

KEY INFORMATION

Ward Riverside

Proposal

Erection of conservatory and rear extension to house

Address

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359 Perth Road
Dundee

Applicant

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Registered 30 Dec 2005

Case Officer Eve Jones



Proposed Additions to former Lodge House

The erection of conservatory and rear extension to house is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed side extension is acceptable. However, the proposed conservatory is considered to be contrary to Policy 14 and Policy 61 of the Dundee Local Plan Review 2005 and there are no material considerations of sufficient strength to support the granting of planning permission contrary to the policies.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a conservatory to the front elevation and an extension to the rear elevation of a single storey house. The property is a traditional stone and slate construction lodge house at the entrance to one of the large mansion houses on the north side of Perth Road.
- The proposed rear extension to be faced in reclaimed stone is acceptable. The conservatory is proposed to have a stone dwarf wall, white PVCu structure and a glazed roof linked to the existing by a small section of slates.
- The erection of a conservatory on the front elevation is considered to be contrary to Policy 14 - Alterations and Extensions to Houses because of the adverse impact on the appearance of the house and the design and materials. It is also contrary to Policy 61 - Developments in Conservation Areas as the development would not preserve or enhance the character of the surrounding area.
- A previous application for substantially the same development was refused on the same grounds. The applicant was advised to amend the design and materials. The roof has been changed from polycarbonate sheeting to glazing. However, the proposal is still considered to be unacceptable.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a conservatory extension to west elevation and single storey extension to the east elevation of a house. The white PVCu conservatory with a glazed roof is proposed to be located on the front (West) elevation of the lodge house. It includes a natural stone dwarf wall and the roof of the conservatory ties in with the existing roof of the house by means of a small area of slates. The rear extension on the east elevation will abut the side boundary wall and will be faced with stone from the existing side wall which will be re-used. It will have a flat roof.

SITE DESCRIPTION

The application site is located on the north side of Perth Road and is to the west of the junction with Farington Street. The property is a single storey lodge house at the entrance to 359 Perth Road with garden ground to the north. The house is finished in natural stone and natural slate. It has a single traditional bay window with a hipped slate roof and an open porch to the front door with a slate roof above. There is a low boundary wall with gate piers to the south of the house facing Perth Road. There are large shrubs between the house and Perth Road. The house has had previous extensions to the east. The surrounding houses are generally traditional in style and materials.

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 policies are of relevance:

Policy 14 - Alterations and Extensions to Houses.

Policy 61: Development within Conservation Areas.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

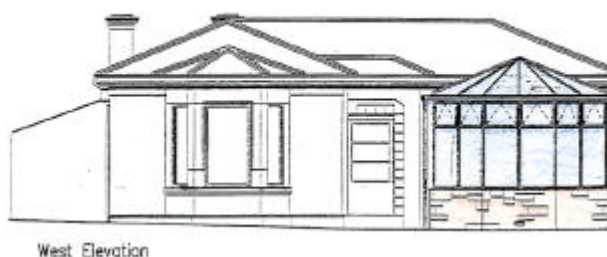
Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Policy Guideline (NPPG) 18 - Planning and the Historic Environment.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application



LOCAL AGENDA 21

The proposal does not comply with Key Theme 13, "Places, spaces and objects combine meaning and beauty with utility" or Key Theme 15, "Diversity and local distinctiveness are valued and protected".

SITE HISTORY

05/00313/FUL A planning application for substantially the same development was submitted on 5 April 2005. The conservatory element of the development was considered to be unacceptable and the application was refused, as a delegated report, on 18 July 2005. The application was considered to be contrary to Policy H4 of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review on the grounds of its location, design and finishing materials. It was also considered to be contrary to Built Environment Policy BE11 of the Dundee Local Plan 1998

and Policy 61 of the Finalised Dundee Local Plan Review as the conservatory would, by reason of its location, design and finishing materials, have an adverse visual impact on the appearance of the surrounding area and would therefore neither complement or enhance the character of the Conservation Area. It was considered that there were no material considerations of sufficient strength to justify the granting of planning permission contrary to those policies.

PUBLIC PARTICIPATION

The application has been the subject of statutory Neighbour Notification and there were no objections. The application has been referred to the Development Quality Committee for determination at the request of the local Ward Member.

CONSULTATIONS

There were no adverse comments from 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 states that proposals to alter or extend existing dwellinghouses 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 usable garden area will be retained, and;

d the design and materials respect the character of the existing building.

The proposal under consideration is for a conservatory extension to the west elevation and single storey extension to the east elevation of the Lodge house at 359 Perth Road.

The extension to the east elevation of the house is considered to be acceptable in terms of location, design, size and finishing materials. As such it is considered that it would not detract from the appearance of the house or the surrounding area. In addition, it is considered that it would not have a detrimental affect on the amenity of any of the surrounding residents.

The proposed conservatory on the west elevation does comply with criteria b. and c. However it raises concerns in terms of location, design and finishing materials. The proposal is for a white PVCu conservatory with glazed roof on the front (West) elevation of the lodge house. The proposal includes a natural stone dwarf wall. The roof of the conservatory ties in with the existing roof of the house by means of a small area of slates. The design of the roof is unsympathetic to the original house and there is a poorly detailed area where the roofs meet which cuts across the architectural detailing of the house. It is considered that the design and finishing materials of the proposed conservatory are inappropriate given its location. The design and materials are typical of modern conservatories, more usually attached to the rear of properties. The application site is a traditional lodge house. It is considered that the proposed conservatory would be an incongruous feature on the front elevation of this lodge house which would detract from its appearance and that of the surrounding area. Therefore the proposal fails to comply with criteria a. and d. of Policy 14 as detailed above.

Policy 61 states that within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area.

While the existing shrubs would partly screen the conservatory it would still be visible from Perth Road. The shrubs are not protected by Conservation Area legislation and could be removed or cut well back at any time. It is considered that the

design and finishing materials of the proposed conservatory are inappropriate given the location of the conservatory on the front elevation of the building at the entrance to one of the traditional mansion houses of the Perth Road. It is considered that the proposal fails to preserve or enhance the character of the Conservation Area and does not comply with Policy 61.

It is concluded from the foregoing that the proposal does not comply with Policy 14 and Policy 61 of the development plan.

Other Material Considerations

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

NPPG 18 states that local authorities must pay special attention to the desirability of preserving or enhancing the character and appearance of the designated Conservation Area. This has been achieved by the inclusion of Policy 61 in the Local Plan.

The Memorandum of Guidance on Listed Buildings and Conservation Areas states that new development in Conservation Areas which is well designed, respects the character of the area and contributes to its enhancement will be welcomed. The first priority in the consideration of an application should be to have regard to those special architectural and visual qualities which gave rise to the designation of the area as a Conservation Area. In particular, regard should be paid to scale, bulk, height, materials, colour, vertical or horizontal emphasis and detailed design. As noted, it is considered that the design and materials are unacceptable in this location and fail to comply with the Guidance.

It is also concluded from the foregoing that the statutory duty set out in Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 would not be satisfied by the approval of this proposal.

Previous History

As noted above, an application for substantially the same development was submitted on 5 April 2005. The conservatory element of the development was considered to be unacceptable and the application was refused, as a delegated report, on 18 July 2005. Whilst the application was being considered, the Planning Officer

met with the applicant and suggested a more traditional design in the form of an extension rather than a conservatory would be acceptable. The current proposal has an amended roof. The proposed bronze polycarbonate has been replaced by glazing and the roof now ties into the existing with a small area of slate. However as noted above, the design of the conservatory remains largely unchanged, the main elements are still white PVCu and the roof is poorly detailed where it meets the house.

In the course of discussions, the applicant has cited other developments in the Perth Road which he considers do not meet the stated policy requirements which are being used in this case. The only recent case involves a modern replacement of an older, badly designed and poorly constructed timber porch and stair extension.

Members will be aware that the new local plan, the Dundee Local Plan Review 2005 has only recently been adopted and that the Council seeks to constantly improve the environment of the City by the careful application of its approved policies. It is recognised that the design and materials used in past developments should not be used as precedent for their repeated use in new developments. The design of extensions should be considered in the context of the specific building, its setting, whether it has previously been extended or altered and whether the materials are matching or complementary to the originals.

In this case it is considered that the design and materials proposed for the Conservatory would result in an incongruous feature on the front elevation of this traditional lodge house which would detract from its appearance and that of the surrounding area.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be refused.

Design

The design issues have been considered in the Observations above.

CONCLUSION

It is concluded that whilst the east extension is acceptable, the proposed conservatory does not comply with Policies 14 and 61 of the Dundee Local Plan Review 2005 and there are no material considerations of sufficient weight to justify the granting of planning permission contrary to the policies. Accordingly the application is Recommended for REFUSAL.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reasons:-

Reasons

- 1 The proposed development is considered to be contrary to Policy 14 of the Dundee Local Plan Review 2005 as the proposed conservatory, by virtue of its location, design and finishing materials would have an adverse affect on the visual appearance of the house and the surrounding area. There are no material considerations of sufficient strength to justify a departure from the policies of the development plan in this instance.
- 2 The proposed development is considered to be contrary to Policy 61 of the Dundee Local Plan Review 2005 as the proposed conservatory, by virtue of its location, design and finishing materials would have an adverse affect on the appearance of the surrounding area and therefore neither preserve nor enhance the character of the Conservation Area. There are no material considerations of sufficient strength to justify a departure from the policies of the development plan in this instance.