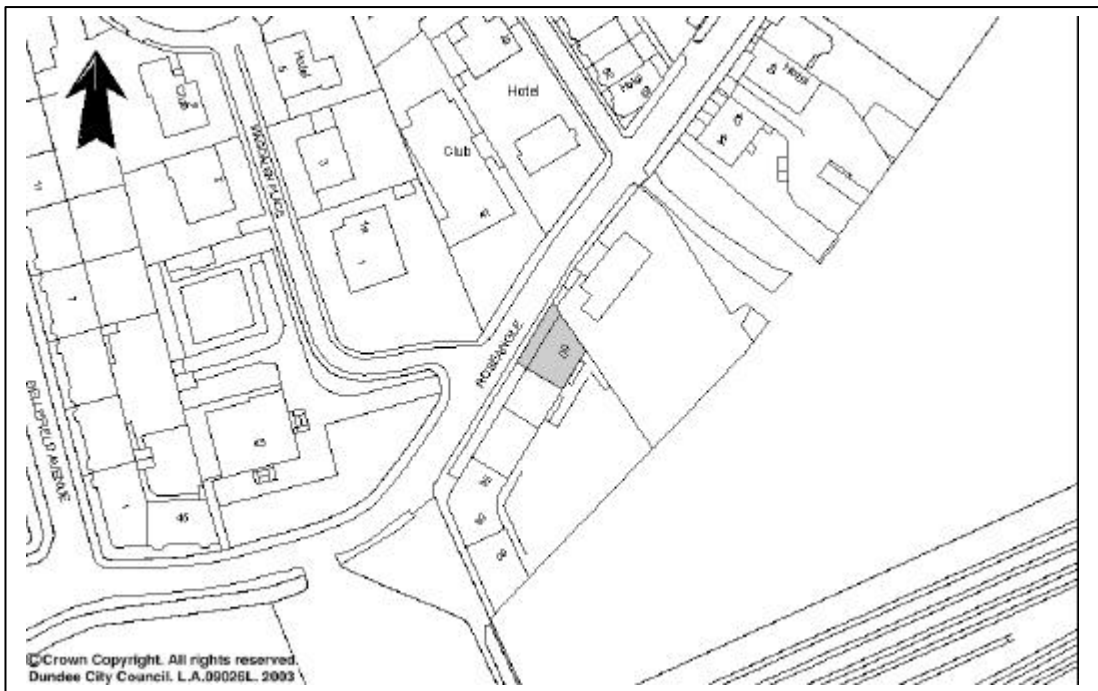


KEY INFORMATION**Ward** Tay Bridges**Proposal**Alterations to
ground/basement flat**Address**Flat G/1
50 Roseangle
Dundee**Applicant**Mr Robert McNaugher
29 Mullafernaghan Road
Dromore
Co Down
BT25 1JT**Agent**B S Design
4 Grove Road
Broughty Ferry
Dundee
DD5 1JL**Registered** 18 Aug 2005**Case Officer** D Gordon

Elevational Alterations to Flat in Roseangle

Alterations to a ground/basement flat are **RECOMMENDED FOR APPROVAL** subject to conditions.
Report by Director of Planning and Transportation

RECOMMENDATION

The proposed alterations are considered to be in accordance with the policy requirements of the Dundee Local Plan Review 2005. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for minor works to a split level flat (ground floor and basement level) to provide a window on the north elevation and form a stairway for fire escape purposes.
- The proposal raises issues for consideration in terms of the policies of the Dundee Local Plan Review 2005 that relate to domestic scale alterations and conservation area requirements.
- Three letters of objection have been received. The main issues raised relate to the future potential use of the flat and the impact of the proposed works on the appearance of the building and the conservation area.
- It is considered that the proposals are in accordance with Policy 14 (Alterations and Extensions to Houses) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review. It is further considered that the concerns raised by the objectors are not of sufficient weight to justify refusal of this application.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves alterations to a ground floor / basement flat. These works include the provision of a new window on the north elevation of the basement flat ie facing onto Roseangle and the formation of a new fire escape stairway and handrails leading from basement level to street level on the north side of the building. The new stair will require the removal of the small area of garden located at street level on the Roseangle frontage. The submitted plans also reveal that a store room at basement level is to be changed into a bedroom. This change does not require the benefit of planning permission.

SITE DESCRIPTION

The property is a 4-storey, stone built tenement building (with basement) that is located on the south side of Roseangle.

The property under consideration is a split level flat that accommodates a kitchen, lounge and bedroom at ground level and a bedroom, bathroom and store at basement level. Access to the flat is achieved from the mutual access into building from Roseangle. Access to the rear garden area is achieved from the south side of the building. A small front garden area, at street level, exists on the north elevation of the property. This garden area is bounded by a low stone wall.

The surrounding area accommodates a variety of uses including residential and commercial. The former Rail Yards area is located to the south of the site. The property is located within the West End Lanes Conservation Area.

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 1: Vibrant and Sustainable Communities. This requires that developments should be in accordance

with other policies in the Plan and seeks to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues noise or smell.

Policy 14: Alterations and Extensions to Houses: Proposals to extend existing dwelling houses will only be permitted where certain criteria can be met.

Policy 61: Development in Conservation Areas. All developments within Conservation Areas will be expected to preserve or enhance the character of the surrounding area.

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 to this application and states that places, spaces and objects should combine meaning and beauty with utility.

SITE HISTORY

There is no relevant recent history of planning applications for this site.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the

applicants. The proposal has attracted 3 objections. The concerns that have been expressed by the local residents are:

- 1 The property may potentially be used as a House in Multiple Occupation with attendant environmental issues
- 2 That the alterations would have an adverse impact on the setting of the conservation area ie removal of the small area of garden ground, potentially untidy stairway and loss of a small section of stone wall.

Copies of these objections are available for inspection in the Members Lounges and the issues raised are addressed in the "Observations" Section below.

CONSULTATIONS

No adverse comments have been received from any of the 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

Also, in accordance with provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Council is required to have special regard to preserving and enhancing the character or appearance of a conservation area.

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 14 of the adopted Local Plan relates to proposals to alter or extend houses. Relevant requirements of that policy are that there are no adverse impact on the appearance of prominent elevations of the property, no significant loss of privacy to the occupants of neighbouring properties and that the design and materials

respect the character of the existing building.

In this case it is considered that the introduction of a window at basement level on the north elevation of this property, ie below street level, will not adversely impact on the appearance of the building. The window is similar in design and appearance to the existing windows and its introduction on this elevation will not detract from the prominence of the building on this street frontage. Similarly, the removal of a small section of wall and the formation of a stairway is also considered to be acceptable in this instance. There are no loss of privacy issues associated with this application.

It is concluded from the above that the proposal is in accordance with the requirements of Policy 14 of the Local plan.

With regard to Policy 61 (Development in Conservation Areas), the issues raised above also conclude that the works will not adversely affect the preservation of the enhancement of the surrounding conservation area. Consequently, it is considered that proposals are in accordance with the requirements of Policy 61 of the Local Plan.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

It is also concluded from the foregoing that the statutory duty set out in the relevant Sections of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is discharged in this instance.

Other Material Considerations

The other material considerations to be taken into account are as follows:

Objections

The main issues raised by the objectors relate to the potential of the premises to operate as an HMO and the adverse impact of the proposed works on the appearance of the building and the surrounding conservation area.

With regard to the matter raised about the future use of the property, the proposals under consideration involve minor works to the external appearance of the building only. The internal change of a store area to a new bedroom does not require the benefit of planning permission and

consequently, the potential use of the flat is not an issue that can be considered at this time. Likewise, it is also considered that to attach a condition relating to the future use of the property would be inappropriate and unreasonable due to the terms of the preceding sentence.

With regard to the impact of the proposals on the surrounding area, this matter has been discharged above. It is the case that the similar works for provision of a new window and stairway on the north elevation of this tenement building are evident at 54 Roseangle located to the west.

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 proposal involves minor works to a ground floor / basement flat including the provision of a small window, below street level, that will match the design and appearance of the existing windows to be found on the north elevation of this tenement building. It is also considered that the formation of a new pedestrian access and fire escape stairway leading to the basement from Roseangle will not detract from the appearance of the existing building or the surrounding area.

CONCLUSION

The proposed alterations to the property are in accordance with the relevant policies of the development plan. There are no material considerations that are of sufficient weight that would justify the refusal of this application contrary to these policies.

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 Details of the proposed railings to be installed shall be submitted for

the approval of the planning authority and no work shall begin until written approval of the planning authority has been given.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that the proposed railings are of a design and appearance that enhances the visual quality of the area.