

KEY INFORMATION

Ward North East

Proposal

Retrospective Consent for Erection of Decking to South and East of Dwelling and Erection of Fencing

Address

2 Emmock Woods Crescent
Dundee
Dundee City

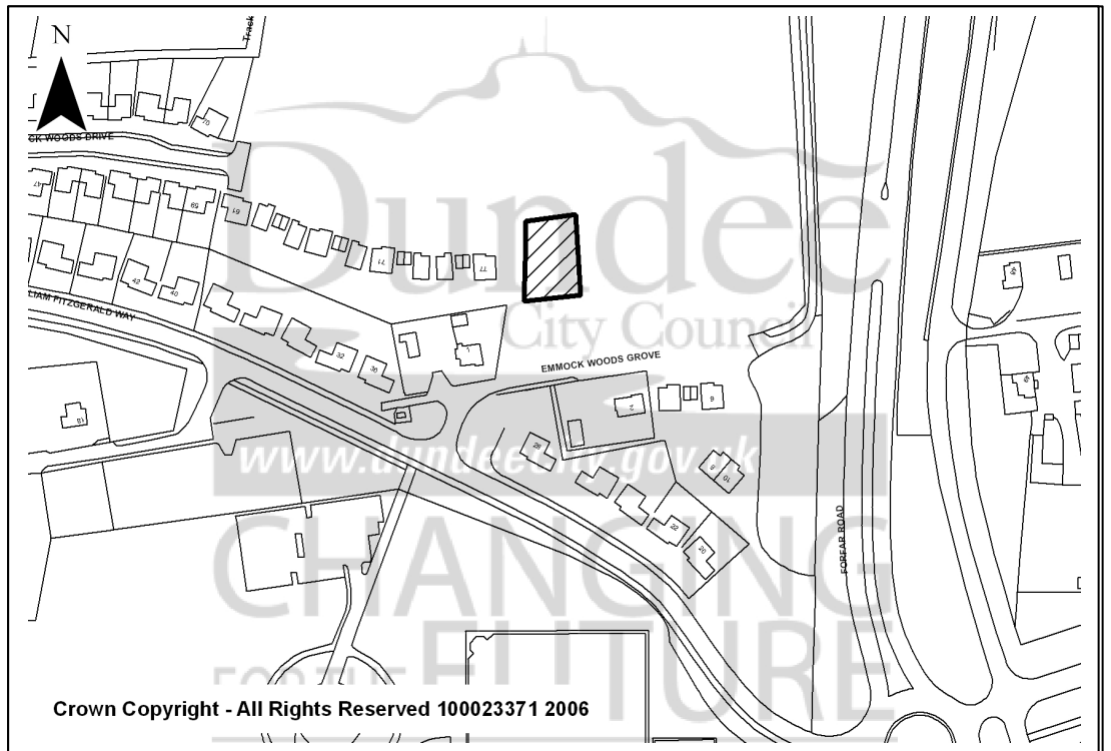
Applicant

Ronald Henry Angus
2 Emmock Woods Crescent
Dundee
DD4 9GA

Agent

Registered 12 Nov 2007

Case Officer WFerry



Consent Sought for Decking in Emmock Woods Crescent

Retrospective Consent for the Erection of Decking and Erection of Fencing is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposed decking hand rail and fence are acceptable. The proposal complies with Policy 14 of the Dundee Local Plan Review 2005. Therefore the application is recommended for Approval

SUMMARY OF REPORT

- Planning permission is sought for the provision of decking with a handrail and an extension to the boundary fence at 2 Emmock Woods Crescent, Dundee. The decking has already been constructed.
- The proposed development details raise issues for consideration in terms of Policy 14 of the Dundee Local Plan Review 2005.
- One letter of objection was received to the application from the neighbour to the east. The main issue raised relates to overlooking. The objection is not supported for the reasons justified in the report.
- It is considered that the proposals are in accordance with Policy 14 of the Dundee Local Plan Review 2005. There are no material considerations including the submitted objection that would justify refusal of this application.

DESCRIPTION OF PROPOSAL

Retrospective planning permission is sought for the provision of wooden decking with a handrail and an extended fence to the north and west of the garden area. The decking is raised by approximately 500mm to be level with the ground floor of the dwelling. It runs along the south and east elevations of the dwelling and is accessed via 3 steps to the east and 3 steps to the south. The handrail is approximately 1 metre in height and runs around the entire decked area. The fence is to be the same height as the existing fence and is to extend from the west elevation to be level with the front of the dwelling.

SITE DESCRIPTION

The application site is located to the south of Emmock Woods Crescent on a corner plot. It is a large 2 storey detached dwelling with a fully enclosed rear garden with a 2m high fence. There is a single integrated garage and off street parking for 2 vehicles. On street parking is also available. This is a new build dwelling in a new residential area. The decking has already been constructed. However the fence extension has not been started.

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.

SUSTAINABILITY ISSUES

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

SITE HISTORY

There is no site history relevant to this application.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure was carried out and one letter of objection was received from a neighbouring resident.

The grounds of objection are - overlooking into the neighbours house and garden.



CONSULTATIONS

No adverse comments were received from statutory 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.

Policy 14 - the proposal under consideration involves the erection of decking a handrail and an extension to the existing fence. It is considered that the proposed alterations are of a design that will not adversely impact on the prominent elevations of the house and will not detract from the character of the surrounding area.

With regard to the impact the development will have on adjacent occupiers it is considered that, due to the location of the site and the scale of the alterations, there will be no significant loss of daylight or sunlight for the neighbouring properties. It is also considered that the privacy of these properties will not be prejudiced by the decking as it is relatively small in height and there is an existing 1.8m high boundary fence which provides a screen. The decking is also approximately 2m from the boundary.

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 relating to privacy has been discussed and discharged in the Observations section above.

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

It is considered that the design of the proposed decking 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 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.