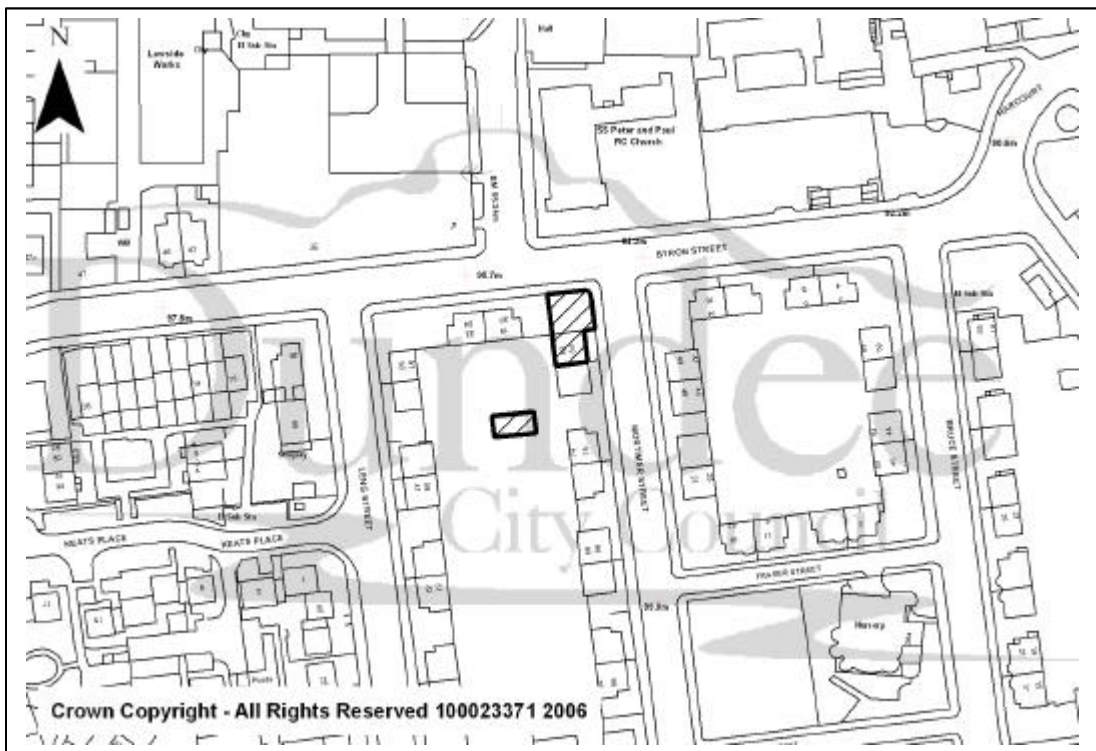


KEY INFORMATION

Ward Bowbridge

Proposal

Erection of a garage

Address84 Mortimer Street
Dundee
DD3 6RA**Applicant**Mr Davidson & Mrs Lepine
84 Mortimer Street
Dundee
DD3 6RA**Agent**R C Fearn
Unit 4 Aberfeldy Business
Park
Dunkeld Road
Aberfeldy
Perthshire
PH15 2AQ**Registered** 26 Mar 2007**Case Officer** B Knox

Proposal for a New Garage in Mortimer Street

The erection of a garage is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The application seeks permission to erect a garage to the north of the property. The proposal is in accordance with Policy 14 of the Dundee Local Plan Review 2005. There are no material considerations that would justify the refusal of this Development contrary to this policy. The application is recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a garage and the creation of the associated access. The garage measures approximately 5.6m by 3.6m and would be finished in dry dash render.
- Policy 14 (Alterations and Extensions to Houses) of the Dundee Local Plan Review 2005 is relevant to the proposal.
- Three objections have been received to the proposal. The main concerns relate to road safety and that the garage is not in keeping with surrounding gardens.
- The proposals are considered to be in accordance with Policy 14 of the adopted local plan and there are no material considerations, including the views of the objectors, that would justify the refusal of the application contrary to this policy.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a garage and associated vehicle access. The garage would provide off street car parking for a flatted dwelling at the end of Mortimer Street, and would be sited approximately 6 metres from the junction with Byron Street. The access would be taken from Mortimer Street and the garage would be located on an area of garden ground adjacent to the dwelling. The garage would measure approximately 5.6 metres by 3.6 metres and would be finished in dry dash render. The garage would be fitted with a roller shutter door to allow the full length of the proposed driveway to be used by a parked car while the garage door is being opened or shut.

SITE DESCRIPTION

The property is a flatted dwelling within a block of four and takes access from Mortimer Street. The property has garden area to the north of the block running to the end of the street which is open to view but enclosed by railings approximately 1 metre tall.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan Review 2005

The following policies are of relevance:

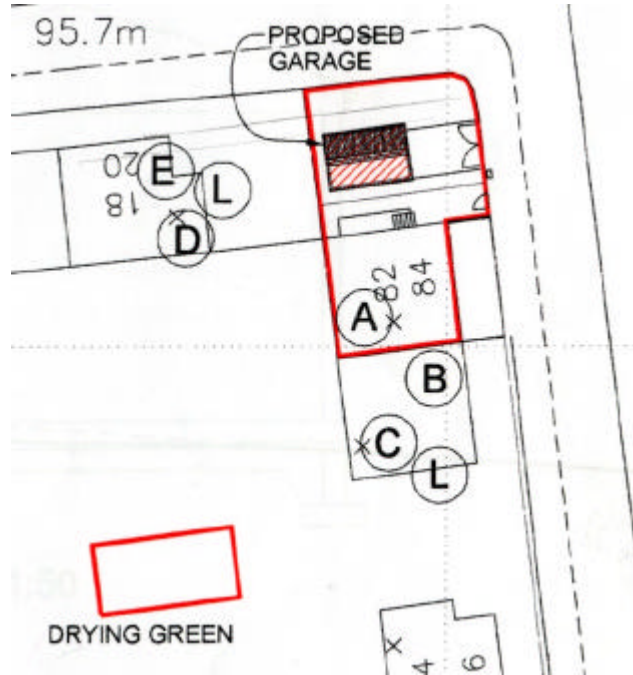
Policy 14: Alterations And Extensions To Houses. Proposals to alter or extend existing dwellinghouses will be only be permitted where:

- a there is no adverse impact on the appearance of prominent elevations of the house;
- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties;
- 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.

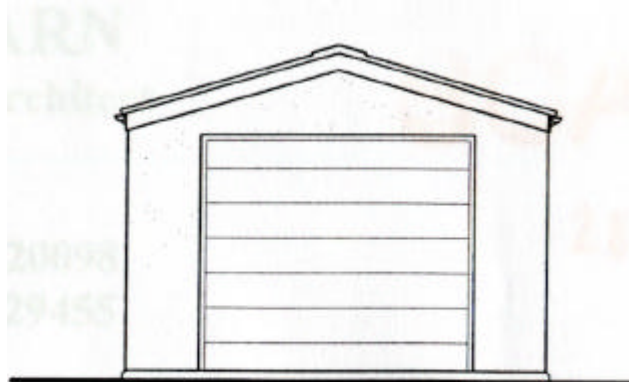
Scottish Planning Policies, Planning Advice Notes and Circulars

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.



EAST ELEVATION

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

A previous application for the erection of a porch to the north elevation of the applicant's dwelling was approved in 2002 (02/00454/FUL) but has no direct impact upon the current application for the erection of a garage.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and three objections were received from nearby neighbours. The objections raise concerns in terms of road safety and the impact upon the surrounding gardens.

CONSULTATIONS

There were no adverse comments received from 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 is to be considered under the terms of Policy 14 (Alterations and Extensions to Houses) of the Dundee Local Plan 2005. This policy seeks to support proposals where there will be no adverse impact on the appearance of the existing house, there is no significant loss of sunlight, daylight or privacy to the neighbouring properties, where more than 50% of the garden area will be retained and where the design and

materials respect the character of the existing house.

In terms of this Policy the design and materials are considered to be acceptable and in this respect it is considered that the proposal will not have an adverse impact on the appearance of prominent elevations of the house. It is therefore considered that the proposal complies with criteria (a) and (d) of Policy 14.

Due to its location on a corner site, it will not result in the significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties. In this respect it is considered that the proposal complies with criterion (b) of Policy 14.

Although the garage will take up part of the existing garden area adjacent to the dwelling, the property also benefits from a drying green area to the rear. As such it is considered that an acceptable level of useable garden area will be retained and the proposal therefore complies with criterion (c) of Policy 14.

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:

Views of the objectors:

- 1 This is a busy junction and the proposed garage would interfere with the visibility of drivers.

The proposed garage is set back approximately 3 metres from the edge of the footway. The footway accounts for a further 3 metres approximately to the edge of Byron Street. In addition to this, the garage is inset approximately 1 metre from the existing building line of the houses on Byron Street. It is therefore considered that the proposal will not impact upon the visibility of road users at this junction.

- 2 To put a garage in the proposed location will have a detrimental effect and is not in keeping with surrounding gardens.

The garage is for domestic use to be associated with the applicant's dwelling. Such a proposed use is not uncommon in residential

areas and is considered to be appropriate for the area. The garage is proposed to be finished in dry dash render with a pitched roof finished in metal sheeting and is therefore considered to be acceptable in terms of appearance and design for the area.

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 granted with conditions.

Design

The proposed domestic garage is considered appropriate as it will not detract significantly from the appearance or character of the dwelling.

CONCLUSION

The proposed garage to the north of the dwelling is considered to be appropriate in design and will not impact upon the visibility of road users at the junction. It is concluded that the development is in accordance with Policy 14 of the Dundee Local Plan Review 2005. There are no material considerations including the views of the objectors which would justify the refusal of the application contrary to this policy.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition(s):

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 That the garage door shall be a roller shutter mechanism.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To allow the full length of the proposed driveway to be used by a parked car while the garage door is being opened or shut.