

**KEY INFORMATION**

**Ward** West End

**Proposal**

Remove existing window and extend to form new door opening

**Address**

359 Perth Road  
Dundee  
DD2 1LT

**Applicant**

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DD2 1LT

**Agent**

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**Registered** 24 July 2008

**Case Officer** B Knox



## Proposal for New Doorway in Perth Road

The formation of a new door opening is **RECOMMENDED FOR APPROVAL** subject to conditions.  
Report by Director of Planning and Transportation

**RECOMMENDATION**

The application is considered to comply with the relevant Policies in the Dundee Local Plan Review 2005 and the statutory duties set out in Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are discharged. There are no material considerations which would justify a decision contrary to this. The application is therefore recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- The application proposes the alteration of an existing sash and case window to form a new door opening.
- The application has attracted one letter of objection which raises concerns that the property has National Monument Status. The views of the objector are not supported in this instance.
- Policies 14 and 61 of the Dundee Local Plan Review 2005 and Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are relevant to the determination of the application.
- The application is recommended for **APPROVAL**.

**DESCRIPTION OF PROPOSAL**

The application proposes the alteration of an existing sash and case window to form a new door opening. The door would be finished in timber and would be double glazed with a fanlight. The stonework to each side of the opening would be repaired to match the existing. All timber will be painted white to match the rest of the dwelling.

**SITE DESCRIPTION**

The application site is located on the Perth Road in the west of the city. The property is a flatted dwelling within a large building that has been subdivided. The flat is large in size and the building is set within extensive grounds which are bounded to the north by formal hedging with substantial trees to the front, some of which line the access driveway.

The property is finished in stone with a natural slate roof and is located within the West End Suburbs Conservation Area.

**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.

Policy 61: Development In 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 the 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 associated with this application.

**PUBLIC PARTICIPATION**

The applicant undertook the Statutory Neighbour Notification procedure at the time of the submission of the application and one letter of objection was received.

The letter states that the primary reason for objecting is that the property has National Monument Status and any such alterations such be tempered with the need to preserve the buildings unique character for generations to come.

It is intended to comment on this in the Observations Section below and a copy of the Objection is available to view in the Members' Lounge.

**CONSULTATIONS**

No adverse comments have been received by 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. Part (d) states that the design and materials should respect the character of the existing building. The proposed works to form a door in the area currently serving a window is considered to be minor. The proposed materials are in keeping with the property and the existing materials used already on the property. The stonework around the edges of the new door will be reinstated to match the existing building. It is considered that the works are acceptable and will not have a detrimental effect upon prominent frontages of the property and that the proposed materials are in keeping with the character of the existing building.

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. Since the application is the creation of a door from an existing window, there will be no overshadowing arising from the works. Similarly, the creation of a door in this location will not lead to an unacceptable level of overlooking given that there is an existing window already in this location, with several other windows existing on this elevation. The application is considered to comply with part (b) of Policy 14 in this respect.

In terms of part (c), there will no change in the level of garden ground and in this respect the application is considered to be acceptable.

It is concluded that the application complies with Policy 14 of the Dundee Local Plan Review.

Policy 61 of the Dundee Local Plan Review 2005 states that proposals will be expected to preserve or enhance the character of the surrounding area. As discussed above, the proposed alteration is considered to be relatively minor and uses appropriate materials which will be in keeping with the appearance of the building. It is considered that the works will have a neutral effect upon the character of the surrounding area.

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:

Views of the objector:

- The objector states that the primary reason for objecting is that the property has National Monument Status and any such alterations such be tempered with the need to preserve the buildings unique character for generations to come.

The National Monuments Record of Scotland provides national coverage of the known archaeology and architectural heritage of Scotland, including industrial and maritime remains.

Inclusion within the National Monuments Record of Scotland does not infer any legal status on a building or archaeological site. However, many of the buildings or archaeological site

records may be protected under Listed Buildings or Scheduled Ancient Monuments legislation. This particular building is not a listed building or scheduled ancient monument but is included within the National Monuments Record of Scotland. As such, there is no special legal protection afforded to the property in this respect. As discussed above, the proposal has been assessed in terms of the Dundee Local Plan Review 2005 and has been found to be in compliance with the relevant policies. The alteration will not have a significant effect upon the character and appearance of the property in any case. The views of the objector are not therefore supported.

## Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

In accordance with the provisions of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, special consideration must be given to the effects of the proposed development on the character and appearance of the conservation area. As discussed above, the proposal will have a small effect upon the appearance of the property and a neutral effect upon the character and appearance of the conservation area. It is considered that the statutory duties set out above are therefore discharged.

It is concluded from the foregoing that insufficient weight can be accorded to 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 proposal is in keeping with the character and appearance of the area and will utilise materials that are traditional and in keeping with the property. The design is therefore considered to be acceptable.

## CONCLUSION

It is concluded that the proposal is in accordance with the provisions of the Dundee Local Plan Review 2005 and the views of the objector are not supported in this instance. Whilst it is agreed that the property is indeed

included within the National Monuments Record of Scotland this does not preclude any alteration of the property. The proposed alteration is considered to be acceptable and will have a neutral effect upon the character and appearance of the conservation area.

## RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition(s):

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

## Reason

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