

KEY INFORMATION

Ward The Ferry

Proposal

Conservatory extension to south elevation

Address

86 Monifieth Road
Broughty Ferry
Dundee

Applicant

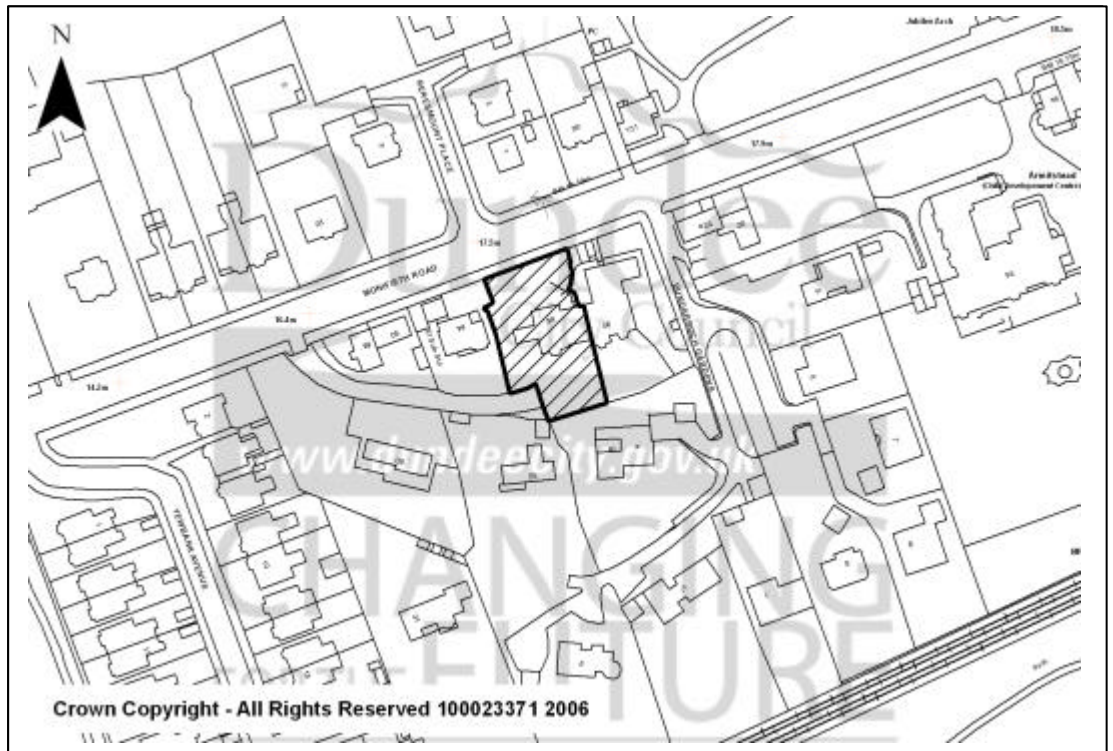
Dr E Chester
86 Monifieth Road
Broughty Ferry
Dundee

Agent

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85 Dunlin Road
Cove Bay
Aberdeen

Registered 12 Oct 2007

Case Officer Paul Macari



Proposed Conservatory in Monifieth Road

A conservatory extension is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development meets the criteria of Policy 14 and Policy 61 of the Dundee Local Plan Review 2005. It has been concluded that the concerns of the objector do not hold sufficient weight to justify a refusal of planning permission contrary to the Development Plan. The proposed conservatory extension is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought to erect a conservatory extension to the south elevation of a ground floor flat situated in the Reres Hill Conservation Area.
- 1 letter of objection has been received raising concerns about loss of privacy, impact upon the character of the existing building, the proposed finishing materials, right of access and blocking of emergency escape windows.
- The proposed development has been assessed against Policy 14 and Policy 61 of the Dundee Local Plan Review 2005 and found to be compliant.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a white PVCU framed conservatory extension to the south elevation of a ground floor flat. The conservatory extension will have base wall finished in reconstructed stone to match the existing stonework of the dwelling.

SITE DESCRIPTION

The application site is located on the south side of Monifieth Road. The site comprises a ground floor flat situated in a 2 storey semi-detached building that was formerly a single dwellinghouse. The site is afforded both front and rear gardens. However given that the site slopes steeply from north to south the front garden grounds bounding Monifieth Road are unusable.

Access to the premises is taken from a communal driveway that leads to the rear garden of the application site. The rear garden split in two, with a parking and turning area located along the southern and eastern boundaries and a landscaped area to the west.

The rear garden is bound by mature trees and fencing to the east, west and south.

The existing building is of a sandstone construction with a gabled roof finished in natural slate. The windows of the 1st floor flat are white PVCU framed double glazed top hopper style whilst the ground floor flat has white painted timber framed sliding sash and case windows. The ground floor flat has a modern and contemporary extension to the western elevation that has timber framed floor to ceiling windows, a hexagonal roof finished in slate and buff smooth rendered walls.

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 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 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 building.

Policy 61: Development Within Conservation Areas - within Conservation Areas all Development Proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and historic



pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

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 planning history of relevance to the outcome of this planning application.

PUBLIC PARTICIPATION

The applicant has undertaken the statutory neighbour notification procedure. 1 letter of objection has been received raising concerns about:

- * Loss of privacy
- * Impact upon character of the existing property
 - * Inappropriate finishing materials
 - * Right of access
 - * Blocking of emergency access

CONSULTATIONS

There have been no adverse comments received 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.

With regard to Policy 14, the proposed conservatory extension in combination with the existing single storey extension will not take up more than 50% of the original useable garden ground nor shall it significantly block sunlight or daylight to neighbouring properties. However, to ensure that the proposed conservatory extension does not infringe upon neighbour's privacy a condition requiring obscure glazing in the roof and east facing window openings will be attached to a decision notice should the Committee be mindful to grant planning permission.

The proposed conservatory extension although of a modern design and finish will not be visible from public elevations and will therefore not impact upon the existing amenity of the Monifieth Road and the surrounding Reres Hill Conservation Area. The proposed conservatory extension is therefore not considered to impact upon the appearance of prominent elevations of the existing dwelling. Given that the 1st floor flat above the application site has white PVCU framed windows and the ground floor flat has a modern single storey extension, the proposed PVCU framed conservatory is considered to respect the character and design of the existing building by virtue of design and finishing materials.

Taking the above assessment into account the proposed development is considered to meet the criteria of Policy 14 of the Dundee Local Plan Review 2005.

The proposed conservatory extension will be located on the rear elevation of the flatted dwelling and will not be visible from Monifieth Road. Further, it has already been concluded that the proposed conservatory extension respects the character and setting of the existing dwelling by virtue of design and finishing materials. Therefore the proposed conservatory extension is considered to preserve the character of the surrounding Reres Hill Conservation Area. The proposed development is therefore considered to meet the criteria of Policy 61 of the Dundee Local Plan Review 2005.

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:

Objections

The issues raised by the objector are summarised at the beginning of this report.

With regard to concerns about loss of privacy, it has already been established that any potential infringement of neighbour's privacy can be overcome through the use of planning conditions should the committee be mindful to grant planning permission. Concerns relating to the impact the proposed conservatory extension will have on the character of the existing building and the proposed finishing materials have been discussed above in the assessment of the proposals against Policy 14 and Policy 61 of the Dundee Local Plan Review 2005. It has been concluded that the proposed conservatory extension by virtue of design and finishing materials will not detract from the character of the existing dwelling or the surrounding conservation area.

Concerns relating to right of access across the applicants property for essential maintenance and the blocking of emergency access window on the rear elevation of the 1st floor flat above the application site are not considered material to the outcome of this planning application.

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 granted with conditions.

Design

The proposed conservatory extension is considered to be of a design and finish that will not detract from the existing building or surrounding conservation area.

CONCLUSION

The proposed development meets the criteria of Policy 14 and Policy 61 of the Dundee Local Plan Review 2005. It has been concluded that the concerns of the objector do not hold sufficient weight to justify a refusal of planning permission contrary to the Development plan. The proposed conservatory extension is therefore recommended for APPROVAL.

RECOMMENDATION

It is recommended that consent 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 windows and roof of the conservatory shaded green on the stamped approved plans shall be obscurely glazed and retained in perpetuity as such.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of safeguarding privacy and residential amenity.