

4 APPEAL DECISION -WESTBAY NURSING HOME, 34 ALBERT ROAD, BROUGHTY FERRY, DUNDEE - ATTIC EXTENSION TO NURSING HOME TO PROVIDE SIX BEDROOMS AND ANCILLARY ACCOMMODATION (AN197-2003)

Reference is made to Article VII(i) of the Minutes of the Development Quality Committee of 29th April 2002 wherein the above proposal was refused planning permission because the Council considered that the design of the extension would detract from the character and appearance of the Grove Conservation area contrary to the relevant legislation and Policy BE11 of the adopted Dundee Local Plan 1998.

The decision was appealed by the applicant under the provisions of Section 47 and Schedule 4 of the Town & Country Planning (Scotland) Act 1997.

The appeal was determined by written representations and the decision was received by the Council on 17th March 2003. A copy of the decision letter can be found in the Members' Lounges.

The Reporter considered the determining issues to be whether the proposal was consistent with Policies BE11, H10 and H12 of the Dundee Local Plan; whether the proposal would preserve and enhance the character of the conservation area; and whether there were any other material considerations to be taken into account.

In summary, the Reporter concluded that the design of the extension would increase the bulk and visual prominence of a previous extension particularly when viewed from the rear. Nevertheless the Reporter found that the proposed architectural treatment would represent an improvement on the current elevational appearance of the building in the context of the conservation area. It was also considered that Policies H10 and H12 of the Dundee Local Plan were not contravened in that no additional amenity space or parking was required and that any increased overlooking of adjacent private garden areas would be limited. No other material considerations were identified.

Accordingly, the appeal was **UPHELD** with conditions relating to the submissions of window and rooflight detailing.