

KEY INFORMATION

Ward Hilltown

Proposal

2 storey extension to south elevation and extension on porch on north elevation

Address

18 Hillbank Gardens
Dundee
DD3 7BF

Applicant

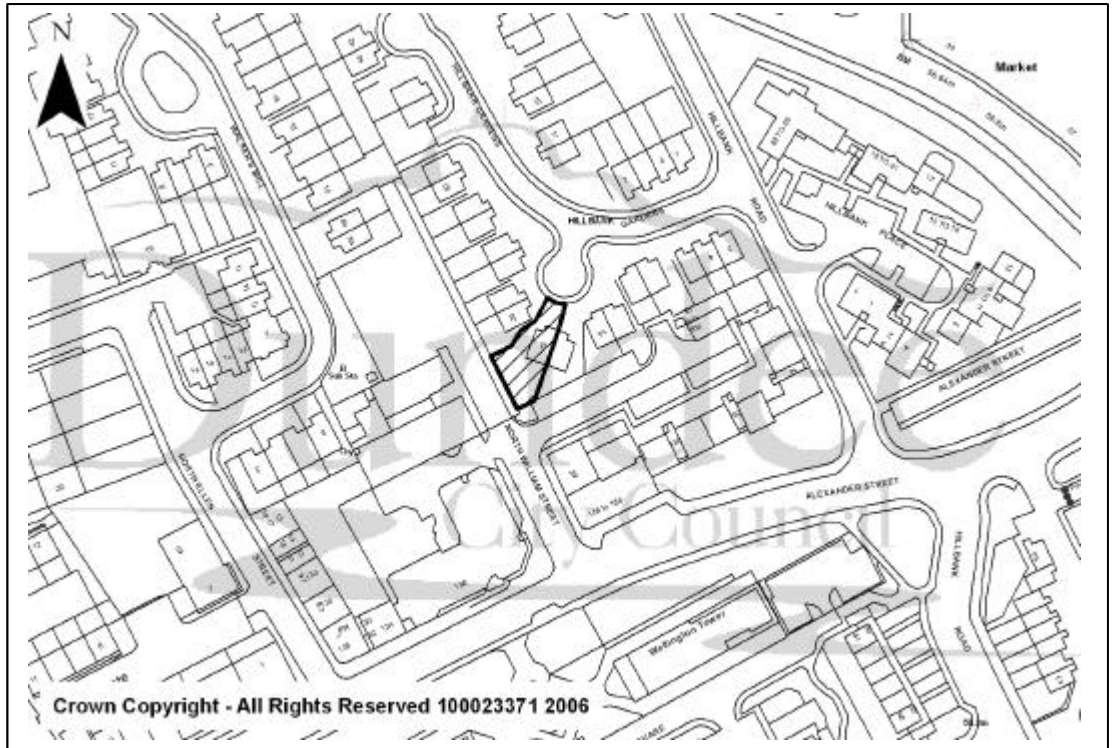
Mr & Mrs Wilson
18 Hillbank Gardens
Dundee
DD3 7BF

Agent

G D Architectural Services
101 Brook Street
Monifieth

Registered 11 Jan 2007

Case Officer S Johnson



Proposal for Extensions to House in Hillbank Gardens

A two storey extension to south elevation and an extension to porch on North elevation is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be contrary to Policy 14 of the Dundee Local Plan Review 2005. The objection is supported and the application is recommended for **REFUSAL**.

SUMMARY OF REPORT

- Planning permission is sought for a two storey extension to the south elevation and an extension to the porch on the north elevation of 18 Hillbank Gardens, Dundee.
- 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.
- One letter of objection was received from an adjoining neighbour on the grounds of privacy; overshadowing; aesthetic degradation; structural problems; loss of view and unable to see the property to the left of the site.
- It is considered that the proposal is contrary to Policy 14 of the Dundee Local Plan Review 2005. The views of the objector are supported because it is considered this proposal will have a detrimental impact on the neighbouring property. There are no material considerations that would justify the approval of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a two storey extension to the south elevation and an extension to the porch on the north elevation at 18 Hillbank Gardens, Dundee. The proposed extension on the south elevation will provide a sun lounge on the ground floor and extend an existing bedroom providing en-suite facilities on the first floor. The extension to the north elevation will provide an extension to one of the existing bedrooms on the first floor. The proposed finishing materials are facing brick on the north elevation to match the existing. The extension on the south elevation will be finished in render to match the existing finish. The roof will be finished in concrete interlocking roof tiles with hip tiles which will also match the existing finishes.

The applicant has submitted additional information regarding the need to provide the extension on the north elevation due to medical reasons which are that the applicant's child is diagnosed as Autistic.

SITE DESCRIPTION

The site is located on the south side of Hillbank Gardens. It is a two storey semi-detached dwelling with a small front garden and larger garden area to the rear with a garden shed. There is parking within the curtilage with a separate garage to the west. There is a small boundary fence between the adjoining properties with a high (approximately 3metres in height) boundary wall on the south western part of the site. This is residential area where the majority are two storey semi-detached properties which are similar in design. All have parking with the curtilage.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

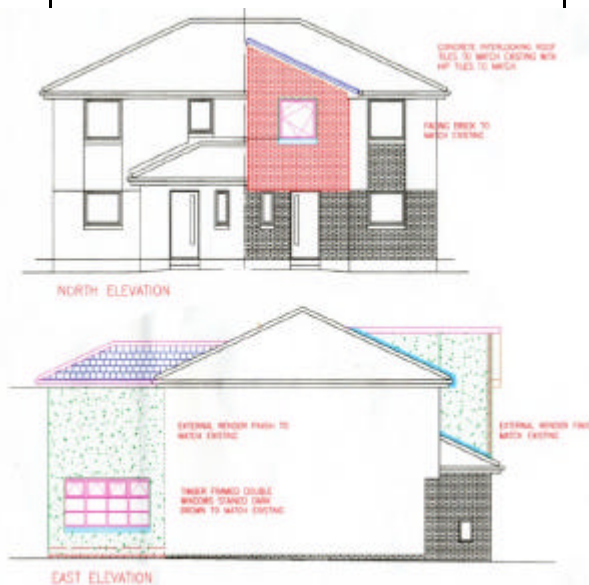
There are no policies relevant to the determination of this application.

Dundee Local Plan 2005

The following policy is of relevance:

Policy 4: Design Of New Housing. The design and layout of all new housing in Dundee should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards contained in Appendix 1 of this Local Plan unless:

- a the City Council, through either site allocation in the Local Plan or site planning briefs, considers it appropriate to vary the standards to reflect the constraints or opportunities offered by the development of a particular site; or
- b the proposal is within an established low density residential area, in which case the density of the new development should reflect this and more generous external space standards will be required.



New housing development should also have regard to the principles of the City Council's Urban Design Guide.

In addition, new housing development should meet "Secured by Design" standards. New residential streets should be designed to promote low vehicle speeds of 20 m.p.h. or less. New housing should have regard to opportunities to maximise energy efficiency and promote sustainable waste management.

Where conversion of a listed building or other building worthy of retention is proposed, there may be limited flexibility in applying parking and garden ground requirements where compliance is impractical. The development of flats through conversions of buildings of merit may

also be acceptable where conversion to flats is the only appropriate action.

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

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

There is no site history of direct relevance to the consideration of this planning application.

PUBLIC PARTICIPATION

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

The proposed south facing sunroom will look directly into the adjoining garden and living room leading to loss of privacy and overshadowing at certain times of the day.

The extension on the north elevation will look out of place and cause aesthetic degradation to the front of the adjoining property.

The extra weight on the porch will exacerbate present structural problems.

Both properties have a substantial crack in the downstairs toilet wall which will be worsened by the added weight of the extension.

The view from one of the bedrooms in the adjoining property will be removed.

The amount of light to one of the neighbour's bedrooms will be reduced.

Restricted vision from adjoining property which is required to "house-sit" another property.

Copies of the objections are available for inspection in the Members' Lounge

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;

- 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.

In terms of Policy 14 due to the design of the extension on the north elevation where it is proposed to increase the height of the porch by approximately 3metres it is considered this will have an adverse impact on the prominent elevation of this dwelling. As the property is a semi-detached dwelling, the proposal will look out of place with the adjoining property and it is not in keeping with the design of the other properties in the immediate area.

The main issue for consideration is whether as a result of this extension there will be a loss of privacy to the dwelling located to the east of the application site. The objector has stated that the sunroom windows on the south elevation will look directly into the adjoining garden and living room. There is a small fence (approximately 0.5metres to 1metre in height) along the adjoining boundary which does not provide any sort of privacy to either of the properties. The extension will be approximately 2.5metres away from this fence. There will be a large window on the ground floor (approximately 2.6metres in width and 1.6metres in height) along the east elevation. The extension on the south elevation will measure approximately 4.3metres in length and 4metres in width. Due to the proximity of the proposed extension from the boundary and the presence of

a reasonable amount of glazing on the east elevation it is considered that there will be unacceptable overlooking and loss of privacy as a result of this development.

Two new windows will be added to the west elevation on both the ground and first floors. The window on the first floor will serve the new en-suite facilities and the window on the ground floor will be for the existing lounge. Due to the presence of a separate garage on the west elevation it is considered that there will not be an unacceptable loss of privacy or overlooking to the property to the west. It should be noted that the installation of these windows is permitted development.

In terms of loss of natural light and overshadowing to the property to the east. The extension is largely to the north west of the adjoining dwelling and is set back approximately 2.5metres from the adjoining fence. It is considered that the proposed extension may result in some overshadowing towards the end of the day but this is not sufficient to warrant refusal of this application on these grounds.

The adjoining property has large patio doors on the south elevation and a smaller window which is located closer to the boundary. Consequently, it is considered that there will be an unacceptable loss of privacy for neighbours to the east of the property. It is considered therefore in terms of Policy 14 there will be significant overlooking as a result of this proposal.

The extension on the south elevation is approximately 4.3metres in length and 4metres in width. The site has a reasonable sized garden area measuring approximately 134.4m². Therefore, it is considered this proposal will have minimum impact on the total amount of useable garden ground associated with this property.

The building work will be finished in render to match the existing. The roof on both the north and south elevations will be finished in concrete interlocking roof tiles with hip tiles to match the existing. It is considered that the proposed extension on the south elevation has been designed to complement the design of the existing house. The proposed finishing materials are acceptable for this dwelling. However, it is considered

that the proposed north extension, by virtue of its size, scale and architectural form, would be detrimental to the character and appearance of the house and the area. It is considered that the north extension would have an unacceptable appearance in terms of Policy 14.

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:

Objections

One letter of objection was received in respect of this application. The main issues relating to privacy, overshadowing and aesthetic degradation have been covered in the development plan section above. The other issues raised by the objector are:

The extra weight on the north elevation will exacerbate structural problems. This is not a planning matter. However, the Building Standards section during their assessment of the proposal will consider the stability issue. If structural damage were to occur to an adjacent property as a consequence of building work this is a legal matter rather than a planning issue.

The view from the third bedroom will be removed and they will be unable to see the property to the left of their property. This is not a material consideration when assessing a planning application. This planning application has been judged on its individual merits.

Letter of Support

The applicant has submitted a letter regarding the need to provide this extension due to the applicant's child being diagnosed as Autistic. The principle of extending this property is acceptable. However, the application in its current form can not be supported on the grounds of overlooking and design. If these matters were overcome a satisfactory solution may be reached.

It is concluded from the foregoing that there are no material considerations such as to justify the grant of planning permission contrary to the provisions of the Development Plan. It is

therefore recommended that planning permission be refused.

Design

It is considered that the proposed development, by virtue of its architectural form would have a detrimental impact on the adjoining property and the immediate area.

CONCLUSION

It is considered that the proposal is contrary to Policy 14 of the adopted Dundee Local Plan Review 2005. The objection is supported in these circumstances.

RECOMMENDATION

It is recommended that consent be REFUSED for the following reason:

Reason

- 1 The proposed development is contrary to Policy 14 of the Dundee Local Plan Review 2005 due to the design of the north elevation and loss of privacy for adjacent properties. There are no material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan.