

**KEY INFORMATION**

Ward Coldside

**Proposal**

Erection of replacement porch, construction of access ramp, installation of 2 X roof windows and erection of fence

**Address**

6 Adelaide Place  
Dundee  
DD3 6LF

**Applicant**

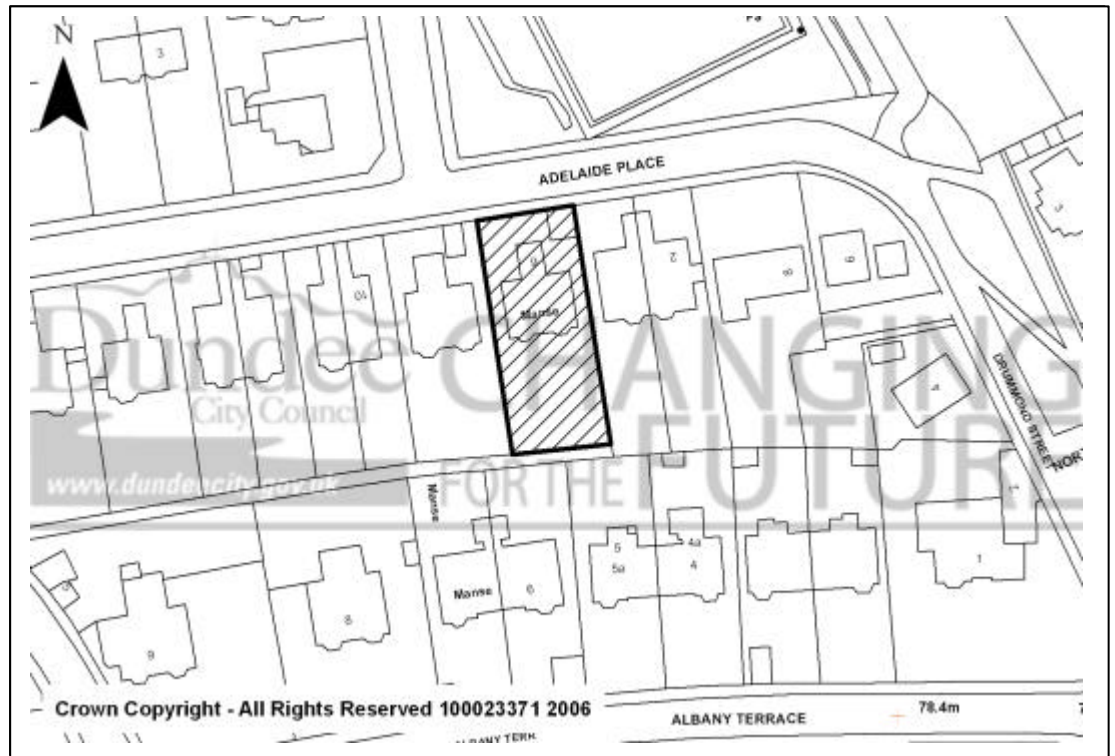
The Congregational Board of  
St David's High Kirk as per  
Agent

**Agent**

Mr S M Carrie  
Property Convener  
42 Sutherland Crescent  
Dundee

Registered 15 Dec 2008

Case Officer Eve Jones



## Consent Sought for House Extension and Alterations at Adelaide Place

The erection of a replacement porch, construction of access ramp, installation of 2 X roof windows and erection of fence is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

**RECOMMENDATION**

It is concluded that the proposals comply with the relevant policies in the Dundee Local Plan Review and that the objection is insufficient to justify the refusal of planning permission contrary to these provisions. It is therefore recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for a replacement porch; the formation of an access ramp and the installation of 2 Velux rooflights. These works have been completed. Consent is also sought for the erection of a timber boundary fence.
- This is a large stone built detached property, in a large garden, on the south side of Adelaide Place enclosed by a high wall to the street. The site lies within the Law Terraces Conservation Area.
- Dundee Local Plan 2005 Policy 14: Alterations and Extensions to Houses and Policy 61: Development in Conservation Areas are of relevance.
- In January 2008, the Enforcement Officer visited the site and advised that planning permission was required for works which had already been carried out ie the porch and the Velux windows and a planned access ramp. No planning application was submitted and a Planning Contravention Notice was served on all interested parties on 17 April 2008. Subsequently in May 2008, the construction of the access ramp was also carried out.
- One neighbour supports the application and the other objects to it. The grounds of objection are loss of privacy from the access ramp and inappropriate materials in a Conservation Area.
- There is a platform 0.5 metres above ground level, where the ramp changes direction, immediately adjacent to the 1.6 metre high boundary wall. As a result, users can overlook the adjoining garden and the rear of the house to the east. However, this overlooking is transient and infrequent and the loss of privacy is not considered to be significant for this reason. The works have been carried out and the materials are acceptable as these developments are to the rear of the building screened by the wall.
- It is concluded that the developments do comply with the requirements of Policy 14 and Policy 61.

**DESCRIPTION OF PROPOSAL**

Planning permission is sought for the erection of a replacement porch; the formation of an access ramp from the existing garage and the installation of 2 Velux rooflights. These works have already been completed.

Consent is also sought for the erection of a boundary fence along the south boundary of the site. The fence is proposed above the stone boundary wall giving a total of 2 metres high and will be of timber slat construction.

**SITE DESCRIPTION**

This is a large stone built detached property on the south side of Adelaide Place. The house faces south into a large garden. The rear elevation is to the north where the garage fronts directly on to the street at a higher level. There is a high stone wall to the north boundary to Adelaide Place.

The ramp has been constructed at the rear elevation of the garage and slopes down eastwards to the boundary wall of the adjoining house before turning back into the garden to finish at ground level. The velux roof lights are on the single storey rear extension to the property. The porch is in the angle of the main house and the rear extension. It is constructed of reconstituted stone block with timber facings on the upper level and a slate roof.

The adjoining houses are similar being either detached or semi-detached and the site lies within the Law Terraces 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 2005

The following policies are of relevance:

Policy 14: Alterations And Extensions To Houses.

Policy 61: Development In Conservation Areas.

**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.

access ramp to the garage was discussed and the occupant was advised that the ramp also required permission.

No planning application was submitted and a Planning Contravention Notice in respect of the unauthorised development was served on all interested parties on 17 April 2008. This sought information on the development as part of the statutory Enforcement process.

Subsequently in May 2008, the construction of the ramp, which had previously been discussed, was carried out.

Following further reminders, this planning application was submitted on 15 December 2008.

**PUBLIC PARTICIPATION**

The application was the subject of statutory Neighbour Notification and one objection and one letter of support were received from adjoining neighbours. The grounds of objection are 1. loss of privacy from the access ramp affecting kitchen, dining room and rear patio area and 2. materials not appropriate to a Conservation Area. These are considered in the Observations below.

**CONSULTATIONS**

There were no relevant observations from consultees.

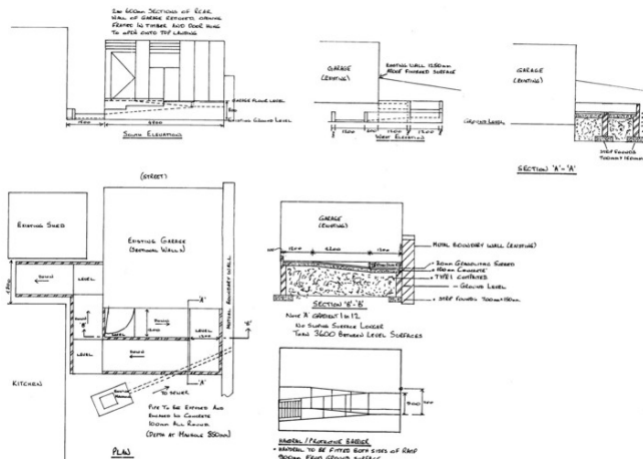
**OBSERVATIONS**

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.



**SUSTAINABILITY ISSUES**

There are no specific sustainability policy implications arising from this application.



**SITE HISTORY**

In January 2008, following a complaint from a neighbour, the Enforcement Officer visited the site and advised that planning permission was required for works which had already been carried out ie the erection of the porch and the installation of the Velux windows. There was a temporary access ramp to the rear gate. A proposed permanent

Policy 14: Alterations and Extensions to Houses - "Proposals to alter or extend existing dwellinghouses will 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."

a Appearance

**Porch:** A more suitable alternative to the reconstituted stone would have been recommended for an extension to this stone dwelling. However as the extension has been constructed and is to the rear, the materials are accepted as the porch is not visible from the street. However the timber cladding, on the upper level, should be painted or stained in a darker colour to minimise its visual impact.

**Velux windows:** In a Conservation Area, householders are normally required to install roof windows specifically designed for such properties which have a low profile which minimizes their visual impact on the property. The windows have already been installed and as they are to the rear of the property and not on a prominent elevation, they are accepted.

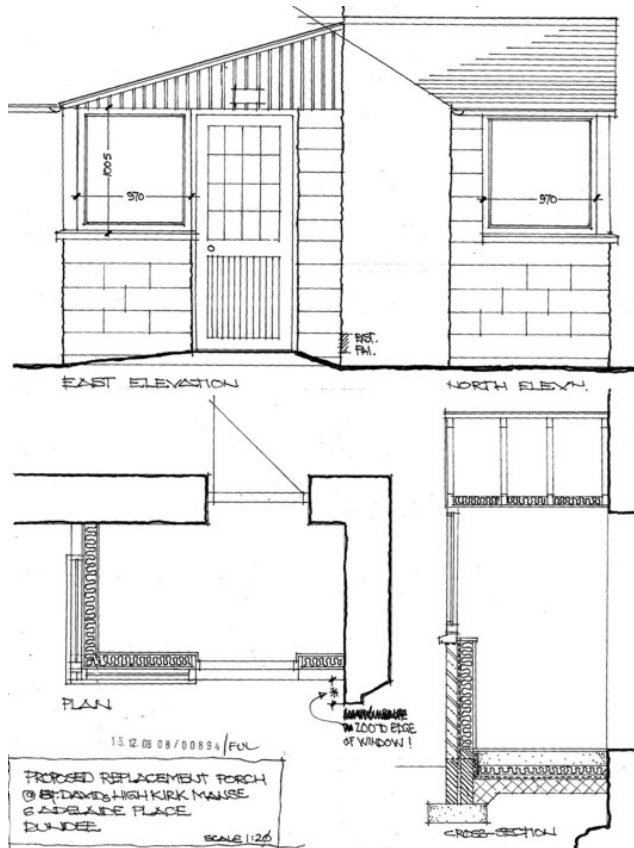
**Ramp:** The ramp is constructed in concrete blocks and the submitted plans indicate that a steel handrail with railings will be installed for safety reasons. The materials are acceptable.

**Fence:** The design and materials are considered to be acceptable.

b Loss of Amenity to Neighbours:

There is no adverse impact on the amenities of neighbours from the porch, velux windows or fence due to their position.

Because of the orientation of the ramp, it has a platform, where the ramp changes direction, 0.5 metres above ground level immediately adjacent to the 1.6



metre high boundary wall to the adjoining house to the east. As a result, persons using the ramp are in an elevated position overlooking the adjoining garden and the rear of the house. By the nature of the use of the ramp, this overlooking is transient and infrequent and the loss of privacy is not considered to be significant for this reason.

- c The loss of garden ground is very limited given the large garden area.
- d The design of the developments are all acceptable and the issue of materials has been addressed in point a) above.

It is concluded that the developments do comply with the requirements of Policy 14.

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."

The issue of the suitability of the design and materials of the various developments has been considered in the assessment against Policy 14 above. It is considered that the light timber on the porch should be painted or stained a darker colour, to minimize its visual appearance.

Accordingly it is considered that the proposals comply with Policy 61.

It is concluded from the foregoing that the proposals comply with the provisions of the development plan.

Other Material Considerations

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

Objection

The grounds of objection are 1. loss of privacy from the access ramp affecting kitchen, dining room and rear patio area and 2. materials not appropriate to a Conservation Area. The issue of loss of privacy has been addressed in the assessment against Policy 14 above. It is considered that as persons using the ramp are using it for a temporary period and infrequently, there is no significant loss of privacy. This is not a terrace or deck which might be used as a sitting area. Both the application house and the objector house have large south facing gardens which provide much better amenity areas for residents to use in the longer term. The ramp is a means of access from the elevated garage to the main house.

As note above, whilst changes to the materials may have been sought before

the developments were carried out, the materials are not so bad that the Council would seek changes once the works have been carried out. It is understood that the applicant sought professional advice which was inaccurate and carried out the works on that basis.

### Support

The letter of support does not give any details but simply supports the application.

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

Section 64 of the Act requires that in considering whether to grant planning permission for development in a Conservation Area, the planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area. It is considered, for the reasons set out above, that Section 64 would be satisfied by the approval of this proposal.

It is concluded from the foregoing that insufficient weight can be accorded to the objection such as to justify the refusal of planning permission contrary to the provisions of the Development Plan.

### Design

Design and materials have been considered above.

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### CONCLUSION

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It is therefore recommended that planning permission be granted with conditions.

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### RECOMMENDATION

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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 timber facing to the porch shall be treated with a dark paint or stain of an appropriate colour as agreed in advance with the City Council and the works as agreed shall be carried out within

3 months of the date of this consent.

### Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 The property lies within a Conservation Area and use of a dark stain or paint will reduce the visual impact of the light timber stain which has been used.