

KEY INFORMATION

Ward Strathmartine

Proposal

Erection of single storey house extension

Address

17 Cox Gardens
Dundee
DD3 9GZ

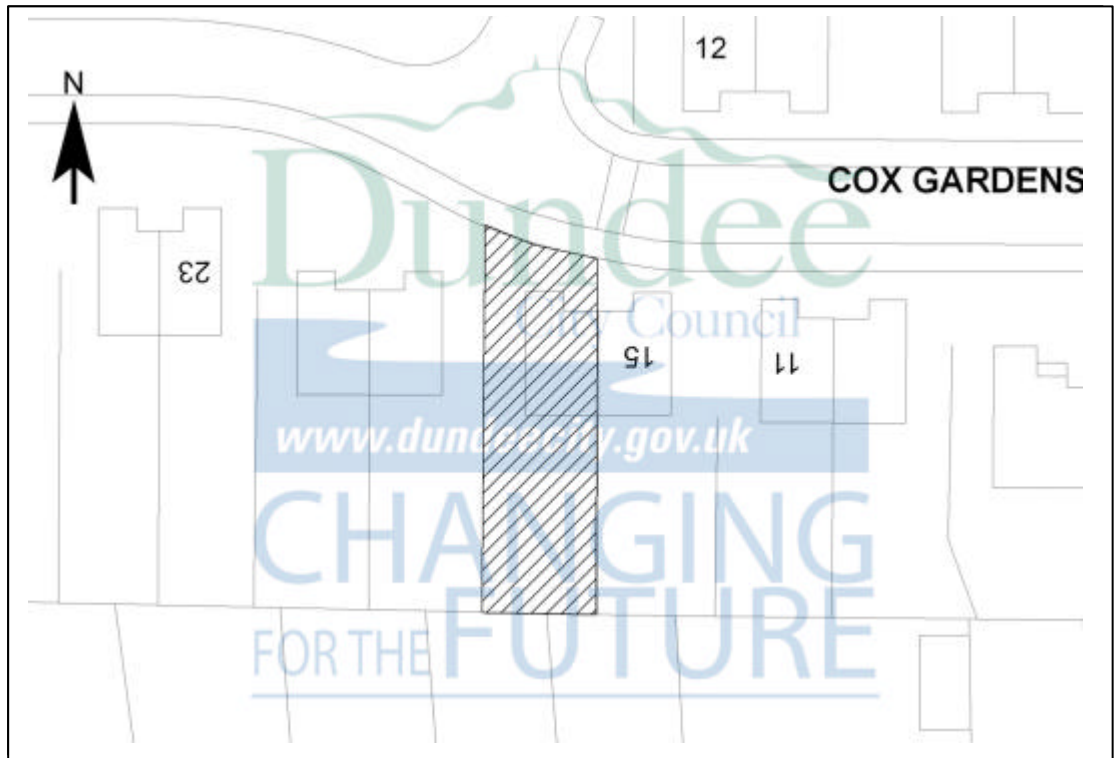
Applicant

Mr K Young
17 Cox Gardens
Dundee
DD3 9GZ

Agent

Registered 11 Aug 2008

Case Officer Stephen Page



Proposed House Extension in Cox Gardens

The erection of a single storey house extension is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with Policy 14 of the Dundee Local Plan Review 2005 and the objection is not supported. There are no material considerations that would justify laying aside the development plan to refuse planning permission. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The proposal involves the construction of a single storey extension on the western and southern elevations of the property to provide additional bedroom accommodation and a kitchen/lounge area.
- One objection was received from a neighbour concerned about access to neighbouring properties, method of construction, loss of parking, overshadowing, devaluation of property, encroachment onto neighbouring land and storage of refuse bins. The objection is not supported.
- The proposal complies with Policy 14 of the Dundee Local Plan Review 2005.

DESCRIPTION OF PROPOSAL

The proposal involves the construction of a single storey extension on its southern elevations to provide additional bedroom accommodation and a kitchen/lounge area. This extension will wrap around the western corner of the building and extend northward on the western elevation for approximately 3.5 metres. This includes a bin recess area. The extension is to be finished with red roof tiles, brick and rendered walls to match the existing. Similarly the windows and rainwater goods are to match the existing.

SITE DESCRIPTION

This semi-detached property lies to the south side of Cox Gardens within a wholly residential area. The development site is bounded by an existing driveway to the north and residential gardens on all other sides. Cox Gardens is characterised by buildings of similar style and age finished with white render and red tiled roofs.

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:

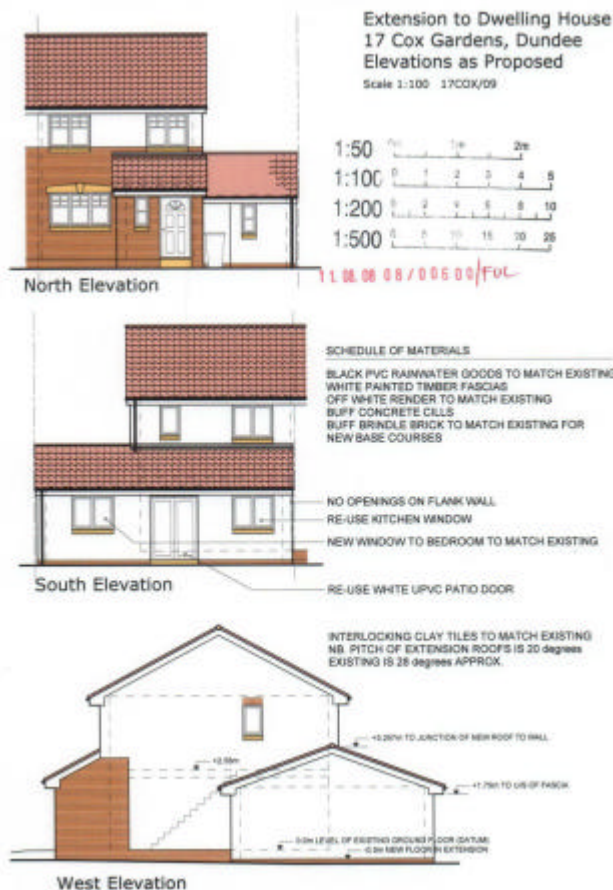
- a there is no adverse impact on the appearance of prominent elevations of the house;
- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties;
- c more than 50% of the original useable garden area will be retained; and
- d the design and materials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

PUBLIC PARTICIPATION

The applicant has carried out the statutory neighbour notification procedure. One objection was received from a neighbour concerned about access to neighbouring properties, method of construction,

loss of parking, overshadowing, devaluation of property, encroachment onto neighbouring land and storage of refuse bins.

A copy of the objection is available in the Members Lounges and the issues raised are discussed in the "Observations" section below.

CONSULTATIONS

The Director of Environmental Health and Trading Standards has brought attention to the fact that the site had a petroleum storage licence prior to the

construction of the houses in Cox Gardens. Accordingly a precautionary condition has been recommended to allow for the treatment of ground contamination should it be found.

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: Alterations and Extensions To Houses :

- a the prominent elevation is the northern (front) elevation. It is not considered that this elevation is adversely affected as the extension is set approximately 5 metres back from the front building line. Further the extension design is of a quality and appearance which compliments the appearance of the existing house.
- b the extension may cast some additional shadow to the properties which lie to the east

and west of the proposal site. However this is not considered significant as the proposal extends only three meters southwards from the existing house. This is not considered to be sufficient to warrant refusal of the application. The windows of the extension do look towards the neighbour to the south, but at a distance of approximately 28metres. This is in excess of the 18 metre standard specified in the Local Plan. Therefore the privacy of neighbours is not considered to be compromised;

- c more than 50% of the garden area will be retained; and
- d all materials have been specified to match the existing. The design has been specified to complement the existing dwelling.

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 - one objection was received from a neighbour concerned about various issues which are considered below:

Access to neighbouring property: The objector has indicated that it would be impractical for them to open their car doors in their own driveway if the extension was built. Whilst it is questionable if the objectors have any right of access over the neighbour's driveway, ownership and right of passage is not a material consideration. The effect of the extension will be to reduce the applicant's driveway by approximately 2 metres, which in comparison to the length of a car bonnet, would not indicate a substantial reduction in space. The objector's driveway is approximately 12 metres in length, thus allowing sufficient space for parking of vehicles. Accordingly this element of the objection is not supported.

Method of construction: The extension shall be built up to the boundary

between the two properties. Whilst the method of construction is not a material consideration, it is recommended that a condition be applied should members be minded to approve the application to ensure that if access to the neighbouring property is denied, that a suitable alternative finish to the exterior wall is provided.

Loss of parking: Cox Gardens is a public road with no parking restrictions. Therefore parking is readily available. The applicant's driveway will be of approximately 9 metres in length following the development, which is sufficient for the property. Accordingly this element of the objection is not supported.

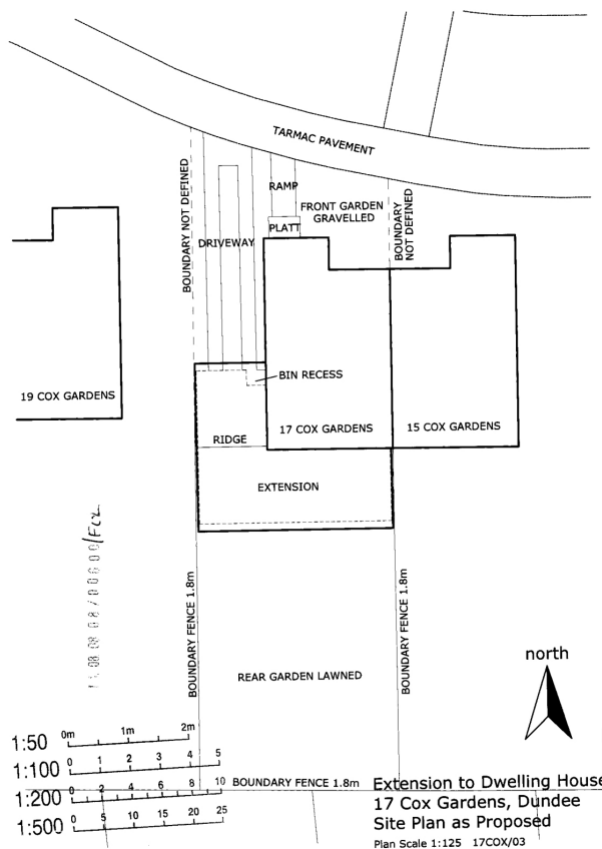
property. Examination of the submitted drawings indicate that the edge of the roof is aligned with the property boundary and that the wall is set back from the boundary. In any event this is not a material consideration in the determination of the planning application Accordingly this element of the objection is not supported.

Storage of refuse bins: The objector believes there is insufficient provision for bin storage. There is no requirement for any property in this street to provide designated spaces for refuse bins. The applicant has included a bin recess within the extension which will aid the appearance of the building. There is sufficient space within the driveway to accommodate other recycling bins as may be required. Accordingly this element of the objection is not supported.

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 extension is of a single storey design with a pitched roof. External walls are to be finished to match the existing property with windows, rainwater goods and roof tiles all specified to match the existing.



Overshadowing: This issue was considered in the Development Plan section above and was considered to be of an acceptable level and did not warrant the refusal of the application Accordingly this element of the objection is not supported.

Devaluation of property: This is not a material consideration for the determination of a planning application.

Encroachment onto neighbouring land: The objector is concerned that the roof overhang will encroach onto their

CONCLUSION

The proposal complies with Policy 14 of the Dundee Local Plan Review 2005 and the objection is not supported. The application is recommended for APPROVAL subject to conditions.

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 Details of the finishing of the west elevation of the proposed extension shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
 - 3 The council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council Planning Authority. The scheme shall include a full timetable for the remediation measures proposed. Verification shall be provided by the applicant or his agent, on completion, that remediation has been undertaken in accordance with, and to the standard specified in, the agreed remediation scheme.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 Although the plans submitted indicate the western wall to be finished in rendered block to the match the existing and this is acceptable, it may not be possible to implement this finish without getting access to the adjoining property. If such access is denied then an acceptable alternative finish need to be approved before works are started on the site.
- 3 In the interests of public safety and environmental quality as the site is located within an area which was previously occupied by a builders' yard and is a site that held a petroleum licence.