

**KEY INFORMATION**

Ward The Ferry

**Proposal**

Erection of Conservatory to the Rear Elevation

**Address**

15 Navarre Street  
Broughty Ferry  
Dundee  
DD5 2TW

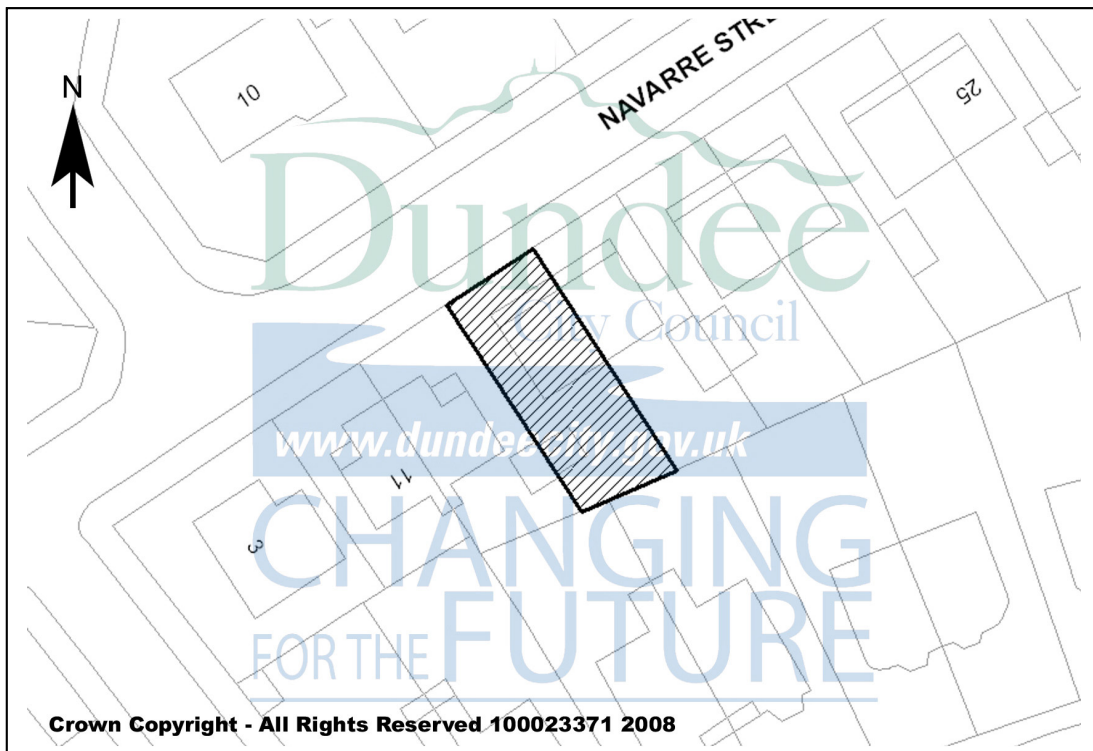
**Applicant**

Mrs Sturrock  
15 Navarre Street  
Broughty Ferry  
Dundee  
DD5 2TW

**Agent**

Registered 16 April 2008

Case Officer W Ferry



## Rear Conservatory Proposed for House in Broughty Ferry

The erection of conservatory to the rear elevation is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation.

**RECOMMENDATION**

It is considered that the proposed alterations are acceptable. The proposal complies with Policy 14 of the Dundee Local Plan Review 2005. Therefore the application is recommended for **APPROVAL**.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a conservatory to the rear of the dwelling.
- The proposed conservatory raises issues for consideration in terms of Policy 14 of the Dundee Local Plan Review 2005.
- One letter of objection was received to the application from the neighbour to the east. The main issue relates to overshadowing of their patio area due to the proposed firewall.
- It is considered that the erection of a conservatory is in accordance with Policy 14 of the Dundee Local Plan Review 2005. There are no material considerations including the submitted objection that would justify refusal of this application in this instance.

**DESCRIPTION OF PROPOSAL**

Planning permission is sought for the erection of a conservatory to the rear of the dwelling.

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One letter of objection was received to the application from the neighbour to the east. The main issue relates to overshadowing of their patio area due to the proposed firewall.

It is considered that the erection of a conservatory is in accordance with Policy 14 of the Dundee Local Plan Review 2005. There are no material considerations including the submitted objection that would justify refusal of this application in this instance.

**SITE DESCRIPTION**

The application site is located to the south side of Navarre Street, Broughty Ferry, Dundee. It is a 3 storey semi detached dwelling. There is a single detached wooden garage to the side. The rear garden is fully enclosed. There is off street parking for 2 to 3 cars and on street parking is available. This is a residential area with similar types and styles of dwelling adjacent and various types and styles opposite.

**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 policy is 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

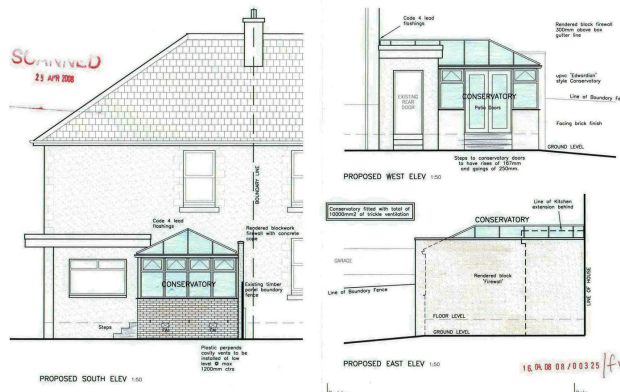
- c more than 50% of the original useable garden area will be retained; and
- d the design and materials respect the character of the existing building.

**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.



**CONSULTATIONS**

No adverse comments were received from statutory 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.

The proposal under consideration involves the erection of a conservatory to the rear of the dwelling. It is considered that the proposed conservatory is of a design that will not adversely impact on the prominent elevations of the house and will not detract from the character of the surrounding

area as the conservatory is to the rear of the dwelling and is not visible from the main road.

With regard to the impact the development will have on adjacent occupiers it is considered that, due to the location of the site and the scale of the alterations, there may be some loss of daylight or sunlight for the neighbouring property to the east in the late afternoon and early evening however, this is not significant enough to warrant refusal of the application. The privacy of any properties will not be affected by the development as a firewall is to be placed on the eastern side of the conservatory to protect privacy.

Therefore, it is considered that the development meets the criteria of Policy 14 of the Dundee Local Plan Review 2005.

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

**SUSTAINABILITY ISSUES**

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

**SITE HISTORY**

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

**PUBLIC PARTICIPATION**

The statutory neighbour notification procedure was carried out and one letter of objection was received from a neighbouring resident.

The grounds of objection are:

- 1 Overshadowing of their patio area and plants
- 2 The 6-8 foot high wall will be unattractive
- 3 Devaluation of their property as there will be no seating area which owners can sunbathe or relax in.

## Other Material Considerations

The other material considerations to be taken into account are as follows:

### Objection

One letter of objection was received in respect of this application. The main issue has been discussed and discharged in the Observations section above.

Other issues were raised regarding the firewall being unattractive. It is considered that the wall is to be rendered to match the existing dwelling and will not be out of character with the existing dwelling and surrounding area. Another issue was raised regarding devaluation of property. However, this is not considered to be a planning issue.

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

It is considered that the design of the proposed conservatory including the finishing materials is acceptable to the character and appearance of the existing house and that of the area.

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## CONCLUSION

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

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## 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 east 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 the east elevation firewall is to be rendered to match the existing finish 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 the site.