

KEY INFORMATION

Ward Balgowan

Proposal
Erection of a garage

Address
6 Harestane Place
Dundee
DD3 9EW

Applicant
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Dundee
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Agent

Registered 4 Nov 2004

Case Officer D Gordon



Proposed New Garage in Harestane Place

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

RECOMMENDATION

It is considered that the proposals comply with the relevant policies of the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. The objection raised by a local resident does not carry sufficient weight to justify refusal of this application contrary to these policies. Therefore, the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a garage within the curtilage of a new dwelling house that is currently being converted from a former sub-station building.
- Policies H1 and H4 of the Dundee Local Plan 1998 seek to protect the environmental quality currently enjoyed by local residents. Policy 1 and Policy 14 of the Finalised Dundee Local Plan reiterate the terms of these policies.
- An objection to this proposal has been submitted by a local resident. The main areas of concern are the commencement of works prior to any planning permission granted and the inaccuracy of the submitted location plan.
- It is considered that the proposed works, due to the submitted design details, siting and appearance of the building, will not adversely impact on the environmental quality currently enjoyed by the adjacent occupiers in this predominantly residential area. The issues raised by the local resident are not considered to be of a sufficient weight to justify refusal of this application.

DESCRIPTION OF PROPOSAL

The proposal seeks permission to erect a domestic garage within the cartilage of a new dwelling located in the northern sector of the city.

The new structure will measure approximately 8.5m x 3.36m and will be finished in materials to match the existing building to the south ie smooth cement render and wet dash roughcast (walls) and second hand rosemary roof tiles. The garage will be pitched roof in design and, due to the sloping nature of the application site, will vary in height from approximately 5 metres to 6.6 metres above ground level. The design details of the new building, in particular the style, provision and location of new windows, gives the structure a strong residential appearance. Some works on the new garage have been carried out (underbuilding and commencement of garage walls)

Access into the site will be taken from Harestone Place to the south.

SITE DESCRIPTION

The site forms a triangular area of land that is located at the north end of Harestone place. The surrounding area is predominantly residential in character. The site forms part of the curtilage ground of a new dwelling that is being converted from a former sub-station building. The land generally slopes in a northern direction. To the west is a dormer bungalow in a slightly elevated position that has main living room windows facing towards the site. To the east the land falls away to a car parking area and gardens associated with 2-storey houses fronting onto Pitmedden Road.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

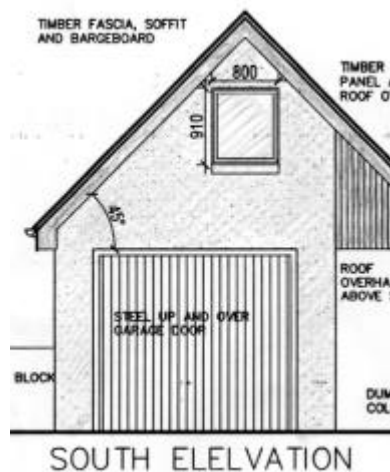
Dundee Local Plan 1998

The following policies are of relevance:

Policy H1 - Within areas where residential use predominates, developments will be permitted where they do not adversely affect the

environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic management issues, noise or smell and where they are in accordance with the policies and proposals found elsewhere in the Plan.

Policy H4 - Alterations and extensions to houses will normally be approved provided the appearance of the house and the surrounding area is not adversely affected. However, approval is unlikely 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 would be lost and off street parking provision reduced.



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 1: Vibrant and Sustainable Communities

Policy 14: Alterations and Extensions to Houses.

The terms of these policies are reflected in Dundee Local Plan policies H1 and H4 above.

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

The following policy statements are of relevance:

Dundee - The Urban Design Guide.

LOCAL AGENDA 21

Key Theme 15 is relevant to the consideration of this application and seeks to ensure that diversity and local distinctiveness are both valued and protected.

SITE HISTORY

D23813 - Outline Planning Permission to Erect a Dwelling House - Refused on Appeal 1st. November 1999.

The site to the south was granted planning permission to change the use of a former sub-station to a dwelling house by this Council on 21 January 1999. The garage currently under consideration relates to this approved dwelling.

PUBLIC PARTICIPATION

The applicants carried out the statutory neighbour notification procedure and an objection to the proposal has been received from adjacent occupiers. The residents have raised a number of issues that are invalid in planning terms. However, they have objected to works having commenced prior to the grant of planning permission and to the accuracy of the submitted location plan.

CONSULTATIONS

No objections to the proposals have been received from statutory consultees.

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 Development Plan

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

The proposal involves the erection of a detached garage to be used in association with a new dwelling house to the south that it currently being converted to such a use from a former electricity substation. Although the site sits at a higher level than the land to the east ie Pitempton Road, is relatively secluded being located at the end of Harestane Place which is a small cul-de-sac. The new garage will be pitched roof in design and will be finished in materials to match the new house to the south. The structure, due to the design of the building and the provision of a number of domestic style windows, displays a residential appearance.

Policy H1 - In predominantly residential areas, developments will be permitted where they do not adversely affect the local environmental quality in terms of design, layout, parking and traffic issues and where they are in accordance with other policies and proposals in the Dundee Local Plan. The residential character of the surrounding area confirms that this policy is of relevance in this instance.

It is considered that the position and design of the proposed new garage are acceptable in this instance. The proposed works are of a standard that will complement the appearance of both the existing building and the surrounding residential properties. There are no noise or smell or traffic and parking issues associated with this proposal. Consequently, the proposal is considered to be in accordance with the requirements of Policy H1 of the Dundee Local Plan 1998.

Policy H 4 - Alterations and extensions to houses will normally be approved provided the appearance of the existing house and the surrounding area is not adversely affected. However, approval is unlikely where the siting and scale of any extension significantly affects

the degree of sunlight, daylight and / or privacy enjoyed by the occupants of adjoining properties; 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 and off street parking provision reduced.

It was concluded under Policy H1 above that the design of the proposed works are acceptable in this location, indeed the proposal represented an improvement in the visual quality of many standard garage designs to be found throughout the city.

It is also considered that, as the proposed finishing materials will match those of the proposed new house, the style and form of the structure will be in keeping with the character of the new house and that the proposal will not use more than 50% of the garden ground of the property, these matters can be discharged as being in accordance with the requirements of Policy H4. In addition, due to its location and scale, the new garage will not adversely impact on the sunlight, daylight and / or privacy of the adjoining occupiers.

In light of the above, it is considered that the development is in accordance with the requirements of Policy H4 of the Dundee Local Plan 1998.

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.

The terms of Policy 1 (Vibrant and Sustainable Communities) and Policy 14 (Alterations and Extensions to Houses) are reflected in the Dundee Local Plan policies above. In this respect, the same conclusions are offered.

Objections

An objection to the application has been submitted from a local resident. The objection covers a number of issues that are not considered to be relevant under current planning legislation. However, an objection has been raised to the commencement of the works prior to the grant of any planning permission. At the time of a

visit to the site (December 2004), some structural works on the garage were evident (underbuilding and part building of new walls). It was not considered expedient to pursue any enforcement proceedings in this instance as the Council are in receipt of a valid planning application for these works. The local resident has also objected to the inaccuracy of a submitted location plan that identifies the exact position of the new garage within the application site. This matter has been discussed with the applicant and the matter has now been fully resolved.

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

Design

The proposed design, scale and siting of the new garage are all considered acceptable in this predominantly residential area. In addition, the employment of appropriate finishing materials ensures that the setting of the new house and the surrounding properties will not be significantly prejudiced.

CONCLUSION

It is considered that the proposals comply with the relevant development policies for this area. There are no material considerations, including the terms of the submitted objection that carry sufficient weight to justify refusal of the application contrary to these policies. Therefore, the application is recommended for approval with 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.

Reason

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