

**KEY INFORMATION**

**Ward** West Ferry

**Proposal**  
Proposed extension to dwelling

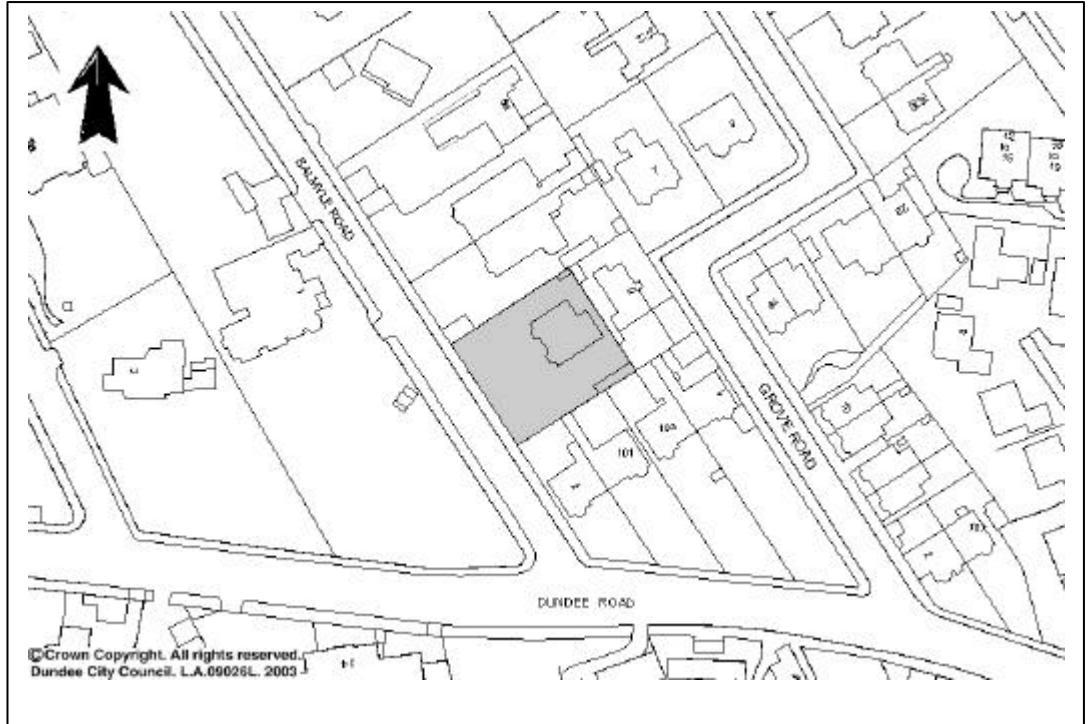
**Address**  
4 Balmyre Road  
Broughty Ferry  
DUNDEE  
DD5 1JJ

**Applicant**  
Mr & Mrs Aitken  
4 Balmyre Road  
Broughty Ferry  
DUNDEE  
DD5 1JJ

**Agent**

**Registered** 23 March  
2005

**Case Officer** G S Reid



# Revised Proposal for House Extension

The Proposed Extension to dwelling is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed extension is considered to be 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 erection of an extension and decking at 4 Balmyre Road, Broughty Ferry.
- A planning application (03/00900/FUL) for a conservatory, including decking, at this location was approved by Members at the Development Quality Committee on the 24 May 2004.
- The current application is required as the applicant proposes to amend the design and finishing materials of the proposed extension.
- The proposal raises issues for consideration in terms of the Housing and Built Environment Policies of the Dundee Local Plan 1998, Policies 14 and 61 of the Finalised Dundee Local Plan Review and Section 64 of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997.
- An objection to the proposal has been received from the same neighbour who objected to the original application. The concerns raised are similar to those raised in connection with the previous application.
- It is considered that the proposed development is in accordance with the Housing and Built Environment Policies of the Dundee Local Plan 1998, Policies 14 and 61 of the Finalised Dundee Local Plan Review and Section 64 of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997. In addition, it is considered that the objection raised is not of sufficient weight to warrant refusal of the application in this instance.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of an extension and decking at 4 Balmyle Road, Broughty Ferry.

The extension is to be located on the south elevation of the house and will be set back approximately 1.776 metres from the boundary to the east. The extension is to have a pitch roof, which, will be 2.4 metres high at the east side rising to 3.9 metres at the ridge. The floor area of the extension will be approximately 17.8 sq. metres. An area of decking is to be formed to the west of the extension.

There are to be windows to the west and south elevations with no windows in the east elevation.

The finishing materials have been changed to natural stone to the walls and natural slate to the roof, which, will match the existing house.

The original proposal was for a conservatory. The conservatory was to have a mono-pitched roof and extend to approximately 25 Sq. metres. It was to be set back from the boundary by 2.2 metres. The mono-pitched roof was to be 2.5 metres to the east rising to 3.2 metres to the west.

## SITE DESCRIPTION

The application site is located on the east side of Balmyle Road and to the north of the junction with Dundee Road. The application property is a large two-storey villa situated in its own garden grounds. There is a driveway off Balmyle Road and a carport the north of the house.

The house is finished in natural stone with natural slate to the roof. The main areas of garden ground are to the front and side of the house and contain mature trees.

There are residential properties to the north, east and south of the application site with Balmyle Road to the west. The property immediately to the east is set back just over 1 metre from the boundary. There is a window of a habitable room at ground floor on this west elevation of this property.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

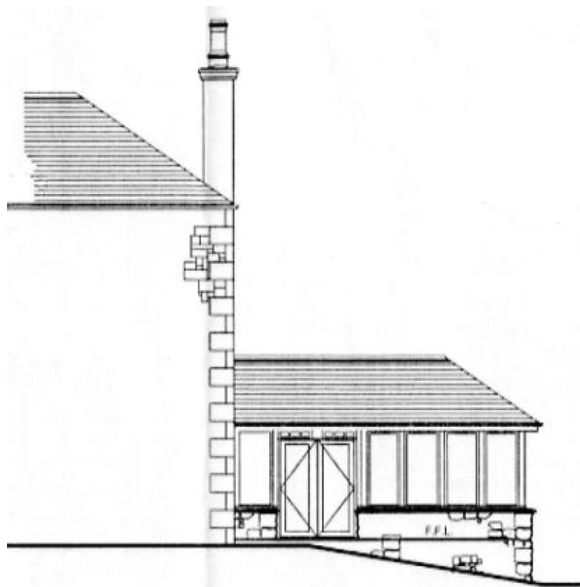
There are no policies relevant to the determination of this application.

### Dundee Local Plan 1998

The following policies are of relevance:

Housing Policy H4 Protection of Amenity.

Built Environment Policy BE11 Development in Conservation Areas.



### 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.

Policy 61 Development in Conservation Areas.

### Scottish Planning Policies, Planning Advice Notes and Circulars

Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 advises that

planning authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

## 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 15 is relevant to the consideration of this application. This theme seeks to ensure that diversity and local distinctiveness are valued and protected. The application site is located within the West Ferry Conservation Area. It is considered that given the design and finishing materials proposed the development would be in accordance with Key Theme 15.

## SITE HISTORY

Planning Application 03/00900/FUL: Erection of conservatory extension and decking on south elevation at 4 Balmyle Road, Dundee. Approved with conditions on the 24 May 2004.

## PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and a single letter of objection was received from a neighbour in the property immediately to the east. The main concern was that given the height of the extension and its proximity to the boundary it would result in the overshadowing and reduction in the daylight of a ground floor window of a habitable room.

These concerns have been raised by the same neighbour and are similar to those raised in connection with the previous application.

Copies of the objection letter are available in the Members' Lounges and the concerns raised are addressed in the 'Observations' section of this report.

## 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 Quality Committee approved a planning application (03/00900/FUL) for a conservatory extension and decking at 4 Balmyle Road on the 24 May 2004.

The main change to the proposal is that the conservatory is to be replaced by an extension. The changes include the reduction of the floor area from 25 sq.metres to 17 sq. metres. The mono-pitch roof is to be replaced with a ridged roof. The eaves height remains the same but the overall height increases from 3.2 metres to 3.9 metres. The distance from the boundary wall is to decrease from 2.2 metres to 1.77 metres. The applicant also proposes to remove the glazed roof and finish it in natural slate.

### 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 application is for an extension in the side garden ground of 4 Balmyle Road. The proposal raises issues for consideration in terms of Housing Policy H4 and Built Environment Policy BE11.

Housing Policy H4 seeks to ensure that alterations and extensions to houses do not adversely affect the appearance of the property or the surrounding area. In terms of appearance the proposal is considered to be of an acceptable design and would not have an adverse affect on the appearance of the house or surrounding area. Policy H4 advises that approval of proposals is 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. The main ground of objection received to the proposed development from the

adjoining neighbour is the adverse impact on the degree of daylight/sunlight enjoyed in west facing sitting room.

Given the height and proximity of the proposed extension to the window of the neighbour's sitting room it is considered that there would be some adverse impact on the degree of daylight/sunlight enjoyed by the neighbour. However, taking into account the slight increase in the height of the extension it is considered that the increased degree of overshadowing would still not warrant refusal of the application.

The application site is located within the West Ferry Conservation Area. The location of the proposed conservatory within the site will mean that it will not be particularly visible from outwith the site. The design of the extension is considered to be acceptable as outlined above. It is considered that the proposal is in accordance with Built Environment Policy BE11 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:

Policy 14 Alterations and Extensions to Houses sets out similar criteria to Housing Policy H4 of the adopted Local Plan. For the reasons set out above it is considered that the proposed development is in accordance with Policy 14.

Policy 61 Development in Conservation Areas advises that all development proposals will be expected to preserve or enhance the character of the surrounding areas. For the reasons set out above it is considered that the proposals are acceptable in terms of Policy 61.

Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 advises that planning authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The site is located within the West Ferry Conservation Area. For the reasons outlined above it is considered that the proposal would preserve the

character and appearance of the conservation area.

A single letter of objection was received from the neighbours to the east on the ground of the loss of sunlight and daylight to a west facing window of a habitable room. These concerns are addressed in the consideration of the proposal against Housing Policy H4 above. It is concluded that the degree of overshadowing would not be sufficient to warrant refusal of the application.

It is concluded from the foregoing that there are no material considerations that would justify the refusal of planning permission and it is therefore recommended that planning permission be granted with conditions.

### Design

The extension is of a traditional design with a ridged roof. There is to be glazing to the west and south. The proposals include an area of decking to the west. The proposals are considered to be of an acceptable quality of design.

## CONCLUSION

It is considered that the proposed extension is in accordance with the Housing and Built Environment Policies of the Dundee Local Plan 1998, Policies 14 and 61 of the Finalised Dundee Local Plan Review and Section 64 of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997. In addition, it is considered that the objection raised is not of sufficient weight to warrant refusal of the application in this instance.

## 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 all finishing materials shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out using only the approved finishing materials.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that the visual appearance of the proposed development is to an acceptable quality.