

Driveway at 19 Archer Street

KEY INFORMATION

Ward The Ferry

Address

19 Archer Street
Broughty Ferry
Dundee

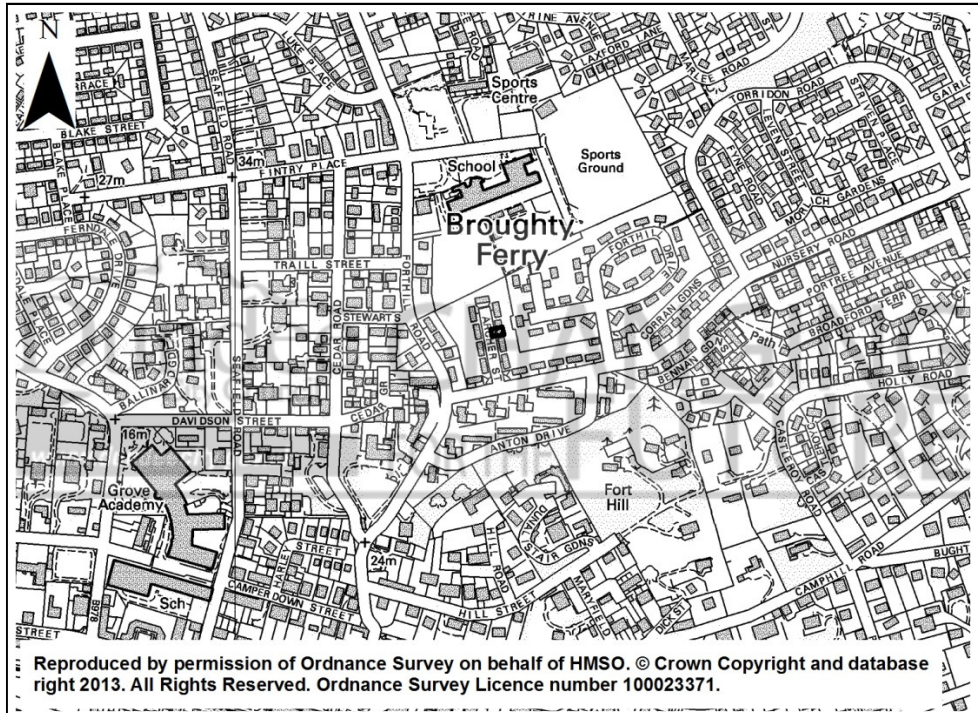
Applicant

Mr Michael McGuigan
19 Archer Street
Broughty Ferry
Dundee
DD5 3DW

Agent

Registered 6 May 2013

Case Officer A Ballantine



SUMMARY OF REPORT

- Planning permission is sought for the formation of a new driveway, including the removal of front garden ground and metal fencing.
- There are no Development Plan policies relevant to the determination of this application.
- The statutory neighbour notification procedure was carried out. One letter of objection and one letter of representation have been received.
- In accordance with the Council's mandatory scheme of delegation, this application requires to be reported to the Development Management Committee for determination as the site is owned by the Council.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MM0PNSGC05Q00>.

RECOMMENDATION

There are no Development Plan policies relevant to the determination of the application. There are strong material considerations that support approval of the application. Therefore, the application is recommended for **APPROVAL** subject to conditions.

1 DESCRIPTION OF PROPOSAL

1.1 Planning permission is sought for the formation of a driveway to create in-curtilage parking space for two cars. As part of the proposal, a section of the front garden will be removed as well as the removal of hedging and metal fencing to the front. The driveway is to be finished with monoblocking and will be approximately 5.1 metres in length and 5.7 metres in width.

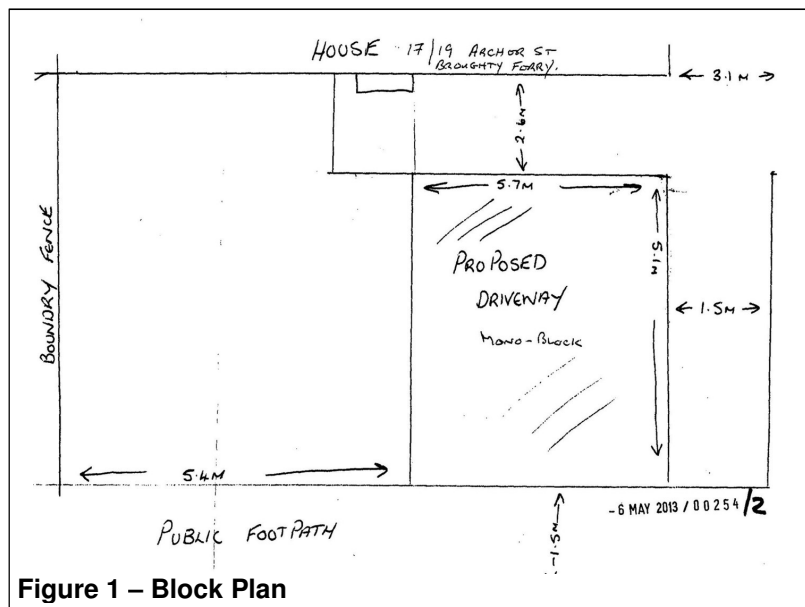


Figure 1 – Block Plan

1.2 In accordance with the Council's mandatory scheme of delegation this application requires to be reported to the Development Management Committee as the site is owned by the City Council.

2 SITE DESCRIPTION

2.1 The application site lies to the east of Archer Street, which is accessed from Nursery Road. The immediate area surrounding the application site is comprised of a street of early 20th century properties sub-divided in to upper and lower flats. The street has a single narrow road and a small area for turning at the top. There is no on-street parking, all parking is available either at the top turning area or at the entrance to the street where there is a number of spaces available. The flats along the street are uniformly designed and finished with garden ground to the front of each. Two properties along the street have existing driveways.



Figure 2 – 19 Archer Street

2.2 The application site is the lower flat of a semi-detached property located on the east side of the street. The property benefits from garden ground to the front and rear. The front garden currently comprises laid grass and is bound by low level hedging and metal fencing.

3 POLICY BACKGROUND

3.1 The following plans and policies are considered to be of direct relevance:

PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN

Policy 10 – Householder Development

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

- 4.1 Application ref: 13/00260/FUL - Formation of Driveway at 21 Archer Street – Pending consideration. The report on this application appears elsewhere on this agenda.
- 4.2 Application ref: 13/00276/FULL – Driveway at 4 Archer Street – pending consideration.

5 PUBLIC PARTICIPATION

- 5.1 The Council has followed the statutory neighbour notification procedure stipulated by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.
- 5.2 One letter of objection and 1 letter of representation have been received, although some of the concerns raised are not considered to be valid in planning terms.
- 5.3 Members will already have access to the letters of objection and the issues raised are considered in the Observations section below.

6 CONSULTATIONS

- 6.1 No comments have been received from statutory consultees.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless 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.

DUNDEE LOCAL PLAN REVIEW 2005

- 7.2 **There are no development plan policies that are relevant to this application.**



Figure 3 – Archer Street Looking North

OTHER MATERIAL CONSIDERATIONS

A – PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN

7.3 Policy 10 (Householder Development) of the Proposed Dundee Local Development Plan is supportive of proposals that do not have a detrimental impact on the existing property and the surrounding area. It is considered this proposal meets all four criteria of Policy 10 for the following reasons:

a due to the nature, form and positioning of the driveway there will not be a detrimental impact on the character or environmental quality of the house or the surrounding area;



Figure 4 – Archer Street Looking South

- b the remaining garden ground will be sufficient to meet the needs of the occupier(s) of the property and will not result in the loss of more than 50% of the existing garden ground;
- c there will be no impact on neighbouring properties in terms of overshadowing, overlooking or physical impact; and
- d the formation of a new driveway will result in the creation of space for two new car parking spaces.

7.4 As such, the requirements of Policy 10 (Householder Development) of the Proposed Dundee Local Development Plan are satisfied.

B - VIEWS OF OBJECTORS

7.5 One valid letter of objection and one letter of representation were received in respect of the application. The objector raised a number of issues with the proposal, however not all of these are considered relevant planning matters and as such have not been included in this assessment. The valid objections raised include:

- a sufficient parking provision within the area already for the street's residents;
- b sufficient disabled parking provision for applicant with disabled space available at entrance to Archer Street;
- c parking elsewhere in the area has not required the removal of garden ground; and
- d setting precedent for driveways elsewhere within the street.

7.6 It is considered that whilst the street (including the application site) may be adequately served already with parking at both ends of Archer Street, the proposal to form a new driveway will not result in an unacceptable impact on the character or environmental

character of the property or surrounding area and will provide residents along the street with their own off-street parking. The impact on garden ground is not considered to be unacceptable, with more than 50% of the existing garden ground being retained.

- 7.7 One letter of representation was also received asking for verification that the pavement will be kept clear for pedestrians during and after the proposed works. In terms of the impact on pavement use, it is considered that the proposed works will be of a scale and nature so as to have little impact on pedestrian use of the pavement and the responsibility to keep the pavement clear after the works take place is controlled under other legislation.
- 7.8 **The views of the objectors are not supported.**
- 7.9 **It is concluded from the foregoing that the material considerations support the approval of planning permission.**

8 CONCLUSION

- 8.1 There are no Development Plan policies that are relevant to this application. There are strong material considerations in support of the proposal. There will be no unacceptable impact on the amenity of the property or surrounding area, and the proposal will form two off-street parking spaces to the benefit of the parking situation within the area.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 The hard surface within the curtilage must be made of porous materials or provision must be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.
 - 2 The railings and hedging along the street frontage of the garden not required to be removed to form the driveway will be retained.

REASONS

- 1 To ensure that surface water from within the curtilage of the site does not drain to the adjacent adopted road.
- 2 In order to ensure the visual amenities of the area are preserved.