

KEY INFORMATION

Ward Barnhill

Proposal

Erection of extension to form additional residential accommodation

Address

11 Elie Avenue
Broughty Ferry
Dundee

Applicant

Ms H Quinn
11 Elie Avenue
Broughty Ferry
Dundee
DD5 3SF

Agent

ARKTX Chartered Architects
187 Strathmartine Road
Dundee
DD3 8BL

Registered 28 Dec 2005

Case Officer J Young



Proposed House Extension in Elie Avenue

The Erection of an extension is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be contrary to Policy 14 of the Dundee Local Plan Review 2005 and the objections are supported.

The application is recommended for **REFUSAL**.

SUMMARY OF REPORT

- Planning permission is sought for a one and a half storey extension on the east elevation of a house at 11 Elie Avenue, Broughty Ferry, Dundee.
- Six letters of objection of objection were received from neighbouring residents on the grounds of appearance of extension, loss of and lack of parking, access problems, overdevelopment of the site, overshadowing, noise concerns, lack of privacy and loss of daylight. In addition, objections have been raised regarding the use of the extension as a second family unit.
- Policy 14 of the Dundee Local Plan Review 2005 is relevant to the determination of the application and it seeks to protect the amenity of neighbouring residents and the amenity of the area.
- It is considered that the proposal does not comply with Policy 14 of the Dundee Local Plan Review 2005 due to the scale of the extension on a small semi-detached property resulting in overdevelopment of the site and the potential adverse impact on the amenity of neighbouring residents to the east.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a one and a half storey extension on the east elevation of a house at 11 Elie Avenue, Broughty Ferry, Dundee. The additional rooms provided are a bedroom, lounge, kitchen and bathroom. The materials used will match the existing house and panels will be fixed to the east gable, which is currently finished in a dry dash render. There is an existing garage on the east elevation and this will be demolished. The extension will extend 1.2m from the front elevation and 3.3m from the rear elevation. It will be approximately 7.4m high at the highest point on the east gable and will be located on the boundary. The proposed extension will continue the line of the existing house along to the east boundary and single storey sections will extend from the front and rear elevations. The applicant proposes to hard landscape the front garden area to provide two car parking spaces.

SITE DESCRIPTION

The application site is located on the south side of Elie Avenue and it is a 1.5 storey semi-detached house with dry dash render walls and tiled roof. There is a single detached garage on the east elevation and driveway with space for two cars to park. There are two windows on the west elevation of the house to the east. There is a mixture of semi-detached and detached houses of similar scale and design along Elie Avenue. There is parking available for houses at this location within the curtilage of their properties.

POLICY BACKGROUND

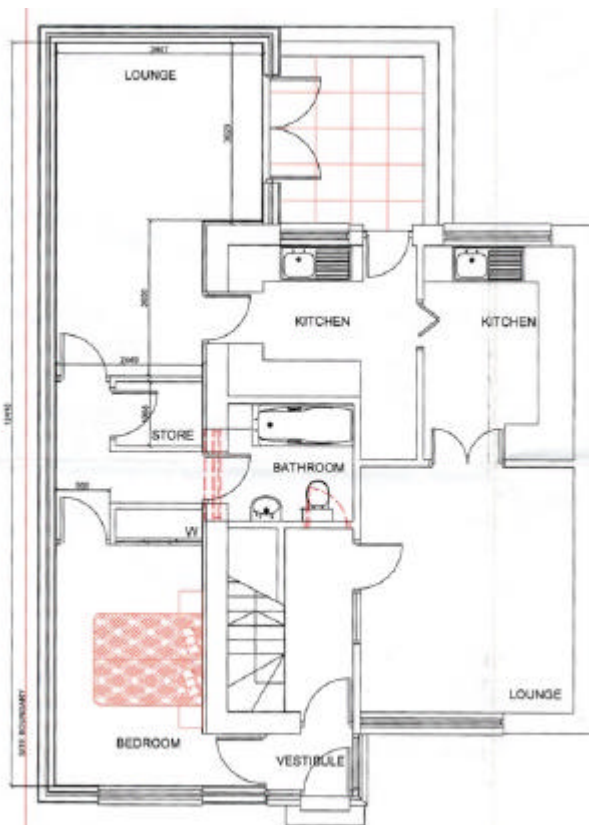
Dundee and Angus Structure Plan 2001-2016

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 - Proposals will only be permitted where they do not adversely affect the prominent elevations of the house, there is no significant loss of sunlight,



GROUND FLOOR PLAN

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.

SITE HISTORY

Planning permission was refused on 5th December 2005 for a single storey extension on the east elevation. This extended over 18m along the east boundary and was refused on the grounds of the adverse impact due to scale, over development of the site, overshadowing and loss of parking.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and six letters of objection were received from surrounding neighbours on the grounds of appearance of extension, loss of and lack of parking, access problems, overdevelopment of the site, overshadowing, noise concerns, lack of privacy and loss of daylight. In addition, objections have been raised regarding the use of the extension as a second family unit.

Copies of the objections are available for inspection in the Members' Lounges and the issues raised 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 indicates that alterations and extensions to houses will be permitted where:

- a there is no adverse impact on the appearance of prominent elevations of the house;
- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties;
- c more than 50% of the original useable garden area will be retained;
- d the design and materials should respect the character of the existing building.

The proposal raises issues for consideration in terms of all these criteria.

The extension will be built onto the east boundary and will extend 1.2m from the front elevation. It is not considered that this will adversely affect the front (prominent) elevation of the house as it only provides a small storm porch and there is already a front extension at 13 Elie Avenue. Therefore a precedent has already been set for building onto the front of houses at this location. The extension will have the same 1.5 storey height and continue the roofline along to the east boundary and so ties in with the existing house. It is considered that the proposal complies with criteria a) of Policy 14.

The extension is 7.4m high at the highest point on the east gable and will extend to the boundary. The east gable will be finished in roughcast panels and there will be no windows on this

elevation. There will be no loss of privacy for neighbouring residents as there will be no overlooking. The applicant employed a consultant to investigate the potential loss of daylight and/or sunlight. The plans were not entirely accurate as the extension was drawn back to front on the plans. The calculations submitted conclude that there will be no loss of daylight and there will be minimal impact on sunlight. The Council are of the opinion that there will be a significant loss of sunlight for neighbours to the east due to the height of the proposed extension, its close proximity to a neighbouring dwelling and its west facing direction. As the extension is 7.4m high and located on the east boundary, it is considered that there will be a loss of sunlight, particularly in winter months and in the evenings for the neighbouring residents to the east for the aforementioned reasons. Therefore it is concluded that the proposal does not comply with criteria b).

The existing garage will be demolished and so this will free up more ground to be used as private amenity space. In terms of the policy, more than 50% of the useable garden ground, as exists at present, will be retained and the proposal complies with criteria c).

The extension will be finished in materials to match the existing house and will continue the roofline along the front elevation. Due to the close proximity of the east gable to the neighbouring dwelling to the east, it is considered that the scale of the extension is unacceptable and will adversely affect the amenity of neighbours.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

Other Material Considerations

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

Objections

- a Appearance of the extension was raised as an objection. It has been discussed above that the design of the extension is acceptable when viewed from the front elevation. Due to the close proximity of the east gable to the neighbouring dwelling, it is considered that the scale of the extension is unacceptable and

will adversely affect the amenity of neighbours due to the loss of sunlight and potential overshadowing in habitable rooms.

- b Loss of and lack of parking was raised as another objection. The existing garage will be demolished. The applicant proposes to change part of the front garden area to hardstanding to ensure there is sufficient space for two cars to park in front of the house. The housing policies in the Local Plan require two parking spaces for new houses with three bedrooms or more and the proposal complies with this requirement.
- c Access problems - it is not considered that there will be problems for other residents on the street accessing their properties if the extension were built. An objection was raised about access to bin storage. As the proposed extension will be built up to the east boundary, there will be no through access for bins. Therefore they will be stored at the front of the house. The applicant could provide an enclosed area for the bins, which will ensure their appearance does not detract from the visual amenity of the area.
- d Overdevelopment of the site - due to the density of the houses at this location and the limited amount of garden ground and space between houses, it is considered that the scale of the extension would result in over development of the site as the applicant wishes to have a separate living unit for parents, which requires a significant number of additional rooms and additional parking.
- e Overshadowing and loss of daylight - the extension is located on the east boundary and it is considered there will be some overshadowing and loss of sunlight for the adjoining dwelling to the east particularly during evening time and in winter months due to the height of the extension and the impact on sunlight from a westerly direction.
- f Lack of privacy - there are no windows on the east and south

elevations and so there will be no loss of privacy. The windows on the west are far enough away and there is a 1.8m high timber fence along the west boundary to prevent any overlooking.

- g Noise concerns - the proposal is for a domestic extension and it is considered there will be no increase in noise levels, above that expected in a residential area.

In addition, objections have been raised regarding the use of the extension as a second family unit. So long as the new extension is not sold off as a separate dwelling unit, planning permission is not required. The plans indicate that there will be separate entrance doors for the existing dwelling and the proposed extension. There will be no physical separation walls between the two units but they will be able to remain independent. If planning permission is granted, a condition should be imposed to ensure the extension is only used by family members and not as a separate dwelling.

It is concluded from the foregoing that the proposal contravenes the development plan and there are no material considerations which justify the grant of planning permission. It is therefore recommended that planning permission be refused.

Design

The proposed extension is considered acceptable in terms of its design and how it fits in with the existing dwelling when viewed from the front elevation. The close proximity to the east boundary and the outlook for neighbouring residents to the east is considered unacceptable.

CONCLUSION

The proposal is contrary to Policy 14 of the Dundee Local Plan Review 2005. The objections are supported in these circumstances and the application is recommended for REFUSAL.

RECOMMENDATION

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

Reason

- 1 The proposed development is contrary to Policy 14 of the Dundee Local Plan Review 2005 due to the scale of the proposed extension which would lead to over-development of the site and the adverse impact on the amenity of those neighbours to the east of the application site due to the close proximity of the extension to habitable windows. There are no material considerations that would justify a departure to the provisions of the development plan in this instance