

No adverse comments were received from statutory consultees or other bodies.

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.

In terms of Policy 14 due to the design of the proposed extension and the unusual design of the dwelling, in that, the front elevation does not front onto the street as is the norm, instead it looks onto a mutual landscaped area, it is considered that this will not have an adverse impact on the appearance of the prominent elevations of the house.

The main issue for consideration is whether as a result of this extension there will be overshadowing and loss of privacy to the east. There is an existing fence (approximately 1.5metres in height at the highest point) to the east on the dividing boundary. The neighbouring property is set back approximately 4metres from the boundary fence. The application site is currently approximately 2.4metres from the boundary. This extension will mean that the dwelling will be 2metres from the boundary. As this is a single storey development and due to the design of the proposal, there will be minimal impact in terms of overshadowing on the neighbouring property. It should be noted that this site could be used as a patio area without planning consent. In addition, the applicant is willing to delete two windows on the east

elevation and replace them with a blank wall to try to address any concerns about the loss of privacy. A condition can be imposed requiring the development to be constructed in accordance with these revised plans, should Members be minded to approve this application. Therefore, it is considered that there will be no significant loss of daylight, sunlight or privacy for neighbours to the east of the property to warrant refusal of this application.

Due to the limited size of the proposed extension (the gross floor area will be approximately 18.36 metres) and the fact that it is to the front of the house, there will be no significant loss of private garden ground as a result of the development.

The roof on the extension will be pitched with interlocking tiles to match the existing and the glazed units will also match the existing windows. It is considered that the proposed extension has been designed to complement the existing house. The proposed finishing materials are acceptable for this dwelling. It is therefore considered that the proposed extension, by virtue of its size, scale, architectural form and finishing materials, would not be detrimental to the character and appearance of the house and the area. It is considered that the extension would not have an unacceptable appearance in terms of Policy 14.

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:

One letter of objection was received in respect of this application. The main issue with this proposal is the proximity to the neighbouring boundary and whether it will overshadow and impact on the privacy of the neighbouring garden.

The applicant looked into the question of daylight loss and provided additional drawings indicating the sunlight angles. These drawings clearly indicate that the extension will have no impact on daylight on the neighbouring property, even during the winter meridian when the sun is at 15 degrees. As stated previously as this is a single storey extension, it is

considered that there will be no unacceptable loss of daylight or privacy as a direct result of this proposal.

In addition, the applicant has agreed to delete two windows on the east elevation and replace them with a blank wall to address the issue of loss of privacy. Due to the nature of the site there is limited scope to extend elsewhere and it is considered that this is the most appropriate location.

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. It is therefore recommended that planning permission be granted with conditions.

Design

As discussed above it is considered that the design of the proposed extension, including the finishing materials is acceptable to the character and appearance of the existing house and that of the area.

CONCLUSION

The proposal complies with Policy 14 of the Dundee Local Plan Review 2005. The objection does not carry sufficient weight to merit refusal 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 The proposed extension shall be constructed in accordance with the revised plans dated 9/8/06 which provide a blank wall on the east elevation.

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 dwelling to the east of the site.