

KEY INFORMATION

Ward Broughty Ferry

Proposal
Erection of garage to west of house

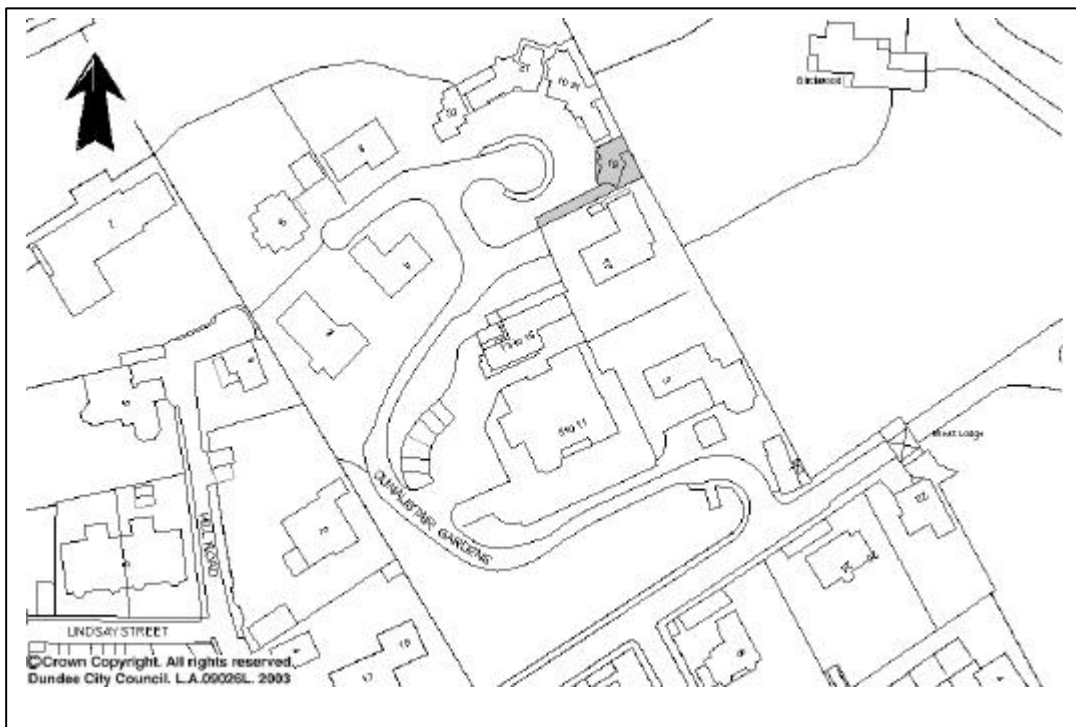
Address
19 Dunalistair Gardens
Broughty Ferry
Dundee

Applicant
Mr M Milne
19 Dunalistair Gardens
Broughty Ferry
Dundee
DD5 2RJ

Agent

Registered 26 April 2005

Case Officer J Young



Proposed Garage at Dunalistair Gardens

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 proposal complies with the Housing and Environment Policies of the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. In addition, it is considered that the objection raised is not of sufficient weight to warrant refusal of the application in this instance.

SUMMARY OF REPORT

- Planning permission is sought for a garage to the west of 19 Dunalistair Gardens, Broughty Ferry.
- One letter of objection was received from a neighbouring resident stating concerns about the loss of parking spaces and landscaped gardens.
- Policies H1 and BE11 of the Dundee Local Plan 1998 and Policies 1 and 61 of the Finalised Dundee Local Plan Review are relevant to the determination of the application.
- It is considered that the proposal is acceptable and complies with the relevant Policies of the development plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a garage to the west of a house at 19 Dunalistair Gardens. It will have a brick finish on the front and south elevations to match the existing garden boundary wall and dry dash render and Spanish slate roof to match the existing house. The garage will be accessed from the west and will involve removing a small section of hard landscaping.

SITE DESCRIPTION

The application site is located on the east side and within the front garden of 19 Dunalistair Gardens. The 2 storey dwelling is within a crescent of apartments and houses which are set within the former grounds of a listed building. The road into the dwellings at Dunalistair Gardens is private and not adopted. There are mutual parking spaces in front of the dwellings and landscaped areas. The dwellings are finished in a dry dash render and slate roof. There is a low brick wall along the boundary of the front garden, which is long and narrow. A brick wall just under 1m high is located along the south boundary and there is a high hedge behind which belongs to the neighbour at 17 Dunalistair Gardens.

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:

H1: Existing Residential Areas - 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 movement issues, noise or smell and they are in accordance with the policies and proposals contained elsewhere within the Local Plan.

BE11: Development In Conservation Areas - 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 1: Vibrant and Sustainable Communities - New developments



should be in accordance with other policies in the Plan and seek to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 61: Development in Conservation Areas - Within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area.

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

Key Theme 13 is relevant and states that 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 in these circumstances.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and one letter of objection was received regarding the loss of parking spaces and landscaped garden ground.

CONSULTATIONS

The relevant Council Departments and outside bodies have been consulted and no adverse comments have been received.

OBSERVATIONS

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

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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 application is for a detached garage within the garden ground of 19 Dunalistair Gardens. The proposal raises issues for consideration in terms of Housing Policy H1 and Policy BE11 (as the property is located within a Conservation Area) of the Dundee Local Plan 1998.

Housing Policy H1 seeks to protect the environmental quality enjoyed by local

residents. The garage is to be located within the garden ground of no.19 and will be accessed directly from the road leading up to this crescent development. A small section of mutually owned hard landscaping will be removed to allow access into the garage. The applicant is aware that permission will be required from all residents for this and this will be carried out under legal procedures. The applicant has indicated that the south elevation of the garage, which is adjacent to the south boundary wall, will be finished in brick, so that future maintenance will not be required. It is considered that the design of the garage and access to it are acceptable and will not adversely affect the environmental quality enjoyed by neighbouring residents. The proposal therefore complies with Policy H1.

Policy BE11 requires all new development to complement and enhance the character of the surrounding area. The dwellings at 19 to 33 Dunalistair Gardens are of a modern design with dry dash render, slate roof and brick boundary walls. The front elevation of the proposed garage will have a brick finish to match the existing boundary wall and dry dash render for the other elevations to match the house. A condition will be attached to ensure that the materials suitably blend in with the existing development at Dunalistair Gardens. It is considered that the proposal complies with Policy BE11.

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

Policies 1 and 61 are similar to Policies H1 and BE11, which have been discussed in detail above. It is considered that the proposal complies with these policies for the same reasons.

Section 64 of the Planning (Listed Buildings and Conservation Areas) Act 1997 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. As the setting of the conservation area is not

being adversely prejudiced, it is considered that the statutory duty has been discharged.

Objections

One objection letter was received from a neighbouring resident at the opposite end of the crescent of dwellings. Their main concern is regarding the loss of parking spaces and landscaped garden ground. The garage will be accessed from the road leading up to the crescent of dwellings and will not cross the mutual parking spaces. A small section of hard landscaping will be removed to provide access into the garage. The applicant will require legal consent from the other owners for the removal of this piece of mutually owned ground. This will be carried out under separate legal powers from planning.

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 for the proposal which complies with the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The design of the garage will blend in with the existing house and a condition will be attached to ensure the materials are suitable.

CONCLUSION

It is considered that the proposal complies with the relevant policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. The objection received does not carry sufficient weight to outweigh the development plan in these circumstances. 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 details of the proposed finishing materials for the garage shall be submitted to the Council for

approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details

Reasons

- 1 to comply with Section 58 of the Town & Country Planning (Scotland) Act 1997.
- 2 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.