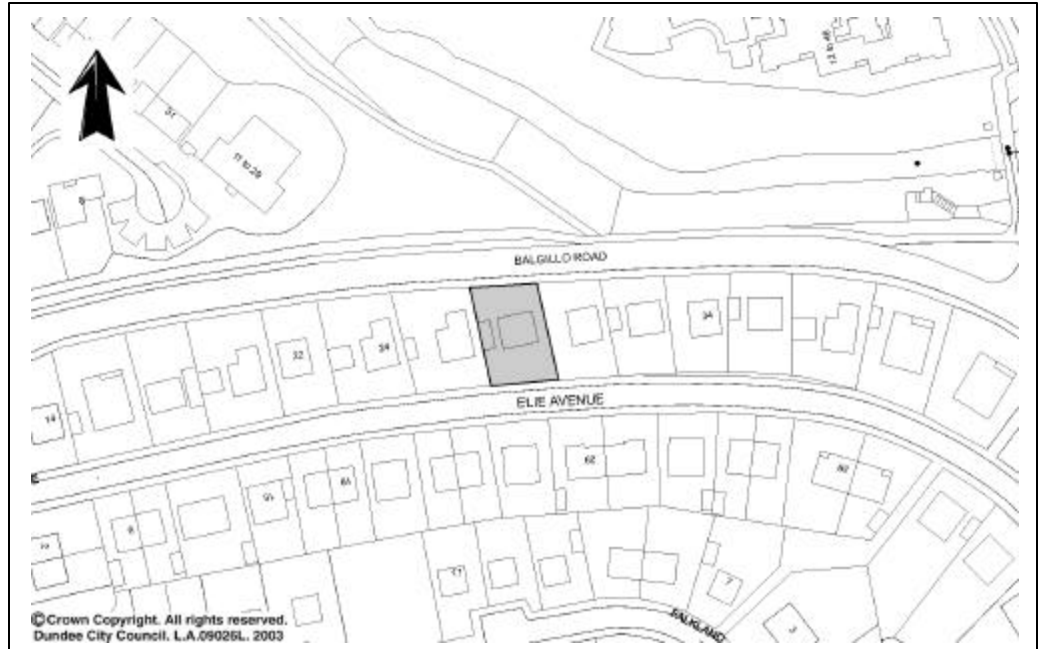


KEY INFORMATION**Ward** Barnhill**Proposal**

Proposed replacement conservatory on south elevation

Address28 Elie Avenue
Broughty Ferry
Dundee
DD5 3SF**Applicant**Mr & Mrs Telford
28 Elie Avenue
Broughty Ferry
Dundee
DD5 3SF**Agent**A D Associates
32 Main Street
Coaltown
Glenrothes
KY7 6HS**Registered** 8 April 2004**Case Officer** J Robertson

Replacement of Conservatory Proposed in Elie Avenue

A proposed replacement conservatory is **RECOMMENDED FOR APPROVAL** subject 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 erection of a conservatory at 28 Elie Avenue, Broughty Ferry.
- The proposal raises issues for consideration in terms of Housing Policy H4 of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review.
- A single letter of objection was received from a neighbour to the west of the application site raising concerns with regards to overlooking and overshadowing.
- It is considered that the proposed development is in accordance with Housing Policy H4 of the Dundee Local Plan 1998 and Policy 14 of the Finalised Dundee Local Plan Review. It is considered that the objection raised is not of sufficient weight to warrant refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a conservatory on the south elevation of 28 Elie Avenue, Broughty Ferry. The proposal will replace the existing conservatory with a larger conservatory. The conservatory will be finished in facing brick basecourse to match the existing house, a UPVC frame and a bronze polycarbonate roof.

SITE DESCRIPTION

The application site is located on the north side of Elie Avenue with Balgillo Road to the north. The application property is a 2-storey dwelling finished in dry dash render, facing brick basecourse and concrete roof tiles. The garage is located on the west side of the house with a corresponding driveway. Vehicular access to the house is taken from the rear elevation to the south. There is garden ground to the front of the house facing onto Balgillo Road and there is garden ground to the rear of the property. The property has a 1.8 metre brick wall defining the east, south and west boundaries.

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: alterations and extensions to houses will normally be approved provided the appearance of the house and the surrounding area is not adversely affected. Approval is however 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, where the materials, style and form are alien to the existing building and where more than 50% of the original garden ground would be lost.

Dundee Urban Nature Conservation Subject Local Plan 1995

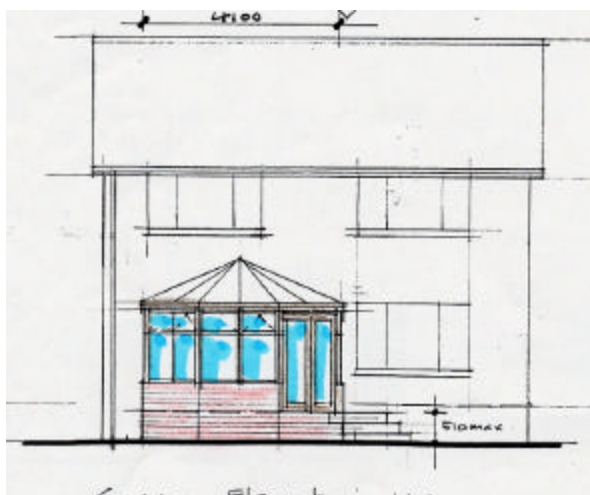
There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 14: Proposals to alter or extend existing dwelling houses 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 13 is relevant to this application and states that places, spaces and objects should combine meaning and beauty with utility. It is considered that the proposed development achieves the aims of this key theme.

SITE HISTORY

There is no site history of relevance to this application.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and one letter of objection was received from a neighbour to the west of the property stating concerns regarding overlooking, overshadowing and the size of the conservatory.

Copies of the objection are available for viewing in the Members' Lounges and the issues raised are addressed in the 'Observations' section of this report

CONSULTATIONS

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

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 proposal is for the erection of a conservatory on the south elevation to replace the existing conservatory. One letter of objection was received from a neighbouring property to the west of the application site.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

Housing Policy H4 specifies that extensions will be permitted provided the appearance of the house and the surrounding area is not adversely affected. The proposed conservatory will replace the existing conservatory on the south elevation. The proposed conservatory will be larger in size than the existing conservatory and will be finished in facing brick basecourse to match the existing house and with a white UPVC frame and bronze polycarbonate roof. It is considered that the design and size of the conservatory would not have a detrimental visual impact on the existing house or the surrounding area.

Housing Policy H4 also indicates that a development should not result in the significant loss of sunlight, daylight or privacy of occupants of neighbouring properties. The concerns raised by the objector to the west of the application site were in terms of overshadowing and overlooking. The proposed conservatory will be located 9 metres from the east boundary and 6 metres from the west boundary and is 4 metres in height. There is an existing conservatory located on the south elevation, which is smaller in scale and will be removed as a result of this proposal. There is already a degree of overlooking from the existing conservatory therefore the new conservatory will not result in a significant increase. The proposed conservatory is located to the east of the objectors property therefore any potential overshadowing is only likely to occur in the morning when the sun is in the east. However given the height of the conservatory and distance from the objectors property it is considered that there will be no significant detrimental impact on the objectors property and amenity space.

The floor area of the existing conservatory is approximately 10 square metres and the proposed conservatory will have a floor area of approximately 20 square metres. The private garden ground to the rear of the house is approximately 140 square metres and will be reduced to 130 square metres as a result of this proposal. There is also a large area of garden ground to the front of the property facing Balgillo Road. In relation to the private garden area to the south of the property is considered that more than 50% of the original useable garden ground will be retained.

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:

Finalised Dundee Local Plan Review

Policy 14: Alterations and Extensions to Houses. For the reasons set out for Housing Policy H4 it is considered that the proposal complies with Policy 14.

Objections

One letter of objection was received from a neighbouring resident to the west of the application site. The objection raised concerns regarding overlooking and overshadowing.

With reference to the considerations of Policy H4 in terms of overlooking it is considered that the degree of overlooking that presently exists from the existing conservatory would not significantly increase with the erection of the proposed conservatory. With regards to overshadowing it is considered that the proposed conservatory will not raise any significant problems associated with overshadowing.

It is concluded that there are no material considerations such as to justify departing from the provisions of the development plan and is therefore recommended that planning permission be granted with conditions.

Design

The proposed conservatory will be finished in facing brick basecourse to match the existing house with a white UPVC frame. It is considered that the conservatory will provide a modern addition in keeping with the character of the existing house. The proposal is considered not to detract from the visual amenity of the area.

CONCLUSION

It is considered that the proposal is 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 the objector are not considered to be of sufficient 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

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.