

KEY INFORMATION

Ward East End

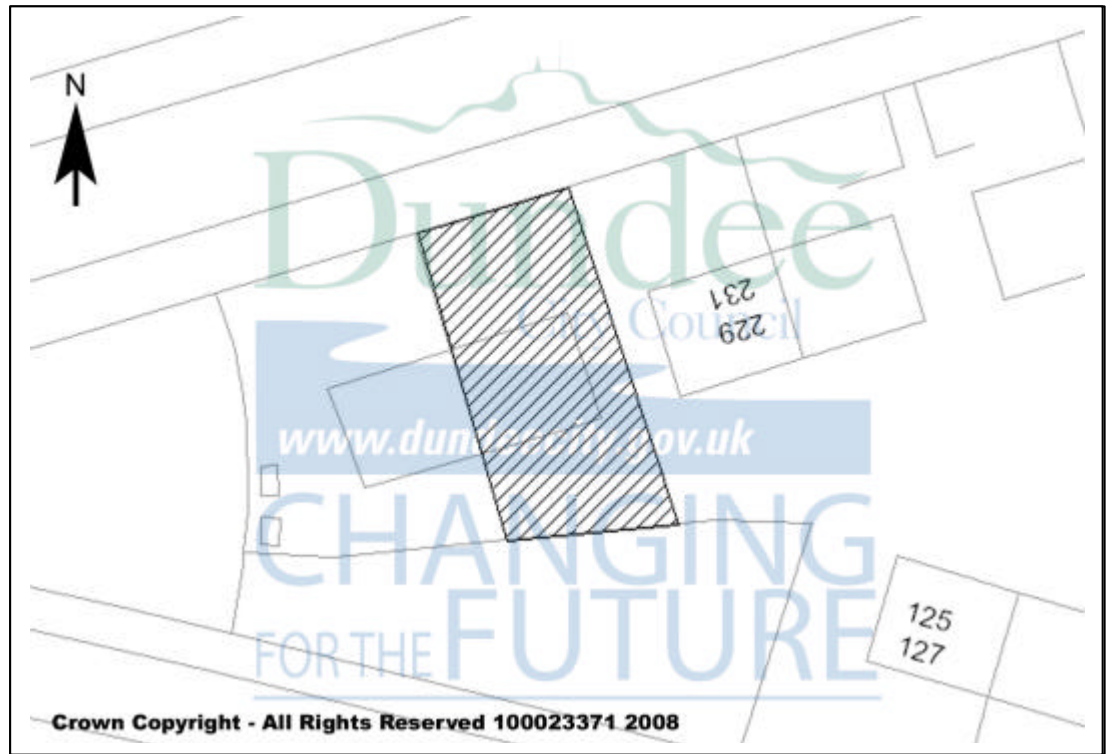
Proposal

Formation of driveway and pavement crossing

Address227 Arbroath Road
Dundee
DD4 7PT**Applicant**Mrs A Burns
227 Arbroath Road
Ground Floor Flat
Dundee
DD4 7PT**Agent**

Registered 31 Mar 2008

Case Officer Wendy Ferry



Proposal for Driveway to Allow Off Street Parking

The formation of a driveway and pavement crossing is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposed driveway and pavement crossing comply with the terms of Policy 1 of the Dundee Local Plan Review 2005. Therefore the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought retrospectively for the formation of a driveway and pavement crossing at 227 Arbroath Road, Dundee.
- The proposed development raises issues for consideration in terms of Policy 1 of the Dundee Local Plan Review 2005.
- Four letters of objection were received to the application from neighbouring properties. The main issues relating to public, road and health safety, traffic and parking issues, drainage, noise and light disturbance, overlooking, security, access and egress problems, vehicles running onto the path and concerns that the path will not cope with the heavy load and the fence not being erected as per the specification. The objections are not supported.
- It is considered that the development is in accordance with Policy 1 of the Dundee Local Plan Review 2005 and there are no material considerations including the submitted objections that would justify approval of the application in this instance.

DESCRIPTION OF PROPOSAL

Retrospective planning permission is sought for the formation of a driveway and pavement crossing at 227 Arbroath Road, Dundee. The front garden is to have grey mono block concrete paving with a turning area and there are to be areas of soft landscaping. A new steel fence has been erected and gates are to be installed to match in height and design to the gardens to the east and west. The fence is approximately 950mm high. There is room for 1 to 2 vehicles to access and egress the site in a forward moving gear.

SITE DESCRIPTION

The application site is located to the south side of Arbroath Road, close to the junction with Craige Avenue. The property is the ground floor flat within a two storey semi detached flatted block. There is no current off street parking, however the ground has been prepared to insert a new hardstanding. There is limited on street parking as this is a busy road. Cars mainly park on the wide footpath to allow a free flow of traffic on the road. This is mainly a residential area with similar types and styles of dwellings to the application site. There is a hedge to the west elevation of the garden approximately 1m in height and a steel fence of approximately 950mm in height surrounding the rest of the 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 2005

The following policies are of relevance.

Policy 1: Vibrant And Sustainable Communities - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed

by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Scottish Planning Policies, Planning Advice Notes and Circulars

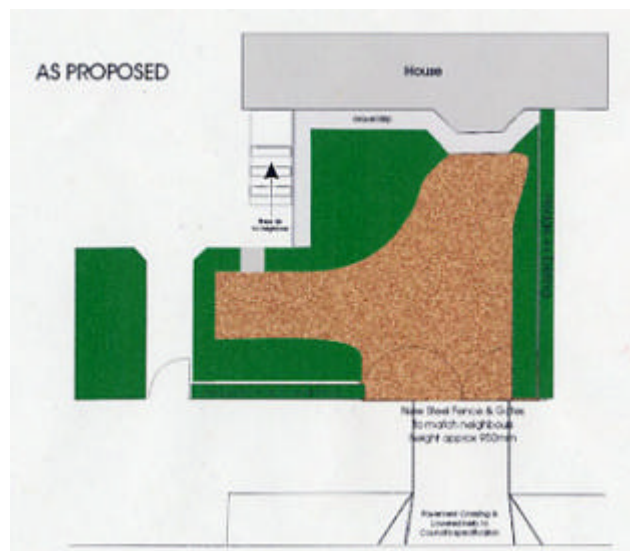
There are no statements of Government policy relevant to the determination of this application.

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

A previous similar application (Ref. 07/00748/FUL, submitted on 10 August 2007 and decided on 19 November 2007) was submitted in relation to the same site, however, it was thought that the application site related to the upper floor flat when in fact it is the ground floor flat. The new application has changes in design and there is more landscaping. This application was refused due to potential noise and light shining into the ground floor flat.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure was carried out and four

letters of objection were received from neighbouring residents.

The grounds of objection are:

- 1 Public and Road Safety and new bus shelter opposite and new traffic island.
- 2 Loss of a parking space.
- 3 Drainage problems as the ground slopes towards the dwelling and possible ice hazards in winter due to no run off for rain water.
- 4 Light and noise and overlooking into neighbouring properties.
- 5 Health Risks.
- 6 Security Risks as neighbours are having to park further away from their own properties.
- 7 Sight lines poor on egress from the site.
- 8 Access and egress problems.
- 9 Vehicles running onto the path and concerns that the path will not cope with the heavy load.
- 10 The fence not being erected as per the specification.

Copies of this letters are available for inspection in the Members Lounges and the points raised are considered in the Observations Section of this Report.

CONSULTATIONS

No adverse comments were received from statutory bodies.

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 under consideration involves the formation of a driveway and pavement crossing. It is considered that the proposed alterations are of a design that will not adversely impact on the prominent elevations of the house and will not detract from the character of the surrounding area. The application is retrospective as the garden area has been cleared ready for the hardstanding. There are also to be areas of landscaping. The hedge to the western boundary is to be retained and the existing fence is to be retained with metal gates inserted.

With regard to the impact the development will have on adjacent occupiers it is considered that, due to the location of the site and the scale of the alterations, there will be no significant loss of daylight or sunlight for the neighbouring properties as there is a hedge to the western boundary. It is also considered that there will be no significant issues of overlooking for the neighbouring properties. There may be slight light and noise issues as any vehicle will be close to the ground floor window of the adjacent flat at 221 Arbroath Road. However it is considered that this will not be significant because there is a hedge on the boundary. There will be a loss of one car parking space on the main road to accommodate the access for the development. It is considered that this will not have a detrimental effect on parking in this area. There is sufficient space for one or two vehicles to enter and exit the driveway in a forward gear and therefore it is considered that vehicles will not require to encroach on the path to the east of the site. There is also a fence to stop this from happening. It is considered that there will be no significant impact on public and road safety due to the new bus stop and traffic island being located near to the site as this is a straight and wide road, and security will not be a concern as there are to be steel gates to the access of the driveway. Security and health of neighbours will also not be significantly prejudiced due to having to park further away as the development only takes up one parking space. There are no concerns regarding drainage of the site. In addition the fence that has been erected is considered to be appropriate as it matches the size and design of other fences in the area and sight lines will not be poor on egress from the site as

vision will not be compromised leaving the site.

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:

Four letters of objection were received in respect of this application. The main issues relating to the loss of parking space, public and road safety, drainage, noise, overlooking, security, works already having started, access problems, vehicles running onto the path and concerns that the path will not cope with the heavy load have been discussed and discharged in the Observations section above.

Design

It is considered that the design of the proposed driveway and pavement crossing including the fencing is acceptable to the character and appearance of the existing house and that of the area.

CONCLUSION

The proposal complies with Policy 1 of the Dundee Local Plan Review 2005. The objections do not carry sufficient weight to merit refusal of the application.

RECOMMENDATION

It is recommended that consent 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

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