

KEY INFORMATION

Ward West End

Proposal

Retrospective application for Changes to Permission 07/00393/FUL including changes to window configuration and size and location of extension

Address

5 Marchfield Road
Dundee
DD2 1JG

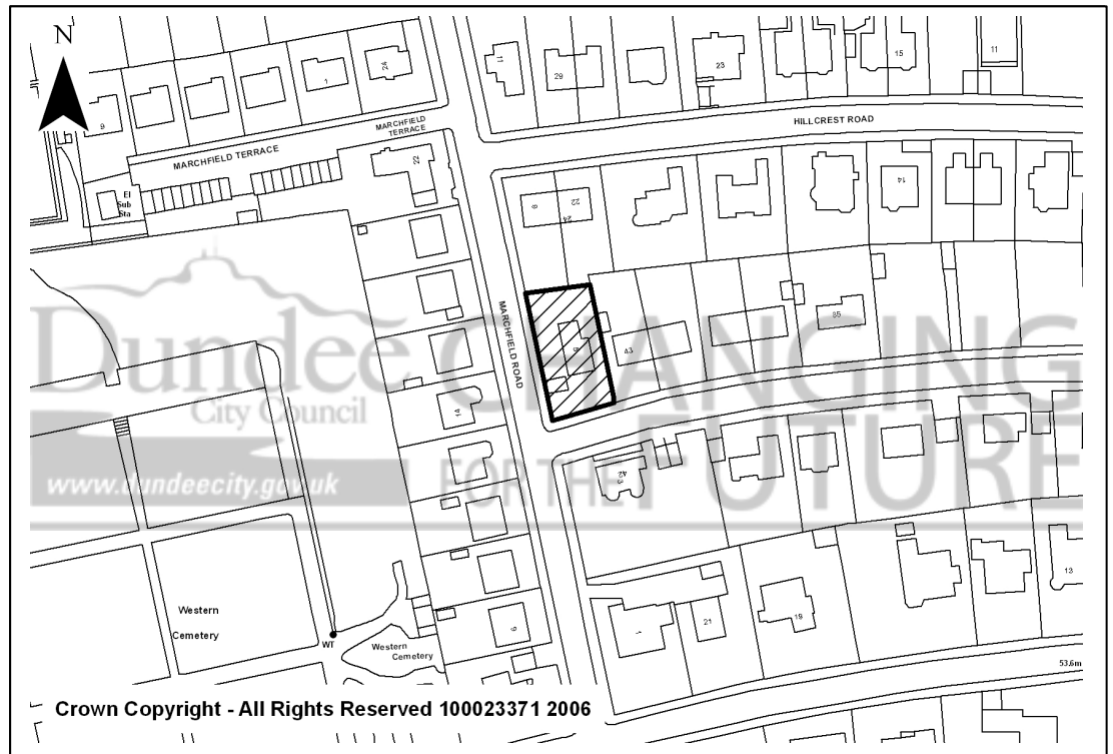
Applicant

Mr D Johnston
5 Marchfield Road
Dundee
DD2 1JG

Agent

Registered 29 Dec 2008

Case Officer B Knox



Proposed Alterations to Existing Consent in Marchfield Road

Retrospective application for changes to permission 07/00393/FUL is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The application seeks retrospective permission. The application is considered to comply with Policies 4 and 61 of the Dundee Local Plan Review 2005. There are no material considerations, including the views of the objector to justify a decision contrary to this. The application is therefore recommended for APPROVAL subject to conditions.

SUMMARY OF REPORT

- This application seeks retrospective permission for changes to an extension approved under 07/00393/FUL.
- The main change is the alteration of the length of the extension by bringing it in line with the building line of the original dwelling to the south. Other changes relate to window type and positioning.
- The application is considered to comply with Policies 4 and 61 of the Dundee Local Plan Review 2005 and there are no material considerations to justify a decision contrary to this. The application is therefore recommended for APPROVAL.

DESCRIPTION OF PROPOSAL

The application seek retrospective permission for changes to an extension approved under 07/00393/FUL. The extension approved under the terms of the previous application was a one and a half storey extension to the east of the property. The extension was erected but with some alterations to the design and size of the extension. Planning permission is therefore required for the extension as built on site.

The extension is to the east elevation of the property and measures approximately 8.8 metres by 2.3 metres. There was an existing small extension to this elevation replaced by the larger extension. It has a pitched roof and is finished in materials to match the existing dwelling. The main change to the previously approved extension is that the line of the extension has been brought forward to be in line with the building line to the south. This is a difference of approximately 1.7 metres.

There are some other more minor alterations to the previously approved scheme as detailed below. It has a high level window to the east elevation within the en-suite bathroom. It is also proposed to include full length double doors from the utility area to the north elevation and full length patio doors to the south elevation also.

SITE DESCRIPTION

The application site is located on the east side of Marchfield Road in the west end of Dundee. It is in an area of high architectural quality and sits adjacent to the West End Suburbs conservation area but is not included in its boundary. It occupies a corner site and the main elevation appears to address Middlebank Crescent.

It is a detached dwelling which is built into the steep slope of the street. As such, the southern end of the dwelling has a garage built into the hill which the dwelling appears to sit on. It is approximately 10metres to the northern mutual boundary and these properties sit at a higher level than the application property due to the slope of

Marchfield Road which slopes considerably from north to south.

The dwelling has garden ground to all sides with the garage having driveway access from Marchfield Road. It is finished in dry dash render with artificial slate to the roof.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

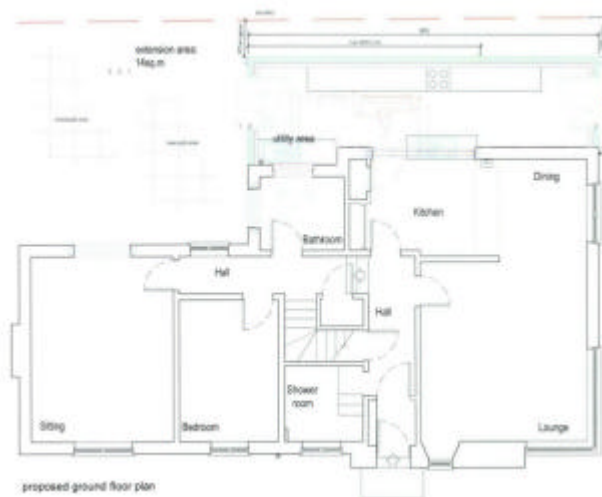
There are no policies relevant to the determination of this application.



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.

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

07/00393/FUL - single storey extension to east elevation and existing shingle roof finish replaced with artificial slates. This application was approved on 3 July 2007.

08/00816/FUL - application for the erection of decked area. This application was approved on 19 January 2008 at the Development Quality Committee.

PUBLIC PARTICIPATION

The applicant has carried out the Statutory Neighbour Notification

procedure and one letter of objection has been received. The following concerns were raised:

- the plans differ from the originally approved application particularly by the addition of a new door to the south side instead of a window; and
- concerned the new doors main purpose is to create a decking area, overlooking people approaching objectors house.



south it appears to be part of the original main dwelling. Since the south is the most prominent elevation of the dwelling in relation to the new

It is proposed to change a porthole window on the east elevation to a small square window measuring approximately 0.5 metres by 0.5 metres. It is to serve an en-suite bathroom and as such it is not anticipated that it will result in overlooking of the neighbouring property to the east.

Part (c) of the Policy states that more than 50% of the original useable garden ground should be retained. There will be a sufficient level of garden ground remaining should the extension be approved in line with the current application.

Part (d) of the Policy states that the design and materials should respect the character of the existing building. It is considered that the design is of an acceptable standard suitable for a residential area where there are a mixture of house types and finishing materials. The existing building has a modern and fresh appearance and the extension will not detract from this. In this respect, it is considered that the extension is acceptable and will respect the design and materials of the existing building.

The property is immediately adjacent to the West End Suburbs Conservation area and as such it is considered appropriate to refer to Policy 61: Developments in Conservation Areas of the Dundee Local Plan Review 2005. This policy states that developments should preserve or enhance the character of the conservation area. In considering the application in relation to Policy 14 above it was concluded that the

proposed alterations shall be in keeping with the style, design and proportions of the original dwelling. The materials used shall match the original dwelling and the design shall continue the existing roof pitch of the main dwelling. It is therefore considered that the proposal shall have a neutral effect upon the character of the nearby conservation area. The application is therefore considered to comply with Policy 61 of the Dundee Local Plan Review 2005.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

CONSULTATIONS

No adverse comments have been received from any of the 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.

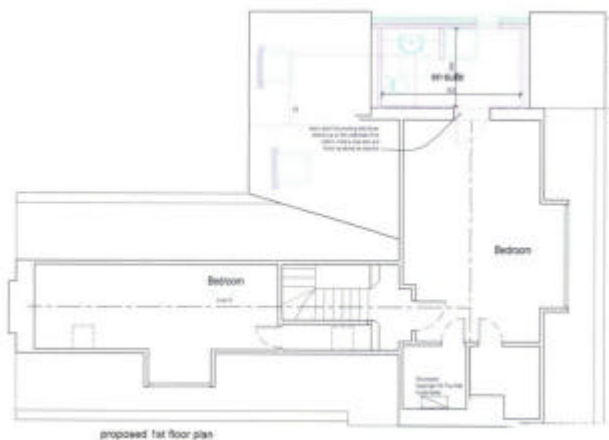
The Development Plan

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

Policy 14 of the Dundee Local Plan Review 2005 provides criteria for proposals to alter or extend dwelling houses. Part (a) of this states that there should be no adverse impact on the appearance of prominent elevations of the house. The house is situated on the corner of Marchfield Road and Middlebank Crescent. This location means that whilst the house faces onto Marchfield Road, the south elevation which faces Middlebank Crescent is also prominent. The extension is in keeping with the main dwelling as it utilises matching materials and continues the roof pitch of the original main dwelling. When viewed from the

extension, it is considered that the proposal is in accordance with the terms of Part (a) of Policy 14 of the Dundee Local Plan Review 2005.

Part (b) of Policy 14 states that there should be no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties.



In terms of sunlight and daylight, the proposal will not have a detrimental effect upon neighbouring properties due to its size and location and in this respect it is considered to be acceptable. The enlarged area of the extension is small in size and is no closer to the nearest neighbouring property than the previously approved extension.

With regard to privacy, there will be a door to the south elevation instead of a window. This will look onto the front garden of the application property and onto the street. It will not look directly into properties nearby. The property to the south is on the south side of the street and is over 25 metres away.

Other Material Considerations

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

Views of the objector:

- The plans differ from the originally approved application particularly by the addition of a new door to the south side instead of a window.

The applicant is seeking permission for the alterations to the previously approved plans. The new door to the south elevation has been discussed above and it is not considered that it would have a detrimental impact upon the amenity of the objector's property which is to the east.

- Concerned the new doors main purpose is to create a decking area, overlooking people approaching objectors house.

An application for the decking was made and approved at the 19th January Development Quality Committee meeting 2009. The issue of the decking is therefore already considered in a separate application.

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 design is considered to be acceptable and in keeping with the style and finishing materials of the dwelling. Bringing the building in line with the building line to the south is a positive alteration as it ensures that the roof pitch of the original dwelling continues, resulting in a uniform appearance to the property.

CONCLUSION

It is concluded from the foregoing that the application for the alterations to the previously approved extension will not result in a significant loss of privacy to the neighbouring residents. The design is considered to be acceptable and in keeping with the character and style of the dwelling.

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 The upper floor window to the east elevation shall be glazed and re-glazed using obscure glass only. This should be carried out within 3 months of the date of this permission.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to ensure the residential amenity of the neighbouring occupiers.