

**KEY INFORMATION**

**Ward** Baxter Park

**Proposal**

Erection of timber shed

**Address**

32 Argyle Street  
Dundee  
DD4 7AL

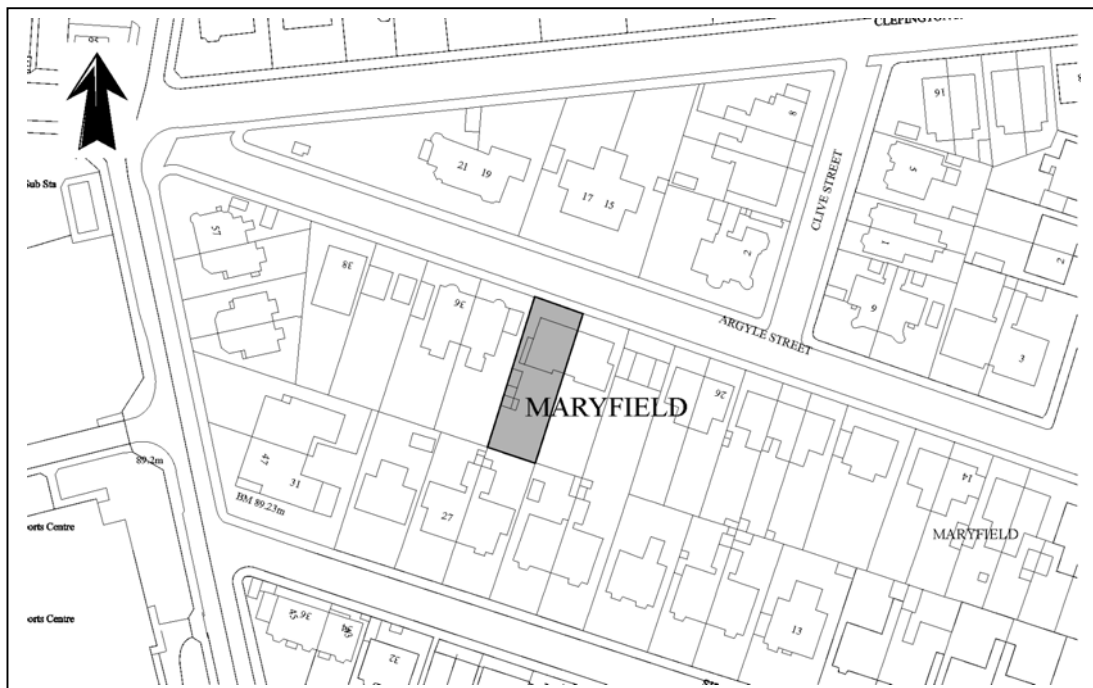
**Applicant**

Mr & Mrs J Ramsay  
32 Argyle Street  
Dundee DD4 7AL

**Agent**

**Registered** 15 May 2003

**Case Officer** J Finlay



The erection of a timber shed is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**.  
Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed garden shed fully complies with the Policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. The design is considered acceptable at this location and will not detract from the character and appearance of the Conservation Area and it is unlikely to detract from the residential amenity of surrounding neighbours. The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a timber shed in the rear garden ground of 32 Argyle Street. The shed has already been erected.
- Policy H4 of the Dundee Local Plan 1998 is relevant to the application, which seeks to protect residential amenity from the adverse impact of alterations and extensions to houses. The application site is located within a Conservation Area (Policy BE11 applies) and any development should respect the character and appearance of the area. Policies 14 and 61 of the Finalised Dundee Local Plan Review are material considerations and reiterate the former policies.
- Two letters of objection were received from neighbouring residents stating concerns about the appearance of the development, effect on Conservation Area and noise.
- It is considered that the proposal is in accordance with Policies H4 and BE11 of the Dundee Local Plan 1998 and is unlikely to have an adverse impact on the amenities enjoyed by neighbouring residents or on the character and appearance of the Conservation Area.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a timber shed in the garden ground of 32 Argyle Street. The shed has already been erected and it is 3m wide, 5m long and 3.15m high to the ridge of the roof. It has a felt pitched roof, two double glazed windows and four vents on the west elevation. It will be finished in a dark green timber preservative.

## SITE DESCRIPTION

The application site is located on the south side of Argyle Street. There is a back garden area which is divided into two for the residents in the subdivided semi-detached villa. The rear garden area of the application property is over 100sqm. There is a 1.7m high timber fence along the east boundary and 1.5m high stone wall along the south boundary. There are other timber garden sheds within the grounds of other properties along the street and within the adjacent garden area.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 1998

The following policies are of relevance:

H4: Alterations and extensions to houses will normally be approved provided the appearance of the house and surrounding area is not adversely affected. Approval is, however, unlikely to be granted where the siting and scale of the extension significantly affects the degree of sunlight, daylight and/or privacy enjoyed by the occupants of adjoining property; where the materials, style and form are alien to the existing building; and where more than 50% of the original garden ground would be lost.

BE11: Within Conservation Areas all development proposals will be expected to complement and enhance the character of the surrounding area.

### Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

### Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 14: Proposals to alter or extend existing dwellinghouses will only be permitted where:

- a there is no adverse impact on the appearance of prominent elevations of the house; and



- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties; and
- c more than 50% of the original useable garden area will be retained; and
- d the design and materials respect the character of the existing building.

Policy 61: Within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

### Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.

### Non Statutory Statements of Council Policy

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

## LOCAL AGENDA 21

The key aims of Local Agenda 21 relevant to this application are that health is protected by creating safe, clean and pleasant environments and places, spaces and objects should combine meaning and beauty with utility.

## SITE HISTORY

There is no site history of direct relevance to the application site.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and two letters of objection were received from neighbours to the south and south

west of the application site stating concerns about appearance, effect on character of Conservation Area, noise and size.

Copies of the letters are available for viewing in the Members' Lounges.

## CONSULTATIONS

The relevant Council Departments and other bodies were consulted and no adverse comments were received.

## OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations

The proposal is for the erection of a timber garden shed, which has already been erected, and two letters of objection were received from neighbouring residents to the south and south west of the application site.

## The Development Plan

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

Policy H4 specifies that alterations will be permitted provided the appearance of the house and surrounding area is not adversely affected. The proposal is a typical garden shed with a felt pitched roof and will be stained dark green, which is considered appropriate at this location. The scale and orientation of the garden shed will not significantly affect the degree of sunlight, daylight or privacy enjoyed by surrounding neighbours as it is 3.15m high and only extends 1.6m above the stone wall along the south boundary and 1.4m above the fence along the east boundary. It is located approximately 1m from the mutual boundary wall to the south. The properties to the south will not suffer from loss of daylight and sunlight as the shed is to the north of their property and their own gardens are between the shed and houses.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

## Other Material Considerations

The other material considerations to be taken into account are as follows:

### Finalised Dundee Local Plan

#### Review

Policy 14: Alterations and Extensions to Houses. The proposed development does not adversely impact on the appearance of prominent elevations of the house, does not result in the loss of residential amenity for neighbouring residents, does not result in the loss of a significant amount of garden ground and the design and materials are appropriate, as discussed above. Taking all the above into account, it is considered that the proposal complies with Policy 14.

## Objections

Objections were raised by neighbours to the south and south west about appearance of the development, effect on character of Conservation Area and noise. There is an existing 1.7m high timber fence along the east boundary and the shed only extends 1.4m above this. There is a 1.5m high stone wall along the south boundary and the shed only extends 1.6m above this. It is considered that the design, materials and finishes are appropriate for this location and will not detract from the appearance and character of the surrounding area. Due to the size of the shed, it is considered necessary to attach a condition to ensure it is only used for domestic purposes. Should any noise emanate from the building, this will be a matter for enforcement by the Director of ECPD if it is judged to be a statutory noise nuisance.

There are no other material considerations that are of direct relevance to the application.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

## Design

The shed is finished in timber, which will be stained dark green and has a pitched felt roof. It is considered that the proposal will not detract from the visual quality of the area.

## CONCLUSION

The proposal is for the erection of a garden shed at the south end of the garden at 32 Argyle Street. The scale, design and appearance are considered acceptable for this residential location. It is considered that the proposal will not adversely impact on the environmental quality enjoyed by local residents. It is considered that the proposal is in accordance with the requirements of the development plan and there are no other material considerations that would outweigh the development plan. Therefore the application is recommended for approval subject to conditions.

## RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:-

- 1 the development hereby permitted shall be commenced within five years from the date of this permission
- 2 The garden shed shall be used only for purposes incidental to the use of the application property as a dwelling house

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 to ensure that the garden shed is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties