

KEY INFORMATION

Ward The Ferry

Proposal

Extensions to east and west of house, summerhouse to north of garage and from new driveway from Boysack Gardens

Address

19 Rossie Avenue
Broughty Ferry
Dundee

Applicant

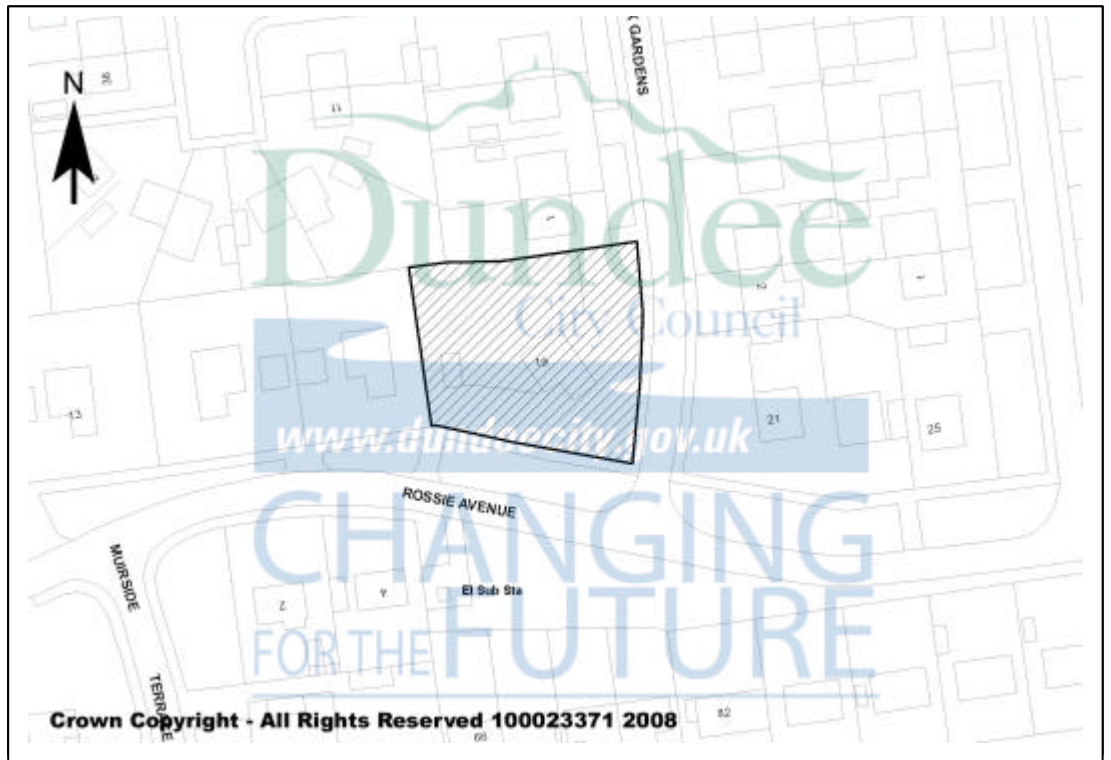
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Registered 28 Oct 2008

Case Officer Paul Macari



Proposals for Extensions to House in Rossie Avenue

Extensions to a house, summerhouse and new driveway are **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed developments at 19 Rossie Avenue comply with the relevant criteria of the Dundee Local Plan Review 2005. The concerns of the objectors are not supported. There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold the granting of planning permission. Therefore the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- This application seeks full planning permission for the erection of a two storey extension to the eastern elevation of the existing house, a single storey extension to the western elevation and the erection of a summerhouse extension to the northern elevation of the existing detached garage at 19 Rossie Avenue, Broughty Ferry.
- The proposed access and driveway falls within the meaning of permitted development and does not form part of this application for planning permission.
- Policy 14 (Alterations and Extensions to Houses) of the Dundee Local Plan Review 2005 is relevant to the outcome of this planning application.
- The applicant has followed the statutory neighbour notification procedure and 3 letters of objection have been received. The areas of concern relate to road safety, noise disturbance, overlooking, overshadowing, the development being out of character and the use of a domestic residential property for commercial purposes. The concerns of the objectors are not supported.

DESCRIPTION OF PROPOSAL

This application seeks full planning permission for the erection of a two storey extension to the eastern elevation of the existing house, a single storey sun room extension to the western gable and the erection of a summerhouse extension to the northern elevation of the existing detached garage at 19 Rossie Avenue, Broughty Ferry. The proposed 2 storey extension will have brown concrete roof tiles and walls finished in grey roughcast to match the existing house. The single storey extension will have a flat roof with grey roughcast walls to match the existing house. The northern elevation of the sun room will be fully glazed. The proposed summerhouse will have cedar clad walls. The applicant also proposes to create an additional vehicle access to the property along the northern boundary.

The proposed extension will create additional living space in the form of a living room, dining room and sun room on the ground floor. On the first floor the extension will provide an additional master bedroom, bathroom and dressing area. The proposed summerhouse will provide additional recreational living space.

The proposed access and driveway falls within the meaning of permitted development and does not form part of this application for planning permission.

SITE DESCRIPTION

The application site comprises a 2 storey detached dwelling located on the western corner of Rossie Avenue and Boysack Gardens. The application site is bound to the north and west by the rear garden grounds of single storey and 1.5 storey dwellings. Given that the site has 2 public frontages, the rear garden is enclosed by 1.8m high brick built walls with the side and front garden grounds enclosed by a 1m high brick built wall.

The site benefits from off street parking through a detached double garage situated midway along the western boundary of the site. Access is taken from Rossie Avenue via a

driveway which follows the western boundary of the site.

The existing dwelling is 2 storeys in height with brown concrete tiled roof and grey roughcast walls. The window frames and doors are finished in brown



coloured PVCU.

The site is surrounded by a mixture of single, 1.5 storey and 2 storey dwellings with similar finishing materials.

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 policies are 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;
- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties;
- 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.

SUSTAINABILITY ISSUES

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

SITE HISTORY

Planning application ref: 08/00257/FUL sought planning permission for the erection of 3 two storey extensions to the front, eastern and western elevations of the existing house and the erection of single storey extensions to the eastern and western elevations of the 2 storey extensions. This application was withdrawn before it could be reported to the Development Quality Committee. The proposals would have been recommended for refusal as the extensions would have overdeveloped the application site to the extent that the original house would no longer be recognisable. Further, the proposed finishing materials of the extension were inappropriate and insensitive to the original house and the surrounding streetscape. The proposed extension was therefore considered contrary to the provisions of Policy 14 of the Dundee Local Plan Review 2005.

In a similar vein planning application ref: 08/00679/FUL sought planning permission for the erection of a 2 storey extension to the east elevation of the existing house and a summerhouse in the rear garden. Several objections were received and the proposed extension was considered to be of a poor design and therefore contrary to the provisions of Policy 14 of the Dundee Local Plan Review 2005. The application was withdrawn before it could be reported to the Development Quality Committee.

There is no other planning history of relevance to the outcome of this application.

PUBLIC PARTICIPATION

The applicant has followed the statutory neighbour notification procedure as dictated by the Town and Country Planning (General Development Procedure)(Scotland) Order 1992. Three letters of objection have been received from neighbouring residents concerned about:

- road safety;
- out of character;
- overshadowing;
- overlooking; and
- use of a domestic property for commercial purposes.

Members will already have seen the letters of objection and the issues raised are discussed in the Observations below.

CONSULTATIONS

No adverse comments have been received from Consultees.

OBSERVATIONS

Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997 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 proposed extensions to the existing house at 19 Rossie Avenue are considered to meet the requirements of Policy 14 (Alterations and Extensions to Houses). This is because the 2 storey extension will have a ridge height, eave line and finishing materials that match the existing house ensuring that the resulting building has a uniform scale and massing. However, to ensure that the proposed 2 storey extension remains ancillary to the original house it has been sympathetically set back from the main projection of the front elevation. The ancillary appearance of the 2 storey extension is further enhanced by the formation of modern window openings at ground and first floor level. The 2 storey extension projects north beyond the rear building line of the original house so as to create additional living space without impacting upon the front elevation of the house. Similarly the proposed single storey extension to be erected onto the western gable of the original house has a modern low profile design and will be set back from the front building line. Given the height of the existing boundary wall that separates the front and rear garden to the west of the existing house, the proposed single storey extension will not be visible from Rossie Avenue. The single storey extension is to have floor to ceiling glazed panels in the north and western elevations with the remaining external walls finished in grey roughcast to match the existing house and proposed 2 storey extension. This gives the single storey extension a modern appearance that is complimentary to the rear elevation of the original house. While the single storey extension will not cause any infringement to neighbours privacy, the first floor north facing window of the proposed 2 storey extension will overlook the rear garden of 1 Boysack Gardens. However, this matter can be controlled by condition should the Committee be mindful to grant planning permission.

The proposed summerhouse extension to the existing garage in the south western corner of the application site will not be visible from Rossie Avenue or Boysack Gardens. The

summerhouse is to have a pitched roof and timber clad walls. Given the design, scale and massing of the summer house, no significant issues of overlooking or overshadowing will arise from this development.

The footprint of the proposed developments will take up approximately 21% of the existing private rear garden ground and through exercising permitted development rights will create an additional access from Boysack Gardens as well as a parking area in the north eastern corner of the site in an area of side garden ground. The resulting private amenity space afforded to the property at 19 Rossie Avenue will amount to approximately 420m².

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:

Views of the Objectors

Three letters of objection have been received from neighbouring residents concerned about:

- Road Safety - the proposed formation of an access to 19 Rossie Avenue from Boysack Gardens complies with the provisions of Part 1 Class 4 and Part 2 Class 8 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. This development therefore does not require to be the subject of a formal application for planning permission. Concerns relating to road safety on grounds that the road carriageway on Boysack Gardens is not wide enough to accommodate an additional vehicle access are not supported. This is because each of the properties located within Boysack Gardens benefit from vehicular access from Boysack Gardens.
- Out of Character with surrounding area - the proposed 2 storey extension to the eastern gable of the existing house at 19 Rossie Avenue is of a scale, massing and design that compliment the existing house. The proposed extension is not

considered to be out of character to the surrounding area but rather will balance the visual appearance of the Rossie Avenue streetscape. This is because 21 Rossie Avenue (located on the eastern corner of the junction between Boysack Gardens and Rossie Avenue) was originally of a similar scale and design as the existing house at 19 Rossie Avenue. However, this property has been altered in the form of a 2 storey extension to the western gable that has significantly increased the massing of the house. Consequently the extension to 21 Rossie Avenue has unbalanced the appearance of the entrance to Boysack Gardens from Rossie Avenue. The proposed extension to 19 Rossie Avenue is considered to re-balance the appearance of the junction between Boysack Gardens and Rossie Avenue.

- Overshadowing - neither of the proposed extensions will overshadow neighbouring properties due to their location and the extent of the plot at 19 Rossie Avenue. These concerns are discussed under the heading "Development Plan" above and are not supported.
- Overlooking - the first floor north facing window of the 2 storey extension will overlook the rear garden of 1 Boysack Gardens. Should the Committee be minded to grant planning permission, the omission of the offending window from the proposals can be addressed by way of condition.
- Use of a Domestic Property for Commercial Purposes - the proposed extensions to 19 Rossie Avenue are to create additional living space only. The operation of a business from home does not require planning permission providing the use of the property for commercial purposes is ancillary to its main use as a domestic dwelling and there is no adverse impact upon the level of amenity afforded to neighbouring properties. At present there is no evidence to suggest that 19 Rossie Avenue is being used for commercial purposes that are not ancillary to the use of the house

and therefore these concerns are not supported.

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

The design of the proposed extensions is considered to compliment the appearance of the original house. Both extensions demonstrate that contemporary and traditional architecture can combine positively.

CONCLUSION

The proposed developments at 19 Rossie Avenue comply with the relevant criteria of the Dundee Local Plan Review 2005. The concerns of the objectors are not supported. There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold the grant of planning permission.

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 BEFORE WORK STARTS ON SITE, samples of the proposed finishing materials shall be submitted to this Planning Authority for written approval and thereafter shall be applied in accordance with the stamped approved plans.
- 3 The proposed first floor north facing window opening of the northern elevation of the proposed 2 storey extension coloured red on drawing 890/01 shall be omitted from the proposals and does not form part of this planning permission.

Reasons

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

- 2 In the interests of safeguarding visual amenity.
- 3 In the interests of safeguarding the privacy of neighbouring properties.