

KEY INFORMATION**Ward** The Ferry**Proposal**

Conversion of Attic Space to form Lounge, Bathroom and Patio Area

Address

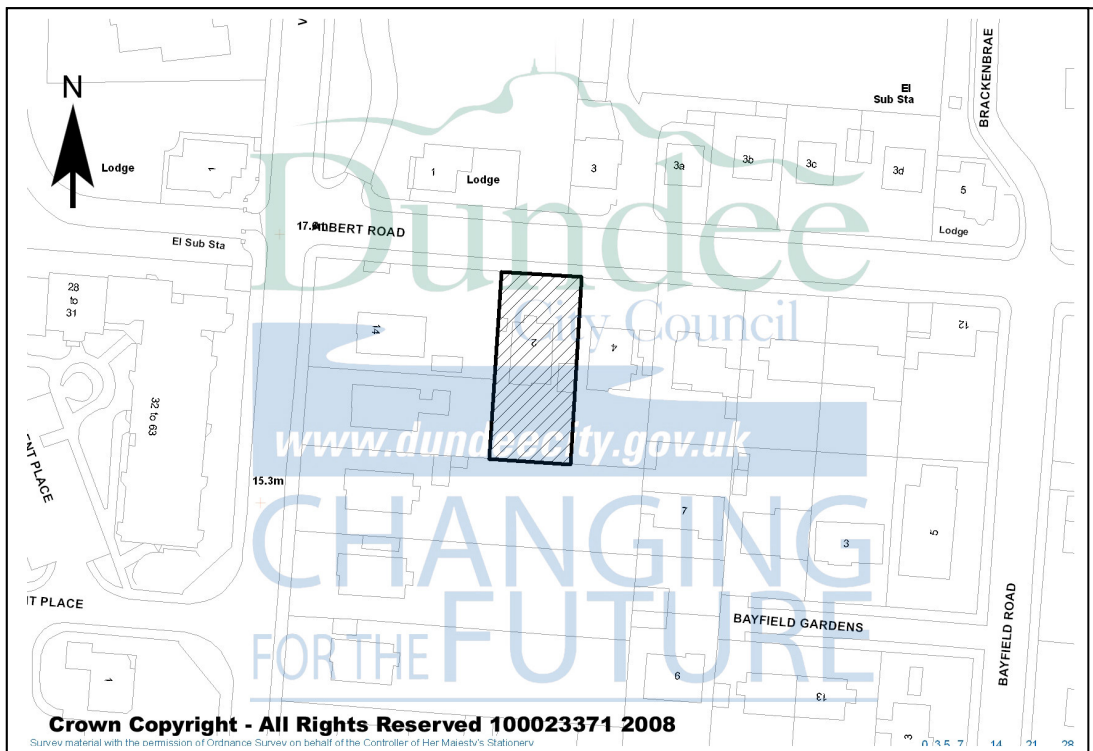
2 Albert Road
Broughty Ferry
Dundee

Applicant

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Registered 20 Nov 2008**Case Officer** P Macari

Proposed Attic Conversion in Albert Road

The conversion of an attic space to form a Lounge, Bathroom and Patio Area is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation.

RECOMMENDATION

The proposed alterations are contrary to the provisions of Policy 14 (Alterations and Extensions to Houses) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005. The concerns of the Objector are supported. There are no material considerations that would justify laying aside the provisions of the Development Plan to grant planning permission.

SUMMARY OF REPORT

- This application seeks planning permission for an attic conversion to form a 1st floor lounge, bathroom and outdoor patio area at 2 Albert Road, Broughty Ferry.
- Policy 14 (Alterations and Extensions to Houses) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005 are relevant to the outcome of this planning application.
- One letter of objection has been received from a neighbouring resident concerned about overlooking, overshadowing and the impact of the proposed development on the character of Albert Road.
- The proposed development is contrary to the provisions of the Dundee Local Plan Review 2005. The concerns of the objector are supported.

DESCRIPTION OF PROPOSAL

This application seeks planning permission to convert the attic of the existing house at 2 Albert Road to form a 1st floor lounge, bathroom and outdoor patio area.

The proposed first floor patio area will have an area of 10.5m² and shall be enclosed by a wrought iron balustrade. The remaining roof space will accommodate the proposed lounge and bathroom. As the proposed works will remove the southern hip of the existing pitched roof, a new 1st floor southern elevation will be built to separate the patio area from the lounge. The new elevation will have centrally positioned French doors to provide access from the proposed lounge to the balcony/ patio area. The external wall of the 1st floor southern elevation will be roughcast to match the existing house.

SITE DESCRIPTION

The application site comprises a single storey detached dwelling located on the southern side of Albert Road. The property benefits from front, rear and side garden ground. A driveway provides vehicle access to the property from Albert Road and follows the eastern boundary of the site where it leads to a single detached flat roofed garage located between the existing house and the eastern boundary wall. The application site is enclosed by a 2m high stone built wall to the north and block built walls to the east and south. The block built wall varies in height between 1.2 and 1.5m. To the west the site is bound by a combination of 1.8m high timber screen fencing and mature vegetation in the form of coniferous trees and shrubs.

The existing house has brown roughcast walls, terracotta roof tiles and white UPVC framed double glazed windows. The southern elevation has a cement rendered stonework finish, while the roof of the existing house is hipped. The external doors are painted timber and there is a timber and glass porch on the northern elevation.

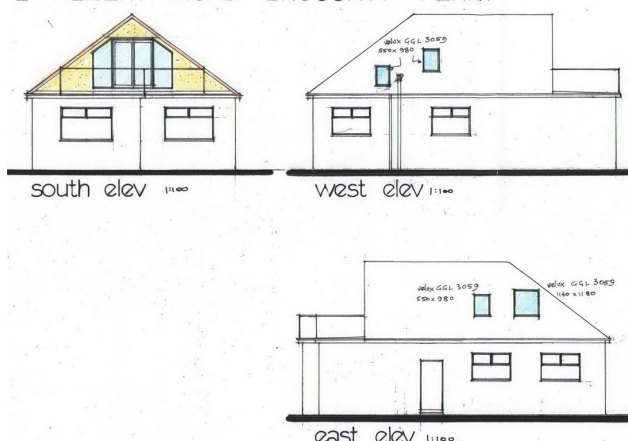
Both the front and rear garden areas are grassed.

To the east the application site is bound by a single storey detached house of similar design and finish. The only difference being the installation of roof lights on the western hip of the roof and the erection of a large conservatory extension on the rear elevation. To the south and west the application site is bound by the rear



gardens of 10, 12 and 14 Victoria Road. Given that Victoria Road slopes from north to south, the southern boundary of the application site is a retaining wall. This means that there is a significant height difference between the application site and 10 Victoria Road.

2 ALBERT ROAD BROUGHTY FERRY



The application site itself is not located within West Ferry Conservation Area but is bound to the south, west and north by it.

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:

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

PUBLIC PARTICIPATION

The applicant has followed the statutory neighbour notification procedure as dictated by the Town and Country Planning (General Development Procedure) (Scotland) Order 1992. One letter of objection has been received from a neighbouring resident concerned about:

- Overlooking
- Overshadowing
- The impact of the proposed extension on the character of Albert Road.

Members will already have had access to this letter and the points raised are considered in the Observations Section of this Report.

CONSULTATIONS

No adverse comments have been received from Consultees.

OBSERVATIONS

Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997 the Committee is required to consider:

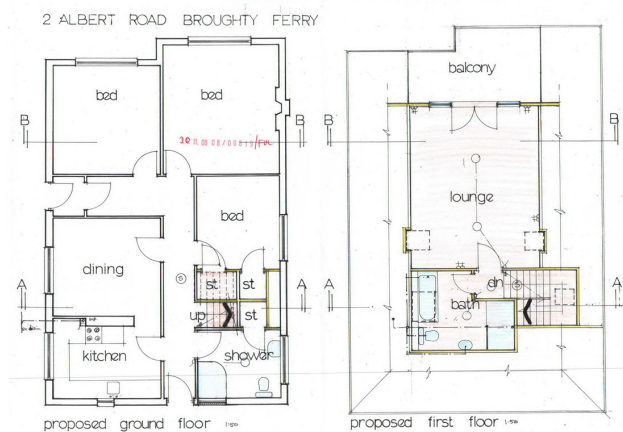
- whether the proposals are consistent with the provisions of the development plan; and if not
- whether an exception to the provisions of the development plan is justified by other material considerations.

In accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the Council is required to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

There is a history in Dundee of houses being extended to meet the changing demands and aspirations of



householders. Whilst extensions are a sign of a stable community in which people wish to remain, it is the aim of Policy 14 (Alterations and Extensions to Houses) to assess the impact of extensions and alterations to the host property, neighbouring properties and the surrounding area.

Criteria (a) and (d) of Policy 14 relate to design and visual appearance of the

With respect to Criteria B of Policy 14, the proposed 1st floor patio and east facing roof lights are considered to significantly overlook neighbouring properties to the south and east of the application site. Regardless of any potential upgrades to the existing boundary treatments enclosing the rear garden of the application site, the exposed and elevated position of the 1st floor patio as well as the positioning of the east facing roof lights will give rise to unavoidable infringements of neighbour's privacy.

Due to the southern aspect of the rear gardens no significant issues of overshadowing shall arise from the proposed development.

With regard to Criteria (c) the proposals will not impact upon the existing levels of private garden ground afforded to the application site.

Although not within a conservation area, the application site is bound to the south and west by the West Ferry Conservation Area and therefore Policy 61 of the Dundee Local Plan Review 2005 is considered to be relevant to the determination of this application.

The proposals are considered to be contrary to Policy 61 (Development in Conservation Areas). This is because the proposals do not respect the traditional streetscape or historic setting of the surrounding conservation area. This is demonstrated by the unsympathetic use of modern architecture to provide additional living space in a traditional single storey property. The truncated shape of the roof as well as the unbalanced appearance of the house is at odds with the regular house

pattern and street layout and built form of Albert Road and Victoria Road. The resulting development will have a significant impact upon the level of amenity afforded to neighbouring properties through the generation of issues of overlooking. In turn, the poor design of the proposed alterations in combination with the resulting loss of amenity to neighbouring properties will significantly impact upon the character and setting of the



proposed attic conversion and 1st floor patio. The proposals are considered to have an adverse impact upon the appearance of the existing house. This is because the original house is of a traditional design with a red tiled hipped roof. The truncation of the existing roof planes gives the house an unbalanced appearance that is alien and incongruous to the Albert Road streetscape. This is because the surrounding properties are all of a similar scale and design as the host building at 2 Albert Road.

surrounding West Ferry Conservation Area.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

Statutory Duty

With regard to the statutory duties set out in Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, the proposals are considered to have an adverse impact upon the character and setting of the surrounding West Ferry Conservation Area. Through assessing the proposals against the criteria of the Development Plan and concluding that the development detracts from the character and setting of the area the statutory duty set out in Section 64 is discharged.

Other Material Considerations

The other material considerations to be taken into account are as follows:

a Views of the Objector

One letter of objection has been received from a neighbouring resident concerned about:

- The impact of the proposed extension on the character of Albert Road

The proposed attic conversion and 1st floor patio will give the house an unbalanced appearance that is at odds with the uniform scale, massing and design of the houses surrounding the application site. These concerns are supported.

- Over-looking

The proposed 1st floor patio and east facing windows are considered to significantly overlook neighbouring properties. These concerns are supported.

- Overshadowing

The southern aspect of neighbouring gardens as well as the lack of east or west facing windows in neighbouring properties is indicative that no significant issues of overshadowing will arise from the proposed development. These concerns are not supported.

It is concluded from the foregoing that insufficient weight can be accorded to the material considerations such as to justify the grant of planning permission contrary to the provisions

of the Dundee Local Plan Review 2005. It is therefore recommended that planning permission be refused.

Design

The proposed alterations are of a poor design that does not enhance or retain the character and setting of the West Ferry Conservation Area. This is because the resulting house will have an unbalanced appearance that is out of character to the existing uniform streetscape.

CONCLUSION

The proposed alterations are contrary to the provisions of Policy 14 (Alterations and Extensions to Houses) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005. The concerns of the Objector are supported. There are no material considerations that would justify laying aside the provisions of the Development Plan to grant planning permission.

RECOMMENDATION

It is recommended that consent be REFUSED for the following reasons:-

- 1 The proposed first floor patio by virtue of its exposed and elevated position and the proposed east facing roof lights will significantly overlook neighbouring properties. This will give rise to a serious breach in neighbours privacy which is contrary to the provisions of Policy 14 Criteria (b) of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the provisions of Policy 14 to grant planning permission.
- 2 By virtue of scale and massing the proposed alterations to the roof will give the house at 2 Albert Road an awkward and unbalanced appearance. This will detract from the Albert Road streetscape which is characterised by houses of matching design and finishing materials. Consequently, the proposals will have a significant impact upon the historic character and setting of the West Ferry Conservation Area that surrounds the application site. The proposals are therefore contrary to the provisions of Policy 14 Criteria

(a) and (d) and Policy 61 of the Dundee Local Plan Review 2005. There are no other material considerations that would justify laying aside the provisions of the Development Plan to grant planning permission.