

**REPORT TO: DEVELOPMENT QUALITY COMMITTEE - 23 MAY 2005**

**REPORT ON: PLANNING APPLICATION 05/00074/FUL - PROPOSED 3-STOREY  
EXTENSION TO HOUSE AT 2 CHRISTIAN ROAD, DUNDEE**

**REPORT BY: DIRECTOR OF PLANNING & TRANSPORTATION**

**REPORT NO: 328-2005**

## **1 PURPOSE OF REPORT**

- 1.1 An appeal against the non-determination of Planning Application 05/00074/FUL has been submitted to the Scottish Executive Inquiry Reporters. The views of the Committee are sought in order to establish its position on the application in advance of the written submissions appeal.

## **2 RECOMMENDATION**

- 2.1 It is recommended that had the Committee determined the application on the basis of the information submitted by the applicant, it would have refused it for the following reasons:
- i The applicant has failed to demonstrate that the proposal is in accordance with Policies H1 and H4 of the Dundee Local Plan 1998 as the scale and massing of the extension is considered unacceptable at this prominent location and would dominate the local streetscape.
  - ii The applicant has failed to demonstrate that the proposal is in accordance with Policies 1 and 14 of the Finalised Dundee Local Plan Review as the scale and massing of the extension is considered unacceptable at this prominent location and would dominate the local streetscape.
- 2.2 It is recommended that the Council reserves the right to amend its position in this appeal in response to the submission of any additional supporting information by the applicant.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 No financial implications arise for the Council as a direct result of this report.

## **4 LOCAL AGENDA 21 IMPLICATIONS**

- 4.1 Key Theme 13 is relevant and states that places, spaces and objects should combine meaning and beauty with utility. On the basis of the information provided the applicant has failed to demonstrate that the aims of Key Theme 13 can be achieved.

## **5 EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1 Equal Opportunities Policies cannot be taken into account in the determination of a planning application.

## 6 BACKGROUND

- 6.1 Planning Application 05/00074/FUL is for the erection of a 3 storey extension on the south and east elevations of a two storey detached house at 2 Christian Road and was registered on 27th January 2005.
- 6.2 The total floor area of the extension is 240 sq m, with the basement level covering 120 sq m and the ground and first floor levels having 60 sq m each. The proposed materials for the extension are reconstituted stone and render to match the existing house and cedar lining on the upper level. A swimming pool will be provided at basement level with timber decking on the roof, lounge on the ground floor and master bedroom with en-suite facilities and dressing room on the first floor.
- 6.3 The application site is located on the north side of Dundee Road West and it is set back almost 30m from the road. It is on the west side of Christian Road and is accessed by a long driveway from this location. The existing house is two storey and detached with dry dash render, brick basecourse, timber balcony on the front elevation and tiled roof. There is a similar house to the west, which shares the driveway from Christian Road. There are two storey houses at a slightly higher level to the north.
- 6.4 The applicant carried out statutory neighbour notification and one letter of objection was received from a neighbour to the north. The main grounds of objection were regarding the appearance and visual impact of the extension; loss of residential amenity due to overlooking and loss of privacy and potential adverse impact on the drainage system.
- 6.5 It has been brought to the attention of the applicant that a condition attached to the original permission for the development of two houses at this location has been breached. The condition was regarding the retention of landscaping along the south boundary. The applicant is aware that this requires to be addressed.

## 7 PLANNING POLICY FRAMEWORK

- 7.1 All applications for planning permission are to be determined in accordance with the Town and Country Planning (Scotland) Act 1997 (Section 25) which states:

"When making any determination under the Planning Acts, regard is to be had to the Development Plan, the determination shall be in accordance with the Plan unless material considerations indicate otherwise."

### Development Plan

- 7.2 The following policies are of relevance to the consideration of this application.

Dundee Local Plan 1998

H1: Existing Residential Areas

H4: Protection of Amenity

### **Relevant Material Considerations**

The following material considerations are also relevant:

Finalised Dundee Local Plan Review

Policy 14: Alterations and Extensions to Houses

Policy 55: Urban Design

Policy 72: Trees and Urban Woodland

## **8 ASSESSMENT OF PROPOSAL AGAINST THE PROVISIONS OF THE DEVELOPMENT PLAN**

8.1 Policy H1 states that developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design. The applicant has used cedar lining on the upper level of the proposed extension to provide some variation and break up the monotonous appearance of the elevation. However the proposal is to increase the overall size of the house by more than 100% and it is considered that this scale and massing detracts from the appearance of the house and is out of character with surrounding houses at this location. Therefore the proposal is considered to contravene Policy H1.

8.2 Policy H4 states that extensions will normally be approved provided the appearance of the house and the surrounding area is not adversely affected. Approval is, however, unlikely to be granted where the siting and scale of the extension significantly affects the degree of sunlight, daylight and/or privacy enjoyed by the occupants of adjoining property; where the materials, style and form are alien to the existing building, and where 50% of original garden ground would be lost and off street parking provision reduced. The extension will result in a non-domestic style building as it will double the size, of this already large scale house, by more than 100%. The house is in a very prominent location on the north side of Dundee Road West, which is an Ambassador Route and there is no landscaping along the south boundary. Therefore the dominance of the proposed extension will be visible for some distance along the road. The slope in the ground to the north will exacerbate the scale and massing of the extension to the detriment of the appearance of the area.

It is concluded from the above that the proposal is not in accordance with Policies H1 and H4 of the Dundee Local Plan 1998.

## **9 ASSESSMENT OF PROPOSAL AGAINST OTHER MATERIAL CONSIDERATIONS**

### **Finalised Dundee Local Plan Review**

9.1 It is considered that the terms of Policies 1 and 14 of the Finalised Dundee Local Plan Review are similar to Policies H1 and H4 as discussed above and the proposal is contrary to these policies for the same reasons.

### **Objections**

9.2 The main grounds of objection from a neighbour to the north of the site were regarding the appearance and visual impact of the extension; loss of residential

amenity due to overlooking and loss of privacy and potential adverse impact on the drainage system.

- 9.3 The extension is on the south and east elevations and it is not considered that there will be overlooking from upper level windows on the north elevation as they belong to an en-suite and area with wardrobes within a bedroom. There are two small windows on the ground floor level on the north elevation. However there is a 1.8m high timber fence along the north boundary, which will prevent direct overlooking into the private garden area of the objector's house to the north, which is over 10m from the proposed extension. Scottish Water have not provided any comments regarding the acceptability of the swimming pool water being discharged to the public system. The objections regarding the visual impact of the extension have been discussed under the assessment of the proposal against the relevant development plan policies and are supported.

#### **Conclusion on Other Material Considerations**

- 9.4 It is concluded from the foregoing that the material considerations all weigh against the granting of planning permission for this development.

### **10 CONCLUSION**

- 10.1 The purpose of this Report is to update the Committee with the circumstances of Planning Application 05/00074/FUL, to place it in its policy context, examine material considerations and to make recommendations as a basis for the Council's case for the written submissions appeal.
- 10.2 As specified in detail above, the Housing Policies of the Dundee Local Plan 1998 are considered to be contravened. In addition, the applicant has failed to demonstrate that the proposal is in accordance with the relevant policies of the Finalised Dundee Local Plan Review.
- 10.3 It is therefore concluded that had the Council determined the application on the basis of the information submitted by the applicant it would have recommended that the application be refused for the reasons specified in Para 2.1 above.

### **11 CONSULTATIONS**

- 11.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Assistant Chief Executive (Community Planning) have been consulted and are in agreement with the contents of this report.

### **12 BACKGROUND PAPERS**

- 12.1 Application 05/00074/FUL.

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