

KEY INFORMATION

Ward Balgillo

Proposal

Erection of 2 storey extension to south elevation and single storey to west elevation

Address

128 Hawick Drive
Dundee
DD4 0TD

Applicant

Mrs W McGonagall
Dundee
DD4 0TD

Agent

Registered 18 Aug 2006

Case Officer C Walker



Proposed Extension to House in Hawick Drive

The erection of an extension is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS.**
Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with Policy 14 of the Dundee Local Plan Review 2005. the objection does not carry sufficient weight to merit refusal of the application. The application is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought to erect a 2 storey extension to the side of the house continuing as a single storey extension to the rear at 128 Hawick Drive.
- Policy 14 of the Dundee Local Plan Review 2005 is relevant.
- A letter of objection was received from the occupier of the house to the south who is concerned about loss of privacy, overshadowing and an encroachment onto his property, lack of parking space, design impact and contravention of Policy 14 of the Local Plan.
- The proposal complies with the provisions of the development plan, is of satisfactory appearance and will not have any significant adverse impact on the amenities of neighbours.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a 2 storey extension to the side of the house continuing as a single storey extension to the rear at 128 Hawick Drive.

The extension will effectively take the house to the mutual boundary with 130 Hawick Drive to the south, providing a hall and shower room at ground floor and 2 bedrooms above in the 2 storey extension and a lounge in the single storey section.

The proposed extension would occupy a driveway to the side of the house and it an existing garage to the rear of the house would need to be removed to accommodate it. It is proposed to increase the area of hard standing to the front of the house to ensure that 2 parking spaces would be available following completion of the development.

It is proposed to finish the extension to match the house although if access to harl the south gable wall was denied an alternative brick finish to match the base of the house.

SITE DESCRIPTION

The application site is a semi detached 2 storey house and its garden ground. The house has harled walls and a tiled roof. There is a detached single garage to the rear of the house and a small area of private garden ground enclosed by fences and walls.

The surrounding houses are of similar design and to the rear is a small area of open space.

The house immediately to the south has a door but no windows on its north facing gable opposite the site of the proposed extension. There is also a detached single garage within the curtilage of the neighbouring house forming part of the mutual boundary with the application site.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

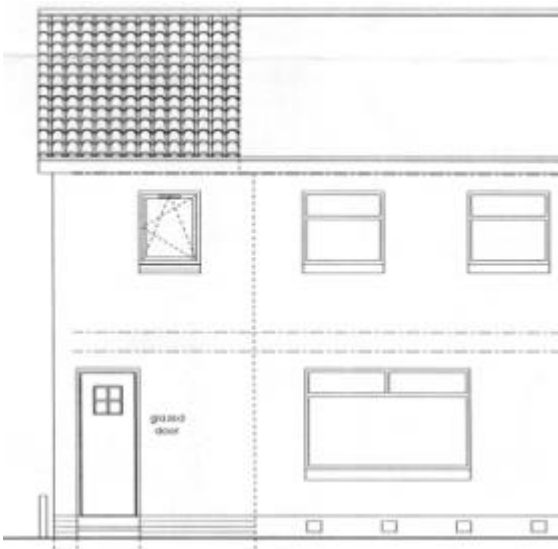
There are no policies relevant to the determination of this application.

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, 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

SUSTAINABILITY ISSUES

This application raises no issues in terms of the Councils sustainability policies.

SITE HISTORY

Planning permission was granted in March 2005 for a single storey extension on the north elevation of the neighbouring property to the south - application 05/00054/FUL refers. This consent has not been implemented to date.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and a letter of objection was received from the occupier of the house to the south. The concerns of the objector are that the extension will be constructed directly on the mutual boundary, leading to a loss of privacy, overshadowing and an encroachment onto his property. He considers that the loss of the garage and driveway space will mean that only 1 parking space will be available which will be insufficient. He states that the extension will lead to a terracing of the houses at this location and finally states that the development will contravene Policy 14 of the adopted Local Plan.

Copies of the objection 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.

In terms of Policy 14 of the adopted Local Plan, subsections (a) and (d) relate to design matters. In this case, the proposed extension is designed to match the house in terms of both its form and finishing materials and it is considered that it is fully compliant with the requirements of Policy 14.

Subsection (b) relates to the protection of sunlight, daylight and privacy. There are no windows on the southern elevation of the proposed extension so no privacy issues arise. In terms of sunlight and daylight, the only property that could possibly be affected is the dwelling on the site to the south. However that house has no windows on its north facing elevation (there is a doorway with glazed panels) but more importantly since it lies directly to the south of the proposed extension there will be no significant impact on sunlight or daylight.

Finally subsection (c) requires that over 50% of the original useable garden area is retained. In this case although the garden area is small (currently some 43 sq metres), because the extension will mainly occupy ground to the side of the house and the site of an existing garage, the new area of private garden ground will be some 32 sq. metres. Even if it is assumed that the garage was not built at the time of the house then the original garden area would have been 60 sq. meters so in either event the proposed extension would not occupy 50% of the original garden ground.

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

Other Material Considerations

The other material consideration to be taken into account is the views of the objector. The concerns of the objector are that the extension will be constructed directly on the mutual boundary, leading to a loss of privacy, overshadowing and an encroachment onto his property. He considers that

the loss of the garage and driveway space will mean that only 1 parking space will be available which will be insufficient. He states that the extension will lead to a terracing of the houses at this location and finally states that the development will contravene Policy 14 of the adopted Local Plan.

The issues relating to the design of the extension, privacy, overshadowing and relationship to Local Plan policy have already been considered in the assessment of the proposals against Policy 14 of the adopted Local Plan and it has been concluded that the development complies with policy and will not have an adverse impact on the amenities of neighbours.

The issue about encroachment onto the neighbouring property is not a material planning consideration. The granting of planning permission does not confer any rights to enter onto adjoining land to construct a development. The applicant has confirmed that the development can be constructed from entirely within the application site and will not encroach onto the neighbouring property. However it would not be possible to harl the south elevation of the extension without entering onto adjoining property so the applicant has proposed a brick finish matching the base of the house if such access was denied.

In terms of parking provision, the construction of the proposed extension would result in the loss of driveway space to the side of the house. To compensate for this it is proposed to extend the area of hard standing to the front of the house to provide 2 parking spaces which meets the standards for new housing developments of this size.

Finally the objector has raised an issue about terracing of houses. There is no doubt that the construction of 2 storey side extensions to houses such as this if carried out on adjoining properties as well could create a terraced effect. The Council has no policies specifically relating to this matter, but subsections (a) and (d) of Policy 14 relate to design matters in general. It is not considered that possible terracing at this location would be a problem in design terms because this is a small cul de sac where the opportunity for this to happen is very limited due to the spacing between the houses and their relationship to one another.

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 appropriate and in keeping with the character and appearance of the existing house and that of the area.

CONCLUSION

The proposal complies with Policy 14 of the Dundee Local Plan Review 2005. The objection does not carry sufficient weight to merit refusal of the application.

RECOMMENDATION

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 2 parking spaces shown on the 1:200 site plan submitted on 12 October 2006 shall be constructed and surfaced in accordance with the approved details prior to the occupation of the proposed extension.
- 3 The proposed extension shall be finished to match the existing house unless access to roughcast the building is denied, in which case the alternative brick finish on the 1:50 drawing entitled "Amended October 2006" submitted on 12 October 2006 shall be implemented.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 In order to provide adequate parking spaces to serve the development.
- 3 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.