

KEY INFORMATION

Ward Balgillo

Proposal

Alterations to form dormers and detached garage

Address

45 Marlee Road
Broughty Ferry
Dundee
DD5 3EU

Applicant

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Agent

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Registered 15 March
2005

Case Officer G S Reid



Alterations to Form Dormer & Detached Garage

Alterations to form dormers and detached garage 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 erection of a single garage and the formation of dormers on the front and rear elevation of the house at 45 Marlee Road, Broughty Ferry.
- The proposal 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.
- An objection to the proposal has been received from the neighbour immediately to the north. The main concern is that the proposal would result in the overlooking of a storeroom and kitchen window.
- 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 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 a detached single garage and the formation of dormers on the front and rear elevation of the house at 45 Marlee Road, Broughty Ferry.

The proposed garage is to have a flat roof and finished in materials to match the house. There are two separate dormers proposed for the front of the house with a single dormer proposed for the rear.

The applicant originally proposed a larger extension to the north side of the house including an integral garage and dormers (05/00099/FUL withdrawn on 15 March 2005). However, as a result of an objection (primarily based on overshadowing) from the neighbour to the north the application was withdrawn and amended to address the concern raised.

SITE DESCRIPTION

The application site is located on the east side of Marlee Road and to the north of the junction with Marlee Place. The application property is a single storey semi-detached house with garden ground to the front and rear. There is a driveway off Marlee Road to the north of the house.

The house is finished in dry dash render with natural concrete tiles to the roof.

There are residential properties to the north, west, east and south of the application site with Marlee Road Road to the west. The property immediately to the north of the application site has a ground floor kitchen window and an upper floor store room window in the southern gable. The application property also has a kitchen window at ground floor level and a window on the upper level.

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.

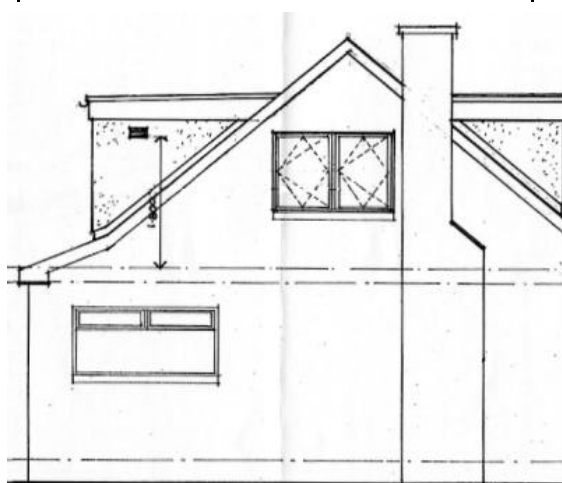
Dundee Urban Nature Conservation Subject Local Plan 1995

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 15 is relevant to the consideration of this application. This theme seeks to ensure that diversity and local distinctiveness are valued and protected. 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 05/00099/FUL: Erection of extension on north elevation and dormers on the front and rear elevation at 45 Marlee Road, Dundee. Withdrawn on the 15 March 2005.

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 north. The main concern was that the existing 1st floor window of the application property was now to be a bedroom window. As a result there would be overlooking of a ground floor kitchen window and a first floor storeroom window from a bedroom window.

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:

- whether the proposals are consistent with the provisions of the development plan; and if not
- whether an exception to the provisions of the development plan is justified by other material considerations.

The current application is for an amended proposal. The applicant originally proposed a larger extension to the north side of the house including an integral garage and dormers (05/00099/FUL withdrawn on 15 March 2005). However, as a result of an objection (primarily based on overshadowing) from the neighbour to the north the application was withdrawn and amended to address the concern raised. The original proposal did not have any windows in the north gable elevation.

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 the erection of detached single garage and the formation of dormers on the front and rear elevation of the house at 45 Marlee Road, Broughty Ferry. The proposal raises issues for consideration in terms of Housing Policy H4 of the Dundee Local Plan 1998.

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. It is considered that the current proposal would not result in any detrimental affect in terms of the loss of sunlight or daylight.

The main ground of objection received to the proposed development from the adjoining neighbour is the adverse impact on the privacy of a ground floor kitchen window and a 1st floor storerroom window from the use of an existing window as a bedroom window. The window of concern is an existing 1st floor window in the north gable of the application property. The applicants propose to incorporate this window into a bedroom as part of the proposal for additional accommodation in the roof space. The use of this existing window as a bedroom window in itself does not require planning permission. It is only because a dormer is proposed that planning permission is required. The window would only be a secondary window with the main window being in the newly formed dormer facing west. As the window is existing the potential for overlooking already exists and as such the proposal would not worsen that situation. It is considered that the proposal is in accordance with Housing Policy H4 of the 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.

A single letter of objection was received from the neighbours to the north on the ground of the loss of privacy to a kitchen and storeroom window. These concerns are addressed in the consideration of the proposal against Housing Policy H4 above. It is concluded that there would be no loss of privacy 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 proposals are considered to be of an acceptable quality of design.

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 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 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