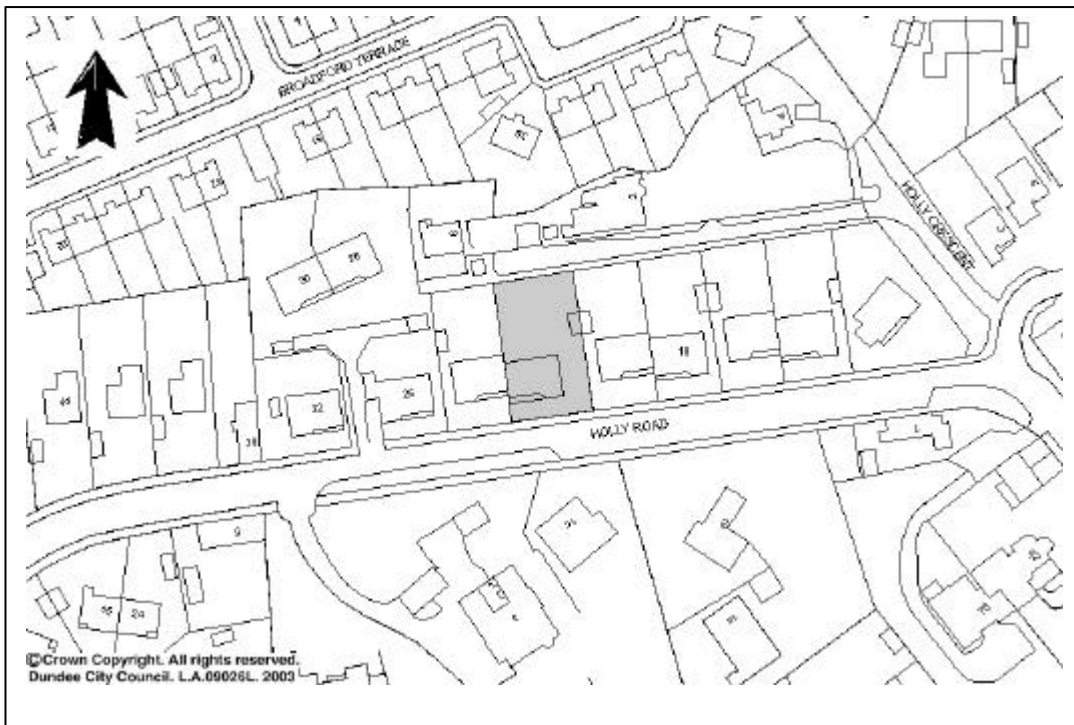


KEY INFORMATION**Ward** Broughty Ferry**Proposal**

Attic Conversion with dormer extension

Address22 Holly Road
Broughty Ferry
DUNDEE**Applicant**Mr & Mrs Guthrie
22 Holly Road
Broughty Ferry
Dundee
DD5 2LZ**Agent**Walker Interiors
7 Fortar Way
Broughty Ferry
DD5 3BP**Registered** 22 September
2005**Case Officer** C Walker

Attic Conversion Proposed in Holly Road

An attic conversion and dormer extension is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposal complies with Policy 14 of the adopted Dundee Local Plan Review and the concerns of the objectors about loss of privacy are insufficient to justify the refusal of the application. The application is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought to extend this semi detached bungalow by forming a large dormer extension on the rear elevation with 2 extensive windows. The rear garden area is enclosed on all sides by a high conifer hedge except where the garage sits on the eastern boundary.
- Policy 14 of the Dundee Local Plan Review 2005 states that proposals to extend existing dwelling houses will only be permitted where there is no significant loss of privacy to the occupants of neighbouring properties.
- A previous application for a dormer extension on this house was withdrawn by the applicants in September 2005 - application 05/00669/FUL refers. That application was similar to the current proposals but also included floor to ceiling windows opening onto 2 small balconies.
- 2 letters of objection were received from neighbours on either side of the site concerned that their private rear gardens would be overlooked by the proposed windows on the rear elevation of the house.
- It is considered that with the removal of the balconies and the provision of a low cill that although there will still be the possibility to overlook adjoining gardens, that the extent of overlooking will not be excessive.

DESCRIPTION OF PROPOSAL

Planning permission is sought to extend this house by providing upper floor accommodation within the roofspace and forming a large dormer extension on the rear elevation. 2 bedrooms with en suite bathrooms will be provided with the development. The bedrooms will have extensive windows (almost 2 metres high with 0.6 metre cills) on the rear elevation of the house. It is proposed to form velux windows on the front elevation of the house to provide additional light.

Proposed finishing materials are timber clad walls and a slate roof.

SITE DESCRIPTION

The application site is a semi detached bungalow and its garden ground located on the north side of Holly Road. It is finished with roughcast walls with limited areas of facing stone on the front elevation and a slated roof. There is a detached garage to the north east of the house. The rear garden area is enclosed on all sides except where the garage sits on the eastern boundary.

The site is surrounded by houses and the houses to the east and west are of similar appearance. Some of these houses have dormer extensions in their roofs but these extensions are on the front elevations with only small dormers with no significant windows on their rear elevations.

To the south, on the opposite side of Holly Road are larger properties in more extensive grounds. To the north, dwellings at Holly Crescent are screened by the conifer hedge.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan Review 2005

Policy 14: Proposals to alter or extend existing dwelling houses will only be permitted where:

- There is no adverse impact on the appearance of prominent elevations of the house; and

- There is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties; and
- More than 50% of the original useable garden area will be retained; and
- The design and materials respect the character of the existing building.

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

A previous application for a dormer extension on this house was withdrawn by the applicants in September 2005 - application 05/00669/FUL refers. That application was similar to the current proposals but also included floor to ceiling windows opening onto 2 small

balconies. That application had been recommended for refusal based on overlooking of the private gardens of the adjoining houses to the east and west but the application was withdrawn before it could be considered by the Committee.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and 2 letters of objection were received from neighbours on either side of the site. Their concerns are that their private rear gardens would be overlooked by the proposed windows on the rear elevation of the house contrary to the Local Plan and they point out that currently no other windows overlook their gardens in this

manner. They do not think that the deletion of the balconies and the installation of cills at 0.6 metre will prevent overlooking. They state that the development relates poorly to its surroundings because the proposed dormer faces to the rear whereas on other properties they are on the front elevation. They also question the function of the proposed upper floor rooms if they are provided with such large windows and also point out that if the applicants were to cut their conifer hedges then there would be a severe loss of privacy.

Copies of the objections are available for viewing in the Members' Lounges and the issues 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 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 is no adverse impact on the appearance of prominent elevations of the house, 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, although the design of the dormer is somewhat unusual, it will not be visible other than from the private gardens of adjoining houses, and because it uses appropriate finishing materials, it will not have an unacceptable appearance in terms of this policy.

The significant issue with regard to Policy H14 is the impact of the proposed development on the privacy of neighbours. The site boundaries are screened by a high conifer hedge but there is a significant gap along the eastern boundary where there is a garage. In addition the fact that the extension is at the upper level means that it could afford views over the gardens of the adjoining houses to the east and west.

In order to overcome concerns about the potential for overlooking, the applicants withdrew their previous application and submitted the current proposal which deletes the balconies and provides a low cill of 0.6 metres. These changes have not allayed the fears of the residents to the east and west of the site who have objected to the development.

When the previous proposals were examined, it was considered that on balance there would be an unacceptable loss of privacy to the neighbours to the east and west. A significant factor was the provision of balconies, which although small, afforded the opportunity to open the windows inwards and sit at a high level.

It is now considered that with the removal of the balconies and the provision of a low cill that although there will still be the possibility to overlook adjoining gardens, that the extent of overlooking will not be

excessive. It is not uncommon to form dormer windows on the rear elevation of properties, which although affording the opportunity to overlook adjoining gardens, are primarily designed to provide light and a reasonable standard of amenity within the rooms. The situation in this area is somewhat unusual in that most of the surrounding houses do not have significant windows at upper floor level although the upper floor windows on the house at 2 Holly Crescent to a limited extent overlook the rear of the house at 20 Holly Road to the west of the application site.

Although the windows proposed in this application are larger than those typically found in rear dormers, it is not considered that they will lead to unreasonable overlooking of adjoining gardens.

It is accepted that were it not for the high conifer hedge surrounding the site that the extent of overlooking could be unreasonable. It is therefore recommended that should Members be minded to approve the application that a planning condition should be attached requiring the hedge to be maintained at a height of not less than 3.5 metres.

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

Other Material Considerations

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

Objections

The concerns of the objectors are that their private rear gardens would be overlooked by the proposed windows on the rear elevation of the house. One of the objectors states that the development relates poorly to its surroundings because the proposed dormer faces to the rear whereas on other properties they are on the front elevation.

The issues relating to design, appearance and overlooking have been considered in the context of Policy 14 of the adopted Local Plan and it has been concluded that the design of the proposed dormer and the potential overlooking of adjoining gardens are acceptable.

It is concluded from the foregoing that the concerns of the objectors are not of sufficient weight to justify the refusal

of the proposed development. It is therefore recommended that planning permission be granted with conditions.

Design

Although the design of the dormer is somewhat unusual, it will not be visible other than from the private gardens of adjoining houses, and because it uses appropriate finishing materials, it will not have an unacceptable appearance.

CONCLUSION

It is considered that the proposal complies with Policy 14 of the adopted Dundee Local Plan Review and the concerns of the objectors about loss of privacy insufficient to justify the refusal of the application. The application is therefore recommended for APPROVAL.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following condition(s):-

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 The existing conifer hedge enclosing the rear garden area on the eastern, northern and western site boundaries shall be retained and shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedge falls below 3.5 metres at any point without the written consent of the City Council. Any hedge removed without consent or severely damaged shall be replaced with trees and shrubs of such size and species as may be directed by the City Council. Any hedge dying or becoming seriously diseased shall be replaced with hedging, trees or shrubs of such size and species as may be approved by the City Council.
- 3 The proposed dormer extension shall be constructed strictly in accordance with the approved plans and notwithstanding the provisions of Class 1 of the Town and County Planning (General Permitted Development) (Scotland) Order

1992 or any subsequent re-enactment it shall not be altered or modified without planning permission being granted on an application made to the Council.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 The retention of this hedge protects the privacy of the occupiers of the adjoining houses from potential overlooking from the proposed dormer extension.
- 3 In order to ensure that the windows are not enlarged or balconies formed at some future date without planning permission and to the detriment of the privacy enjoyed by the occupiers of adjoining dwellings.