

KEY INFORMATION

Ward Lochee

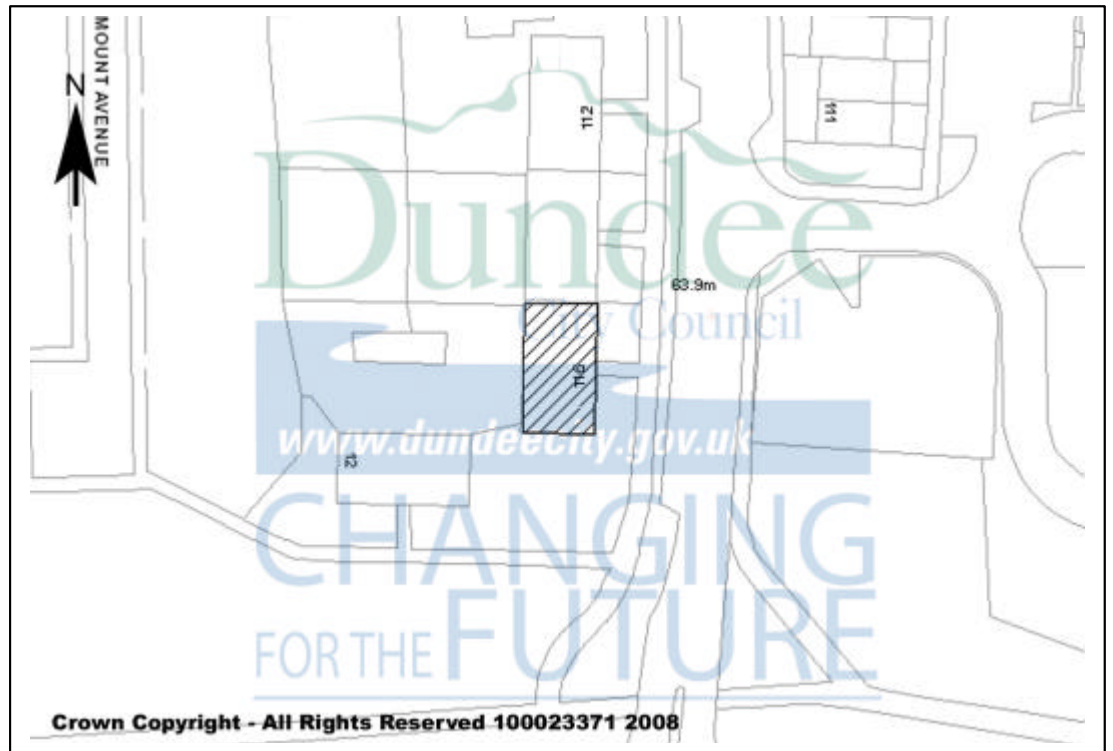
Proposal

Extension to ground floor flat and creation of driveway

AddressFlat G/1
116 Buttars Loan
Dundee**Applicant**Nickie White
Flat G/1
116 Buttars Loan
Dundee
DD2 4QA**Agent**

Registered 29 Feb 2008

Case Officer B Knox



Extension to Ground Floor Flat

The extension to the ground floor flat and creation of a driveway is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with Policy 14 of the Dundee Local Plan Review 2005. The views of the objector are not supported in this instance. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a ground floor extension to a ground floor flat of a larger flatted block. It would have a pitched roof and be finished in materials to match the existing block.
- The proposal falls to be considered under the terms of Policy 14 (Alterations and Extensions to Houses) of the Dundee Local Plan Review 2005.
- An objection to the proposal has been received from an adjoining resident. The relevant issue raised relates to the blocking of sun.
- The proposal is considered to be in accordance with Policy 14 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify a decision contrary to this.

DESCRIPTION OF PROPOSAL

The application proposes the erection of a single storey extension to the south elevation of a flatted block. It would measure 3.9 metres by 9.4 metres and extend the full width of the gable of the building. It would have a pitched roof and be finished in brown render to match the existing building with roof tiles to match also.

It is also proposed to construct a driveway to the south of the dwelling which would take access from Buttars Loan. It would be finished in asphalt.

SITE DESCRIPTION

The application property is located on Buttars Loan, at the south most end close to the junction with South Road. The property is located within a block of flats and occupies a ground floor unit at the south end of the block.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

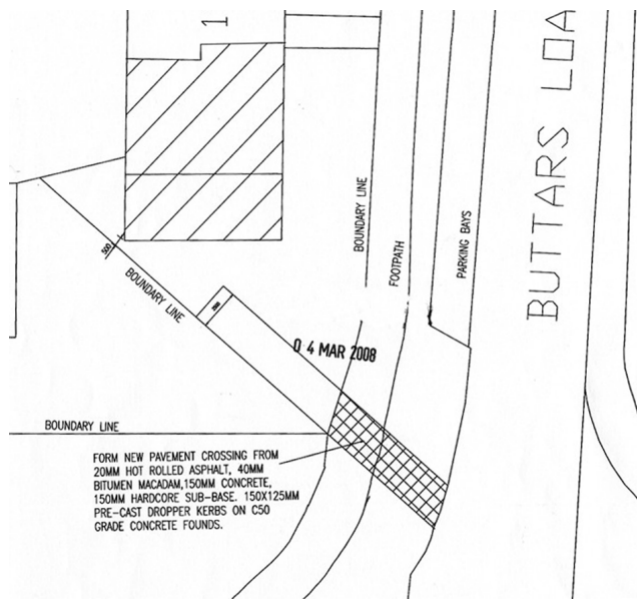
Dundee Local Plan Review 2005

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:

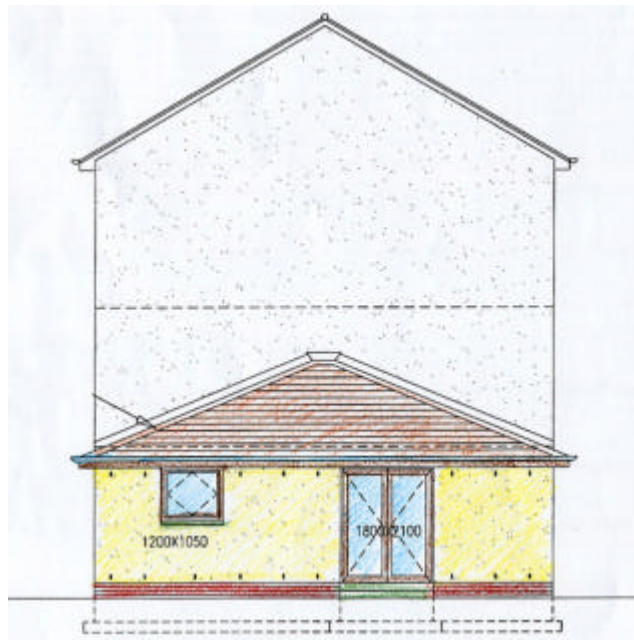
- a there is no adverse impact on the appearance of prominent elevations of the house; and
- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties; and
- c more than 50% of the original useable garden area will be retained; and

d the design and materials respect the character of the existing building.



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 relevant to the determination of the application.

PUBLIC PARTICIPATION

The applicants have undertaken the statutory neighbour notification procedure and one letter of objection was received. The majority of the issues raised in the letter are not valid material planning considerations and relate to:

- a Health and safety: window ledges can cause harm below if flowers fall over and if fire occurs and window is the only option or back door blocked by building.
- b Noise disruption whilst building - objector owns 1/6th of the land and does not want a building on it.

However, one valid issue of concern was raised which stated concerns with regard to the proposal blocking sun.

CONSULTATIONS

No adverse comments were received from any of the 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

In terms of Policy 14, part (a) states that there should be no adverse impact upon the prominent elevations of the dwelling and part (d) states that the design and materials should respect the character of the existing building. Although the proposal will occupy a prominent location at the south end of the block, the design is in keeping with the proportions and finishings of the existing area. It is considered to be appropriate and will not look out of place in the area. In this respect, it will not have an adverse effect upon the prominent elevations of the property. The application is therefore considered to comply with parts (a) and (d) of Policy 14 of the Dundee Local Plan Review 2005.

In terms of part (b) of Policy 14, there should be no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties. The extension is to be located on the gable end of the property where there are no windows at present. The neighbouring properties have windows to the east and west elevations (front and rear) only and the location of these existing windows in relation to the orientation of the sun means that there will be no loss of sunlight or day light to the existing neighbouring properties.

There are no windows on the gable end of the block at present and as such the proposal would not interfere with the provision of sunlight or daylight to the nearby properties.

There are windows proposed to the front elevation which faces onto Buttars Loan and a single window and French doors to the south elevation. No windows have been proposed to the rear. It will therefore not overlook private areas and is therefore considered to be acceptable. In light of the above, it is considered that the application complies with part (b) of this policy.

In terms of part (c), there will be a sufficient level of garden ground remaining after development and in this respect the application is considered to be acceptable.

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.

The views of the objector:

The valid term of objection raised relayed concerns that the proposal would block sun. As discussed above, there are no nearby windows that could be affected by the proposal to the gable of the block. As with any new building, it will cast a shadow from the sun but due to the size and location of the proposed extension, this will be minimal and not of a significant level such as to warrant refusal of the application on those grounds.

The objector also raised concerns regarding ownership of the land to which the application relates. The applicant has notified the relevant parties as owners. Ownership is not a material planning consideration.

The other terms of objection raised do not constitute as material planning considerations and therefore cannot be taken into consideration.

It is concluded from the foregoing that insufficient weight can be accorded to the material consideration 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 design is considered to be acceptable and of a scale appropriate to the existing dwelling and surroundings. The materials to be used are in keeping with the appearance of the existing dwelling and surrounding dwellings.

CONCLUSION

It is concluded that the proposal complies with Policy 14 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify a decision contrary to this .

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.

Reasons

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