

KEY INFORMATION

Ward Longhaugh

Proposal

Single storey extension to north elevation

Address

5 Finlarig Terrace
DUNDEE DD4 9JF

Applicant

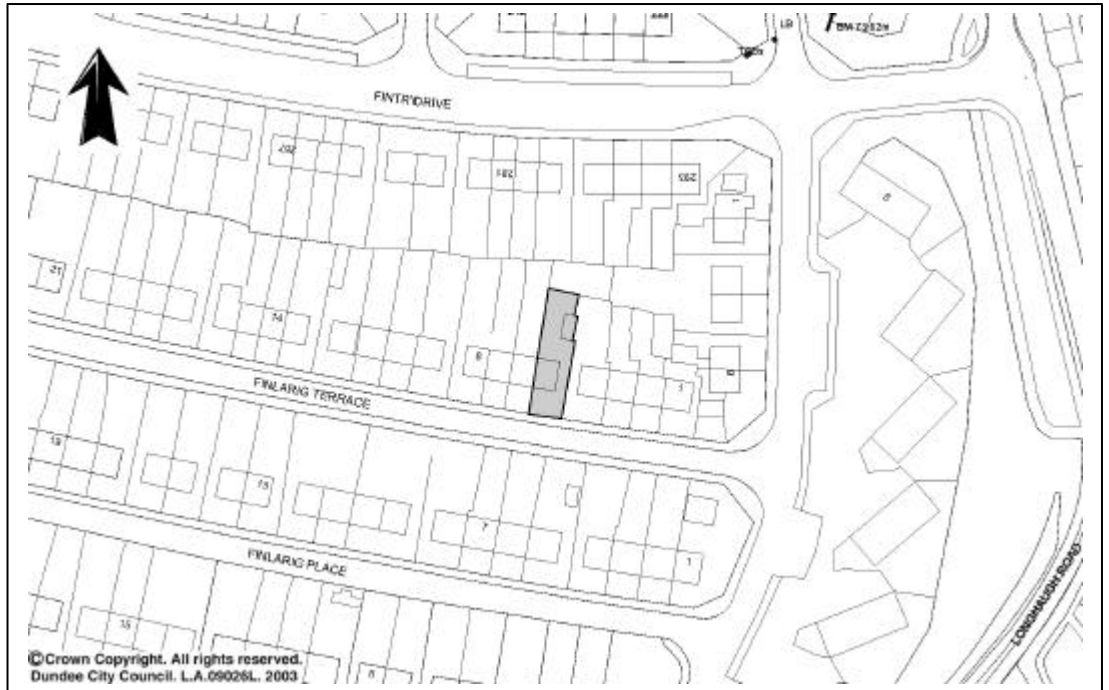
Mr & Mrs R McComiskie
5 Finlarig Terrace
DUNDEE DD4 9JF

Agent

Mr L D Bertram
Garlowbank Farmhouse
Kinnordy
Kirriemuir DD8 4LH

Registered 1 September
2004

Case Officer C Walker



Single Storey Extension Proposed in Finlarig Terrace

The Single storey extension on north elevation is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposal complies with the relevant policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review and there will be no adverse impact on the residential amenity enjoyed by surrounding residents. Therefore the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for a single storey extension on the rear (north) elevation of an end terrace dwelling at 5 Finlarig Terrace. The proposed extension is sited some 0.3 metres from the mutual rear boundary with the adjoining house to the west. It measures 4.3 metres by 5.3 metres with a lean to roof into the back of the house. It will be finished in a dry dash render and tiled roof to match the existing house.
- Policy H4 of the adopted Local Plan on the protection of amenity and Policy 14 of the Finalised Dundee Local Plan Review on alterations and extensions to houses are relevant.
- A letter of objection was received from neighbouring residents to the west who are concerned about overshadowing of their house and garden (they also raise other issues that are not material planning considerations).
- It is not considered that there will be any significant loss of light but it is suggested that a condition be imposed upon the proposed development requiring it to be set back some 0.9 metres from the mutual site boundary to lessen its visual impact and to permit the extension to be harled.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a single storey kitchen/dining area extension on the rear (north) elevation of 5 Finlarig Terrace. The proposed extension is sited some 0.3 metres from the mutual rear boundary with the adjoining house to the west. It measures 4.3 metres by 5.3 metres with a lean to roof into the back of the house. It will be finished in a dry dash render and tiled roof to match the existing house.

SITE DESCRIPTION

The application site is an end terrace 2 storey dwelling located on the north side of Finlarig Terrace. The terrace is finished in block walls and a tiled roof although the applicants have harled their dwelling. There is a detached garage in the rear garden area to the north of the house.

The rear gardens of these houses slope to the north so that a small retaining wall has been constructed within the application site behind the house. The mutual boundary with the adjoining house to the west is a timber fence with a gateway immediately behind the houses to permit access across the applicant's site to the adjoining house to the west.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

Policy H4: Protection of Amenity is relevant.

Dundee Urban Nature Conservation Subject Local Plan 1995

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

Finalised Dundee Local Plan Review

Policy 14: Alterations and Extensions to Houses is relevant.

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

It is considered that the proposal for a modest extension to this house does not conflict with the Council's Agenda 21 policies.

SITE HISTORY

There is no relevant site history.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and a letters of objection was received from neighbouring residents to the west (copies are available for inspection in the

Members Lounges). The objectors are concerned about overshadowing of their house and garden, obstruction to their right of access and devaluation and potential damage to their property. These concerns are addressed in the Observations Section of this 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.

Policy H4 seeks to ensure that alterations and extensions do not detrimentally affect the appearance of the house and surrounding area. The Policy indicates that consent 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; where the materials, style and form are alien to the existing building.

It is considered that the design of the extension will blend in appropriately with the existing building. It is designed to match the house and is of an appropriate size and scale. There will be no impact on privacy as there are no windows on the west facing gable of the proposed extension.

In terms of any potential overshadowing, the extension sits close to the mutual boundary. The window on the neighbouring property to the west closest to the proposed extension is a secondary window to the lounge area (the principal window faces south on the front elevation of the house). At the time of the site visit there was a lace curtain covering this

window. Taking into account the nature of the proposed window and the fact that it will already experience diminished light due to its northern aspect and the presence of the mutual boundary fence and gateway, coupled with the fact that the proposed extension will sit to the north east of it and therefore only have any impact in early morning, it is not considered that there will be any significant overshadowing or loss of light. Similarly and for the same reasons it is considered that there will be no significant overshadowing of the objector's garden.

However it is considered that to place the proposed extension so close to the mutual boundary may result in the extension having a dominant visual impact coupled with the fact that it would be impossible to harl it satisfactorily without entering onto the neighbour's property. It is therefore suggested that a condition be imposed upon the proposed development requiring it to be set back some 0.9 metres from the mutual site boundary. It is considered that with the imposition of this condition the proposed extension will not have an adverse impact on residential amenity.

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 reiterates the advice given in Policy H4 of the Dundee Local Plan 1998. It is considered that the proposal complies with this policy for the same reasons as discussed in connection with Policy H4 of the Adopted Plan above.

Objections

The letter of objection from the residents to the west sets out concerns about loss of light but it is considered that these concerns have been fully addressed in the consideration of the proposed development under Policy H4 of the adopted Local Plan. It was concluded that there would be no unacceptable overshadowing or loss of light as a result of the proposed development.

The objectors are also concerned about obstruction to their right of access and devaluation and potential damage to their property. However these are not matters that can be taken into account in the determination of this application. The decision on this proposal will have no effect whatsoever on the objectors legal rights and if any damage occurs to their property then this can be pursued through the normal legal channels.

It is concluded from the foregoing that insufficient weight can be accorded to the grounds of objection 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 of the proposed extension is satisfactory and the proposed materials match the existing house.

CONCLUSION

It is considered that the proposal complies with the relevant policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review and there will be no adverse impact on the residential amenity enjoyed by surrounding residents.

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 The proposed extension shall be amended so that it is constructed no closer than 0.9 metres from the mutual boundary with 6 Finlarig Terrace to the west of the site and details of this revised 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.

Reason

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

- 2 To reduce the visual dominance of the proposed extension and to permit it to be harled in the interests of visual and residential amenity.