

KEY INFORMATION

Ward Maryfield

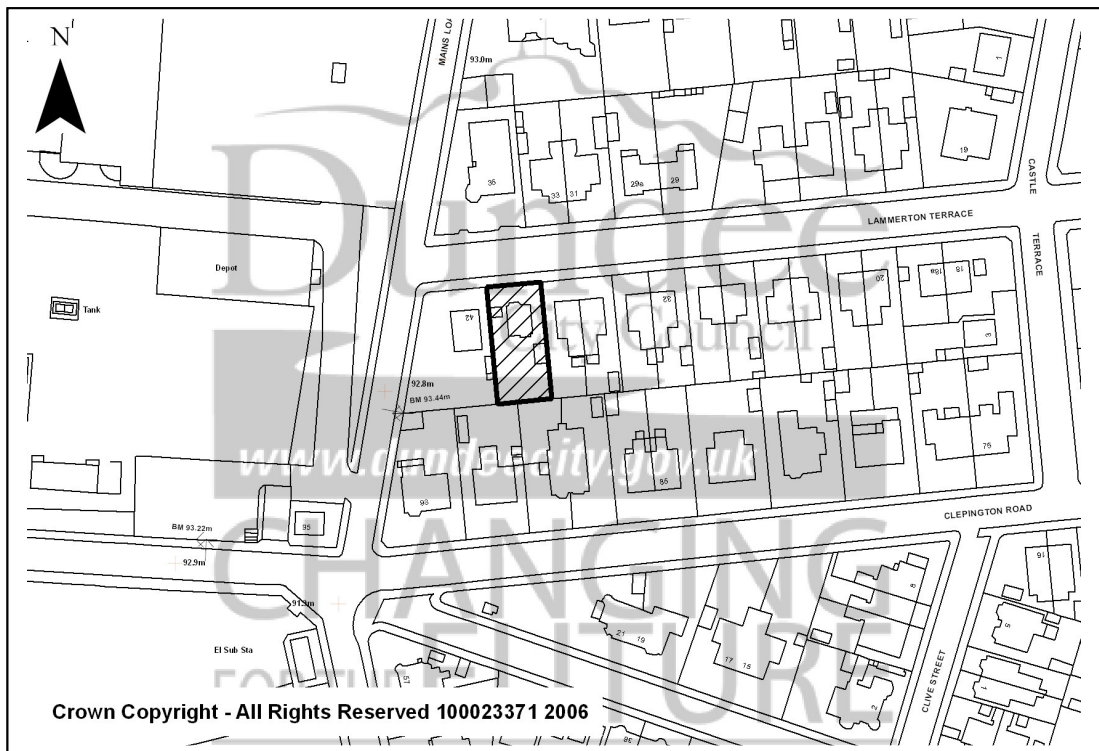
Proposal

Erection of single storey extension to south elevation

Address40 Lammerton Terrace
Dundee
DD4 7BL**Applicant**Mr G Forbes
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Registered 8 Aug 2007

Case Officer S Johnson



Proposal to Extend House in Lammerton Terrace

The erection of a single storey extension is **RECOMMENDED FOR APPROVAL**. 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 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 the erection of a single storey extension to the south elevation at 40 Lammerton Terrace, Dundee.
- One letter of objection was received from a neighbour on the grounds that this extension will cause overshadowing, snow will congregate in the drive, workmen will require access, it does not comply with the conservation area regulations and they also do not want the removal of the boundary wall.
- Policies 14 and 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 Maryfield 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

Planning permission is sought for the erection of a single storey extension to the south elevation at 4 Lammerton Terrace, Dundee.

It is proposed to extend the existing ground floor to provide a sun room and shower room on the south elevation. The gross floor area will be approximately 22.2m². The roof on the extension will be pitched with red rosemary tiles to match the existing, the finishing materials will be wet dash render painted white.

SITE DESCRIPTION

The application site is located on the south side of Lammerton Terrace and is to the east of the junction with Mains Loan within the Maryfield Conservation Area. The application property is a two storey detached house with a detached garage to the east. There is a reasonable front garden with a large garden to the rear. There is mature shrubbery along the boundary with a timber panel fence over 2metres in height between the site and the property to the west. The house is finished with a facing brick base course; wet dash render painted white and rosemary roof tiles. This is a residential area where the majority of dwellings are large semi-detached two storey villas. All have parking within the curtilage.

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:

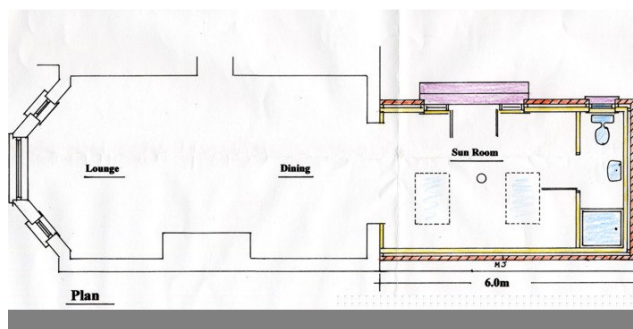
Policy 14: Alterations and Extensions To Houses - proposals to alter or extend existing dwellinghouses will be only be permitted where:

- 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.



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

A previous application (planning reference: 01/30432/FUL) for the erection of a single storey extension on the west elevation was approved.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out. One letter of objection was received from a neighbour. The grounds of objection are:

This extension will overshadow the neighbouring property.

Snow will congregate in the neighbouring drive and become a hazard.

Workmen will require access to work on the site.

The property does not comply with the regulations associated with the conservation area.

The previous extension required the removal of the boundary wall would not wish this to be done again.

Copies of the objection letter are available for inspection in the Member's 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 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 dwelling.

The main issue for consideration is whether as a result of this extension there will be overshadowing to the west. This extension will project

approximately 6metres southwards from the existing dwelling.

Given the location of the proposed extension some limited additional overshadowing of the adjacent property may occur early in the day. There are no windows on the east elevation that will be effected by this proposal. There is a door and separate garage, it is considered that they will not be effected for the majority of the day. Also, there is mature shrubbery along the boundary with a timber panel fence over 2metres in height between the site and the property to the west. In light of the above, it is considered that the proposed extension would not lead to any significant overshadowing of the property at 42 Lammerton Terrace over and above that which exists at present.

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 Maryfield 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 overshadowing has been discussed in the development plan section above. The other issues which the objector has raised relating to the workmen requiring access and the removal of the boundary wall are civil matters.

The objector has also stated that snow will congregate on the neighbouring driveway. This is not a material consideration.

The objector has also stated that the property does not comply with conservation area regulations. As stated above, it is considered that this application will not detract from the character of the Maryfield Conservation Area.

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 Maryfield 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 previously, the proposed extension has been designed to match the existing house in terms of scale and materials. Consequently, it is considered that this proposal will not adversely affect the visual appearance of the house or the streetscape in which it is located.

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 Details of the finishing of the west elevation of the proposed extension shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

- 2 Although the plans submitted indicate wet dash render and this is acceptable, it will not be possible to implement this finish without getting access to the adjoining property. If such access is denied then an acceptable alternative finish need to be approved before works are started on site.