

KEY INFORMATION

Ward Balgillo

Proposal
Single storey extension on north and west elevations

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Dundee
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Applicant
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Registered 25 January
2005

Case Officer J Finlay



Proposed House Extension in Hawick Drive

A single storey extension is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with the development plan policies and the views of the objector are not supported in this case. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for a single storey extension on the north and west elevations of 130 Hawick Drive to provide an additional bedroom and shower. The finishing materials will match those of the existing house.
- Policy H4 of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan review are relevant to the proposed development. They state that developments will be supported where they do not adversely affect the environmental quality enjoyed by local residents.
- A letter of objection was received from a neighbouring resident to the north with the main objections relating to overshadowing, potential damage to a boundary wall and fence and legal issues regarding access for construction work.
- It is considered that the proposal complies with the policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review and there will be no adverse impact on the residential amenity enjoyed by neighbouring residents. Therefore the proposal is recommended for **APPROVAL**.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey extension on north and west elevations to provide an additional bedroom and shower room. It will be finished in materials to match the existing house. The extension will be located 0.6m from the north boundary and will be 7.4m in length along this boundary. It wraps around the west elevation where it is 4.6m in length and will have french doors on the west.

SITE DESCRIPTION

The application site is located on the west side of a cul-de-sac which is on the north side of Hawick Drive. The dwelling is 2 storey and semi-detached with dry dash render and tiled roof. There is a single detached garage on the north elevation and it is on the boundary. There is a 1.8m high fence around a patio area on the rear elevation.

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:

H4: Protection of amenity - Alterations and extensions 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

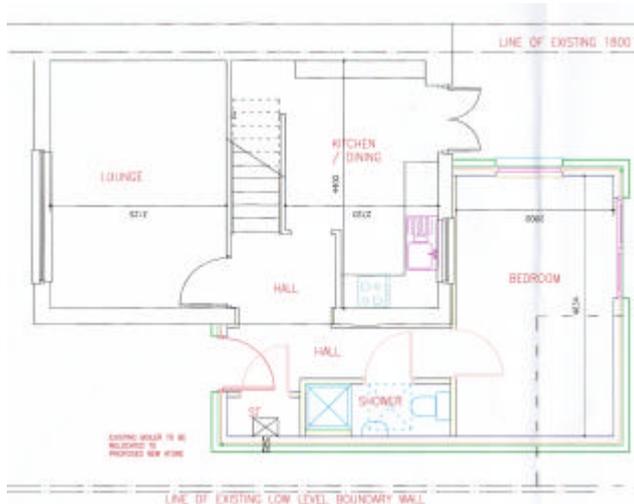
Scottish Planning Policies, Planning Advice Notes and Circulars

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



Key Theme 13 is relevant and states that places, spaces and objects should combine meaning and beauty with utility.

SITE HISTORY

There is no site history of relevance to the application site in these circumstances.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and one letter of objection was received from a neighbouring resident to the north who raises concerns about overshadowing, loss of privacy due to removal of existing garage, potential damage to a boundary wall and fence and legal issues regarding access for construction.

A copy of the objection letter is available for viewing in the Members' lounges.

CONSULTATIONS

The relevant Council Departments and other bodies were consulted and no adverse comments were received.

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.

Policy H4 specifies that developments will be supported where they do not adversely affect the environmental quality enjoyed by local residents. There

is an existing garage on the north boundary and the proposal is only 1.5m higher than the garage. This is for a pitched roof, so in essence it will not actually appear as 1.5m higher as it will slope back and is 0.6m from the north boundary. There will therefore be no unacceptable overshadowing as a result of the proposed development. There will be no loss of privacy with the removal of the garage as it is proposed to replace it with a 1.8 metres high fence.

The proposed extension does not raise any other issues in terms of Policy H4.

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:

Finalised Dundee Local Plan Review

Policy 4 is similar to Policy H4 of the Dundee Local Plan 1998 and the

proposal complies with this policy for the same reasons as outlined above.

Objections

As discussed above, one letter of objection was received regarding potential overshadowing, damage to a boundary wall and fence and legal issues regarding access for construction. It is not considered that there will be overshadowing as the extension is 0.6m from the north boundary and will have a pitched roof. The height of the extension to eaves is the same height as the existing garage.

There will be no loss of privacy with the removal of the garage as it is proposed to replace it with a 1.8 metres high fence.

The objector is concerned about potential damage to the north boundary wall and fence but the granting of planning permission does not absolve an applicant from the responsibility of ensuring that they do not damage their neighbours property and this issue cannot be taken into account in the determination of this planning application. Similarly the other concern raised regarding access for construction purposes is a separate legal issue and cannot be taken into account in the determination of this planning application. However as a matter of fact the proposed extension is set back from the mutual boundary so that it can be constructed without encroaching on the neighbours ground.

It is not considered that sufficient weight can be given to the objections in these circumstances to justify refusal of the application.

It is concluded from the foregoing that insufficient weight can be accorded to the views of the objector 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 extension will blend in with the existing house as it will be finished in the same materials.

CONCLUSION

It is considered that the proposal complies with the policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review.

Insufficient weight can be given to the objections to justify refusal of the application. Therefore the proposal is recommended for APPROVAL subject to conditions.

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

Reason

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