

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 15 SEPTEMBER 2015

2 LORNE CRESCENT, MONIFIETH

REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

The Committee is asked to consider an application for a Review of the Conditions imposed on application No 15/00154/FULL in respect of planning permission – conditional approval for internal alterations, rear and side extension and new boundary treatment, at 2 Lorne Crescent, Monifieth.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**);
- (ii) review the case submitted by the Applicant (**Appendix 2**);
- (iii) consider the further lodged representations (**Appendix 3**); and
- (iv) consider the applicant's response to further representations (**Appendix 4**).

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN

This Report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. CURRENT POSITION

The Development Management Review Committee is required to determine if they have sufficient information from the Applicant and the Planning Authority to review the case. Members may also wish to inspect the site before full consideration of the Appeal.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from the recommendations in the Report.

5. CONSULTATION

In accordance with Standing Order 47(3), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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APPLICATION NUMBER – 15/00154/FULL

APPLICANT- MR LAWRENCE CAMPBELL

PROPOSAL & ADDRESS – INTERNAL ALTERATIONS, REAR & SIDE EXTENSION AND NEW
BOUNDARY TREATMENT AT 2 LORNE CRESCENT MONIFIETH DUNDEE DD5 4DZ

ANGUS COUNCIL'S SUBMISSION

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Angus Council

Application Number:	15/00154/FULL
Description of Development:	Internal alterations, rear & side extension and new boundary treatment
Site Address:	2 Lorne Crescent Monifieth Dundee DD5 4DZ
Grid Ref:	349848 : 732971
Applicant Name:	Mr Lawrence Campbell

Report of Handling**Site Description**

The semi-detached property is positioned within a 508sqm corner site that gently slopes downwards from the front to the rear of the property towards the rear boundaries. The garden to the front, side and rear consists of mostly grass and borders with some hard standing. The site is positioned within a hilly area of Monifieth that is primarily residential in land use.

Proposal

The proposal relates to the formation of a 62.4sqm 1 and 1 ½ storey L shaped pitched roof extension that would build upon the west/side elevation and part of the south/rear elevation of the existing 81sqm 1½ storey pitched roof semi-detached dwellinghouse. Proposed materials would be concrete tiles, white dry dash render, Fyfe stone facing block, timber infill panels, facing brick basecourse, white timber eaves/fascias. A 1.8 metre vertical timber fence would enclose the garden to the side of the property. It would be placed along the edge of the drive, it would follow the west boundary and it would return level with the front of the house, meeting with the edge of the house. The existing driveway would be widened and trees along the north side of the existing drive would be removed to accommodate the proposal.

Drawing PL/004 RevB Boundary Treatment (19 March 2015) from the applicant amends and supersedes drawing PL/004 Boundary Treatment (12 February 2015). The fence has been stepped back from the corner of the site where it joins with the edge of the pavement to accommodate the 2.4 metre sightlines.

Publicity

The application was subject to normal neighbour notification procedures.

The nature of the proposal did not require that the application be the subject of press advertisement.

The nature of the proposal did not require a site notice to be posted.

Planning History

14/00227/PREAPP Erection of 1.8 Metre High Fence to Side and Part of Front of Boundary of Dwelling-closed.

15/00048/PREAPP Proposed Side and Rear Extension and Boundary Fence- closed.

Applicant's Case

The applicant provided a response to the representations as follows:- The points raised and responses

from the applicant are as follows:

1. There would be no change to the boundaries to the rear of the properties. A fence of no more than one metre high will be eventually sited between both properties to the front.
2. Discussions with Scottish Water are ongoing to find out what is required to ensure that drainage will be protected during and after construction.
3. Reassurance was given that the integrity of the neighbour's property would be protected and ongoing reassurance will be given throughout the build.
4. Reassurance was given that the extension is single storey and should not impact on sightlines or daylight.
5. There is a variety of different boundaries and use of materials on Lorne Street and Lorne Crescent such as stone walls, a brick wall, a timber fence and an 8ft hedge at 1 Lorne Crescent.

Consultations

Community Council - There was no response from this consultee at the time of report preparation.

Angus Council - Roads - have confirmed that the 2.4 metre sightlines would be met and they do not object to the application but recommends that any consent granted should be subject to a condition. The condition has been attached to the report.

Scottish Water - There was no response from this consultee at the time of report preparation.

Representations

2 letters of representation were received, of which 1 offered comments which neither supported nor objected to the proposal, 1 objected to the proposal and 0 supported the proposal.

The main points of concern were as follows:

- Out of character boundary proposal
- Creation of undesirable Precedent
- Impact on foul drainage provision
- Impact during construction
- Impact on sightlines

Any damage during construction would be a civil matter between neighbours. In terms of the proposed fence setting a precedent, there is no concept of binding precedent in planning law and each case must be considered on its own merits. The appearance of the fence is assessed later in this report below.

Development Plan Policies

Angus Local Plan Review 2009

Policy S6 : Development Principles (Schedule 1)

Policy SC15 : House Extensions

TAYplan Strategic Development plan

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

Other Guidance

Advice Note 24 : Residential Boundary Treatment

Advice Note 19 : House Extensions

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

Assessment

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

Angus Council is progressing with preparation of a Local Development Plan to provide up to date Development Plan coverage for Angus. When adopted, the Angus Local Development Plan (ALDP) will replace the current adopted Angus Local Plan Review (ALPR). The Draft Proposed Angus Local Development Plan was considered by Angus Council at its meeting on 11 December with a view to it being approved and published as the Proposed ALDP for a statutory period for representations. The Draft Proposed ALDP sets out policies and proposals for the 2016-2026 period consistent with the strategic framework provided by the approved TAYplan SDP (June 2012) and Scottish Planning Policy (SPP) published in June 2014. The Proposed ALDP, as approved by Angus Council, will be subject to a 9 week period for representation commencing in February 2015. Any unresolved representations received during this statutory consultation period are likely to be considered at an Examination by an independent Reporter appointed by Scottish Ministers. The Council must accept the conclusions and recommendations of the Reporter before proceeding to adopt the plan. Only in exceptional circumstances can the Council choose not to do this. The Proposed ALDP represents Angus Council's settled view in relation to the appropriate use of land within the Council area. As such, it will be a material consideration in the determination of planning applications. The Proposed ALDP is, however, at a stage in the statutory process of preparation where it may be subject to further modification. Limited weight can therefore currently be attached to its contents. This may change following the period of representation when the level and significance of any objection to policies and proposals of the plan will be known.

The dwellings within the immediate vicinity are mostly detached and semi-detached properties between one and two storey beyond and there are varied architectural styles throughout Lorne Crescent and beyond. The proposed 1 ½ storey section of the extension would align with the front and side elevation and ridgeline which would be acceptable within the context of the appearance of the dwelling and the street scene. The one storey section would partially project into the side garden and the rear garden and would sit 3.2 metres below the ridgeline. The application site is a corner plot and the proposal would utilise an area to the side of the dwelling whilst remaining a sufficient distance from the adjacent footway which would not have a dominant effect to the immediate street scene. The proposal would complement the appearance of the existing dwelling and it would be subservient in form and scale to the existing dwelling. The materials would match existing. There are no position or design issues which accords with Advice Note 19.

The rear extension would not breach the 45 degree rule of Advice Note 19 and would have no impact on daylight entering the adjoining neighbour's property. The east elevation bi-fold doors would create no significant overlooking of the adjoining neighbouring property as this section of the proposal would sit at a lower level than the applicants and neighbours dwelling resulting in no clear views over the 1.8 metre high fence into the neighbours garden or windows. There would be no overlooking of the neighbour to the south or other neighbours as there are limited views towards the nearest neighbours and existing/proposed boundaries would provide screening. Overall, the extension presents no issues to the nearest neighbours in terms of loss of residential amenity, loss of daylight, overlooking or loss of privacy which would accord with Advice Note 19.

Policy SC15 requires that proposals for house extensions do not reduce the level of private garden ground to an unacceptable level. The construction of the extension projects into the existing private rear garden area. In order to maintain a level of private amenity space, the applicant proposes a new 1.8m high timber fence enclosing part of the existing garden between the side of the house and the public road. This boundary is currently formed by mature shrubs and trees. Advice Note 24 provides guidance to illustrate the Council's policy towards boundary treatments. It acknowledges the difficulty in providing

private amenity space on corner plots such as this. The guidance indicates that in more modern, middle to low density schemes such as the application site, high walls or fences are not a feature and can seem out of place and over-dominant. Accordingly, rarely will it be permissible to exceed a height of 1.2 metres immediately abutting a footway. In acknowledgement of the difficulties in providing privacy on corner plots, however, the guidance suggests that the Planning Authority will usually grant consent for a two metre high wall or fence set-back from the footpath and space should be maintained between the wall or fence and the back of the footpath for landscaping. In this case the site benefits from established landscaping on the periphery of the site and a timber fence could be achieved on the house side of the existing landscaping allowing the applicant to form a secure and private replacement garden area without undermining the distinctly green character of boundary treatments in the area surrounding the site. It is noted that the objection received raises concerns regarding the installation of the boundary fence on the boundary, but setting that fence back to the rear of the existing landscaping would represent a compromise which would satisfy the legitimate concerns of the objector and would make the proposal more compliant with Council advice on residential boundary treatments on corner plots.

The access arrangements would be improved as the drive is proposed to be widened and the parking area would be acceptable. The Roads Service has confirmed no objection to the proposal subject to a condition being attached regarding the footway crossing. I have discussed the proposal with them and they are satisfied that visibility sightlines would be satisfactory, notwithstanding the comments contained within the representations received.

Policy S6 and the associated Schedule 1 Development Principles are also relevant to this application. This includes considerations relating to amenity; roads/parking/access; landscaping/open space/biodiversity; drainage and flood risk; waste management; and supporting information. Amenity and parking/traffic considerations are assessed above under Policy SC15. There are no issues against the remaining criteria of Schedule 1.

In conclusion the proposed extension and widening of the drive would not adversely affect the appearance and character of the dwelling and surrounding area or have a significant and unacceptable detrimental effect on the residential amenity enjoyed by adjoining households. Controls are proposed to modify the position of the boundary fence which would ensure that the fencing would not result in unacceptable effects on the streetscene. Subject to that condition, I consider the proposal acceptable and in compliance with policies S6 and SC15 of the Angus Local Plan Review (2009) and Angus Council's Advice Notes 19 and 24. There are no material considerations that justify refusal of the application.

Legal agreement not required.

Human Rights Implications

The decision to grant permission/consent, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

Equalities Implications

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

Decision

The application is Approved subject to conditions

Reason(s) for Decision:

1. That the proposed development complies with relevant policies of the development plan as the design is acceptable; the impact on the amenity of neighbouring properties is not unacceptable as assessed against relevant Angus Council guidance; adequate garden ground is maintained; and the proposal does not compromise road traffic or pedestrian safety. The boundary treatment proposing a timber fence adjacent to the public road is not approved as part of this planning permission and amended fencing details are sought by planning condition. There are no material considerations justifying refusal of the application.

Conditions:

1. That, prior to the occupation or use of the extension, the footway crossing at the proposed access shall be formed and constructed in accordance with the National Roads Development Guide (SCOTS).

Reason:

To provide a safe and satisfactory access in a timely manner.

2. Prior to the commencement of development, a plan shall be submitted showing an amended position for the provision of a boundary fence which shall be located on the house side of the peripheral boundary planting and set back from the public road/footway. Only the approved boundary fence shall be erected. For the avoidance of doubt, the boundary fence shown on the site plan (Drawing Number PL/004 Rev B dated January 2015) is not approved by this planning permission.

Reason:

In order to protect the visual amenity of the surrounding area and in to ensure that the proposal is in accordance with Angus Council Advice Note 24 'Residential Boundary Treatment'.

Notes:

Case Officer: Pauline Chalmers

Date: 10 April 2015

Appendix 1 - Development Plan Policies**Angus Local Plan Review 2009**

Policy S6 : Development Principles (Schedule 1)

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles

Amenity

(a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.

(b) Proposals should not result in unacceptable visual impact.

(c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

(d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.

(e) Access to housing in rural areas should not go through a farm court.

(f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17 : Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary.

(g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

(h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)

(i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.

(j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.

(k) The planting of native hedgerows and tree species is encouraged.

(l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

(m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)

(n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.

(o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)

(p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

(q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38)

(r) Development should minimise waste by design and during construction.

Supporting Information

(s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Policy SC15 : House Extensions

Development proposals for extensions to existing dwellings will be permitted except where the extension would:

* adversely affect the appearance and character of the dwelling and/or the surrounding area. Alterations and extensions should respect the design, massing, proportions, materials and general visual appearance of the area;

* have a significant and unacceptable detrimental effect on the residential amenity enjoyed by adjoining households;

* reduce the provision of private garden ground to an unacceptable level;

* result in inadequate off-street parking provision and/or access to the property.

TAYplan Strategic Development plan

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

DEVELOPMENT PRINCIPLES

1.44 The principles in Schedule 1 provide a 'checklist' of factors which should be considered where relevant to development proposals. They include amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information. The Local Plan includes more detailed policies relating to some principles set out. Not all development proposals will require to comply with all of the principles.

Policy S6 : Development Principles

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles**Amenity**

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- b) Proposals should not result in unacceptable visual impact.
- c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

- d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- e) Access to housing in rural areas should not go through a farm court.
- f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17: Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary
- g) Development should not result in the loss of public access rights. (Policy SC36)

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- h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- k) The planting of native hedgerows and tree species is encouraged.
- l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

- m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

Waste Management

- q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38).
- r) Development should minimise waste by design and during construction.

Supporting Information

- s) (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

House Extensions

2.40 The extension of houses to provide additional accommodation is one of the most common forms of development. Badly designed or inappropriate extensions can spoil the external appearance of buildings and can have a negative impact on the surrounding area.

2.41 Planning legislation provides guidelines within which proposals for extensions to property are considered. Angus Council have a duty to consider the wider environmental impacts of development, protect the character and appearance of towns and villages, and take account of the potential impacts on neighbours. Specific guidance on extensions to listed buildings is set out in Policy ER15.

2.42 Further detailed guidance on extensions to houses is contained in Angus Council's Advice Notes 3: Roofspace Extensions, 15: Front Extensions, and 19: House Extensions.

Policy SC15 : House Extensions

Development proposals for extensions to existing dwellings will be permitted except where the extension would:

- **adversely affect the appearance and character of the dwelling and/or the surrounding area. Alterations and extensions should respect the design, massing, proportions, materials and general visual appearance of the area;**
- **have a significant and unacceptable detrimental effect on the residential amenity enjoyed by adjoining households;**
- **reduce the provision of private garden ground to an unacceptable level;**
- **result in inadequate off-street parking provision and/or access to the property.**

retention of an existing hedge) will be required if a planning consent is to be forthcoming. Provision of a wall or fence will not resolve a problem caused by windows on a two storey extension within four metres of a boundary. In these circumstances other solutions will have to be sought e.g. opaque glass, roof lights, re-siting of windows etc.

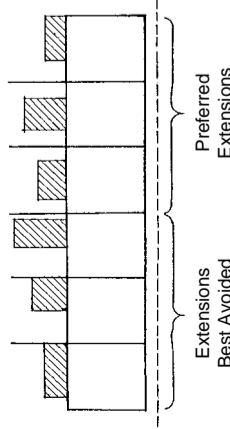
Again a condition will be imposed on the planning consent requiring the applicant to erect and retain the wall or fence or in the case of a terrace, to retain it at a height of at least two metres or thereabouts.

Balconies - Are a particular cause of friction between neighbours due to the serious overlooking problems and loss of privacy for adjacent dwellings and gardens. Accordingly balconies will only be permitted at first floor level or above where they do not cause an overlooking problem and loss of privacy. Such approvals are likely to be few.

SUNLIGHT/DAYLIGHT

The perceived loss of sunlight and daylight to a neighbouring property by a proposed extension, can be a major source of objection and distress. It is important, therefore, that every effort should be made to avoid or minimise the potential for loss of light to a neighbour when drawing up the plans for any extension. Loss of sunlight to garden ground will not be accepted as sufficient grounds to justify refusing planning consent but loss of light to a window might be. The distances specified above should provide sufficient sunlight and daylight protection where detached houses are involved.

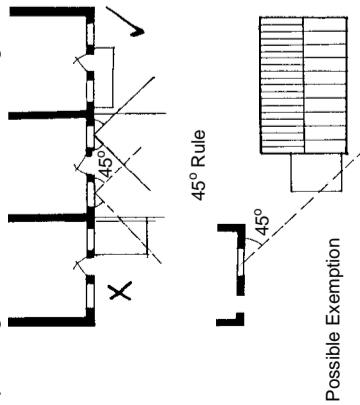
The most significant problem of sunlight or daylight loss however, probably occurs in terraced or semi-detached housing situations and it is here that most care needs to be taken. The first objective should be to keep your extension as far from boundaries as possible. At least a distance of two metres must be maintained between the wall of an extension and any window in the neighbour's property. Two metres may not seem a lot to an



objecting neighbour but as it is often possible to erect a two metre high wall or even an extension closer and without the necessity to obtain planning permission, this distance is seen as a reasonable compromise. A general rule of thumb guideline is that extensions be at least as far off the boundary as it extends out from the house walls.

However, as this is unlikely to be achievable in perhaps the majority of circumstances, the Council will expect any extensions to comply with the 45° rule.

The 45° Rule - This involves drawing a line from the mid-point of the sill of a window to a habitable room or kitchen which is potentially affected by a neighbour's extension, at an angle of 45° towards the



extension. If the proposed extension crosses that line it is unlikely to be acceptable. While there will be few grounds for exemption from the 45° Rule where semi-detached or terraced houses are involved, where an extension is sited well forward of the affected window, this would allow more light to reach it, therefore allowing for the 45° Rule to be relaxed a little.

It could speed up the processing of your application if sufficient details are provided with your submitted plans for the above calculation to be made. In particular you should illustrate the location of any windows on adjoining properties.

SIDE EXTENSIONS

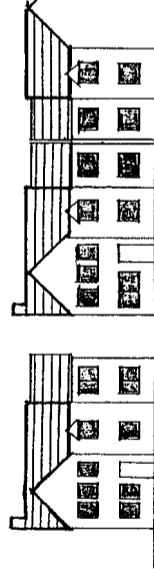
On any elevation of a house exposed to public view, an extension should always have a pitched roof, this is particularly relevant to side extensions.

There are also a number of other problems associated with side extensions. Whilst there is no legislation disallowing the building of an extension onto a boundary, for ease of access to rear garden ground and to provide room for maintenance of the extension, a minimum gap of one metre will be required. This will also eliminate the possibility of any part of the extension overhanging your neighbour's property (e.g. rhones), which is a common source of friction between neighbours. This requirement may be relaxed where the neighbour has indicated, in writing, that they have no objection to the extension being built on the boundary. However, where the extension is especially dominant or long, a distance of more than one metre may be sought.

TWO STOREY EXTENSIONS

Because of their size and visual dominance, two storey extensions can present a range of additional problems, are more likely to attract objections from concerned neighbours and will be more stringently considered by the Planning Authority before being granted a consent. The various distances specified elsewhere in this Advice Note are unlikely to be relaxed for two-storey extensions, indeed more demanding standards may be required.

The additional problems of scale and overlooking created by two storey extensions have already been covered but in addition, where side extensions are proposed, it will be essential to maintain the character of an area by not filling the gaps between rows of two storey houses which would otherwise produce the appearance of an unbroken terrace. In dealing with such applications, the Council



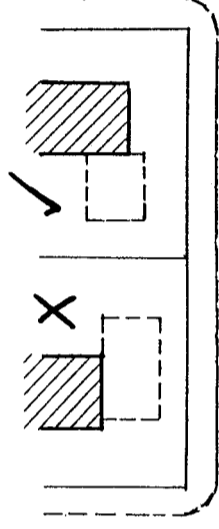
Unacceptable Infilling

will consider the impact, not only of the proposal, but also the effect should the neighbour also wish a similar side extension. If the Council believes a reasonable gap will not be maintained, an application is likely to be refused. An extension set well back from the building line or frontage of the house is likely to be more successful than one aligned with the frontage of the house.

Because of their scale and visual prominence, a pitched roof will always be required on a two storey extension.

CORNER PLOTS

Extensions on the road frontage of a corner plot require particularly careful handling if they are to be successful and attract a planning approval. It is very easy to produce an extension that not only dominates the house but the junction and immediate neighbourhood also.



Extensions to properties on normal sized corner plots should ideally be to the rear, side extensions are only likely to be acceptable where the scale is sub-servient to the original, involves a relatively small floor area and remains a respectful distance from the roadway.

LOSS OF GARDEN GROUND

Almost all applications to extend a house results in a reduction in available garden ground. The over-riding consideration of the Council will be to ensure that over-development does not take place, that the general ratio of buildings to open space that exists within the area is maintained.

As a general guide, however, 100 square metres of usable and private (to the rear) amenity ground should be available for family use. In areas that are densely built-up, a lesser area may be acceptable as long as at least 50 square metres of genuinely usable, private space remains available after the erection of a proposed extension.

LOSS OF PARKING FACILITY

Where approval of a planning application will entail the loss of the sole space for off-street parking, with no viable alternative being available, consent will not be forthcoming.

LOSS OF VIEW

No householder has a right to a view and therefore, objections based on loss of view will not be regarded as a material consideration in determining the application. Nevertheless, in the interests of good neighbourliness, applicants are recommended to consider the impact of their proposal on the views of neighbours.

PRECEDENT

You should bear in mind when designing your extension, particularly the positioning of windows, that you will be setting a precedent. In other words, should they apply, your neighbours are likely to be granted consent for similar.

BUILDING REGULATIONS

It is probable that a Building Warrant will be required for an extension and any potential applicants are advised to consult with the Building Control Unit of the Planning & Transport Department.

INTRODUCTION

Most householders involvement with the planning system comes when they wish to extend their home or as a neighbour to someone else extending theirs. This Advice Note endeavours to convey to householders contemplating an extension to their home, what the requirements of the Planning Authority are in order to secure planning approval.

The Advice Note cannot cover all possible situations or solutions but sets out the general principles which Angus Council consider important when assessing proposals for house extensions, the overall objectives of which are:-

- (i) the retention of the existing character of an area;
- (ii) allowing a reasonable freedom of choice for owners; and
- (iii) protection of the amenity of neighbours.

Because of the differing considerations, if you are considering an extension within the roofspace (e.g. involving dormers) you should refer to Advice Note 3 "Roofspace Extensions", or if your proposed extension is on the front of the building, you should refer to Advice Note 15 "Front Extensions". This Advice Note covers all other situations, including conservatories.

It is worth bearing in mind that some houses were never designed to be extended at all or have already been extended to their limit. In such circumstances, if additional accommodation is essential, you may not be able to achieve it in your present house.

PERMITTED DEVELOPMENT RIGHTS

Not all house extensions require planning permission, the Town & Country Planning (General Permitted Development) (Scotland) Order 1992 conveys certain rights on property owners to build extensions without the necessity to obtain planning permission, known as "permitted development".

Accordingly, you are advised to seek guidance from the Planning & Transport Department before progressing your plans too far.

Sympathetic consideration will be accorded to extensions that only just fail to fall within the ambit of "permitted development" but dependent on the circumstances, the Planning Authority does reserve the right to require such proposals to fully conform with the guidance contained in this Advice Note.

GENERAL ADVICE

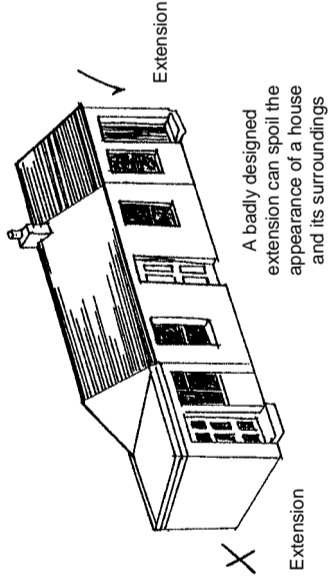
It is recommended that you seek professional advice from someone trained and experienced in designing buildings - a well designed extension can enhance your property, a poorly designed extension can make it difficult to sell. The Royal Incorporation of Architects in Scotland (RIAS) can give you a list of local architects (the list can be viewed at the Planning Office) or you can find them in the Yellow Pages.

Irrespective of whether or not you engage a professional agent, the design of house extensions needs advice as early as possible - you are therefore advised to contact one of our Development Control Officers to discuss your proposals well before submitting an application. There may be more than one way of providing the extra space you desire and a consultation with the officer will reveal which is the most acceptable or in the case of unacceptable designs, perhaps how they may be made acceptable. Sketch plans prepared in advance can be helpful in comparing different schemes.

Good design need not cost more, but even if there is an increase in the initial cost, in the longer term there may be benefits from reduced maintenance costs, e.g. pitched roofs cost less to maintain than flat roofs.

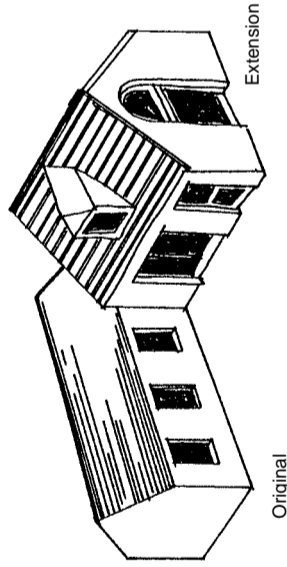
Many people want to extend their homes in different ways: if everyone did exactly as they wanted, problems could be caused for others living close by, or the whole appearance of the area might be spoiled.

Extensions should not over-dominate the existing house or be designed merely to fit a required amount of accommodation. They should normally be sympathetic in style to the original building, although this general principle may be discarded if an architectural solution of exceptional quality is proposed. It should also be recognised that traditional and modern buildings may need to be treated in different ways.



SCALE

As a general rule the Planning Authority will not look favourably on extensions which dominate the existing house, i.e. the bulk of the extension overwhelms the original house and drastically changes its character or the character of the area. The scale of any proposed extension should be appropriate to the scale of the original house.



extension should respect and be sub-servient to the existing building. Extensions not exceeding 50% of the original ground floor area of the existing building are most likely to find favour with the Planning Authority, while extensions of more than 100% will rarely be approved.

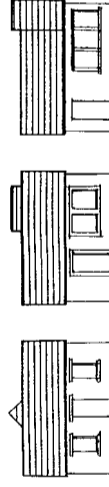
Extensions in excess of 50% are most likely to receive approval where the current accommodation is extremely restricted (e.g. but 'n ben), where the extension is not seen from any public area, where the area comprises modern houses of a mixed scale or where a unique architectural design solution is proposed. In all cases the extent of the property curtilage and especially the amount of amenity space remaining after extending, will be a determining factor.

ROOFS

The roof of a building often plays the most important part in its overall appearance. Extensions which copy the roof type and angle of pitch of the original are usually more successful than those that introduce a completely different type of roof. The latter nearly always appear as an obvious addition tacked onto a house.

The roofing material of any pitched roof extension should match that of the original.

Flat roofed extensions are not generally encouraged but may be acceptable where, for instance, they are not visually prominent.

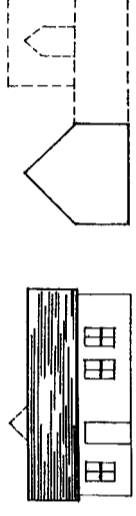


Some Unacceptable Roof Extensions

As a general rule the height of an extension should not exceed the existing ridge height of the house.

Again, an original architectural design may produce an acceptable solution to this general restriction.

For a rear extension where additional height is necessary to meet modern standards or regulations, a solution may be achieved by providing a low-roofed/flat-roofed link, however, it will be necessary to ensure that the extension does not exceed the existing ridge height of the house.



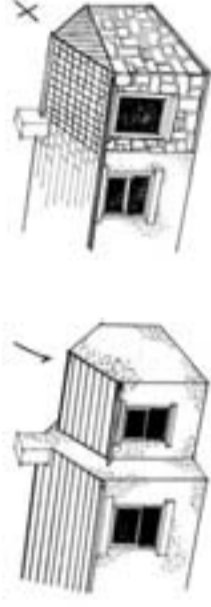
to demonstrate (e.g. by perspective sketches) that the roof of the extension is not readily viewed above the roofline of the original building.

A full two storey extension onto a single storey dwelling is unlikely to be acceptable under any circumstances.

MATERIALS

Materials used for external finishes should, as far as possible, match the existing property. This can be straightforward with modern buildings but not always possible with an older stone building. In cases such as this, it may be acceptable to use a traditional wet harl or dry dash finish coloured to match the stone as closely as possible. A design justification statement would be required for the Planning Authority to even consider the use of contrasting colours.

The diagrams below show the good use of materials in an extension and poor use.



extension and poor use. The good example incorporates a technique that is highly recommended and helps to conceal the joints between old and new where side extensions are involved and that is a slight set back from the house front.

PRIVACY AND OVERLOOKING

While successive Governments have confirmed that the Planning Regulations are not in place to provide a neighbour protection service, neighbours are entitled to expect some consideration to be given to their privacy when an adjacent property extends.

The "Permitted Development" rights mentioned above make it impossible for total privacy to be assured and except in the most isolated rural location, few householders can claim not to be overlooked to some degree. The guidance that follows, therefore, is intended to provide for the maintenance of a degree of privacy without becoming unduly restrictive on persons wishing to extend their property.

Window to Window Privacy - The following guideline MINIMUM distances between windows on a proposed extension and existing windows on a neighbouring house should be observed. These distances should ensure a reasonable degree of amenity and privacy

but there may be instances where they may not be acceptable for townscape reasons e.g. out of character with the surrounding area, the presence of trees, etc. and conversely, in higher density areas, it may even be possible to reduce some of the distances. The distances can also be reduced when the windows are at an angle to each other.

Main Living Room Window to:-

Main Living Room Window	20 metres
Other Habitable Room Window	15 metres
Non-Habitable Room Window	12 metres
Blank Wall	12 metres

Other Habitable Room Window to:-

Other Habitable Room Window	12 metres
Non-Habitable Room Window	10 metres
Blank Wall	10 metres

Non-Habitable Room Window to:-

Non-Habitable Room Window	4 metres
Blank Wall	4 metres
Blank Wall to Blank Wall	2 metres

Definitions: In this context habitable room includes kitchen.

The initial objective of the architect or designer in producing the extension plans should be to avoid conflict with the guidance by careful siting of windows or, in appropriate circumstances, the use of obscure glass, high-level windows or velux windows. In dealing with planning applications, the Council will also pursue these options where the 'rules' are infringed.

Should all other options not provide a solution, the provision of a two metre high wall or fence between the problem windows may be acceptable as a solution for single storey extensions. A condition will be imposed on the planning consent requiring the applicant to erect and/or retain the wall or fence. An existing hedge will also be acceptable if at or near two metres in height and again a condition will be imposed to ensure its retention. This solution may not be appropriate in all circumstances, for instance where ground levels vary or where the extension would be too visually intrusive on the existing house, especially if it is the front of the existing house that is affected.

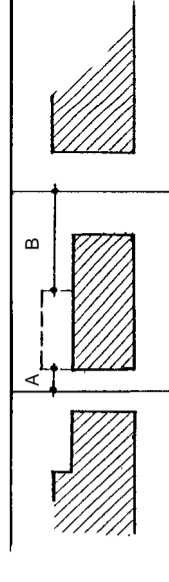
If for some reason the affected neighbour does not wish a wall or fence to be erected, an approach to the Council from that source to have the condition removed is likely to be positively received. In any case if the neighbour's window is less than two metres from the proposed wall or fence, the provision of such a structure will not be acceptable and unless an alternative solution can be found, the application to extend is likely to be unacceptable.

Where two-storey extensions are involved the option of a two metre high wall or fence to allow a reduction in these distances is unlikely to be acceptable.

Garden Overlooking - As previously suggested, it is a rare garden that is not currently subject to a degree of overlooking and "Permitted Development" rights often increase it even more. Accordingly, it would not be appropriate for such a degree of protection to be accorded to garden overlooking as to make it difficult for property to be extended.

The initial objective should again be to avoid the situation arising by careful placement of windows etc.

Where there is no obvious means of avoiding overlooking from extension windows and the window(s) are within one to four metres of the boundary, the provision of a two metre high wall or fence (or



A: Less than 4 metres - 2 metre high fence required

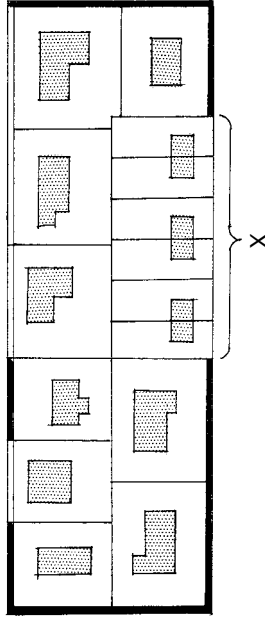
B: More than 4 metres - no fence required

FRONT GARDENS

Most householders are content to accept up to a one metre high wall or fence to the front garden boundary but when this is deemed to be insufficient, planning consent will not only be required but can present problems if a height in excess of, say, 1.2 metres is sought.

In **OLDER, LONG-ESTABLISHED AREAS** it is not unusual for higher front boundary walls to exist. Where this is a feature of an area, an application to erect a new wall (but NOT a fence) upto a maximum of two metres and in a complementary material (which may be natural stone) can expect to be treated sympathetically. Increasing the height of an existing wall by erecting metal railings on the top is also likely to find favour.

This approach will not be adopted by the Planning Authority where more modern dwellings of a uniform style have been inserted into an otherwise long-established area.



1583

Existing high stone walls

Permission likely to be granted for 2m high wall

Permission NOT likely to be granted for 2m high wall

In **MODERN, MIDDLE TO LOW DENSITY SCHEMES** the general impression is usually one of openness and the erection of high walls or fences to front garden ground would be out of character and create a visually incongruous feature.

Accordingly, walls or fences in excess of 1.2 metres will rarely be permitted as a means of enclosing front gardens. An exception might be made where the boundary is set back behind an ample verge, amenity area, private track or drive, etc.

In **MODERN, HIGH DENSITY SCHEMES** the same 'rules' will apply where appropriate but it is acknowledged that in some of these schemes the distinction between front, back and side can become blurred. Accordingly, this Advice Note does not attempt to legislate for all circumstances and applications for planning consent will be dealt with on their merit bearing in mind existing character and features and whether or not the proposal can be satisfactorily accommodated within that context.

HOUSES IN THE COUNTRYSIDE

By and large the same principles will be applied to houses in the countryside, acknowledging however, that the wrong

solution to boundary treatment can have a more serious and widespread impact on the visual environment than in a town or village location.

Indeed the preferred boundary treatment in rural areas is a hedge and planning conditions may be imposed to secure this.

Whilst it might be thought that timber would be an appropriate material for fences in the countryside, it is often not the case as many fences constructed of timber appear particularly 'suburban' when transposed to a rural location. Accordingly, timber fences in excess of 1.2 metres high will not usually be acceptable in prominent (not just front) locations.

Stone walls or dykes, on the other hand, are a feature of the countryside (particularly of dry-stone construction) and are likely to find favour with the Planning Authority.

In locations distant from public roads or view, the restrictions on the use of timber fencing and stone substitutes, might be lifted.

CONSERVATION AREAS

It is a requirement of legislation that developments in conservation areas either preserve or enhance the character of the area. Accordingly, proposals for boundary walls and fences will be treated much more stringently and unless this principle is observed, will be refused consent.

EXCEPTIONS

It is impossible for an Advice Note of this nature to cover all and every circumstance and where situations arise outwith these guidelines the application will be treated on its individual merit but bearing in mind the principles established above and, of course, the acceptability of the proposal in its area context.

Some obvious exceptions might arise where, for instance, retaining walls are necessary, where visibility for road safety reasons must take precedence, where a higher wall or fence than would otherwise be permitted provides a 'planning gain' in screening a eyesore and, of course, in open plan schemes the dispensations and permitted development rights would not apply at all.

Angus Council



ADVICE NOTE 24

RESIDENTIAL BOUNDARY TREATMENT

For further information and advice contact:

Planning & Transport
Angus Council
County Buildings
Market Street
Forfar
DD8 3LG

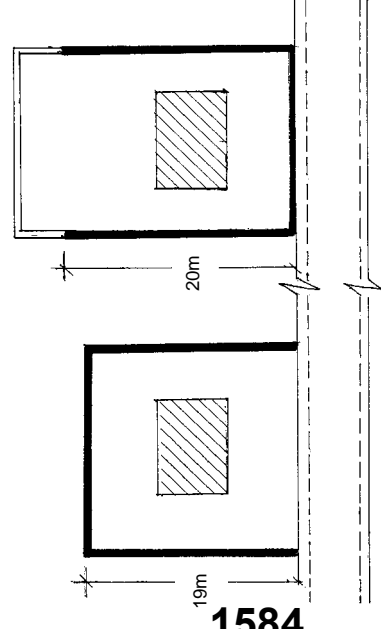
Telephone 01307 461460

INTRODUCTION

While the treatment of boundaries is a relatively minor aspect of Planning, walls and fences, particularly to the front of houses are a very prominent and therefore important feature of the streetscape and townscape and provide the finishing touch to a development. As such they have the potential to set-off and enhance or despoil an otherwise fine building. This Advice Note is intended to achieve the objective of ensuring that boundary treatments enhance appearance and provides guidance to applicants on how they can secure the necessary planning consents.

DO YOU NEED PERMISSION

Under the terms of planning legislation a boundary wall or fence to a residential property not exceeding one metre in height does not require planning permission, unless conditions to the contrary were imposed on a planning consent. If the wall or fence is set back at least 20 metres from a road then a height of two metres is permitted without seeking planning consent.

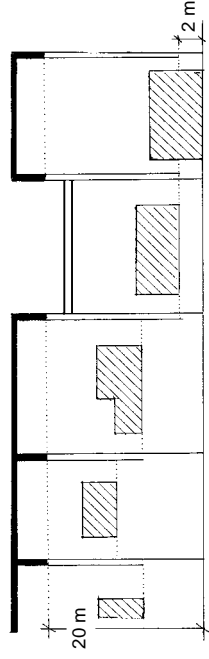


- Fence/wall over 1m. requires consent
- == Fence/wall over 2m. requires consent

Note: There are no planning restrictions on how high a natural hedge can be allowed to grow. **ACCORDINGLY SHOULD YOU FAIL TO OBTAIN CONSENT FOR YOUR WALL OR FENCE, PLANTING A NATURAL HEDGE INSTEAD MAY PROVIDE A VIABLE ALTERNATIVE.**

BACK GARDENS (EXCLUDING CORNER PLOTS)

The Council acknowledges that the back garden forms the main outdoor private area for most dwellings and it is not unreasonable that householders should seek to maximise that privacy, provide safety for children, etc. and, therefore, as a general rule where planning permission is required to erect a wall or fence up to two metres in height, permission will only rarely be withheld, e.g. where a neighbour has a window to a habitable room (including kitchen) within one metre of the proposed wall or fence. Only in exceptional cases, however, will fences in excess of two metres be allowed.



--- 'Back Garden' - permission required to exceed 1m but unlikely to be withheld unless within 2 metres of road

— 'Back Garden' - permission NOT required for fences/walls up to 2 metres high

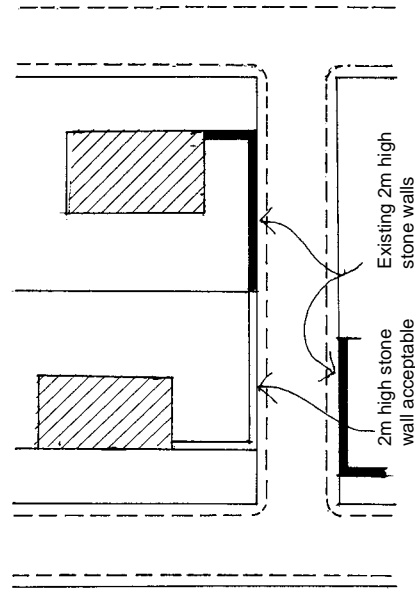
A unique situation arises in circumstances where the back of a house and therefore the back garden, front a public road. Where a new development is proposed, the Planning Authority, will expect the boundary treatment to be treated with sensitivity and some thought for its prominence. The privacy of householders should also be a paramount consideration invariably requiring a two metre high screen. A fence will rarely be acceptable and a wall should include an element of modelling to avoid monotony. Where individual houses are involved, a wall as opposed to a timber fence will usually be required and a consistency of material finish and height will be sought where two or more adjacent houses back onto a public road.

CORNER PLOTS

The exception to these rules relates to corner plots which are far more prominent in the streetscene and if not sensitively handled, walls and fences can be overbearing and out of character.

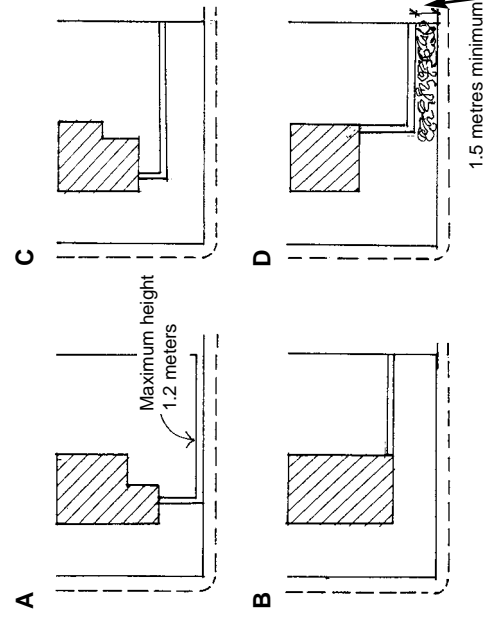
In **OLDER, LONG-ESTABLISHED AREAS** it is not unusual for high stone walls to have been constructed immediately to the back of the footpath. Where this is a feature or where the Planning Authority believes such a wall could positively contribute to the streetscene (taking into account materials, colour, etc.), walls up to two metres in height and enclosing back or side gardens will usually be acceptable.

Timber fences will rarely be acceptable in such circumstances as they will invariably be out of character and would introduce an alien feature. Natural stone would be the preferred material but some good quality artificial stones are now available and, depending on the circumstances - surroundings, etc. one of these may be acceptable. Only where exceptional circumstances prevail with a wall in excess of two metres be permitted.

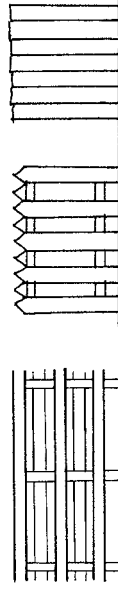


In **MORE MODERN, MIDDLE TO LOW DENSITY SCHEMES**, however, high walls or fences are not a feature and can seem out of place and over-dominant. Accordingly, rarely will it be permissible to exceed a height of 1.2 metres immediately abutting a footway (see A below). In acknowledgement of the difficulties in providing privacy on corner plots, however, the Planning Authority will usually grant consent for a two metre high wall or fence set-back from the footpath.

The preferred location is on a line in continuation of the side elevation of the house (see B below). There may be circumstances, however, where a small projection in front of the building line will be acceptable (see C below). This should be kept to a metre or so but at least a 1.5 metre space should be maintained between the wall or fence and the back of the footpath for landscaping (see D below). Any less will create a useless area suitable only as a litter trap.



Because of the prominence of walls or fences on corner plots, planning consents will usually carry conditions in respect of material finishes. In the case of walls, for instance, common concrete blocks will not be acceptable and in the case of fences, a vertical rather than horizontal emphasis will usually be required together with the use of a dark stain. Wire mesh will not be acceptable.



Not Recommended

Preferred Alternatives

In **MODERN, HIGH DENSITY SCHEMES** the same 'rules' will apply where appropriate but it is acknowledged that screen and linking walls or fences can be a common and integral part of the layout. Accordingly, it is impossible to legislate for all circumstances and applications for planning consent will be dealt with on their merit bearing in mind existing character and features and whether or not the proposal will look out of place within that context.



Memorandum

**Communities
(Roads)**

TO: HEAD OF PLANNING & PLACE

FROM: HEAD OF TECHNICAL & PROPERTY SERVICES

YOUR REF:

OUR REF: GH/AG/CM TD1.3

DATE: 20 February 2015

**SUBJECT: PLANNING APPLICATION REF. NO.15/00154/FULL – PROPOSED
INTERNAL ALTERATIONS EXTENSION AND NEW BOUNDARY TREATMENT
AT 2 LORNE CRESCENT, MONIFIETH FOR MR LAWRENCE CAMPBELL**

I refer to the above planning application.

The site is located at the junction of Lorne Crescent and Lorne Street, Monifieth. Both roads are subject to the 30mph speed limit.

Submitted drawing No PL/004 shows a 1.8m fence around the boundary of No 2 Lorne Crescent. A visibility splay of 2.4mx43m is required at junctions with a 30mph speed limit and from investigation it appears that the splay will be maintained.

I have considered the application in terms of the traffic likely to be generated by it, and its impact on the public road network. As a result, I do not object to the application but would recommend that any consent granted shall be subject to the following conditions:

- 1 That, prior to the occupation or use of the extension, the footway crossing at the proposed access shall be formed and constructed in accordance with the National Roads Development Guide (SCOTS).
Reason: to provide a safe and satisfactory access in a timely manner.

I trust the above comments are of assistance but should you have any queries, please contact Adrian Gwynne on extension 3393.

p.p.

Comments for Planning Application 15/00154/FULL

Application Summary

Application Number: 15/00154/FULL

Address: 2 Lorne Crescent Monifieth Dundee DD5 4DZ

Proposal: Internal alterations, rear & side extension and new boundary treatment

Case Officer: Pauline Chalmers

Customer Details

Name: M Eric Perkins

Address: 4 Lorne Crescent Monifieth

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment:Hi, thanks for your notification,

No objections, just clarification

1. Noted reference to boundary treatments - no drawing showing these. Specifically mutual boundary between nrs 2&4 front and rear
2. Foul drainage runs under extension - require assurance this will be adequately exposed, upgraded and protected during and after the works and left in full working order.
3. Proposed removal of load bearing walls - to assure proper and adequate protection of adjoining property and adequate support to contiguous roof before, during and after the works.
4. Extension - assurance that the proposed extension will not encroach on the permitted sight lines and daylight allowances have been assessed and calculated from the south facing windows of 4 Lorne Cres

Comments for Planning Application 15/00154/FULL**Application Summary**

Application Number: 15/00154/FULL

Address: 2 Lorne Crescent Monifieth Dundee DD5 4DZ

Proposal: Internal alterations, rear & side extension and new boundary treatment

Case Officer: Pauline Chalmers

Customer Details

Name: Mr CJ Doig

Address: c/o 1 Lorne Crescent Monifieth

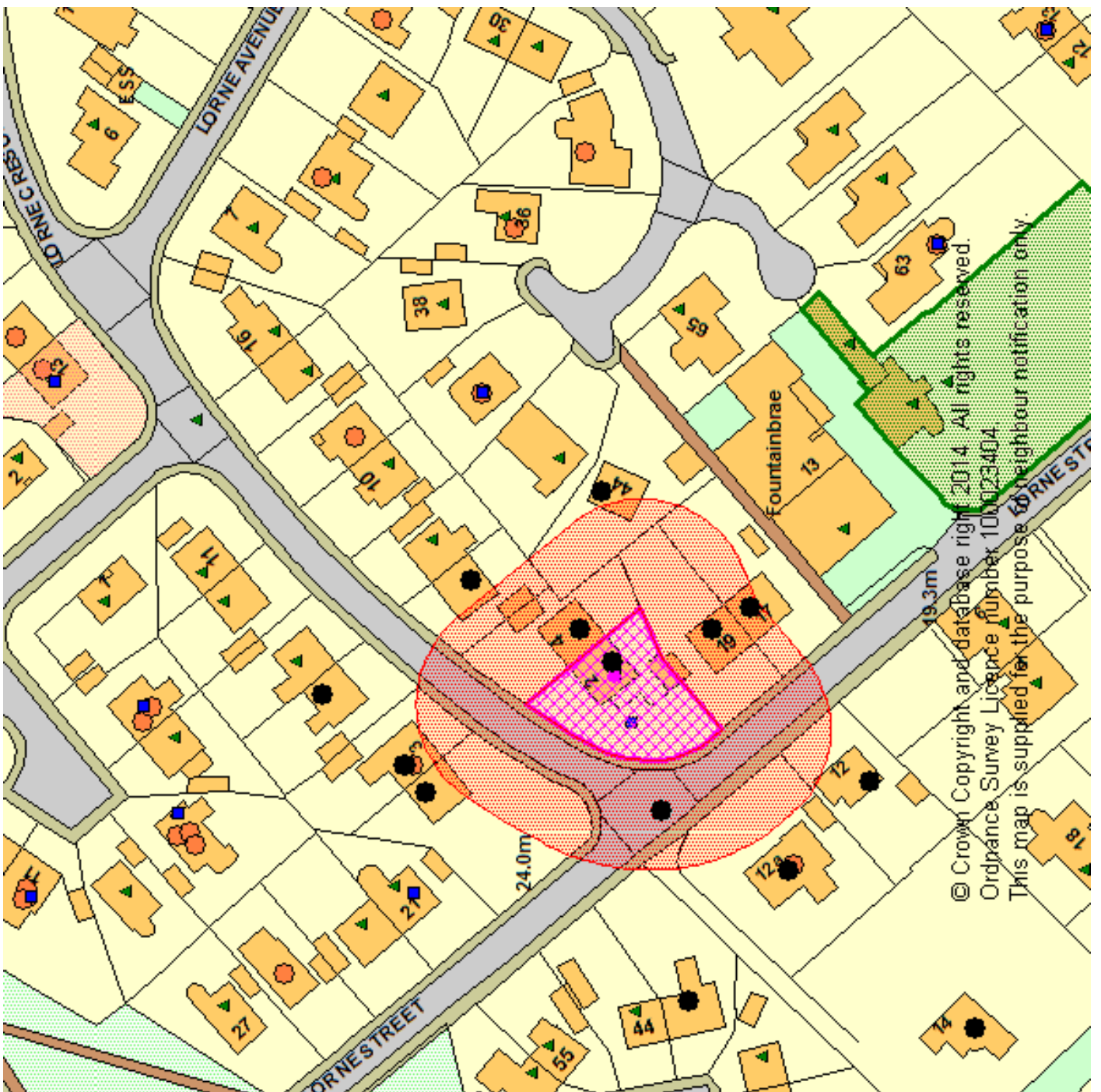
Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed boundary treatment is wholly incongruous with the front boundary of any dwelling house, this treatment is ideal for the rear/private areas and if allowed to proceed, shall be detrimental to the civic amenity of the area. If screening is required, a hedge of some form would be far more in keeping with the surroundings, the suburban feel of the area and if allowed to proceed, shall set a precedence for other treatments of the same standard within Angus Councils jurisdiction.

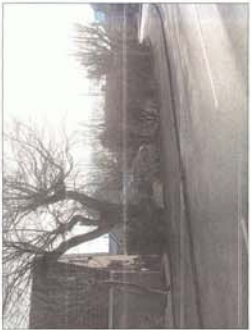




PHOTOGRAPH 1



PHOTOGRAPH 2



PHOTOGRAPH 3



PHOTOGRAPH 4



PHOTOGRAPH 5



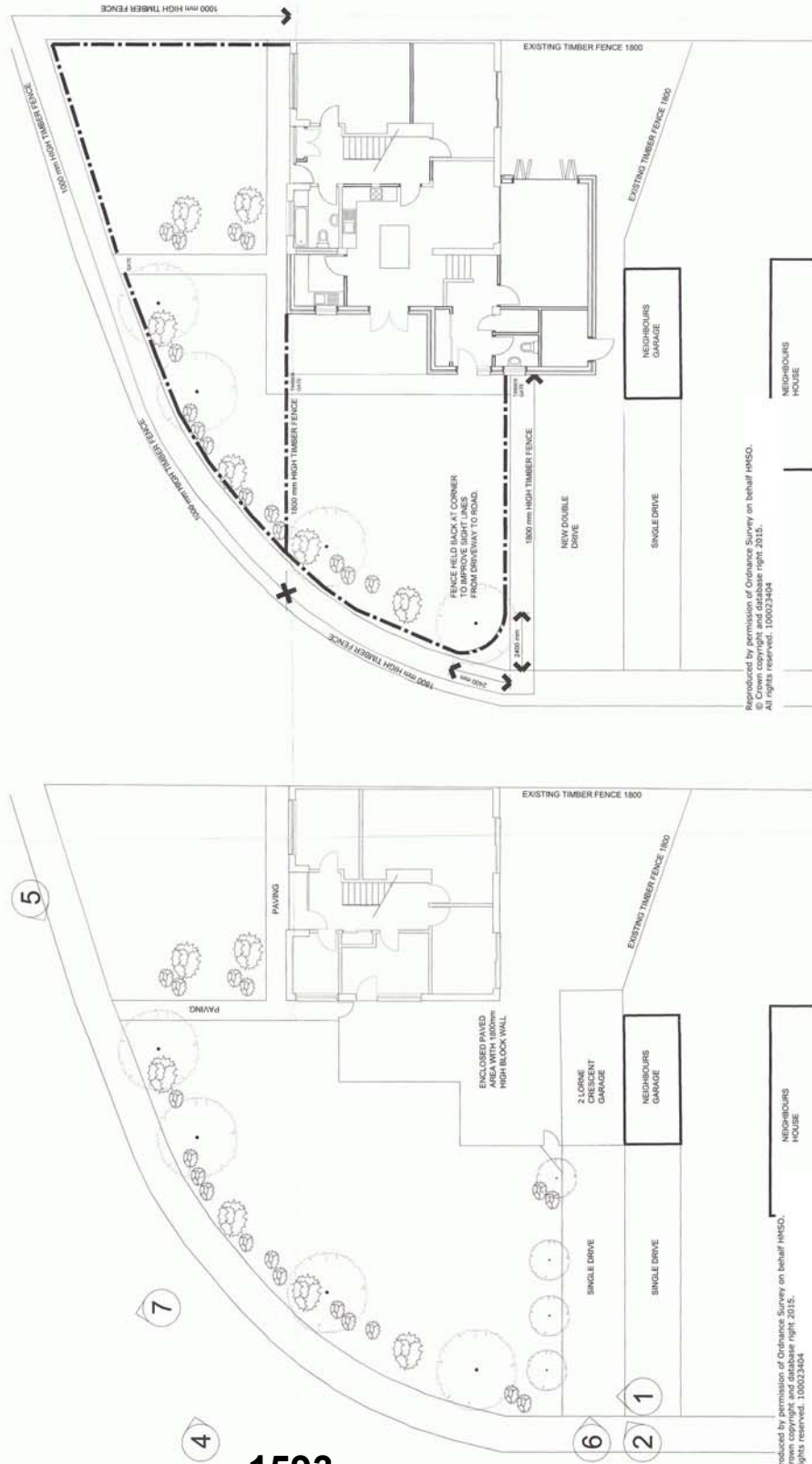
PHOTOGRAPH 6



PHOTOGRAPH 7

Town & Country Planning (Scotland) Act 1997 As Amended
 APPROVED ON BEHALF OF THE ANGUS COUNCIL
 SUBJECT TO THE CONDITIONS SET FORTH IN
 INTIMATION OF PERMISSION

3



1593

EXAMPLE OF PROPOSED HIT AND MISS TYPE
 TIMBER FENCING PROPOSED



REV B 13.02.2015 EXTENT OF 1800mm HIGH FENCE ON BOUNDARY REDUCED TO 1200mm HIGH FENCE ON DRIVEWAY TO IMPROVE BOUNDARY FENCE. NEW FENCE INTRODUCED BETWEEN HOUSE AND DRIVEWAY. FENCE HELD BACK AT NEW DRIVEWAY TO IMPROVE SIGHTLINE.
 REV A 23.02.2015 EXISTING RETAINING PLANTING IDENTIFIED ON PROPOSED STOPPING OF FENCE IDENTIFIED ON PROPOSED PLAN.

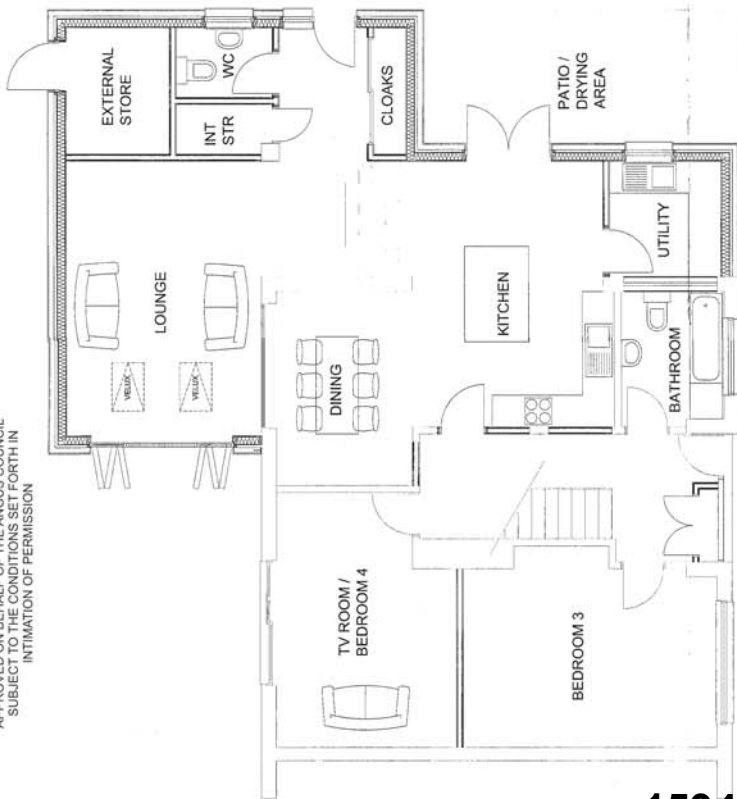
MR LAWRENCE CAMPBELL
 2 LORNE CRESCENT, MONIFRETH, ANGUS.
 PROPOSED INTERNAL ALTERATIONS, REAR AND SIDE
 EXTENSION AND NEW BOUNDARY TREATMENT.
 BOUNDARY TREATMENT.

PROPOSED SITE PLAN AND
 BOUNDARY TREATMENT (1:100)

EXISTING SITE PLAN AND
 BOUNDARY TREATMENT (1:100)

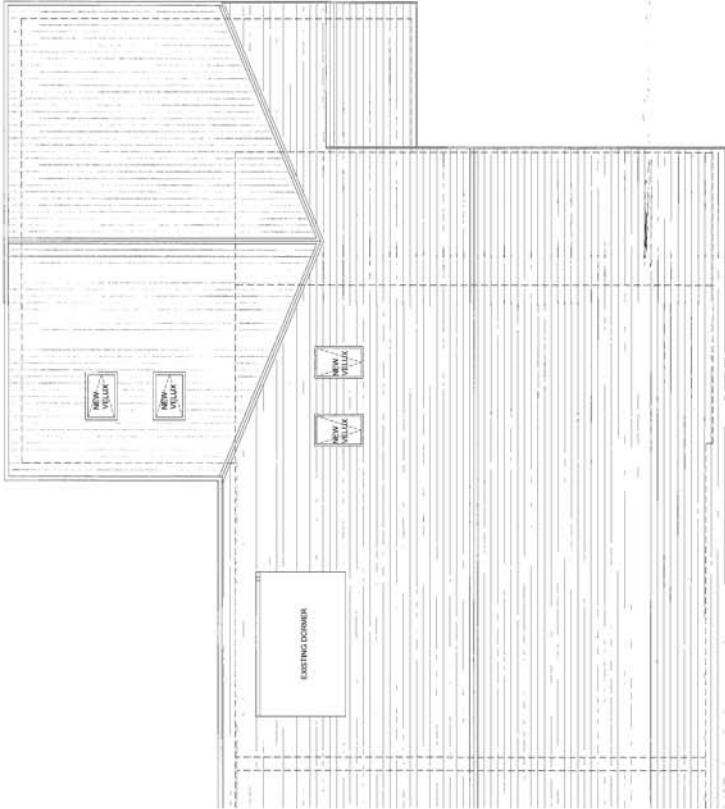
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PROPOSED GROUND FLOOR PLAN (1:50)

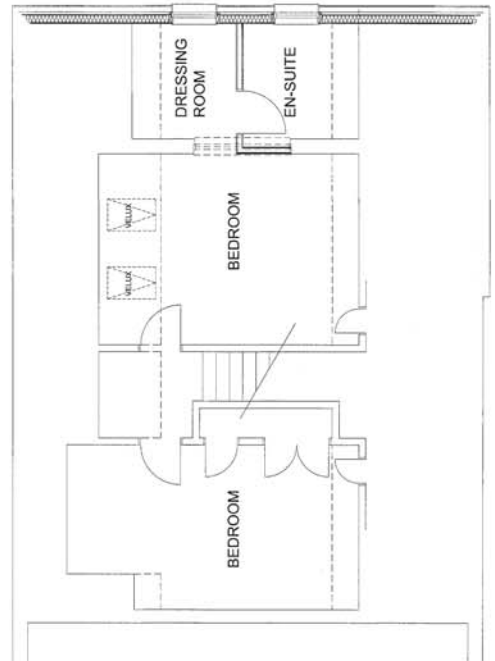
1594



PROPOSED ROOF PLAN (1:50)



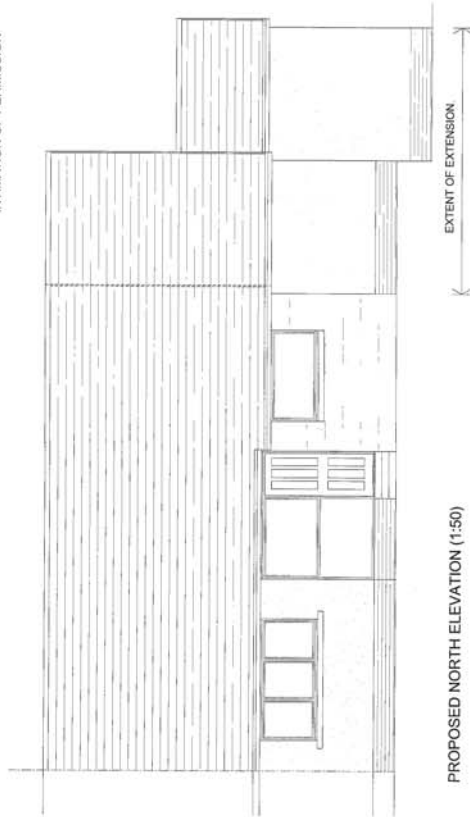
PROPOSED SITE PLAN (1:200)



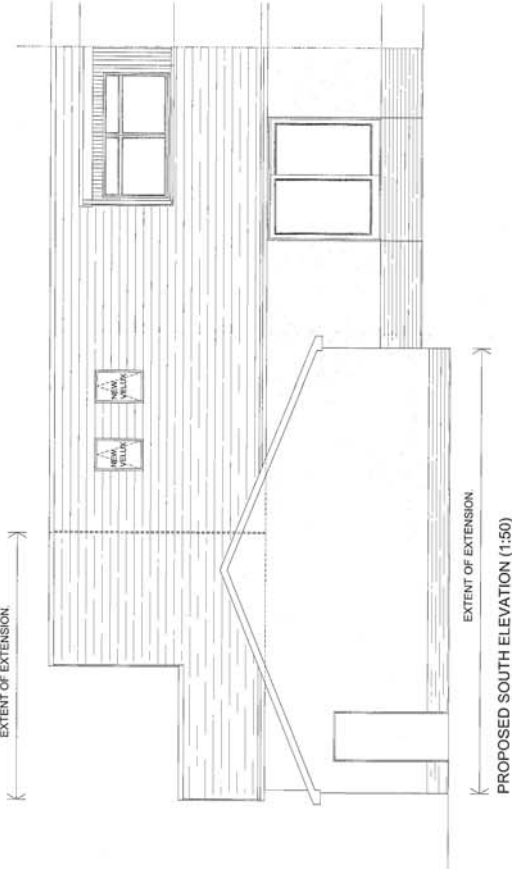
PROPOSED UPPER FLOOR PLAN (1:50)

GENERAL NOTES RELATING TO PROPOSED EXTENSION.
 ALL NEW ROOF FLASHING TO BE FINISHED WITH BLOCKING CUTTER LAY AND DRY DASH COLOURED ROOFER FINISH WITH FACING BRICK BASE COURSE. ALL TO MATCH EXISTING.
 NEW WINDOWS, DOORS, BYPASSING DOORS AND FRENCH DOORS TO BE HIGH PERFORMANCE DOUBLE GLAZED, LOW E, WITH ARGON FILLED 12mm AIR SPACE, WEATHER SEALED STAINED HARDWOOD TIMBER. EXISTING WINDOWS, WHERE RETAINED ALSO TO BE REPLACED.
 NEW ROOF WINDOWS TO BE VELUX OR EQUAL. TIMBER FINISH DOUBLE GLAZED FITS WITH BROWN PVC ALUMINIUM PROPRIETARY FLASHING TO SUIT PROFILED CONCRETE ROOF TILES.
 NEW ROOF TO BE FINISHED WITH GREY PROFILED INTERLOCKING CONCRETE ROOF TILES TO MATCH EXISTING.

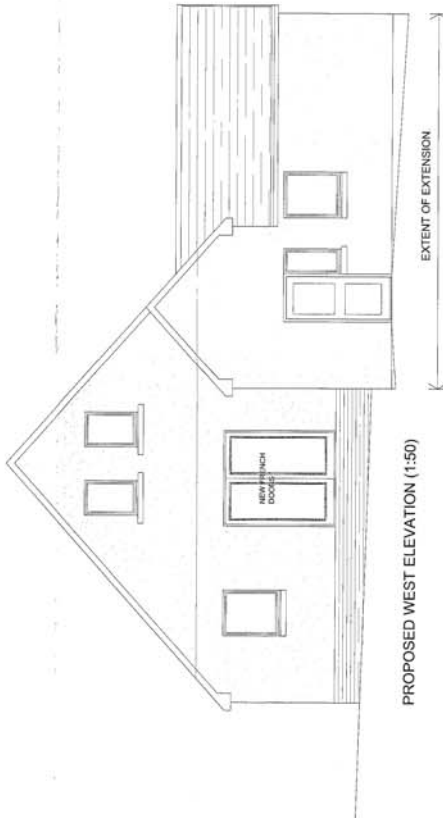
AC8
 MR LAWRENCE CAMPBELL
 2 LORNE CRESCENT, MONIFIETH, ANGUS.
 PROPOSED INTERNAL ALTERATIONS, REAR AND SIDE EXTENSION AND NEW BOUNDARY TREATMENT.
 PROPOSED GROUND & UPPER FLOOR PLANS, PROPOSED ROOF PLAN AND PROPOSED BLOCK PLAN.
 SCALE AS NOTED AT 1
 JANUARY 2015
 PU002



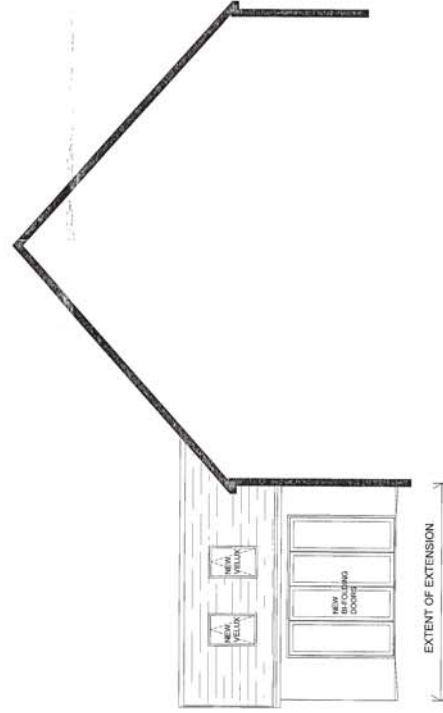
PROPOSED NORTH ELEVATION (1:50)



PROPOSED SOUTH ELEVATION (1:50)



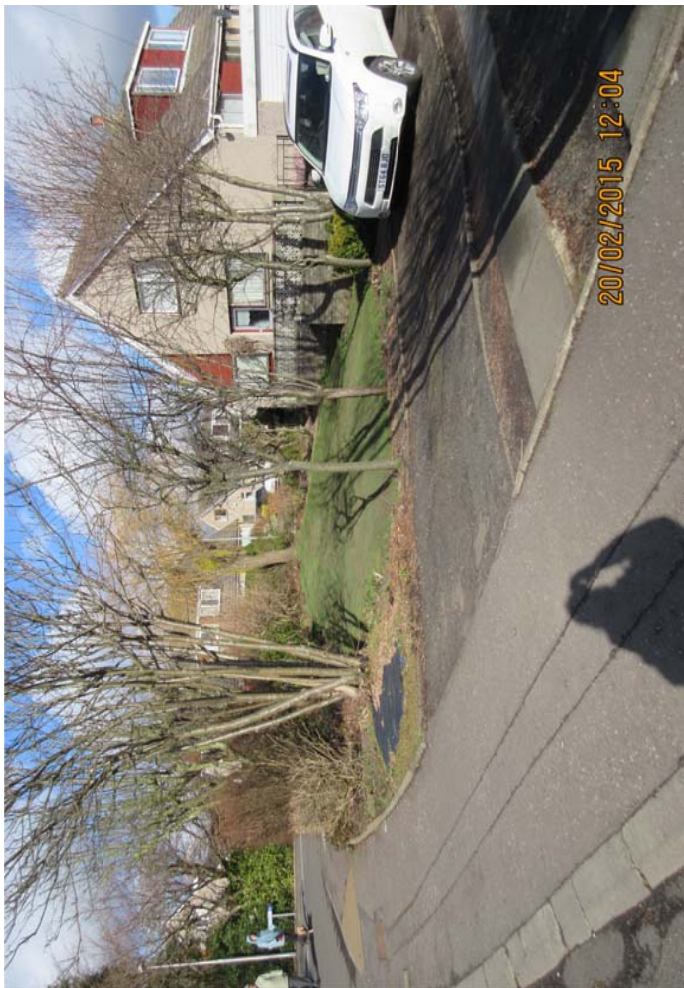
PROPOSED WEST ELEVATION (1:50)

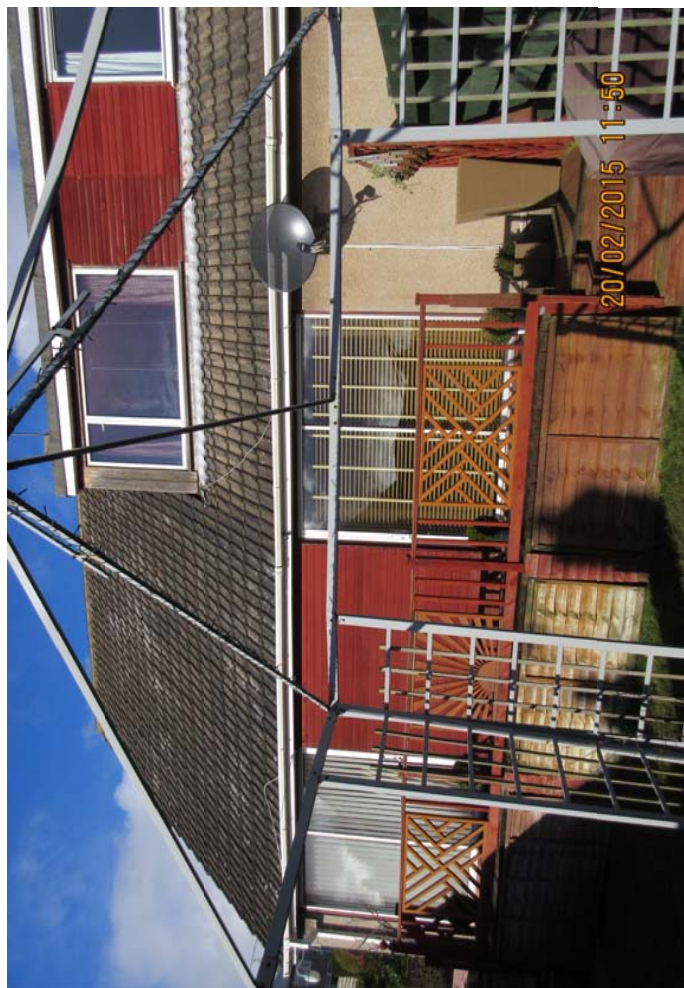


EXTENT OF EXTENSION

GENERAL NOTES RELATING TO PROPOSED EXTENSION
 ALL WALLS TO BE TIMBER FRAME INSULATED WITH
 BLOWN WOOD WOOL INSULATION AND FINISHED WITH
 BLOCKWORK CUTTING UP TO MATCH EXISTING
 WITH FACING BRICK BASE COURSE. ALL TO MATCH EXISTING.
 NEW WINDOWS, DOORS, BY PARTING DOORS AND FRENCH DOORS TO
 BE HIGH PERFORMANCE DOUBLE GLAZED, LOW E, WITH ARGON FILLED
 12mm AIR SPACE, WEATHER SEALED STAINED HARDWOOD TIMBER.
 EXISTING WINDOWS, WHERE RETAINED ALSO TO BE REPLACED.
 NEW ROOF WINDOWS TO BE VELUX OR EQUAL. TIMBER FINISH DOUBLE
 GLAZED UNITS WITH BROWN PPC ALUMINIUM PROPRIETARY FLASHING
 TO SUIT PROFILED CONCRETE ROOF TILES.
 NEW ROOF TO BE FINISHED WITH GREY PROFILED INTERLOCKING
 CONCRETE ROOF TILES TO MATCH EXISTING.

MR LAWRENCE CAMPBELL
 2 LORNE CRESCENT, MONIFIETH, ANGUS.
 PROPOSED INTERNAL ALTERATIONS, REAR AND SIDE
 EXTENSION AND NEW BOUNDARY TREATMENT.
 PROPOSED ELEVATIONS.
 SCALE AS NOTED AT A1
 JANUARY 2015
 PL/003











ANGUS COUNCIL**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)****TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (SCOTLAND) REGULATIONS 2013****PLANNING PERMISSION - CONDITIONAL APPROVAL
Reference 15/00154/FULL**

To: **Mr Lawrence Campbell
2 Lorne Crescent
Monifieth
Dundee
DD5 4DZ**

With reference to your application dated **12 February 2015** for planning permission under the above mentioned Acts and Regulations for the following development viz:-

Internal alterations, rear & side extension and new boundary treatment at 2 Lorne Crescent Monifieth Dundee DD5 4DZ for Mr Lawrence Campbell

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Grant Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docquetted as relative hereto in paper or identified as approved on the Public Access portal.

The permission is subject to the following conditions, namely:-

- 1 That, prior to the occupation or use of the extension, the footway crossing at the proposed access shall be formed and constructed in accordance with the National Roads Development Guide (SCOTS).
- 2 Prior to the commencement of development, a plan shall be submitted showing an amended position for the provision of a boundary fence which shall be located on the house side of the peripheral boundary planting and set back from the public road/footway. Only the approved boundary fence shall be erected. For the avoidance of doubt, the boundary fence shown on the site plan (Drawing Number PL/004 Rev B dated January 2015) is not approved by this planning permission.

The foregoing conditions are imposed by the Council for the following reasons :-

- 1 To provide a safe and satisfactory access in a timely manner.
- 2 In order to protect the visual amenity of the surrounding area and in to ensure that the proposal is in accordance with Angus Council Advice Note 24 'Residential Boundary Treatment'.

The reason(s) for the foregoing decision by the Council are as follows:-

1. That the proposed development complies with relevant policies of the development plan as the design is acceptable; the impact on the amenity of neighbouring properties is not unacceptable as assessed against relevant Angus Council guidance; adequate garden ground is maintained; and the proposal does not compromise road traffic or pedestrian safety. There are no material considerations justifying refusal of the application.

Dated this **10 April 2015**

Iain Mitchell
Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG

NOTES

The decision was based on the following amendment(s):-

Amendments:

1. Drawing PL/004 RevB Boundary Treatment (19 March 2015) from the applicant amends and supersedes drawing PL/004 Boundary Treatment (12 February 2015). The fence has been stepped back from the corner of the site where it joins with the edge of the pavement to accommodate the 2.4 metre sightlines.

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments e.g. the Building (Scotland) Act 2003 and the Building (Scotland) Regulations 2004 as amended.

WARNING ANY ALTERATIONS MADE TO THE APPROVED PLANS OR STATED CONDITIONS WITHOUT THE PRIOR CONSENT OF THE LOCAL PLANNING AUTHORITY COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN TO REMEDY OR REINSTATE THE UNAUTHORISED ALTERATIONS

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW

2 LORNE CRESCENT, MONIFIETH, DD5 4DZ

APPLICATION NO 15/00154/FULL

APPLICANT'S SUBMISSION

- ITEM 1** Notice of Review
- ITEM 2** Appeal Statement



County Buildings Market Street Forfar DD8 3LG

Tel: 01307 461460

Fax: 01307 461 895

Email: plnprocessing@angus.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000123651-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text"/>
Ref. Number:	<input type="text"/>
First Name: *	<input type="text" value="Tony"/>
Last Name: *	<input type="text" value="Weed"/>
Telephone Number: *	<input type="text" value="01382688084"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address: *	<input type="text" value="Tonyweed@yahoo.com"/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text"/>
Building Number:	<input type="text" value="1"/>
Address 1 (Street): *	<input type="text" value="Lorne Crescent"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Monifieth"/>
Country: *	<input type="text" value="UK"/>
Postcode: *	<input type="text" value="DD5 4DZ"/>

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Mr
Other Title:	
First Name: *	Lawrence
Last Name: *	Campbell
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	Tonyweed@yahoo.com

You must enter a Building Name or Number, or both:*

Building Name:	
Building Number:	2
Address 1 (Street): *	Lorne Crescent
Address 2:	
Town/City: *	Monifieth
Country: *	UK
Postcode: *	DD5 4DZ

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:	2 LORNE CRESCENT	Address 5:	
Address 2:	MONIFIETH	Town/City/Settlement:	DUNDEE
Address 3:		Post Code:	DD5 4DZ
Address 4:			

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="732971"/>	Easting	<input type="text" value="349851"/>
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Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

I am seeking a review /appeal against the planning authority's decision regarding the two conditions imposed. I would encourage a site visit to demonstrate the following.

1. Regarding the footway crossing at the proposed access IS indeed formed.
2. The condition requiring the boundary to be set back from the footway is wholly impractical and nullifies the purpose of this proposed extension, safety, privacy. This extension?s aim is to free up the land toward the side and front garden.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

I am seeking a review /appeal against the planning authority's decision regarding the two conditions imposed. I would encourage a site visit to demonstrate the following.

1. Regarding the footway crossing at the proposed access IS indeed formed.
2. The condition requiring the boundary to be set back from the footway is wholly impractical and nullifies the purpose of this proposed extension, safety, privacy. This extension's aim is to free up the land toward the side and front garden.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

Yes No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Doc. Review /Appeal 2 Lorne Crescent

Application Details

Please provide details of the application and decision.

What is the application reference number? *

15/00154/full

What date was the application submitted to the planning authority? *

12/02/15

What date was the decision issued by the planning authority? *

10/04/15

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? * Yes No

Is it possible for the site to be accessed safely and without barriers to entry? * Yes No

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? * Yes No

Have you provided the date and reference number of the application which is the subject of this review? * Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? * Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review * Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Tony Weed

Declaration Date: 18/06/2015

Submission Date: 18/06/2015

I'm seeking a review /appeal against the planning authority's decision regarding the two conditions imposed. I would encourage a site visit to demonstrate the following.

1. Regarding the footway crossing at the proposed access **IS** indeed formed and in accordance with SCOTS.

This was discussed and agreed at the time of consultation during the planning process with officers at Angus Council; and that there are 6 'dropped slabs' at the access point allowing a double driveway. My understanding is that this was non-issue and would have been withdrawn as a condition.

2. The condition requiring the boundary to be set back from the footway is wholly impractical and nullifies the purpose of this proposed extension. This extension's aim is to free up the land toward the side and front garden. The reasons for requesting a boundary of this height were outlined in a letter sent to Ms Chalmers. Mainly to provide a safe, secure and private area for our children and pets to play in and for us as a family to enjoy.

By setting it back, means that due to the drop/ slope from the road/footway path, that a 1800mm boundary in effect would drop and only offer no privacy. We may as well have constructed a 3 foot fence and not bothered requesting planning.

This would also in effect reduce the garden area to a point which again would relatively useless.

My impression was, having found the council representative very consultative in this process, that I thought that the issue of traffic/pedestrian safety i.e. line of sight for traffic at the corner would have been improved by having the boundary constructed in this way. Also it must be strenuously stated that the junction corner that we are situated on is already a 'gentle curve and not right angled as other traffic junctions in the area; and thus offers a higher degree of line of sight.

This versus the feedback that we should now just grow 6 foot hedge (which would in fact be exempt of advice note 24?!) would by far have more of a restricted view for all concerned. {On a personal note, if advice note 24 is the final say / "Angus Law" why were we encouraged to include a boundary treatment of this nature in this process? This has cost us significant time and money revising the application plans, when it will never be approved?!}

With regards to the impact amenity of the area, an immediate 360 degree view of the area already includes brick/fence/ stone and wooden fences.

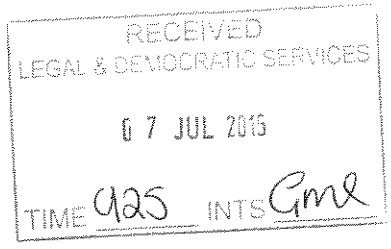
It was our intention to professionally construct and paint wooden fence would improve what is currently shown on this property, and be in keeping with the local area.

That being said, I would however now consider different construction material for the boundary if that made a difference.

As mentioned, I would also encourage a site visit to demonstrate my views and I would be open to definitive solutions that could resolve these issues all round.

**FURTHER
REPRESENTATIONS**

Karen Maillie
Committee Officer
Angus House



Dear Ms Maillie

Application No 15/00154/full 2 Lorne Crescent

Thanks for your letter 1/7/2015 inviting further representations on the above proposed extension and alteration.

As previously stated, I have no objections to the development as long as everything is done in accordance with regulations and good building practice.

However, I am concerned that there appears to be discrepancies between Water Services drainage records and what is actually on site. There appears to be a misconception of ownership and maintenance responsibility for the common drainage which will be affected by this work.

It is my understanding that the common single pipe drainage starts at the North elevation Nr 2/4 boundary of the site and is the responsibility of the Water Services from that point onwards. I believe there has been correspondence on this matter and a video survey has been conducted to ascertain condition of the pipeline. I believe this survey showed existing pitch fibre pipeline in very poor condition. As such I am concerned to ensure that the alterations, replacement and protection of the pipe (which will run under the proposed extension) is carried out and supervised by the Water Services to their complete satisfaction. I am concerned that the Water Services seem to believe they are not responsible

for this section of pipe work and, although I am sure the work will be done well, they will not specifically monitor the work from the position of common rather than private ownership.

Thanks for the opportunity to voice these concerns. Hope they will be of some use to you in your deliberations.

Yours



Eric Perkins, 4 Lorne Crescent, dd5 4dz

**APPLICANT'S RESPONSE
TO FURTHER REPRESENTATIONS**

ForsythSL

From: Tony Weed <tonyweed@yahoo.com>
Sent: 12 August 2015 16:41
To: ForsythSL
Subject: Receipt of letter dated 23 July 2015 - ref DMRC -7-15

Good afternoon Ms Forsyth

It was just to let you know hat I was handed this letter by my neighbour at No.1 Lorne Crescent at the beginning of last week! Not sure what happened there?

But anyway in response to the letter, I appreciate Mr Perkins concern regarding the drainage issue.

A few things:

There has been a lot of ground work and research, and cost on my behalf in order to trace the public drains within this property, and this was for the reason that I want to ensure that that build is done in the correct building standards manner etc I have been in contact with Mr Perkins on a regular basis and can assure all concerned that any building that takes place has and has already been advised by Scottish Water with regards to the correct material and building practice and regulations.

Whilst I appreciate Mr Perkins concern regarding the drainage, as I have devoted much time to this! The actual reason for my appeal was in direct relation to the boundary treatment and driveway access, so I am a bit perplexed why a different issue has been raised at this juncture.

Many thanks

Tony Weed

