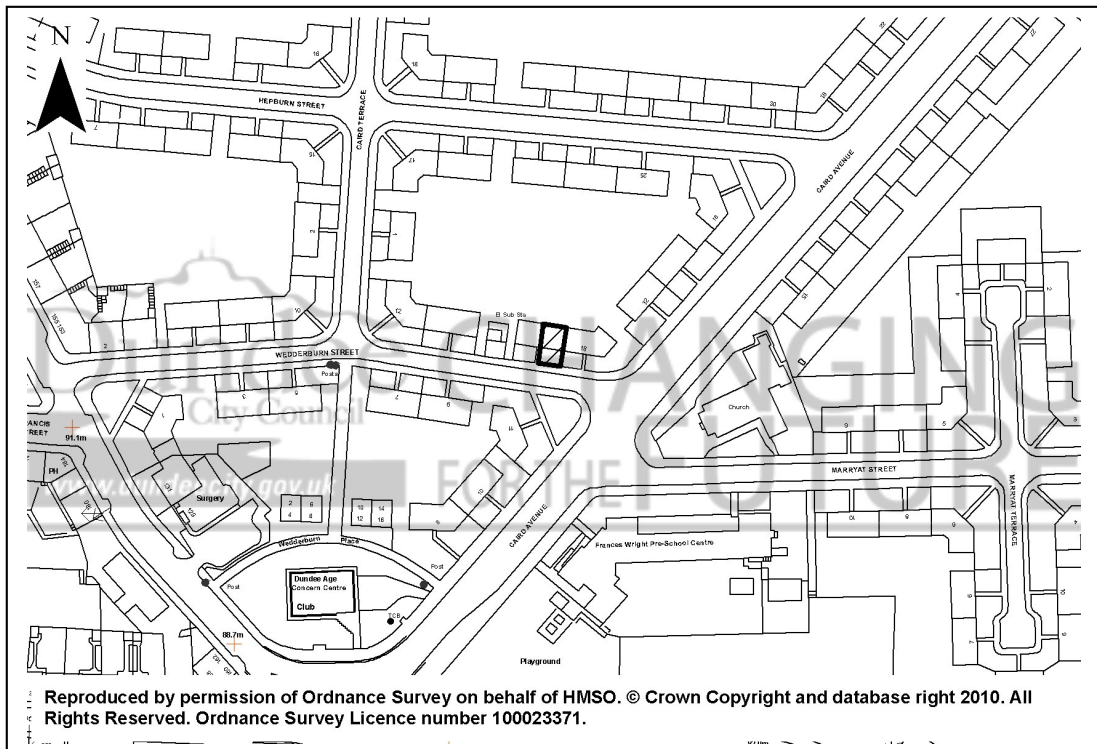


KEY INFORMATION

Ward Coldsid

ProposalFormation of driveway
(retrospective)**Address**Flat G/1
16 Wedderburn Street
Dundee
DD3 8BY**Applicant**Mr Hugh Samson
Flat G/1
16 Wedderburn Street
Dundee
DD3 8BY**Agent**Mr John Dand
Dandy Landscapes
229 Perth Road
Dundee
DD2 1EJ**Registered** 12 Oct 2010**Case Officer** L Campbell

Retention of Driveway at Wedderburn Street

The formation of a driveway (retrospective) is **RECOMMENDED FOR APPROVAL**. Report by Director of City Development.

RECOMMENDATION

The proposal complies with the provisions of the development plan. There are no material considerations of sufficient weight that would justify the refusal of this application contrary to these provisions. The application is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- The application seeks retrospective permission to form a driveway.
- The proposal involves the development of land which is in the ownership of the Council. In this respect, the application is prohibited from being determined by an 'appointed officer' under the Council's Scheme of Delegation.
- The proposal falls to be considered under the terms of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan 2005.
- Two objections have been received from neighbouring residents concerned about the size of the driveway and adverse effect on available parking in the street.
- The proposals fully comply with the relevant development plan policies. There are no material considerations of sufficient weight which would justify the refusal of this application contrary to the provisions of the development plan.

DESCRIPTION OF PROPOSAL

The application is for retrospective permission for the formation of a driveway for a single vehicle to the front of a flatted block of dwellings. The driveway is approximately 4.5 metres wide and is surfaced with two rows of paving slabs and gravel.

SITE DESCRIPTION

The application site is located on the north side of Wedderburn Street. The street comprises of flatted dwellings. The application building forms part of a flatted block of six dwellings. The block is finished in stone with a slate roof. There is a line of black metal fencing which encloses many of these properties. There is a disabled parking space allocated outside the opposite side of these flatted dwellings, however this space is on the Council's programme to be removed as it is no longer valid. Two other properties in the street have already converted their front gardens to provide off street parking facilities.

Off street parking is available on the north side of the street only.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

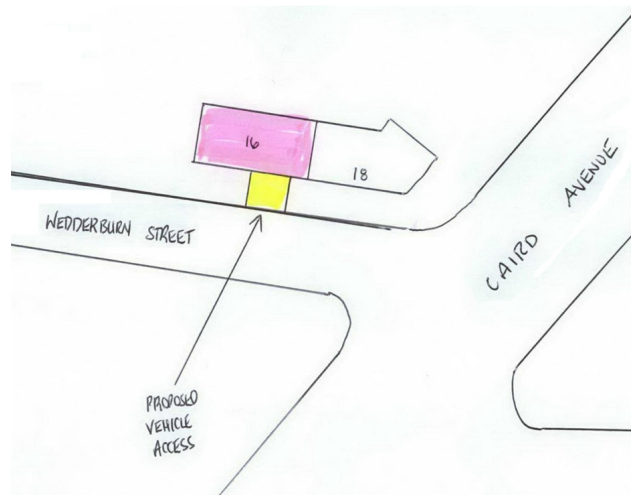
Dundee Local Plan 2005

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

There is no site history for the application site.

PUBLIC PARTICIPATION

The Council has carried out the statutory Neighbour Notification procedure as stipulated in Section 19

of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

Two objections were received in relation to the proposal. The concerns raised are listed below:

- The driveway has already been formed.
- By removing an available parking space in the street the driveway will have an adverse impact on available parking in an already overcrowded street plagued with parking difficulties.
- Formation of the driveway by the owner of the ground floor flat denies the residents of the upper floor flats the freedom to park outside their homes.
- The driveway is too wide.

Copies of the objections are available in the Members Lounge. It is intended to comment on the terms of the objections in the Observations Section and the Material Considerations sections of this report.

CONSULTATIONS

No adverse comments have been received from consultees.

OBSERVATIONS

Statutory Requirements

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance the development plan unless other material considerations indicate otherwise.

The Development Plan

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

In terms of Policy 1: Vibrant and Sustainable Communities, it is considered this policy is relevant to the determination of the application. This policy states that 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 and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movements issues, noise or smell.

The driveway has been constructed using two rows of paving stones and gravel. Part of the existing fencing has been retained to the front of the dwelling. It is considered that the appearance of the driveway is appropriate to the area and is not out of character. In addition to this, the proposal has been assessed in relation to parking and traffic movement issues. It is considered that a driveway in this location is acceptable and will not give rise to significant traffic or parking problems.

It is concluded from the foregoing that the driveway 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

The driveway has already been formed.

This is not a valid material planning consideration in this instance.

Formation of the driveway by the owner of the ground floor flat denies the residents of the upper floor flats the freedom to park outside their homes.

It is considered the residents of the upper floor flats have the same level of opportunity to park their vehicles outside or near to their homes as previously experienced.

By removing an available parking space in the street the driveway will have an adverse impact on available parking in an already overcrowded street plagued with parking difficulties.

It is considered the driveway will only remove the parking space of one vehicle. However, as the driveway will provide parking for one vehicle it is considered the formation of this driveway will have no significant impact on the provision of off street parking in this street. Furthermore, the proposal has been assessed in relation to parking and traffic movement issues. It is considered that a driveway in this location is acceptable and will

not give rise to significant traffic or parking problems.

The driveway is too wide.

It is considered the driveway is of a standard width and will only remove one parking space. However, as the driveway will provide parking for one vehicle it is considered the formation of this driveway will have no significant impact on the provision of off street parking in this street.

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 materials and design proposed are considered to be acceptable and in keeping with the general appearance of the area.

CONCLUSION

It is concluded that the application proposals are in accordance with Policy 1 of the Dundee Local Plan Review 2005 and the concerns of the objector are not sufficient to warrant a decision contrary to this.

RECOMMENDATION

The application is recommended for APPROVAL.