

KEY INFORMATION

Ward The Ferry

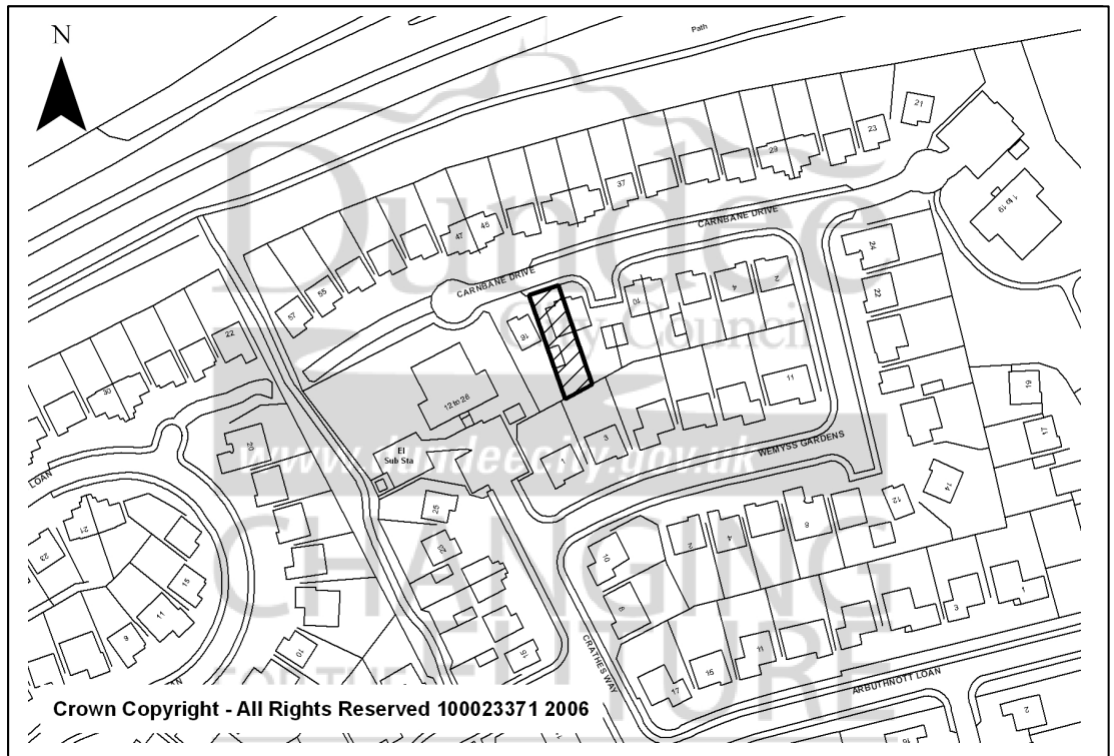
Proposal

Proposed extension to west elevation

Address14 Carnbane Drive
Broughty Ferry
Dundee**Applicant**Mr G Keltie
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Registered 26 Feb 2008

Case Officer Stephen Page



Extension to House Proposed in Carnbane Drive

A proposed extension to the west elevation is **RECOMMENDED FOR APPROVAL SUBJECT to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed extension complies with Policy 14 of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the development plan to refuse planning permission. therefore the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The application seeks permission for a two storey extension to the west side of 14 Carnbane Drive, Broughty Ferry.
- One objection was received concerned about the proximity of the proposal to the boundary and overshadowing.
- The proposal has been found to comply with Policy 14 of the Dundee Local plan Review 2005 and the grounds of the objection are not supported.

DESCRIPTION OF PROPOSAL

The proposal involves a residential extension to the west side of this semi detached property which is currently occupied by a driveway to the garage. The ground floor is to remain open as a carport/passageway to allow access to the car garage which exists to the rear of the house. The first floor is to comprise of a bedroom and associated en suite facilities.

SITE DESCRIPTION

The property lies to the southern side of Carnbane Drive. Currently comprising the western half of a semi-detached property. The entire area is characterised by residential houses of varying detached and semi-detached designs, all of a similar age.

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.

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

The entire area north of Balgillo Road and South of Arbroath Road was developed for housing approximately seven years ago. There has since been no planning history of relevance to the determination of this application.



PUBLIC PARTICIPATION

The applicant has carried out the statutory neighbour notification procedure. One objection was received from a neighbour with a number of concerns principally relating to the proximity of the development to the boundary, ability to build the proposed extension and overshadowing.

Copies of the objection letter are available in the Member's Lounges and the issues are discussed in the observations section below.

CONSULTATIONS

No adverse comments have been received from Statutory Consultees.

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: Alterations and Extensions To Houses

a The prominent elevation of the house is the northern (front) elevation. It is clear that the proposal will result in a change to the appearance of the property. It is however not considered that this change in appearance will have an adverse effect. The altered appearance will instead offer a relatively unique development that offers variation in the visual appearance of this estate which comprises of large numbers of similarly styled houses.

b Sunlight and Daylight: due to the orientation of the proposal and existing building, there will be no significant effect on properties to the north, south or east. With regard to the property that lies to the west, there is not expected to be any significant impact on the garden areas. However the eastern elevation will be cast in additional shadow due to the close proximity of the buildings. One window exists on that elevation but is a bathroom, which is of relatively lower importance than the effect on habitable rooms, accordingly the reduction of sunlight and daylight to the neighbouring property is not in itself considered sufficient to warrant refusal of the proposal.

As regards privacy, the ground floor situation remains unchanged as it is currently occupied by a driveway. At first floor level, the rear window is utilised by a bathroom and as such is of opaque glazing, ensuring the preservation of privacy. The front window is set back from the front building line

and as such has no greater effect on privacy than is presented by the other existing first floor windows.

- c The proposal will not involve any further loss of garden ground.
- d The materials have been chosen to match the existing property. The design is unusual in that it does not incorporate the garage. However is not sufficient on its own to warrant refusal.

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:

Objection - one letter of objection was received concerning the following issues:

- a That the resultant building would be less than one metre from his property.
- b Due to proximity the proposal would restrict the ability to carry out maintenance.
- c The proposal will overshadow his property.
- d The design style is not in accordance with other properties in the street.
- e The objector is not willing to permit access to his property for construction to occur.
- f That the resultant building would be less than one metre from his property; It is correct that the proposal is to be built up to the property boundary. However there is nothing in planning law or Council policy to prohibit a person from making the full use of their property provided there is no unacceptable impact on the amenities of neighbours. It is considered that in this case there will be no such adverse impact. Accordingly this issue is not supported.
- g The objector has cited the advice of Angus Council that for maintenance purposes a gap of one meter should be left for maintenance purposes. The advice of other councils are not relevant to the consideration of developments wholly contained

within the Dundee City Council area.

- h The proximity the proposal would restrict the objector's ability to carry out maintenance; The proposal does not extend beyond over the property boundary and therefore does not impact on the objectors ability to access his own property for maintenance purposes. Accordingly this issue is not supported
- i The proposal will overshadow his property; This matter has been dealt with in the observations section above and was found not to have a significant effect on sunlight or daylight to the neighbouring property.
- j The design style is not in accordance with other properties in the street: The street has various designs of residential property, including detached, semi-detached and flatted developments. On that basis there is not considered to be a prevailing design which sets a precedent for further development. The proposal is to use materials to match the existing house and in that regard is considered to have been sympathetically designed in accordance with the general appearance of the area.
- k The objector is not willing to permit access to his property for construction to occur; The purpose of planning is not to mediate over neighbour disputes, however a condition can be applied to ensure that the construction process does not require access to the neighbouring property. The condition would require the applicant to specify the finishing materials to be used in the event of access not being granted, thus ensuring an acceptable appearance of the building is maintained.

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

The design offers a unique appearance to the property which utilises materials that are sympathetic to the current appearance of the building.

CONCLUSION

The proposal complies with the terms of Policy 14 of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the Development Plan to refuse planning permission. It is therefore recommended that planning permission be GRANTED with conditions

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 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 Although the plans submitted indicate from ground level to first floor will be finished in facing brick and the first floor to roof level will be rendered to match the existing finish and this is acceptable, it will not be possible to implement this finish without gaining access to the adjoining property. If such access is denied then an acceptable alternative finish needs to be approved before works are started on the site.