

KEY INFORMATION

Ward Baxter Park

Proposal

Installation of velux windows on north elevation, erection of garage and extension on north elevation

Address

36 Bingham Terrace
Dundee
DD4 7HJ

Applicant

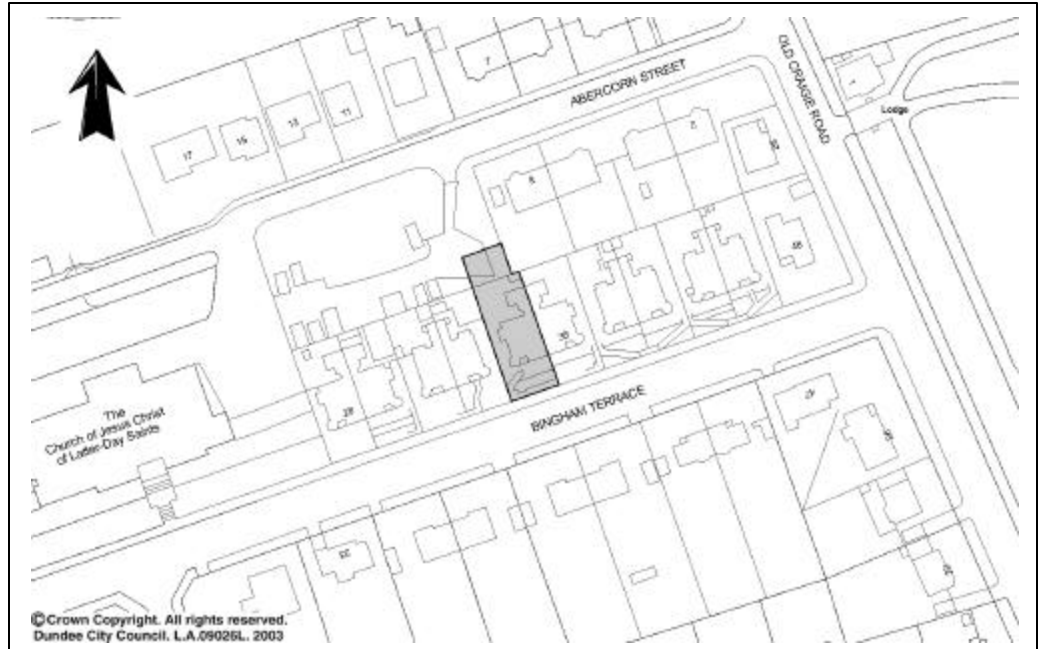
Mr & Mrs Creegan
36 Bingham Terrace
Dundee
DD4 7HJ

Agent

James R Culloch
The Design Studio
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Carnoustie
DD7 7EW

Registered 19 Mar 2004

Case Officer Gordon Reid



Proposed Extension in Bingham Terrace

The installation of velux windows and the erection of a garage and an extension are **RECOMMENDED FOR APPROVAL TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be in accordance with the policies of the development plan.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the installation of velux roof lights, a single storey extension and a double garage at 36 Bingham Terrace, Dundee.
- The proposals raise issues for consideration in terms of the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review.
- Two letters of objection from neighbours were received raising concerns with regards to overshadowing of garden ground and the adverse affect on the visual appearance of the surrounding area.
- The proposed development is considered to be in accordance with the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review. The concerns raised by objectors are not considered sufficient to warrant refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the installation of velux rooflights, a single storey extension and a double garage to the rear of the house at 36 Bingham Terrace, Dundee.

SITE DESCRIPTION

The application site is located on the north side of Bingham Terrace and is to the west of the junction with Old Craigie Road. The property is a 2-storey semi-detached villa designed by Edward Tough. The property is harled brick with timber turrets and verandas on a rock faced rubble built base. The property forms part of a grouping of American looking houses with each pair being slightly different in its treatment of the veranda. There are single storey extensions to the rear on both sides of the semi-detached houses.

The property is a category "C(s)" listed building.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies are of relevance:

Housing Policy H4: this policy seeks to ensure that alterations and extensions to houses do not adversely affect the appearance of the property or the surrounding area. In addition, the policy advise that approval is unlikely to be granted where 1) the siting and scale of the extension significantly affects the degree of sunlight, daylight and/or privacy enjoyed by the occupants of adjoining property, 2) where the materials style and form are alien to the existing building and 3) where more than 50% of the original garden ground would be lost and off-street parking reduced.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 14 Alterations and Extensions to Houses: this policy advises that proposals to alter or extend existing dwellinghouses will only be permitted where:

- there is no adverse impact on the appearance of prominent elevations of the house; and,
- there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties; and,
- more than 50% of the original useable garden area will be retained; and,
- 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.

LOCAL AGENDA 21

Key Theme 15 is relevant to the consideration of this application. This theme seeks to ensure that diversity and local distinctiveness are valued and protected. It is considered that given the design and finishing materials proposed the development would be in accordance with Key Theme 15.

SITE HISTORY

Listed Building Consent
02/00749/LBC: Development of roof space including velux roof lights at 36 Bingham Terrace. Refused on the 02 December 2002.

Listed Building Consent
03/00069/LBC: Installation of replacement windows at 36 Bingham Terrace. Refused at Appeal on the 18 June 2003.

Listed Building Consent
04/00238/LBC: Installation of velux roof lights and single storey extension to north elevation at 36 Bingham Terrace

PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and two letters of objection were received to the proposed development. The main concerns raised by objectors were that:

- the proposed double garage would result in the overshadowing of adjoining garden ground to the east.
- The proposed extension would result in the overshadowing of adjoining garden ground to the east in the afternoon and evening.
- The proposed double garage is visually out of keeping with the surrounding area.

Copies of the letters of objection are available in the Members Lounges and the issues raised are addressed in the "Observations" section of the report

CONSULTATIONS

No adverse comments were received from any of the statutory consultees.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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 application is for a single storey extension and double garage to the rear of the existing house. The proposals also include the installation of velux rooflights. The velux rooflights do not raise any significant issues of concern in terms of the policies of the development plan.

The proposed single storey extension and double garage raise issues for consideration in terms of Housing Policy H4 of the Dundee Local Plan 1998.

Housing Policy H4 seeks to ensure that alterations and extensions to houses do not adversely affect the appearance of the property or the surrounding area. The garage is separate to the house on land at a raised level to the north of the immediate curtilage of the house and accessed from Abercorn Street. The design and finishing materials are similar to an existing double garage to the west. The extension to the house is finished in materials to match the existing house and is of a design that is in keeping with the architectural style of the house. Both the garage and extension are considered to be of an acceptable design and would not have an adverse affect on the appearance of the house or surrounding area.

Policy H4 advises that approval of proposals is unlikely to be granted where the siting and scale of the extension significantly affects the degree of sunlight, daylight and/or privacy enjoyed by the occupants of adjoining property. The main ground of objection received to the proposed development from adjoining neighbours is the adverse impact on the degree of daylight/sunlight enjoyed in their garden ground to the east.

The existing single storey extension to the rear of both properties is higher than the proposed extension and already results in some overshadowing of the rear garden to the east. Given the height and proximity of the proposed extension it is considered that there would be no significant increase in the level of overshadowing and no resultant adverse impact on the degree of daylight/sunlight enjoyed by the neighbour.

In terms of the garage it is situated on a higher level than the extension. The

garage would be 4.5 metres to the west of the boundary of the houses to the east. The garage is to be 3.5 metres in height at the ridge of the roof. Given the height of the garage and the distance from adjoining properties it is considered that it would not have a significant adverse impact on the degree of daylight/sunlight enjoyed by neighbours.

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:

Policy 14 Alterations and Extensions to Houses sets out similar criteria to Housing Policy H4 of the adopted Local Plan. For the reasons set out above it is considered that the proposed development is in accordance with Policy 14.

Two letters of objection were received from the neighbours to the east. The main grounds of objection were that:

- 1 The proposed double garage would result in the overshadowing of adjoining garden ground to the east.
- 2 The proposed extension would result in the overshadowing of adjoining garden ground to the east in the afternoon and evening.
- 3 The proposed double garage is visually out of keeping with the surrounding area.

These concerns are addressed in the consideration of the proposal against Housing Policy H4 above. It is concluded that the degree of overshadowing would not be sufficient to warrant refusal of the application and that the appearance of the extension and garage are acceptable for the building and the area they are within.

It is concluded from the foregoing that there are no material considerations that would justify the refusal of planning permission and it is therefore recommended that planning permission be granted with conditions.

Design

The extension has been designed and uses materials that are in keeping with the main house. The design is considered to be of a good quality and

appropriate for the house. The garage has been designed and uses materials similar to the existing double garage to the west. The garage is considered to be of an acceptable design.

CONCLUSION

It is considered that the proposed development is in accordance with the Housing Policies of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review. In addition, it is considered that the concerns raised by the objector are of insufficient weight to warrant refusal of the application

RECOMMENDATION

It is recommended that planning permission 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 Samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure a satisfactory standard of appearance.