

KEY INFORMATION**Ward** West Ferry**Proposal**

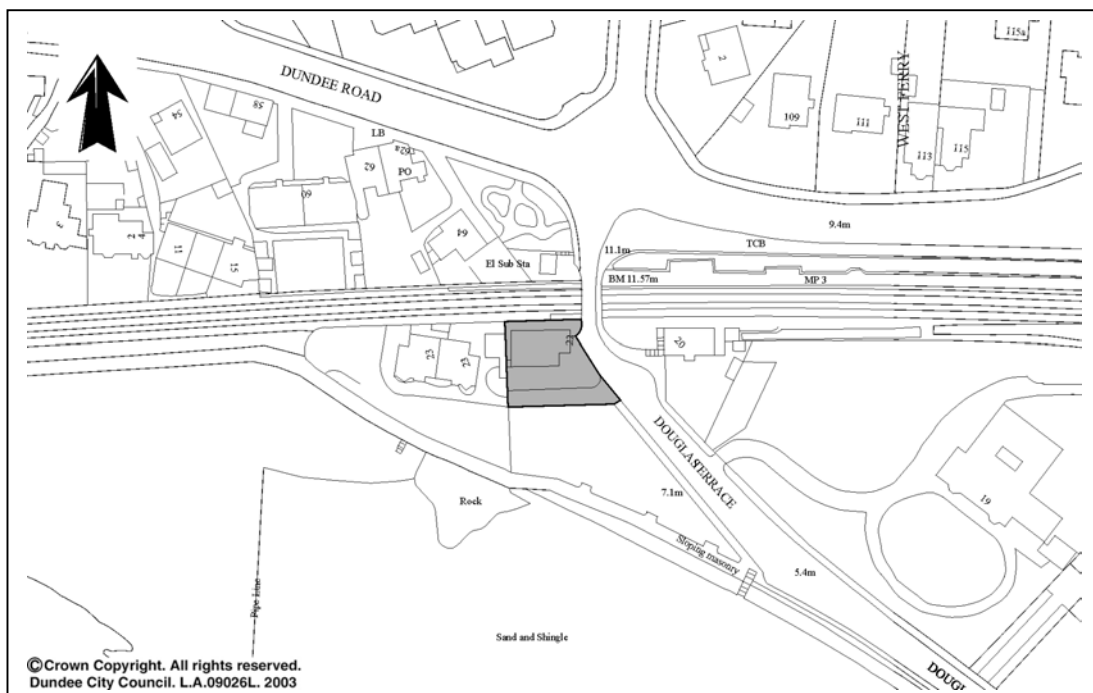
Extension to south east
elevation of house and new
deck to south of house

Address

22 Douglas Terrace
Broughty Ferry
Dundee
DD5 1JD

Applicant

Mr Grimmond
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Dundee DD5 1JD

Agent**Registered** 15 Aug 2003**Case Officer** C Walker

An extension to a house and a new deck is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposed development complies with the policies of the Adopted and Finalised Draft Local Plans and will preserve the character and appearance of the conservation area. It is therefore recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought to erect a single storey extension of modern design to the south east of the house. It is also proposed to form a timber deck in front of the house and extension which will slightly overhand the stone wall to the front of the house enclosed with a steel balustrade. An existing large lean to conservatory covering most of the front elevation of the house will be removed.
- The house is a Category C listed building situated within the Broughty Ferry Conservation Area.
- The policies of the adopted and Finalised Draft Local Plans seek to ensure high standards of design and that development complements and enhances conservation areas. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.
- Broughty Ferry Community Council objected to the proposal stating that both the design and finishing materials proposed are inappropriate and will have an adverse impact on the listed building and the conservation area.
- It is considered that the proposed development complies with the policies of the Adopted and Finalised Draft Local Plans and will preserve the character and appearance of the conservation area.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a single storey extension of modern design to the south east of the house. The proposed extension has a plan area of just less than 40 sq. metres and has the appearance of a glass box framed in steel with areas of timber cladding on the north and east elevations. The proposed extension has a flat roof with a roof garden on top of it. It is also proposed to form a timber deck in front of the house and extension which will slightly overhand the stone wall to the front of the house enclosed with a steel balustrade. An existing large lean to conservatory covering most of the front elevation of the house will be removed.

An application for listed building consent for this extension has also been submitted and the report on that application (03/00669/LBC) is contained elsewhere in this Agenda.

SITE DESCRIPTION

The site comprises a one and a half storey harled cottage with a slated roof. The house dates from the early 19th century. The house is of attractive design although a modern lean to conservatory across the front elevation detracts from its appearance. It is a Category C listed building situated within the Broughty Ferry Conservation Area.

The house sits in a very prominent location with extensive views over an area of open space towards the Tay. The front boundary is formed by a low stone wall adjacent to a private driveway serving this house and dwellings at 23 Douglas Terrace to the west. To the east is the high retaining wall carrying the road to the railway bridge. There is a mature tree adjacent to this wall. To the north is the railway line and to the west is an attractive pair of houses at 23 Douglas Terrace which are a Category B listed building.

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:

Policy H1 seeks to ensure that new development protects the residential amenities enjoyed by adjoining occupiers and Policy H4 sets out requirements for infill development.

Policy BE1 encourages high standards of design and Policy BE3 advocates appropriate and imaginative finishing materials.

Policy BE11 on development in conservation areas advises that within conservation areas all development proposals will be expected to complement and enhance the character of the surrounding area.

Policy BE17 requires alterations to a listed building to have regard to the restoration or enhancement of its



architectural and historic character.

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 1 Vibrant and Sustainable Communities protects the environmental quality enjoyed by local residents.

Policy 55 Urban Design: this policy promotes good design standards.

Policy 60 Alterations to Listed Buildings: the alteration of a listed building will only be acceptable where

the proposals have regard to the preservation or enhancement of its architectural or historic character.

Policy 61 Development in Conservation Areas: all development proposals will be expected to preserve or enhance the character of the surrounding 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.

LOCAL AGENDA 21

The Council's Local Agenda 21 policies seek to value and protect diversity and local distinctiveness. It is considered that the aims of Key Theme 15 are achieved.

SITE HISTORY

Planning permission was granted for the conservatory to the front of this house in 1987 before it was listed (application ref. no. D12402 refers).

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was advertised as affecting the conservation area. No public comment was received.

CONSULTATIONS

Broughty Ferry Community Council has objected to the proposal. It states that both the design and finishing materials proposed are inappropriate, that the proposal will have an adverse impact on the listed building and the conservation area and will not comply with the standards required in residential areas in Dundee in general.

OBSERVATIONS

In accordance with 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.

In terms of these policies the principal issue is the design of the proposed development. Policy H1 refers to design and Policy H4 states that the materials, style and form of extensions should not be alien to the existing building. Policy BE1 encourages high standards of design and Policy BE3 advocates appropriate and imaginative finishing materials.

Policy BE11 on development in conservation areas advises that within conservation areas all development proposals will be expected to complement and enhance the character of the surrounding area.

Policy BE17 requires alterations to a listed building to have regard to the restoration or enhancement of its architectural and historic character. The requirements of this policy are addressed in the report on the listed building application for this extension elsewhere in this Agenda.

The house is of attractive design although a modern lean to conservatory across the front elevation detracts from its appearance. The proposed development will result in the removal of this conservatory and this will serve to enhance the appearance of the building.

The proposed extension sits to the side of the house, and because of its siting, its low profile, the extensive use of glazing and the backdrop of the high stone wall behind it, it will not in any way dominate the listed building. It is of attractive modern design and does not in any way attempt to emulate the character of the existing house. This is a perfectly acceptable approach in this

case and one which is endorsed by the Memorandum of Guidance on Listed Buildings and Conservation Areas published by Historic Scotland. The area of decking to the front of the building is also of modern design and does not detract from the listed building or its setting.

The Memorandum of Guidance states that extensions to listed buildings should always play a subordinate role and never dominate the original building. It states that in certain instances a well designed modern structure may be better than trying to emulate the existing building. It is considered that the proposed development represents such a well designed modern solution.

The extension will not have any significant impact on the wider conservation area. Its siting is discreet and it will not dominate views of the house. It is also considered that the design of the extension is satisfactory.

In these circumstances it is considered that the proposed development complies with the design related elements of Policies H1 and H4 as well as Policies BE1, BE3 and BE11 of the adopted Local Plan.

It is further considered that the proposed development will not have any adverse impact on residential amenity in terms of Policies H1 and H4 of the Plan (by reason of overlooking, overshadowing or overdevelopment).

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 The Finalised Dundee Local Plan 2003.
- b The statutory duty under Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Government Guidance on these matters contained in NPPG18 and the Memorandum of Guidance on Listed Buildings and Conservation Areas.
- c The views of Broughty Ferry Community Council.

The policies of the Finalised Dundee Local Plan 2003 are broadly similar in wording to those in the adopted Local Plan.

Policy 1 protects environmental quality, Policy 55 promotes good design standards and Policy 61 states that within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding areas. It is considered that the proposed development complies with all these policies for the same reasons as it complies with Policies H1, BE1, BE3 and BE11 of the adopted Local Plan.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the Council to pay special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. This matter of the assessment of the development in the context of the conservation area has already been considered under Policy BE11 of the adopted Local Plan.

Government guidance in NPPG18 and the Memorandum of Guidance do not insist that extensions to listed building and buildings in conservation areas must always seek to replicate the design of the existing building. Indeed the Memorandum of Guidance states that in certain instances a well designed modern structure may be better than trying to emulate the existing building. It is considered that the proposed development represents such a well designed modern solution and that there is nothing in NPPG18 or the Memorandum of Guidance that suggests that the current proposals are unsatisfactory.

Broughty Ferry Community Council has objected to the proposal. It states that both the design and finishing materials proposed are inappropriate, that the proposal will have an adverse impact on the listed building and the conservation area and will not comply with the standards required in residential areas in Dundee in general. It would appear that the Community Council is concerned that a traditional approach to the extension to this house has not been adopted. However in this case it is considered that a modern approach is perfectly acceptable and that the design of the proposed extension is satisfactory. The Community Council did not comment

on the removal of the existing conservatory which will result in a significant enhancement of the listed building.

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

Design

The proposed extension is of an attractive modern design that respects the character and setting of the listed building and that of the wider conservation area.

CONCLUSION

It is considered that the proposed development complies with the policies of the Adopted and Finalised Draft Local Plans and will preserve the character and appearance of the conservation area.

RECOMMENDATION

It is recommended that planning permission 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 samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.