

KEY INFORMATION

Ward Balgowan

Proposal

Erection of Conservatory on South Elevation

Address

24 Ambleside Terrace
Dundee DD3 0AL

Applicant

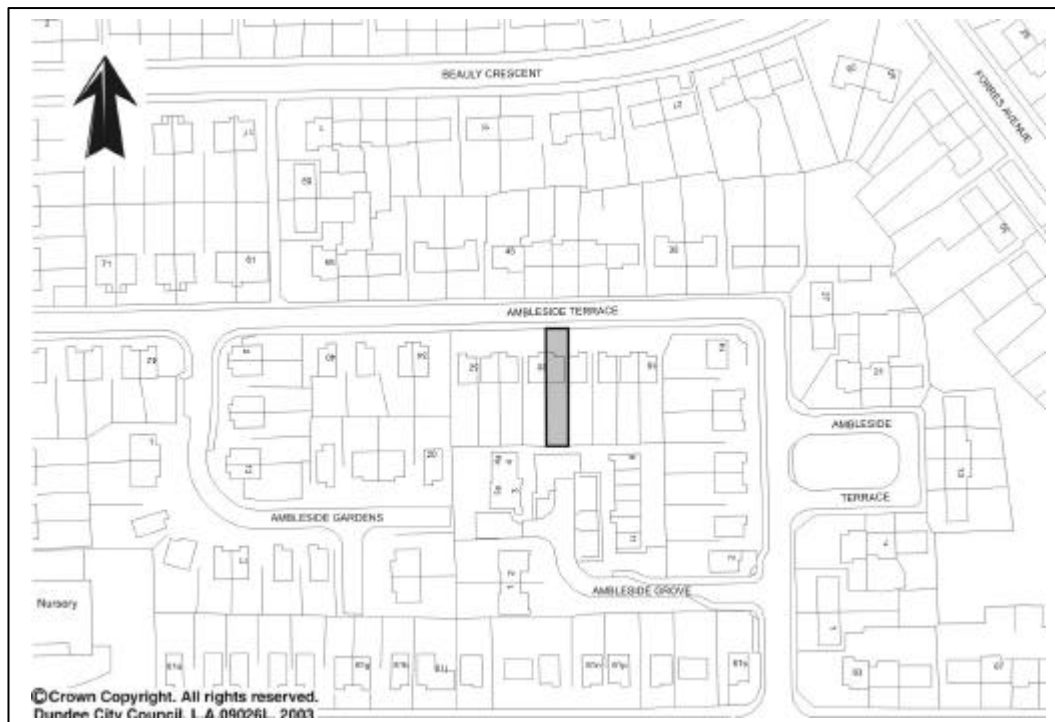
Mr & Mrs Ratcliffe
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Dundee
DD3 0AL

Agent

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FAO Kevin King

Registered 1 Dec 2005

Case Officer S Cooper



Conservatory Sought for Rear of Terraced House

The Erection of conservatory on south elevation is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposed development accords with the provisions of Policies 1 and 14 of the Dundee Local Plan Review 2005. The views of the objectors are not supported. There are no material considerations that would justify the refusal of this application. It is therefore recommended that the application is **APPROVED**.

SUMMARY OF REPORT

- The application is for the erection of a conservatory on the rear (south) elevation of the house.
- The proposal raises issues for consideration in terms of Policies 1 and 14 of the Dundee Local Plan Review 2005.
- 2 letters of objection have been received to this proposal.
- It is considered that the proposal is of an acceptable design and would not be detrimental to the amenities of neighbouring residential properties.
- The application is therefore recommended for APPROVAL.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a conservatory on the rear (south) elevation of the house.

The proposed conservatory would have a facing brick basecourse. Otherwise the base wall would have a rendered finish. The proposed conservatory would have rosewood UPVC frames, a bronze polycarbonate roof and would otherwise be clear glazed. The conservatory would be some 5.9 metres in length, 3.7 metres in width and 3.5 metres to the ridge of its pitched roof.

SITE DESCRIPTION

The application relates to a mid terraced two storey house. The property is located in a predominantly residential area. There is a pend to the east of the house that provides access to the rear garden from the front of the house. The property is bounded by residential properties to the east and west, the end of the cul-de-sac at Ambleside Grove to the south and by the road of Ambleside Terrace to the north. The rear garden is enclosed by timber fencing that is some 1.6 metres in height.

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

The following policy is of relevance:

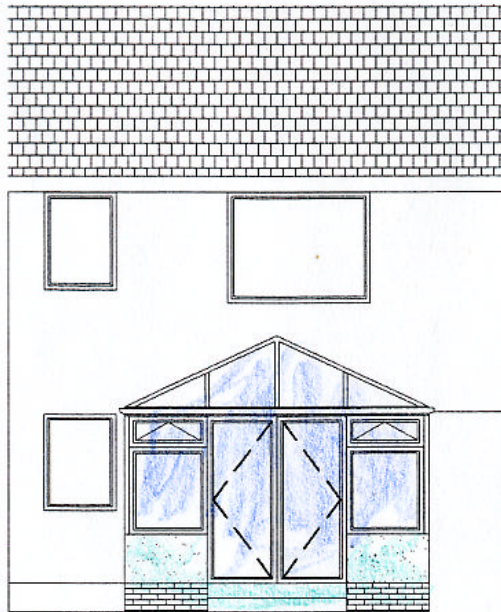
Policy 14: Alterations and extensions to houses will only be permitted where there is no adverse impact on the appearance of the house or area, residential amenity, garden area and the design and materials should respect the character of the existing building.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application

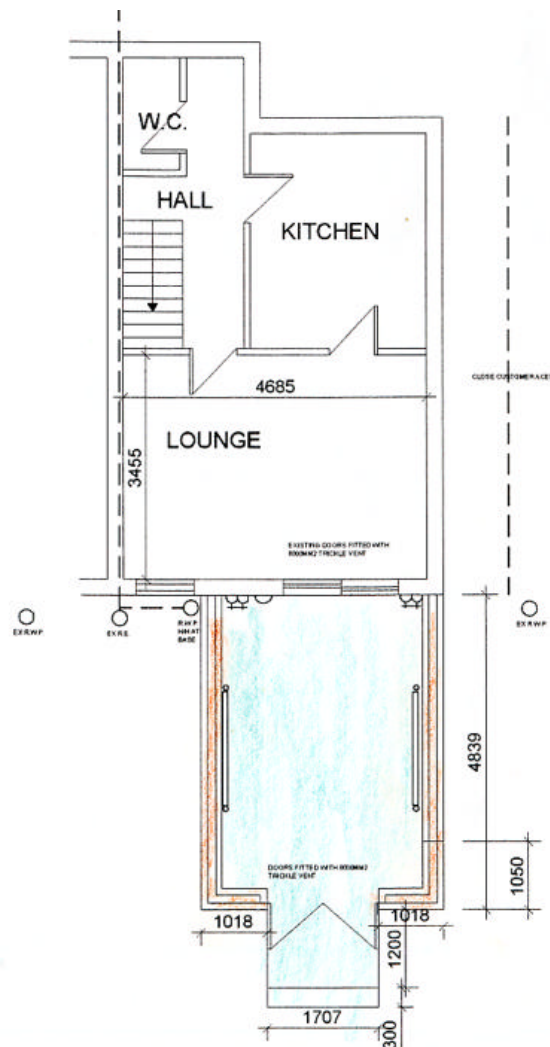
Non Statutory Statements of Council Policy

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

There is no planning history of relevance to the determination of this application.

PUBLIC PARTICIPATION

The applicant has carried out the Statutory Neighbour Notification procedure. 2 letters of objection were received.

The grounds of objection relate to:

- Loss of privacy through overlooking
- Loss of light through overshadowing

The objections also claim inaccuracies with the application drawings and state that a firewall should be erected as the conservatory is within 1 metre of the boundary.

From the case officer's site visit it appears that the application drawings are an accurate representation of the existing layout. The issue of the firewall is a matter that is controlled separately through Building Standards legislation.

The letters also refer to the neighbour notification procedures. Neighbours were notified several days prior to the submission of the application. Accordingly, neighbours were then re-notified by the applicant in order to allow for the statutory 14 period for representation.

It is intended to comment on the grounds of objection in the 'Observations' section of this report. Copies of these letters are available for inspection in the Members Lounges.

CONSULTATIONS

No adverse comments were made by 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 Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

The proposal is for the erection of a conservatory on the rear (south) elevation of the house. Policy 14 of the Dundee Local Plan Review 2005 is of relevance and raises issues in terms of design and materials, impact on the appearance of the house and area, and impact on residential amenity.

The proposed conservatory is of an acceptable design and would be finished with appropriate materials. In its position on the rear elevation of the house, the proposed conservatory would not be readily visible to public views. By its size, form and positioning, the proposed extension would not constitute an overdevelopment of the house, and would not result in the loss of more than 50% of the garden ground.

It is therefore considered that the proposed conservatory would not be detrimental to the character and appearance of the house or area, by virtue of its satisfactory design and materials.

The rear garden of the applicant's house is enclosed by relatively high close boarded timber fencing. The fencing would be of a sufficient height to prevent to prevent harmful overlooking of neighbouring residential properties. It is therefore considered that the proposed conservatory would not be detrimental to the amenity of neighbouring residential properties by way of overlooking.

The proposed conservatory would be a fairly lightweight structure, with the solid base wall some 900mm in height. The west elevation of the conservatory would be some 1.4 metres inside the west boundary, and the east elevation would be 1 metre inside the east boundary. The existing close board fences that enclose the side boundaries of the rear garden are some 1.6 metres in height. In its position on the south

elevation of this mid-terraced house the proposed conservatory may give rise to a degree of overshadowing. Although the proposed conservatory would be on the south elevation of the house, and although it would be some 5.9 metres in length, from a height of 900mm upwards the conservatory would mainly be clear glazed. Given the existence of relatively high close boarded fencing on the side boundaries it is unlikely that the proposal would give rise to such a degree of overshadowing so as to be harmful to the amenity of neighbouring properties and to warrant the refusal of this application.

It is therefore considered that the proposal accords with Policy 14 of the Dundee Local Plan Review 2005.

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 the views of the objectors.

The views of the objectors in terms of the detrimental impact on the residential amenity of neighbouring properties by way of overlooking and overshadowing have been considered above. It is found that the views of the objectors are not supported.

The other issues raised in the letters of objection are not material considerations in the determination of this application.

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. It is therefore recommended that planning permission be granted with conditions.

Design

The conservatory is of a fairly standard, simple design. The conservatory would be finished with materials to complement the finish of the house. The applicant's house itself is of a relatively modern design and it is therefore considered that the proposed conservatory is of a satisfactory standard of design.

CONCLUSION

In conclusion, it is considered that the proposed conservatory accords with

the provisions of Policy 14 of the Dundee Local Plan Review 2005. There are no material considerations that would justify the refusal of this application. It is therefore recommended that the application be APPROVED.

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.