

KEY INFORMATION

Ward Lochee

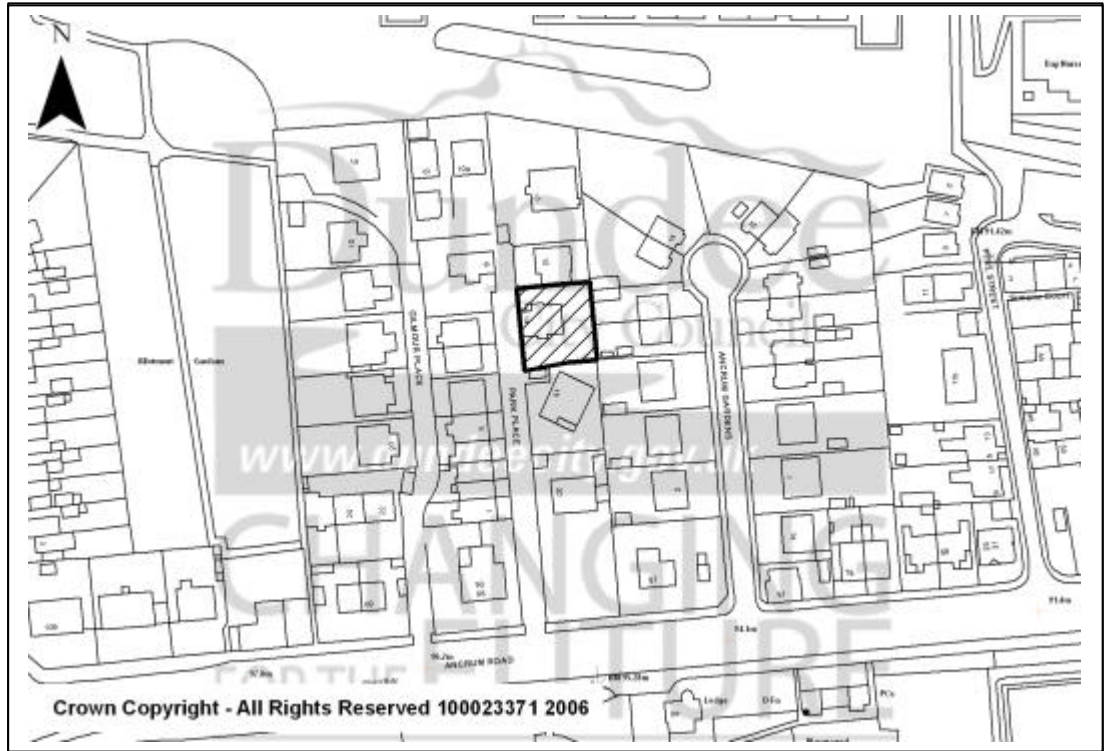
Proposal

Retrospective consent for erection of timber shed

Address14 Park Place
Lochee
Dundee**Applicant**Mr I MacLeod
14 Park Place
Lochee
Dundee
DD2 2HS**Agent**

Registered 27 Sept 2007

Case Officer E Jones



Consent Sought for Shed in Park Place

Retrospective consent for the rection of a timeber shed is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with Policy 14 - Alterations and Extensions to Houses. The design and materials are similar to domestic sheds and garages. The objection is not supported. It is therefore recommended that planning permission be granted with conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a 3.7 metre by 6.5 metre timber shed. The shed has a flat, sloping roof, is constructed of timber boarding and is proposed to be harled on the north and east sides. The shed has already been constructed.
- The shed has been erected in the north east corner of the garden. The property to the north is a bungalow which lies at a lower level than the application site.
- Dundee Local Plan 2005 Policy 14 - Alterations and Extensions to Houses. It is considered that the proposal complies with Policy 14.
- One objection was received from an adjoining neighbour on grounds of overshadowing of private garden and the appearance of the structure. Other non-planning issues were also raised. The applicant's garden is at a higher level than the objector's garden. There is no loss of sunlight or daylight to the inhabitants of the house. The shed is likely to cause a small increase in the degree of shadow falling on the objector's garden compared to the shadow caused by the existing boundary wall and the applicant's house but this is not considered to be significant.

DESCRIPTION OF PROPOSAL

Retrospective planning permission is sought for the erection of a 3.7 metre by 6.5 metre timber shed. The shed has a flat, sloping roof 2.475 metres high at the rear (north) and 2.875 metres high at the front (south). It has a concrete base and is constructed of timber boarding. It is proposed to be harled on the north and east sides. It has 2 windows facing into the applicant's garden. The applicant has submitted a letter of justification in support of the application.

SITE DESCRIPTION

The shed has been erected in the north east corner of the garden to this traditional one and a half storey stone house on the east side of Park Place. The house has recently been extended to the north and has a new entrance porch adjacent to the off street parking space to the north of the house. The garden is enclosed in a relatively recent timber boarded fence.

Park Place is an unadopted road to the north of Ancrum Road which has a variety of ages and styles of housing but is characterised by the narrow nature of the street which has no footways.

Along the northern boundary, as measured from the application site, there is a front boundary wall 1.5 metres high, then the side wall of the neighbouring garage which is 1.96 metres high with a blockwork wall to the rear garden which is 1.6 metres high. The property to the north is a bungalow which lies at a lower level than the application site.

The eastern side of the site is a stone dyke with a 1.95 m timber fence on the inner side. The gardens to the east also lie at a lower level than the application site.

The shed is located 0.34 metres from the northern boundary and 0.4 metres from the eastern boundary.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 2005

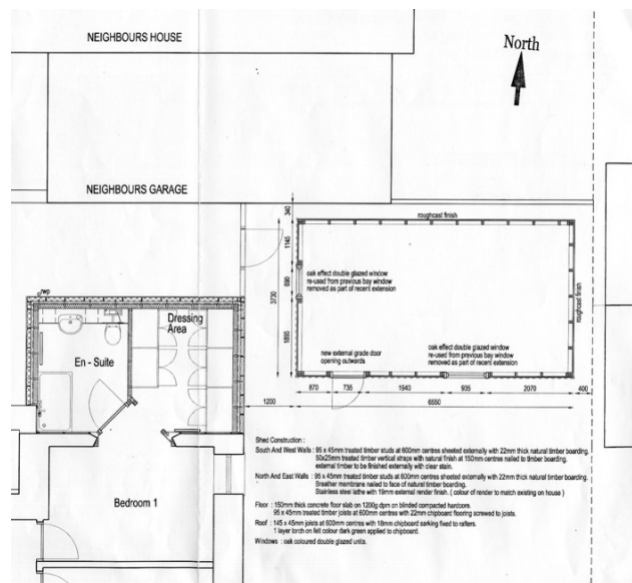
The following policies are of relevance:

Policy 14 - Alterations and Extensions to Houses.

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.



SUSTAINABILITY ISSUES

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

SITE HISTORY

06/00797/FUL Planning permission granted for 2 single storey extensions to the north elevation of the dwelling, 20/10/2006.

The Enforcement Officer was requested to investigate the erection of the shed and following a site visit, it was determined that it was a development for which planning permission was required. The application the subject of this report was submitted shortly afterwards.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from an adjoining neighbour on grounds of loss of amenity due to overshadowing of private garden and the appearance of the structure. Other non-planning issues of a legal nature and related to building standards requirements were also raised. The objector also submitted an engineers report at a later date. Following

discussion with the Building Standards Surveyor, the applicant has agreed to harl the north and east elevations of the shed and revised plans with this detail were submitted. Neighbours were further notified. The planning issues will be considered in the Observations below and copies of the correspondence are available in Members' Lounges.

CONSULTATIONS

There are no adverse comments 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 shed lies within 5 metres of the house and is therefore regarded as an extension to the house under planning legislation. Accordingly, Policy 14 Alterations and Extensions to Houses is considered to be the most relevant policy against which the application should be assessed.

The policy states that "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."
 - a The shed is to the rear of the house, behind garden fencing and has no adverse impact on prominent elevations of the house.
 - b The shed projects 0.9 metres above the existing boundary wall and 0.5 metres above the objector's existing garage which is built up to the boundary. The applicant's garden is at a higher level than the objector's garden. There are no windows on the south elevation of the objector's house and therefore there is no loss of sunlight or daylight to the inhabitants of the house. The shed is likely to cause a small increase in the degree of shadow falling on the objector's garden compared to the shadow caused by the existing boundary wall and the applicant's house but this is not considered to be significant. The shed increases the privacy of the objector's garden by removing

the overlooking from the applicant's garden.

- c The shed occupies a small proportion of the garden.
- d The shed is constructed in timber in common with most garden sheds. In order to comply with Building Standards, the applicant has indicated that he intends to roughcast the structure and it will then have the appearance of a garage, similar to garages in adjoining gardens. The flat, sloping roof minimises the visual impact of the building from the adjoining properties. The design and materials are acceptable.

It is considered that the proposal complies with 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:

Objection

As noted above, it is considered that the shed will not result in overshadowing of the house but will result in a limited degree of shading to part of the garden. The shed is proposed to be harled which is a similar finish to a domestic garage. However the timber walls are also typical of sheds and garages and are acceptable visually. The remaining issues are legal matters of access; responsibility for boundary walls and drainage on to a neighbouring property which are not material planning considerations.

It is considered that there are no planning issues raised in the objection which would justify the refusal of planning permission.

Members are advised that the shed is exempt from requiring a Building Warrant.

Design

The shed is of timber construction which will be harled on the north and east elevations following advice from the Building Standards Surveyor to ensure fire protection. The design and materials are acceptable.

CONCLUSION

The shed has already been erected as the applicant did not know that planning permission was required. The previous extensions to the property have used up the permitted development allowance for the house, otherwise no permission would have been required.

The proposal complies with Policy 14 - Alterations and Extensions to Houses. 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.

RECOMMENDATION

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

- 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.