

**KEY INFORMATION**

**Ward** Baxter Park

**Proposal**

Extension on east elevation and conservatory to upper level south.

**Address**

25 Bingham Terrace  
Dundee  
DD4 7HQ

**Applicant**

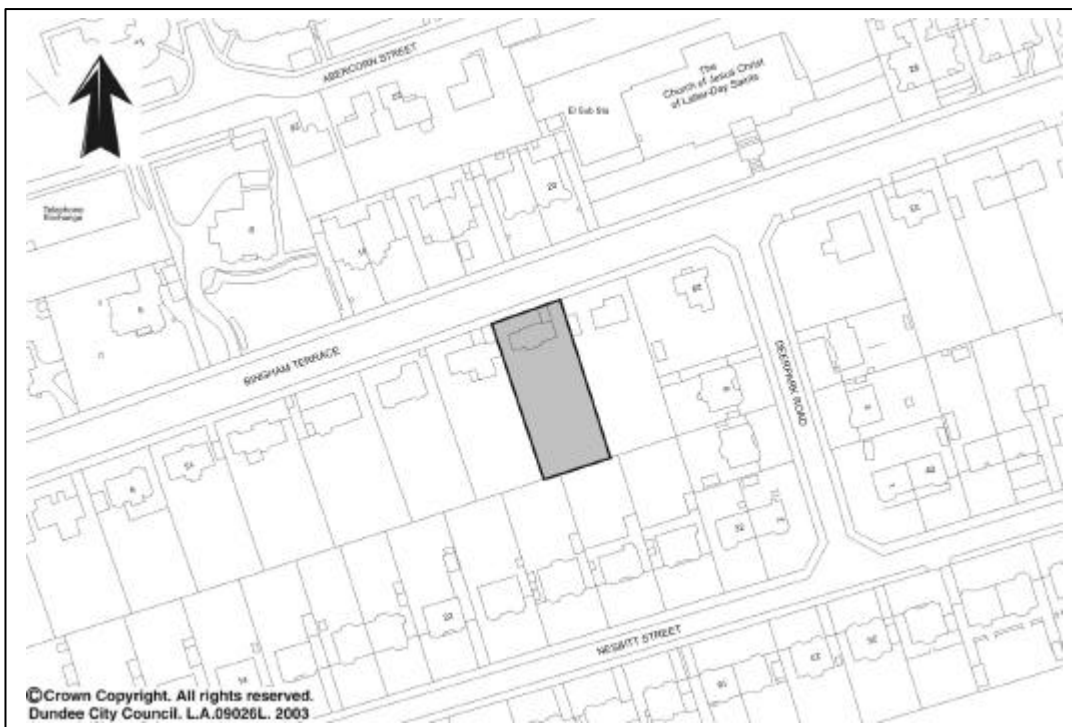
Mr E J Thomson  
25 Bingham Terrace  
Dundee  
DD4 7HQ

**Agent**

Peter Inglis Architects  
30 South Tay Street  
Dundee DD1 1PD

**Registered** 9 Jan 2006

**Case Officer** S Johnson



## New Access and First Floor conservatory at Bingham Terrace

The Extension on east elevation and conservatory to upper level south is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed extension complies with Policy 14 of the Dundee Local Plan Review 2005. It is considered that the objection submitted does not carry sufficient weight to justify refusal of the application. Therefore the application is recommended for **APPROVAL**.

**SUMMARY OF REPORT**

- Planning permission is sought for an extension on the east elevation, access balcony on the north elevation and a conservatory on the upper level on the south elevation at 25 Bingham Terrace, Dundee.
- One letter of objection was received from neighbouring residents on the grounds of loss of privacy, overlooking and design.
- Policy 14 of the Dundee Local Plan Review 2005 is relevant to the determination of the application as it seeks to protect the amenity of neighbouring residents and the amenity of the area.
- It is considered that the proposal complies with Policy 14 of the Dundee Local Plan Review 2005, and that the views of the objector are not supported. There are no material considerations that would justify the refusal of the application.

**DESCRIPTION OF PROPOSAL**

Planning permission is sought for an extension on the east elevation, access balcony on the north elevation and a conservatory on the upper level on the south elevation at 25 Bingham Terrace, Dundee. The house is currently a four bedroom property however this proposal will make it a three bedroom dwelling with all bedrooms being en-suite. A large conservatory 12 metres in length and 3 metres in depth will be provided on the south elevation which will be accessed from the first floor. A new access balcony will be provided on the north elevation which will provide direct access from street level. There will be a 3 metre extension to the east to provide a larger kitchen area and garage on the first floor and large en-suite master bedroom on the ground floor. An additional parking space will be provided as a result of the extension on the east.

**SITE DESCRIPTION**

The application site is located on the southside of Bingham Terrace in a residential area. It is a two storey detached property with an integral garage. From street level access is gained to the garage and steps lead down to the main entrance to the property. There is a large south facing garden with mature planting around the property boundary to the east, west and south. The majority of properties in the area are two storey detached properties with parking available within the curtilage of the dwellings. On-street parking is also available.

**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 - Proposals will only be permitted where they do not adversely affect the prominent elevations of the house, there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties, more than

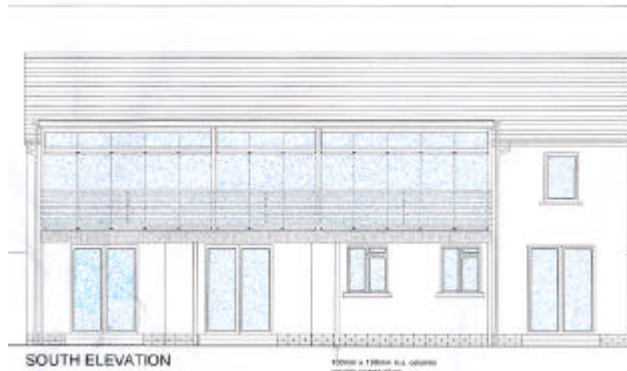
50% of the original useable garden ground will be retained and the design and materials respect the character of the existing building.

**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 the determination of the application and states that places, spaces, and objects should combine meaning and beauty with utility. This proposed development is in line with these considerations.

**SITE HISTORY**

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

**PUBLIC PARTICIPATION**

Statutory neighbour notification was carried out and one letter of objection was received from surrounding neighbours. The valid grounds of objection are:

There will be overlooking;

There will be a loss of privacy;

The design of the proposal is not in keeping with its surroundings.

A second letter of objection was received. The objector is concerned that the proposal may obscure their view. This is not a material consideration in the determination of this application.

Copies of the objections are available for inspection in the Members' Lounges and the issues are discussed in the "Observations" section below

**CONSULTATIONS**

No adverse comments were received from statutory consultees or other bodies

**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.

Policy 14: Alterations and Extensions to Houses seeks to protect the amenity of neighbouring residents. The proposed extension is primarily on the rear elevation, with an access balcony on the north elevation and an extension to the east elevation.

The conservatory on the south elevation is the primary concern in terms of privacy, overlooking and overshadowing. The distance from the south extension to the property boundary is 3.9 metres. Although this large conservatory is proposed on the south elevation due to the location of neighbouring windows and the presence of mature planting around the property to the east, west and south, it is considered that there will be no significant loss of daylight, sunlight or privacy for neighbours to the east, west or south of the property.

The extension on the east elevation will provide a new access ramp and garage area. This will extend the

property by 3.3 metres towards the property boundary. The east extension and access balcony will be visible primarily from Bingham Terrace. Due to the distance between the neighbouring properties, the mature planting as mentioned previously, and the absence of any windows on the east elevation it is considered that this proposed extension will not give rise to any significant overshadowing, loss of daylight or overlooking such as to warrant the refusal of this application. Due to the position of the access balcony on the north elevation there is no risk of potential overlooking to any properties in Bingham Terrace. It is considered therefore in terms of Policy 14 there will be no significant overlooking, loss of daylight or overshadowing as a result of this proposal.

The proposed extension would not impinge on the private garden ground to the rear of the house.

The whole house will be finished with white cement render. This will be more appropriate than the existing finish. A neighbouring property on the north side of Bingham Terrace has been finished in a similar fashion. It is considered that the proposed alterations and extension have been designed to complement and improve the design of the existing house. And that the proposed finishing materials are acceptable. It is therefore considered that the proposed extension, by virtue of its size, scale, architectural form and finishing material, would not be detrimental to the character and appearance of the house and the area. It is considered that the extension would not have an unacceptable appearance in terms of Policy 14.

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:

### Objections

One letter of objection was received in respect of this application. The concerns of the objector are overlooking, loss of privacy and the design of the proposal. These issues have already been assessed in the context of Policy 14 of the Dundee Local Plan Review 2005 and it has

been concluded that the proposal does not contravene the development plan in all these respects.

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

As discussed above it is considered that the design of the proposed extension, including the finishing materials is acceptable to the character and appearance of the existing house and that of the area.

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## CONCLUSION

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The proposal complies with Policy 14 of the Dundee Local Plan Review 2005. The objections and any other material considerations do not carry sufficient weight to merit refusal of the application. However, a condition will be attached to ensure that the mature vegetation along the boundaries is not lopped or removed without prior consent, if Members are minded to approve the application.

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## RECOMMENDATION

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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 The existing trees and shrubs, along the property boundaries shall be retained, shall not be cut down, grubbed out topped, lopped, uprooted or root pruned without the written consent of the City Council. Any trees or shrubs removed without such consent or dying, or being severely damaged or diseased, shall be replaced with trees and shrubs of such size and species as may be directed by the City Council and to the standard as approved by the City Council.

### Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997

- 2 To protect the privacy of the adjoining neighbouring properties.