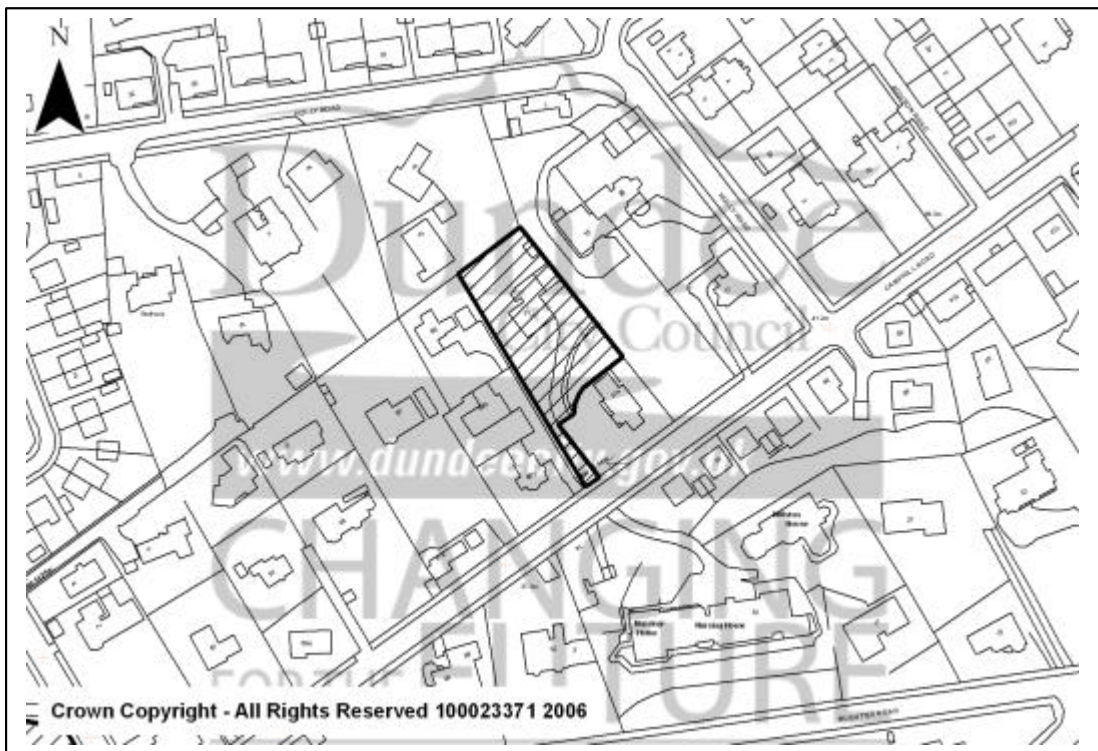


**KEY INFORMATION****Ward** The Ferry**Proposal**Erection of garden room  
(retrospective)**Address**73 Camphill Road  
Broughty Ferry  
Dundee**Applicant**Kenneth Soutar  
73 Camphill Road  
Broughty Ferry  
Dundee  
DD5 2LY**Agent****Registered** 11 July 2007**Case Officer** S Johnson

## Consent sought for Garden Room

The erection of garden room (retrospective) is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed extension complies with Policy 14 and Policy 61 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**

- Retrospective planning permission is sought for the erection of a garden room on the west elevation at 73 Camphill Road, Broughty Ferry, Dundee.
- One letter of objection was received from a surrounding neighbour on the grounds of the drawings as submitted are incorrect as they do not indicate a velux window serving first floor accommodation which exists on the extension as constructed and this window overlooks the neighbouring property and is materially detrimental to the residential amenity reducing the privacy of the front garden ground.
- Policy 14 and Policy 61 of the Dundee Local Plan Review 2005 are relevant to the determination of the application as these policies seek to protect the amenity of neighbouring residents and the amenity of the Reres Hill Conservation Area.
- It is considered that the proposal complies with Policy 14 and Policy 61 of the Dundee Local Plan Review 2005. The views of the objector are not supported because it is considered that this extension will have minimal impact on the neighbouring property. There are no material considerations that would justify the refusal of the application.

## DESCRIPTION OF PROPOSAL

Retrospective planning permission is sought for the erection of a garden room at 73 Camphill Road, Broughty Ferry, Dundee.

The garden room is located on the west elevation. The first floor of this extension provides a store room with a velux rooflight. The gross floorspace measures approximately 19.3m<sup>2</sup>.

The finishing materials are white roughcast walls and a pitched slate roof.

## SITE DESCRIPTION

The application site is located on northside of Camphill Road within the Rereshill Conservation Area. It is a two storey detached dwelling with a large driveway leading from Camphill Road. There is parking for a number of vehicles within the curtilage. There is a reasonable garden area to the north and south of the site. This is a residential area where the majority of dwellings are large detached properties set within large garden areas.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 2005

The following policies are of relevance:

Policy 14: Alterations and Extensions to Houses - proposals to alter or extend existing dwellinghouses will be 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 useable garden area will be retained; and
- the design and materials respect the character of the existing building.

Policy 61: Development In Conservation Areas - within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

## 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

There are no specific sustainability policy implications arising from this application.

## SITE HISTORY

There is a current planning application (07/00713/COU) for the change of use from a single dwelling house into two dwellings.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the application was advertised as affecting the setting of Conservation Area. One letter of objection was received from a surrounding neighbour. The grounds of objection are:

The drawings as submitted are incorrect as they do not indicate a velux window serving first floor accommodation which exists on the extension as constructed.

This window overlooks the neighbouring property and is materially detrimental to the residential amenity reducing the privacy of the front garden ground.

Copies of the objection are available for inspection in the Members' Lounges and the issues are discussed in the "Observation" 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:

- 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.

In terms of Policy 14 due to the design of the proposed extension it is not considered that there will be an adverse impact on the appearance of the prominent elevations of the house.

The main issue for consideration is whether as a result of this extension there will be loss of privacy or overshadowing to the west. There is an existing stone boundary wall approximately 1600mm high and an existing mature hedge which the applicant has stated is approximately 4 metres in height to the west on the dividing boundary. The closest part of the neighbouring property, which appears to be a garage, is approximately 3 metres from the boundary wall. The actual neighbouring dwelling is

approximately 10 metres from the boundary. The application site is approximately 9 metres from the western boundary. This extension will mean that the dwelling will be 5 metres from the dwelling boundary. As the only glazing on the first floor is a velux rooflight which serves a small store room, with an approximate gross floor area of 13.9m<sup>2</sup>, it is considered that due to the size of this room that it would not be capable of being used for any other purpose than a store. Consequently, it is considered there will be minimal impact in terms of loss of privacy or overshadowing on the neighbouring property to the west of the application site.

It should be noted that this development would not require planning permission if the dwelling was located outwith the Rereshill Conservation Area.

Due to the size of the proposed extension, the gross floor area of the sun room will be approximately 19.3sqm, as this site has a reasonable garden area, the extension will have limited impact on the private garden ground.

The roof on the extension is pitched and finished in slates to match the existing house. The walls are roughcast and the south elevation has been painted white. Although the extension is a modern design, it is considered that the proposed extension has been designed to complement the design of the existing house. The proposed finishing materials are acceptable for this dwelling. It is therefore considered that the proposed extension, by virtue of its size, scale, architectural form and finishing materials, 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.

Policy 61 states that all development proposals will be expected to preserve or enhance the character of the surrounding area. As discussed above, the design of this proposal is considered acceptable for this site. It is felt that this proposal will not detract from the character of the Rereshill Conservation Area.

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:

One letter of objection was received in respect of this application. The main issue relating to loss of privacy has been discussed in the development plan section above. The other issue which the objector has raised is that the plans are incorrect as they do not indicate a velux roof window which exists on the extension. Amended plans were submitted on 11 July 2007 illustrating the location of the velux roof window. This objection is not supported.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) 1997 requires planning authorities to pay special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

This matter has already been considered in the assessment of the proposed development under Policy 61 of the adopted Local Plan and it was considered that the proposal would not detract from the character or the appearance of the Rereshill Conservation Area.

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 extension is acceptable to the character and appearance of the existing house and that of the Rereshill Conservation Area.

## CONCLUSION

The proposal complies with Policies 14 and 61 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 consent 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 velux rooflight on the west elevation shall be glazed and re-glazed using opaque glass.

## Reasons

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 2 To protect the privacy enjoyed by the occupiers of the dwelling to the west of the site.