

KEY INFORMATION

Ward Baxter Park

Proposal
Amendment to
05/00595/FUL - Elevational
Alterations

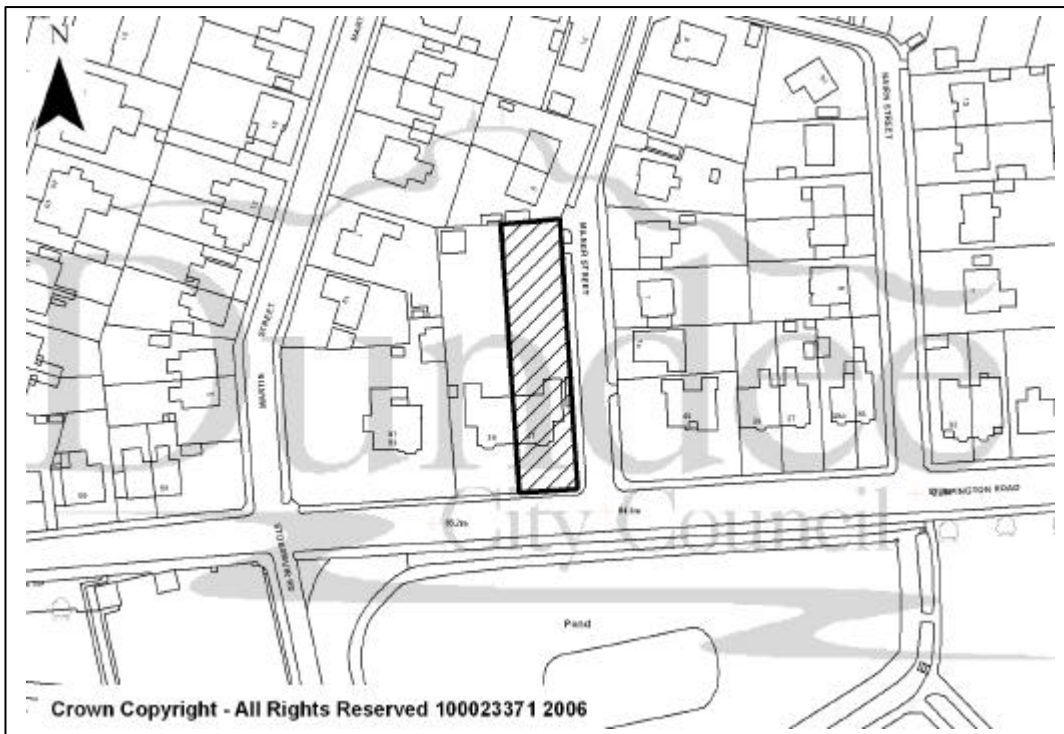
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Registered 14 Dec 2006

Case Officer J Young



Consent Sought for Amended Details of a New House in Clepington Road

The Elevational Alterations are **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposal complies with Policy 14 of the Dundee Local Plan Review 2005. The objection letters are not supported in these circumstances.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for amendments to the original planning permission for the erection of a new dwelling within the garden ground at 47 Clepington Road, Dundee. The amendments include an increase in the overall height of the house by 690mm, changes to the roof windows, including additional roof windows on the north elevation, and the addition of a new window on the east gable. These changes were brought to the attention of the Council's Planning Enforcement Officer by a neighbouring resident. The applicant was contacted by the enforcement officer and this application was subsequently submitted.
- The proposal raises issues for consideration in terms of Policy 14 of the Dundee Local Plan Review 2005.
- Two letters of objection were received to the proposed development raising concerns regarding overlooking, loss of privacy and the adverse visual impact of the house on the surrounding area due to its height and colour.
- It is considered that the proposed development is in accordance with Policy 14 of the Dundee Local Plan Review 2005. The objections are not supported and there are no material considerations that would justify refusal of the application in this instance.

DESCRIPTION OF PROPOSAL

Planning permission is sought for amendments to an original planning permission for the erection of a new dwelling at 47 Clepington Road.

The proposed amendments are an increase in the overall height of the house by 690mm, change to the roof windows, additional roof windows on the north elevation and an additional window on the east gable.

The house has been designed as a single aspect house with a contemporary influence in the architecture and has been completed.



North Elevation

- c the occupants of neighbouring properties; and
- c more than 50% of the original useable garden area will be retained; and
- d the design and materials respect the character of the existing

Road, Dundee. Withdrawn 21 January 2005.

Planning Application 05/00206/FUL: Erection of dwelling house and domestic garage at 47 Clepington Road, Dundee. Refused 25 April 2005.

Planning Application 05/00595/FUL: Erection of dwelling in garden ground - Approved with conditions 27.09.05.

Planning Application 06/00321/FUL: Erection of single and double garages - Approved with conditions 05.06.06.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and two letters of objection were received to the proposed development from neighbouring residents on Milner Street.

The main grounds of objection were that:

- 1 the proposed amendments result in the overlooking and loss of privacy to the house to the east.
- 2 The proposed house is higher than houses in the area, its colour is not appropriate and has an adverse visual effect on the area.
- 3 A copy of the letters of objection are available in the Members Lounges and the issues raised are addressed in the Observations section of the report.

SITE DESCRIPTION

The application site is located on the west side of Milner Street and within the garden ground of a large 2 storey villa at 47 Clepington Road. It is a 1.5 storey detached house with buff/yellow render walls and slate roof. There is a 1.8m high wall along Milner Street. There is parking and amenity space to the front of the house. Access is from Milner Street and there are black iron gates at the entrance. The majority of houses along Milner Street are single or 1.5 storey and detached traditional style bungalows.

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 to Houses

Proposals to alter or extend existing dwellinghouses will be only be permitted where:

- a there is no adverse impact on the appearance of prominent elevations of the house; and
- b there is no significant loss of sunlight, daylight or privacy to

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.

SUSTAINABILITY ISSUES

The proposal does not raise any concerns in relation to the Council's sustainability policies.

SITE HISTORY

Planning application 04/00956/FUL: Erection of two storey dwelling house and domestic garage at 47 Clepington

CONSULTATIONS

No adverse comments were received from 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.

Dundee Local Plan Review 2005

Policy 14 states that proposals to alter or extend a house are acceptable where they do not adversely affect the prominent elevations, surrounding residents are not adversely affected and the materials and design respect the existing building. It is not considered that the main elevation of the house is adversely affected by increasing the height of the roof by 690mm, adding further windows and altering the approved roof window pattern. An additional window has been added on the east gable and is directly opposite an objector's house. This window is required under Building Regulations as an escape window from the bedroom. It is located some 21m from the objector's nearest window and so it is considered there will be no overlooking issues. The design and materials blend in with the existing dwelling. Therefore it is considered that the proposal complies with Policy 14.

It is considered that the proposed development is in accordance with the provisions of the development plan.

Other Material Considerations

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

Two letters of objection were received to the application and the following addresses the grounds of objection.

- 1 "Loss of privacy for house to the east." This objection refers to the addition of a window on the east gable. There is approximately 21m between the application property and the objector's house. Normally within new developments, there is a requirement that there are 18m between facing habitable windows. This figure is exceeded. It is considered that there will be no significant loss of privacy.
- 2 "The proposed house would be higher than houses in the area, its colour is not appropriate and it would have an adverse affect on the appearance of the area."

The proposal increases the height of the building by 690mm. The actual height of the house has been checked and measured on site by the City Engineer and complies with the submitted drawings. The building will not be higher than the main house at 47 Clepington Road and will be similar to other houses in the area. The colour of the house is considered acceptable and complements the stonework detailing. It is considered that it would not have an adverse affect on the appearance of the area.

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 contrary to the provisions of the development plan. It is therefore recommended that planning permission be approved.

Design

The proposed amendments to the existing house blend in with the house design and are considered acceptable.

CONCLUSION

It is considered that the proposed development is in accordance with Policy 14 of the Dundee Local Plan Review 2005. The objection is not supported and there are no material considerations that would justify departing from the provisions of the development plan.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition:-

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.