

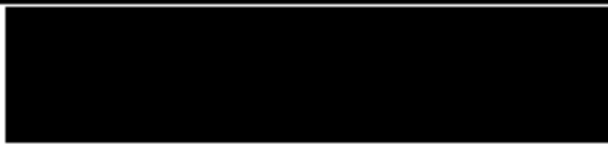
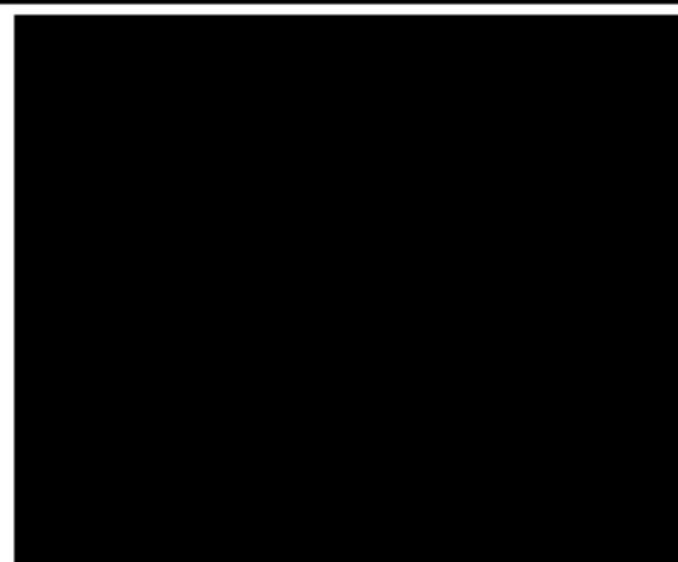
## REPORT OF HANDLING





<b>Ref No:</b>	14/02195/APP	<b>Officer:</b>	Cathy Archibald
<b>Proposal Description/ Address</b>	Demolish conservatory and alterations and extension to dwellinghouse at 13 Duff Street Hopeman Elgin Moray		
<b>Date:</b>	08/01/15	<b>Typist Initials:</b>	LRM

<b>RECOMMENDATION</b>		
Approve, without or with condition(s) listed below		Y
Refuse, subject to reason(s) listed below		N
Legal Agreement required e.g. S,75		N
Notification to Scottish Ministers/Historic Scotland		N
Hearing requirements	Departure	N
	Pre-determination	N

<b>CONSULTATIONS</b>		
Consultee	Date Returned	Summary of Response
Contaminated Land	24/11/14	No objection subject to informative
Transportation Manager	28/11/14	No objection subject to informative

<b>DEVELOPMENT PLAN POLICY</b>		
Policies	Dep	Any Comments (or refer to Observations below)
H5: House Alterations and Extensions	N	Complies
IMP1: Development Requirements	N	Complies
EP9: Contaminated Land	N	Complies
T2: Provision of Road Access	N	Complies
T5: Parking Standards	N	Complies

<b>REPRESENTATIONS</b>		
Representations Received	YES	
Total number of representations received THREE		
Names/Addresses of parties submitting representations		
Name	Address	
		

Summary and Assessment of main issues raised by representations

**Issue:** Appears to be over developed extending far to the north of the existing building line. The overall mass of the proposal is not in keeping with the existing development in terms of height, width or depth.

**Comments (PO):** The footprint of the proposed building works is not considered to extend into the site any more than that of other nearby properties. On this basis the proposals do not necessarily appear to be overcrowded and reflect the character of the surrounding area.

**Issue:** Concern regarding overlooking balconies and windows impacting on privacy. The very large structure will overshadow the neighbouring garden. The light and amenity of will be severely affected by such a large mass so close to the boundary.

**Comments (PO):** The privacy is no more affected than before the proposed development. The first floor bedroom and bathroom windows of the neighbour's property are approx. 7.2m from the mutual boundary wall. The separation distance between the two houses will ensure that there are no overlooking/privacy issues and there will be no significant loss of natural light. It is accepted that there will be an impact on the neighbouring properties, however, it is considered that these will no longer be of a significant nature in terms of policy

**Issue:** The extension is built 1 metre from the boundary creating a dark and unattractive walkway.

**Comments (PO):** The extension is built 1 metre from the boundary and within the applicant's grounds which is acceptable and has ensured there would be no overlooking/privacy issues by omitting any windows on this elevation.

**Issue:** Dining and family area windows faces in a westerly direction and the proposed development would impact on natural sunlight and daylight.

**Comments (PO):** The extension is of a design, scale and proportion to match the neighbouring one on the east elevation and with the sun rising in the east will not experience any less sunlight/daylight than there is at present.

**Issue:** The decking would result in a significant loss of privacy and amenity to the rear private garden.

**Comments (PO):** There will be overlooking onto neighbouring properties but not any more onerous than overlooking from the existing windows or from the top step at the side door and not significantly enough to warrant refusal of this application. It is not anticipated that there will not be a significant loss of privacy to any of the adjoining properties as a result of this development.

It is accepted that there will be an impact on the neighbouring properties, however, it is considered that these will no longer be of a significant nature in terms of policy .

**Issue:** The first floor balcony beyond the bedroom results in the blank wall of the extension projecting further than necessary and an awkward design of the west facing elevation.

The proposed first floor 'Juliette' style balcony does not extend beyond the building line.

It is accepted that there will be an impact on the neighbouring properties, however, it is considered that these will no longer be of a significant nature in terms of policy.

## **OBSERVATIONS – ASSESSMENT OF PROPOSAL**

The application proposes both internal and external alterations to the detached house. The proposal includes doughtaking the existing single storey rear conservatory and forming a two storey extension with a first floor balcony on the north elevation (rear) of the existing house. A single storey extension is proposed on the south (front) elevation of the house. An increased internal floor area provides additional required bedroom and sun room accommodation to the rear and a morning room on the front elevation. The external material finishes are dry dash roughcast to match the existing house and natural slate roof.

The application also includes installing decking/patio with a 1.10m high timber and glass balustrade on the north and west elevations of the sun room at the rear.

### **The Site**

The property is located at 13 Duff Street Hopeman and sits on an area of land raised above Hopeman Caravan Park to the north.

### **Policy Assessment**

Policy H5 & IMP1 require new development to be sensitively sited, designed and serviced.

In terms of scale, proportion, design and materials the proposal is acceptable as this modern design distinguishes between the old and the new building. This is a contemporary design that will 'open up' this building to natural daylight and it will not, in visual terms, have a significant adverse impact on the appearance and amenities of either the existing building or the surrounding area.

The proposed new large windows on the south and west elevations of the single storey extension look out to the garden and due to the distance between the neighbouring properties and the extension being visible from the public road, the proposal is not considered to have a significant adverse amenity impact either to the development itself or to any neighbouring property. On the east elevation a solid wall ensures there will be no significant overlooking or privacy issues in association with this proposal.

The north facing wall of the rear extension has large rectangular windows on both ground and first floor levels (similar to the rear gable at 11 Duff Street) which look out over the caravan park and beyond to the Moray Firth. The proposal respects the established building line of the property at 11 Duff Street and a solid wall on the east elevation ensures there will be no significant overlooking or privacy issues in association with this proposal. The windows on the west elevation look out to the garden and beyond to the gable walls of the house and extension of 15 Duff Street and due to the existing boundary finishes there will be no additional significant adverse impact on overlooking or privacy concerns in relation to this application.

In terms of impact on the surrounding environment, the proposed residential use and the design, etc of the extensions are considered acceptable and appropriate, and in keeping with the character of the development in the surrounding area with no significant or harmful impact upon neighbouring property. The proposed two storey style building would integrate into the streetscape and would not be out of character with the locality where the scale of properties vary between single, one-and-a-half

and two storey and the existing streetscape is already a varied mix of varied design styles and material finishes all set within varying sizes of plots and where upper floor accommodation is served by dormers (of varying design) or roof velux. A number of other properties in the area already have north facing balcony or extended garden arrangements, whether at ground or first floor level. Relative to the proposed density of the development, the available site area is able to accommodate the extended building.

**REASON(S) FOR DECISION**

The Council's reason(s) for making this decision are:-

The proposal complies with the relevant policies of the development plan and there are no material considerations that indicate otherwise.

**OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT**

None.

HISTORY				
Reference No.	Description			
04/02174/FUL	Erect proposed garage at 13 Duff Street Hopeman Elgin Moray IV30 5RZ			
	<b>Decision</b>	Permitted	<b>Date Of Decision</b>	16/09/04
01/01123/FUL	Erect sun lounge alter front porch and internal alterations at 13 Duff Street Hopeman Elgin Moray IV30 5RZ			
	<b>Decision</b>	Permitted	<b>Date Of Decision</b>	09/08/01

ADVERT		
<b>Advert Fee paid?</b>	N/A	
<b>Local Newspaper</b>	<b>Reason for Advert</b>	<b>Date of expiry</b>

DEVELOPER CONTRIBUTIONS (PGU)	
<b>Status</b>	N/A

DOCUMENTS, ASSESSMENTS etc. *		
<i>* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc</i>		
Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
Main Issues:		

<b>S.75 AGREEMENT</b>		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

<b>DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)</b>			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			