

KEY INFORMATION**Ward** Barnhill**Proposal**

Conversion of 3/3a Gordon Street to single dwellinghouse and removal of external staircase.

Address

3/3A Gordon Street
Broughty Ferry
Dundee DD5 2RA

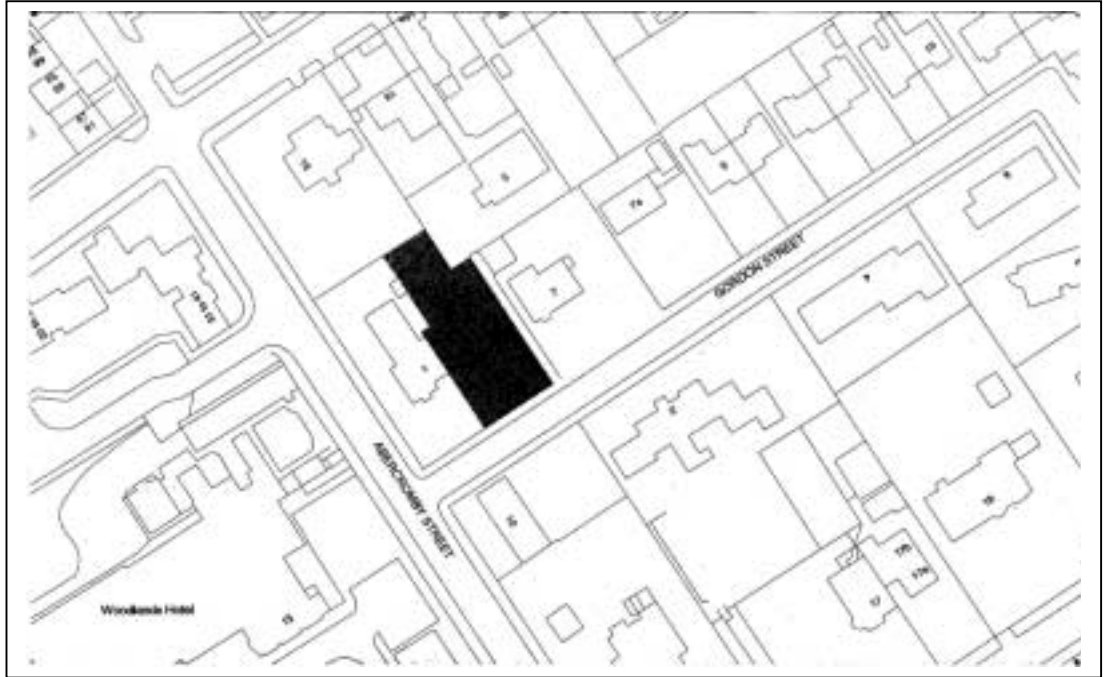
Applicant

Mrs Janet M Kearsley
3A Gordon Street
Broughty Ferry
Dundee DD5 2RA

Agent

Registered 26 February
2003

Case Officer Gordon Reid



Reinstatement to a Single Dwelling of Former Flats in Broughty Ferry

The Conversion of 3/3a Gordon Street to single dwellinghouse and removal of external staircase is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposals are in accordance with the policies of the development plan.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the conversion of 2 flats to a single dwellinghouse and removal of external staircase at 3 and 3A Gordon Street, Broughty Ferry, Dundee.
- The proposals raises issues for consideration in terms of the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review.
- A single letter of objection was received to the proposals from a neighbour. The main concern was that the proposal would result in the overlooking of adjacent property and result in the loss of privacy.
- It is considered that the proposals are in accordance with the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review. In addition it is considered that concerns raised from the adjacent neighbour are not of sufficient weight to warrant refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the conversion of 2 flats to original single dwellinghouse and removal of external staircase at 3 and 3A Gordon Street, Broughty Ferry, Dundee.

The proposal involves returning this subdivided property back to its original status as a two-storey dwellinghouse. The applicants propose to remove the external staircase that provided access to the top floor flat and re-instate the original interior staircase. The doorway at the top of the staircase is to be replaced with French doors and a safety barrier.

SITE DESCRIPTION

The application site is located on the north side of Gordon Street and is to the east of the junction with Abercromby Street. The property is a two storey semi-detached house, which has been sub-divided horizontally into two flats. The upper flat is accessed via an external staircase to the east. There is garden ground to the front and rear of the house. All the surrounding uses are residential.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

Housing Policy H4 Protection of Amenity: This policy advises that alterations to houses will normally be approved provided the appearance of the house and surrounding area is not adversely affected.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 14 Alterations and Extensions to Houses: this policy advises that alterations will only be permitted where a) there is no adverse impact on the appearance of prominent elevations, and b) there is no significant loss of privacy to the occupants of neighbouring properties.

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

LOCAL AGENDA 21

There are no Key Themes of relevance to the consideration of the proposed development.

SITE HISTORY

There is no site history of relevance to the consideration of the proposed development.

PUBLIC PARTICIPATION

The applicants carried out the statutory notification of neighbours and a single letter of objection was received to the proposed development. The main area of concern was the potential from overlooking of adjacent property from the proposed balcony, which is to be formed as a result of the removal of the external staircase.

CONSULTATIONS

No adverse comments were received from any of the statutory 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.

The proposals are for a change of use from two flats into a dwelling house. The property was originally a large semi-detached house, which was sub-divided into two flats. The applicant now wishes to return the property back to its original form. As part of the subdivision an external staircase was erected on the east elevation to provide access to the upper level flat. The applicant now wishes to remove the staircase and put in French doors at the upper floor where the doorway of the flat was located. In addition, a safety barrier in front of the French doors is included.

The main change is from two flats into a single dwellinghouse. This change does not raise any issues of concern in terms of the policies of the Dundee Local Plan 1998.

The main external changes to the house therefore is the removal of the staircase and the formation of the upper floor French Doors and associated safety barrier. The removal

of the staircase will return the appearance of the house back to its original design. It is considered that this is will enhance the appearance of the property and the surrounding area. The introduction of the French Doors and safety barrier are only minor changes on the side elevation of the house and will be where the original door to the upper flat was located. It is considered that this would not detract from the appearance of the house. The proposals are considered to comply with Housing Policy H4 of the Dundee Local Plan 1998.

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:

- a Does the proposal comply with Policy 14 of the Finalised Dundee Local Plan Review. Policy 14 is similar to Housing Policy H4 of the Dundee Local Plan 1998. There are two main criteria relevant to the consideration of the application. These are a) there is no adverse impact on the appearance of prominent elevations, and b) there is no significant loss of privacy to the occupants of neighbouring properties.

As already outlined above it is considered that the proposal would not have an adverse affect on the appearance of any prominent elevations. In terms of privacy the French doors are to replace an existing doorway and window on the upper level elevation. It is considered that there would be no loss of privacy as a result of the proposed alterations. The proposal is considered to comply with Policy 14 of the Finalised Dundee Local Plan Review.

- b A single letter of objection was received from the neighbour to the east of the application property. The main concern was that "there would be the potential of overlooking of the adjacent property from the proposed balcony which is to be formed as a result of the removal of the external staircase." The objector was concerned that the applicant was forming a balcony and that this would result in overlooking

and the loss of privacy. The proposals are not for a balcony but for French doors and a safety barrier. It is considered that there would be no significant increase in overlooking over and above that, which exists at present.

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 removal of the external staircase will return the house back to more of its original style. It is considered that the proposals will improve the visual appearance of the house.

CONCLUSION

It is considered that the proposals are in accordance with the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review. In addition it is considered that concerns raised from the adjacent neighbour are not of sufficient weight to warrant refusal of the application.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following condition:-

- 1 the development hereby permitted shall be commenced within five years from the date of this permission

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997