

KEY INFORMATION**Ward** The Ferry**Proposal**

Creation of First Floor Accommodation, Opening of Entrance on West Wall to Form New Entrance and Rebuild Existing

Address

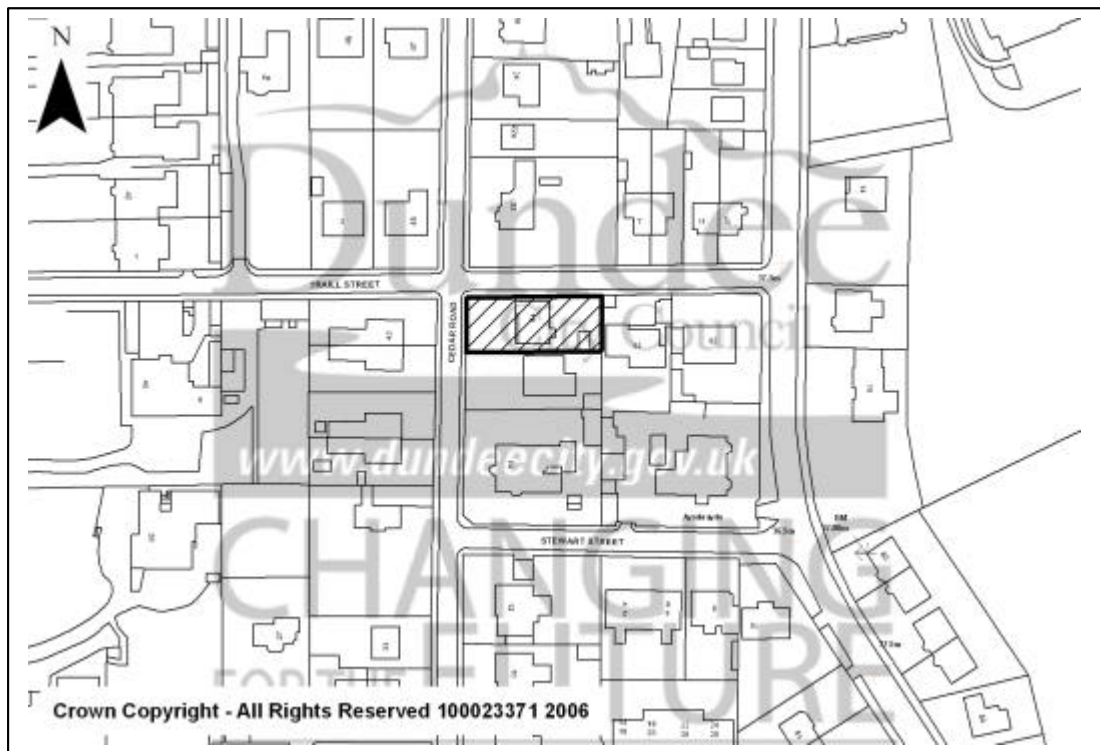
18 Cedar Road
Broughty Ferry
Dundee

Applicant

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Registered 16 July 2007**Case Officer** S Johnson

Proposed House Extension and New Entrance

The creation of first floor accommodation and opening of an entrance on the west wall to form a new entrance and rebuild existing is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal 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 the refusal of the application. Therefore, the application is recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought for the creation of first floor accommodation, opening of an entrance on the west wall and to rebuild the existing entrance at 18 Cedar Road, Broughty Ferry, Dundee.
- One letter of objection was received from a neighbouring resident on the grounds of; at present the house opposite can look directly into the front garden and front of the existing house. If an additional floor is erected onto this property the objector would be directly overlooked in their main sitting room and master bedroom. If the west wall is opened the objectors will be unable to park in front of their property. Also the objector questions the actual infrastructure of Cedar Road as being suitable for another driveway due to the intersection of Traill Street (which is extremely busy before and after school).
- It is considered that the proposal complies with Policy 14 and 61 of the Dundee Local Plan Review 2005. The views of the objector are not supported because it is considered that this proposal will have minimal impact on the neighbouring property and the Forthill Conservation Area. There are no material considerations that would justify the refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the creation of first floor accommodation and for a new vehicle entrance on the western boundary wall and to rebuild the existing entrance at 18 Cedar Road, Broughty Ferry, Dundee.

It is proposed to extend the existing ground floor to provide a larger living room on the west elevation and a family/dining area on the east elevation. The proposed first floor will provide three new bedrooms two of which will be en-suite and a new bathroom. The existing vehicle entrance from Traill Street will be blocked up with stone from the west wall and a new vehicular access will be created along the west wall leading from Cedar Road. Parking spaces will be provided for five vehicles as opposed to the current three spaces.

The roof on the extension will be pitched with imitation rosemary red tiles, the finishing materials will be harled walls which will be painted white with a smooth rendered basecourse which will be painted buff.

SITE DESCRIPTION

The application site is a corner site located to the east of Cedar Road and the south of Traill Street within the Forthill Conservation Area. It is a modern single storey detached large bungalow. Vehicle access is taken from Traill Street. There is a separate garage and garden shed to the rear of the property. There is parking for approximately two cars within the curtilage of the dwelling. There is a large garden to the front of the dwelling. The site is surrounded by a high approximately 2m in height boundary stone wall. This is a residential area with a mixture of two and three storey stone built dwellings and some one and a half storey modern properties. All have parking within the curtilage and all have stone boundary walls.

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:

- a there is no adverse impact on the appearance of prominent elevations of the house; and
- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties; and



- c more than 50% of the original useable garden area will be retained; and
- d 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.

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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

Dundee City Council's non statutory guidance "Breaches in Boundary Walls" is relevant to the determination of this application.

SUSTAINABILITY ISSUES

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

SITE HISTORY

A previous application (Planning reference 01/30052/FUL) for the enlargement of the existing vehicle access was approved. Another application (Planning reference 07/00519/FUL) for the creation of first floor accommodation, alterations, new access and the erection of a double garage was withdrawn before determination.

PUBLIC PARTICIPATION

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

At present the house opposite can look directly into the front garden and front of the existing house. If an additional floor is erected onto this property the objector would be directly overlooked in their main sitting room and master bedroom.

If the west wall is opened the objectors will be unable to park in front of their property.

Also the objector questions the actual infrastructure of Cedar Road as being suitable for another driveway due to the intersection of Traill Street (which is extremely busy before and after school).

Copies of the objection are available 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:

- 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 the proposed design will affect both the front and rear elevations of the dwelling. However, 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 to the west. Currently, there is approximately 33metres distance between the objecting property and the application site. Policy 4 and Appendix 1 requires a minimum of 18metres between facing windows of habitable rooms. At present the application site is located approximately 14metres away from the site boundary wall to the west. This proposal will mean that the application site will be situated approximately 12.1metres away from this site boundary. Even with this slight decrease in the distance between the application site and the boundary wall this proposal will still provide the required distance between habitable windows. In addition, it should be noted that Cedar Road separates the two residential properties.

With the creation of this extension, it is proposed to provide a reasonable amount of new glazing. It is proposed

to provide additional windows on all elevations. However, due to the proximity to the dwelling to the south, where there is approximately 3.5metres between the two properties, the applicant has stated in correspondence dated 27 July 2007, that the windows on the south elevation will be finished in opaque glass.

It is possible at certain times of the day there may be some overshadowing to the property located to the south of the site. However, it is considered that this is not enough to warrant refusal of this application.

As the proposal is mainly to increase the height of the dwelling it is considered that this proposal will have limited impact on the private garden ground.

The roof on the extension will be pitched with imitation rosemary red tiles, the finishing materials will be harled walls painted white with a smooth rendered basecourse painted buff. The existing vehicular access on the north wall will be blocked up with stone from the west wall to match the existing north wall. 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.

In terms of Policy 61 it is considered that this proposal both in terms of design and use of materials enhances the character of the Forthill Conservation Area. Therefore the application is in line with the objectives of Policy 61.

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 the loss of privacy has been covered in the development plan

section above. The other issues raised by the objector relate to the loss of parking in front of the objector's house and the suitability of Cedar Road to cope with a new driveway. It is considered that as the proposed new vehicular access is approximately 15metres away from the junction of Traill Street and Cedar Road that this is acceptable. In terms of the loss of on-street parking directly in front of a particular property it is not considered that this is a reason to refuse the creation of a new point of access.

A previous planning application (Planning Reference 07/00519/FUL) for a similar design of development was withdrawn prior to determination. This new planning application has been amended with the removal of the proposed double garage and the door on the south elevation. And the applicant has stated in correspondence dated 27 July 2007 that the windows on the south elevation will be finished in opaque glass.

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 Forthill Conservation Area.

In terms of Dundee City Council's non-statutory guidance, "Breaches in Boundary Walls", it is considered that this proposal will preserve the character of the conservation area as the applicant has stated on the submitted drawings that the existing entrance will be blocked up with stone taken from the west wall to match the existing north wall. If Members are minded to grant consent a condition will be put in place requesting the submission of full details of the new access to the west.

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 Forthill Conservation Area.

CONCLUSION

The proposal complies with Policy 14 and Policy 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 proposed glazing on the south elevation shall be glazed and re-glazed using obscure glass.
- 3 Prior to commencement of development full details of the new access to the west and the existing entrance to the north shall be submitted to the Planning Authority for approval in writing.

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 south of the site.
- 3 In order to ensure that the wall finish is appropriate to the Forthill Conservation Area.