

Alterations to Outbuilding (Retrospective)

KEY INFORMATION

Ward (West End)

Address

458 Perth Road
Dundee
DD2 1NG

Applicant

Mrs Lucy-Rose Walker

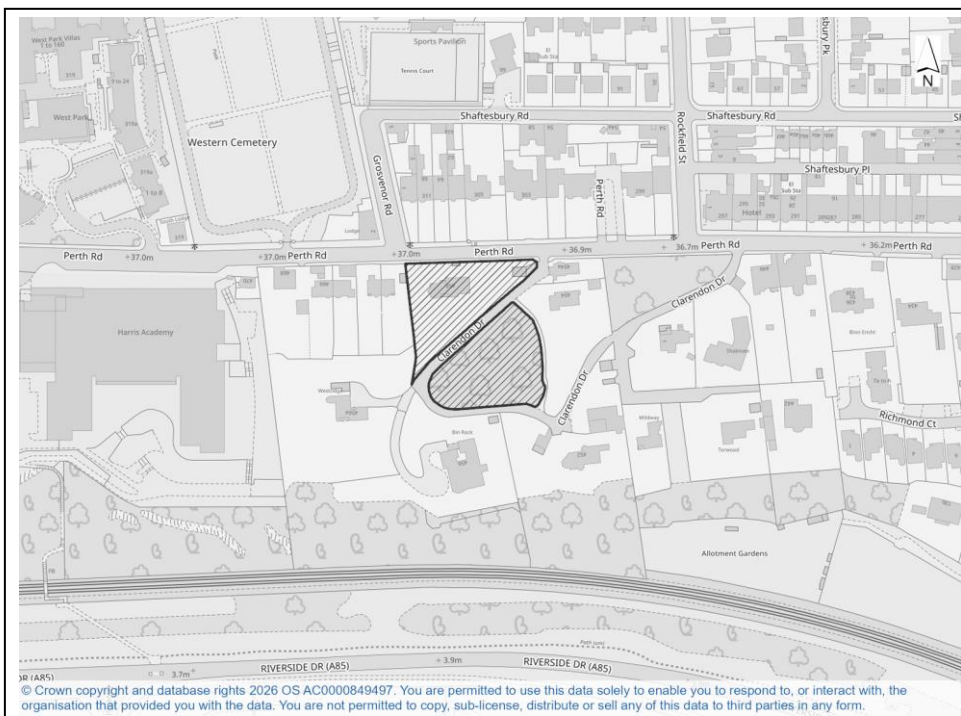
Agent

Brunton Design

Validated: 10 March 2026

**Report by Head of Planning
& Economic Development**

Contact: Siobhan Johnson



SUMMARY OF REPORT

- Planning permission is sought in retrospect for alterations to an outbuilding which was approved under 25/00143/FULL.
- The alterations to be regularised through this application include an increase in the height of the structure by 0.3 metres, the addition of a window on the south elevation, and the installation of a door on the north elevation. Replacement planting is also proposed within the site.
- The application is fully in accordance with the Development Plan.
- The statutory neighbour notification process was undertaken and the application advertised in the local press. Ten letters of objection have been received.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as six or more valid written objections have been received and the recommendation is for approval.
- More details can be found at <https://idoxwam.dundeeecity.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=TBOPNIGCJFE00>

RECOMMENDATION

The proposal is in accordance with the Development Plan. There are no material considerations of sufficient weight to justify refusal of planning permission. It is therefore recommended that planning permission be **APPROVED** subject to conditions.

1 DESCRIPTION OF PROPOSAL.

- 1.1 Planning permission was previously granted under 25/00143/FULL for the demolition of a double garage and the erection of an ancillary garden room within the curtilage of 458 Perth Road.
- 1.2 Retrospective planning permission is now sought for amendments to the approved development, comprising an increase in the height of the outbuilding by 0.3 metres, the installation of an additional window in the south elevation, and a timber door in the north elevation.
- 1.3 The building is finished in thermally treated timber cladding which will weather to silver-grey appearance over time. The garden room has flat roof with aluminium capping.
- 1.4 Replacement planting is included on the proposed site plan. A condition is recommended to ensure further details of the planting are provided.
- 1.5 As planning permission has been granted for a garden room in this location, the principle of this development is established. Accordingly, the assessment focusses on whether the increase in height by 0.3 metres together with the addition of a window and door are acceptable in planning terms.

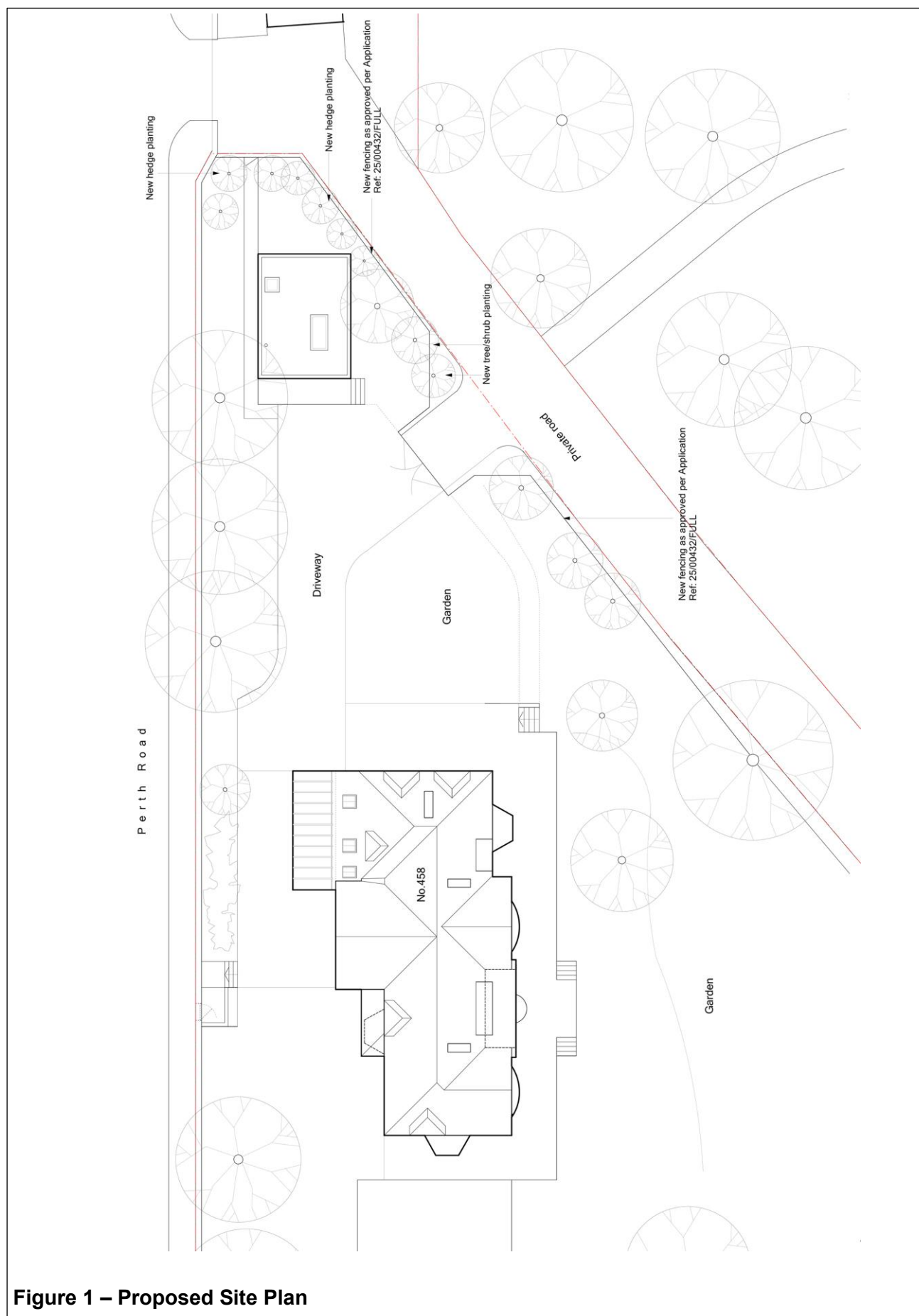
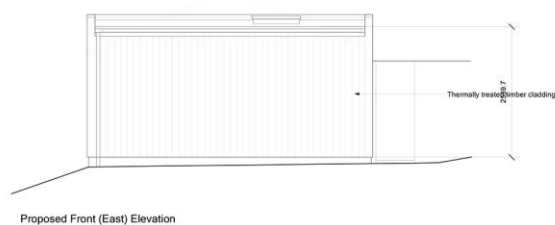
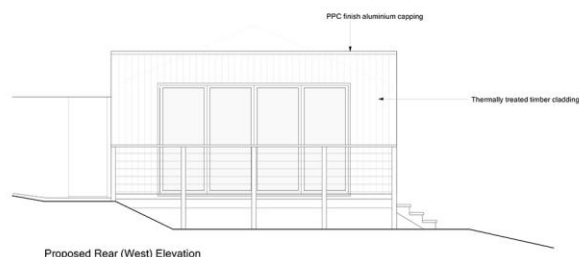
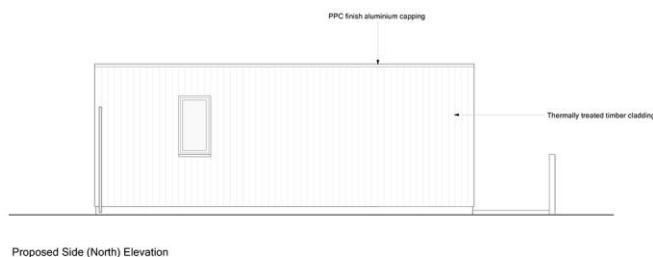
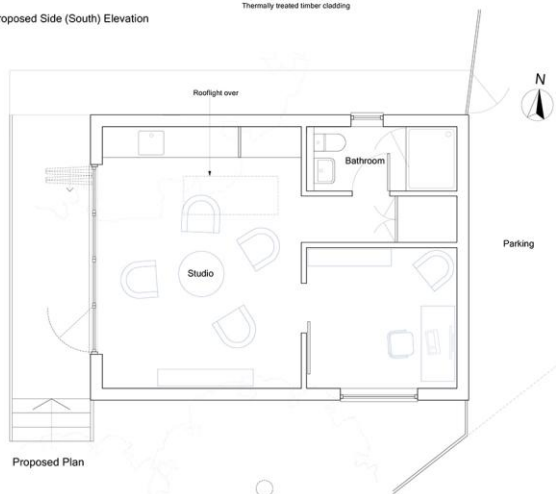
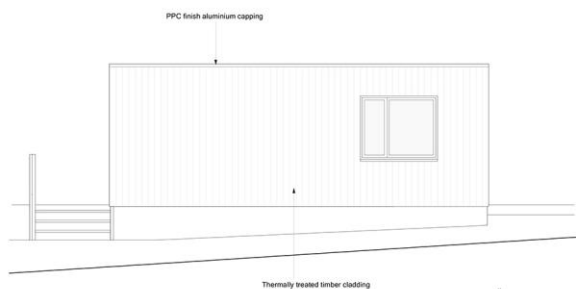


Figure 1 – Proposed Site Plan

25/00143/FULL



26/00159/FULL

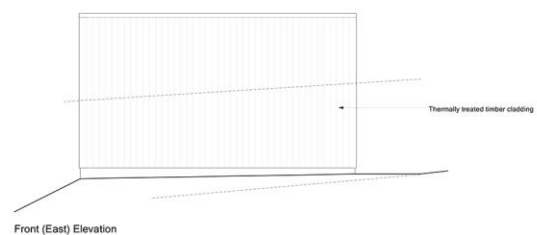
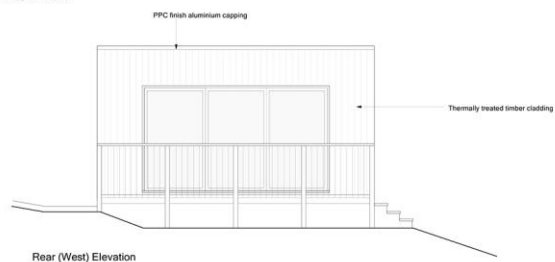
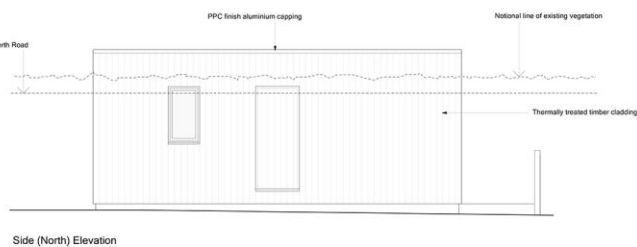
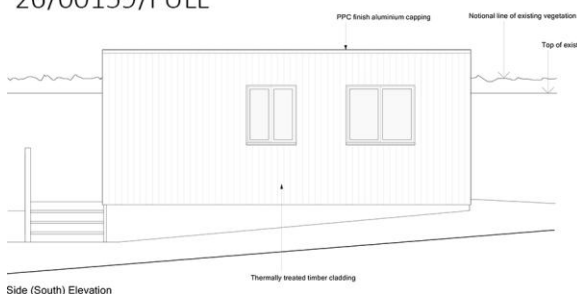


Figure 2 – Elevation Plan (as approved) and Proposed Elevation Plan (as proposed)

2 SITE DESCRIPTION

- 2.1 The application site lies within the curtilage of 458 Perth Road and is located 23 metres to the east of the detached villa, within West End Suburbs Conservation Area. The property is accessed via a private road which connects to Perth Road. The site is bound to the north (along the Perth Road frontage) by a stone wall measuring approximately 2.4 metres in height when viewed from within the site, and approximately 2.2 metres in height when viewed from Perth Road, reflecting a change in ground levels. The proposal is set within extensive, mature garden grounds, characterised by established trees and planting. A double garage previously occupied the site. This has been demolished and the approved garden room (ref. 25/00143/FULL) is nearing completion.
- 2.2 Additional works are currently underway within the curtilage of the property in the vicinity of the garden room. These works were approved under a separate application and include an extension to the dwellinghouse, alterations to the driveway, and associated landscaping works, including the installation of a new fence.
- 2.3 Several neighbouring residential properties lie to the east, south and west of the site. These properties also take access from the shared private road and are also set within mature garden grounds.



Figure 3 – Perth Road Looking West to Shared Access



Figure 4 – View From Perth Road



Figure 5 – Garden Building from the Shared Access

3 POLICY BACKGROUND

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

NATIONAL PLANNING FRAMEWORK 4

Policy 7: Historic assets and places

Policy 16: Quality homes

DUNDEE LOCAL DEVELOPMENT PLAN 2019

Policy 11: Householder Development

Policy 49: Listed Buildings

Policy 51: Development in Conservation Areas

Householder Development - Advice and Best Practice Supplementary Guidance

- 3.2 **Non-Statutory Statements of Council Policy**

West End Lanes Conservation Area Appraisal

- 3.3 **Statutory Planning Policy**

The following statutory policies are relevant to this application:

Historic Environment Policy for Scotland (2019).

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

4 SITE HISTORY

- 4.1 Planning permission (application reference: 19/00126/FULL) Formation of driveway and parking area was approved in April 2019.
- 4.2 Planning permission (application reference: 24/00655/FULL) Single storey rear extension, external alterations, and driveway with associated landscaping was approved in December 2024.
- 4.3 Planning permission (application reference: 25/00143/FULL) Demolition of existing garage and construction of a new garden building was approved in May 2025.
- 4.4 Planning permission (application reference: 25/00432/FULL) Perimeter fencing and gates was approved in October 2025.

5 PUBLIC PARTICIPATION

- 5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.

- 5.2 10 objections have been received raising the following valid material grounds:
- proposal fails to preserve or enhance character of conservation area and is visible out with the site;
 - visual overbearing impact in terms of height, flat roof not in keeping with area;
 - impact on setting of listed building;
 - overshadowing;
 - addition of window on east elevation and external lights affect residential amenity;
 - flue will be visible on Perth Road and impact of fumes;
 - painting the building black will not be in keeping with the aesthetic of the area; and
 - concerns it will be used for commercial purposes.
- 5.3 Concerns were also raised in relation to views, impact on value of property and reinstatement of the private access road. However, these are not valid material planning considerations.
- 5.4 The valid grounds of representation are taken into account in the material considerations section of this report.

6 CONSULTATIONS

- 6.1 No consultations have been received.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended provides that an application for planning permission 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.

Principle of Development

- 7.2 Planning permission has previously been granted for a garden outbuilding within the application site. The building is currently nearing completion. However, it has been constructed 0.3 metres higher than approved. The building also includes a window and door not shown on the approved plans. The applicant submits that the increase in height is due to changes through the Building Warrant process. The window was added for aesthetic reasons and the additional door for fire safety.
- 7.3 **NPF4 Policy 16g: Quality homes** states that householder development proposals will be supported where they:

- i do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- ii do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

- 7.4 In relation to criterion i, the garden room has an overall height of 3.3m, representing a 0.3m increase over the approved scheme. The building is positioned 3.2m from the northern boundary which is defined by a stone wall 2.2 - 2.4 metres in height. Vegetation grows within the site and over the top of the wall. As a result, only a limited portion of the building is visible from Perth Road. This is shown as 0.9m on plan. However, due to the set back and vegetation, it appears less when viewed on site. The east elevation of the building is also visible from the site access from Perth Road when travelling in a westerly direction. The impact of the increase in height by 0.3m to this elevation is not significant when considering the scheme as approved. The additional window and timber door are modest and do not materially change the overall design and appearance of the building.
- 7.5 The structure remains subordinate to the parent dwelling and is appropriate to its setting. The increase in height and minor design changes do not result in any adverse impact on the character or environmental quality of the site or surrounding area. The proposal therefore complies with criterion i of NPF4 Policy 16g.
- 7.6 In terms of criterion ii, the outbuilding is located approximately 13m from the nearest neighbouring property to the east at 454a Perth Road. The proposal will not result in any overshadowing or undue physical impact.
- 7.7 The proposed window and door are oriented towards the applicant's garden and do not give rise to overlooking of neighbouring properties. There is no adverse impact on residential amenity, and the proposal complies with criterion ii of NPF4 Policy 16g.
- 7.8 **LDP Policy 11: Householder Development** is supportive of householder developments which do not adversely impact on the level of amenity afforded to existing and neighbouring properties. There are four criteria that all householder developments must adhere to, to be supported. These are:
- 1 does not have a detrimental impact on the character or environmental quality of the house and the surrounding area by virtue of size, design and materials; and
 - 2 does not result in a significant loss of private/useable garden ground; and
 - 3 does not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking; and
 - 4 does not have a significant adverse effect on the existing level of parking provision.
- 7.9 Criterion 1 – substantively reiterates NPF4 Policy 16g criterion i. The increase in height of the outbuilding and additional window and door is acceptable for the reasons previously given. The proposal complies with this criterion.
- 7.10 Criterion 2 – the alterations do not result in any additional loss of useable garden ground. The proposal complies with this criterion.
- 7.11 Criterion 3 – as assessed under NPF4 Policy 16g above, there is no adverse impact on neighbouring amenity in terms of overlooking, overshadowing or physical impact. The proposal complies with this criterion.

- 7.12 Criterion 4 - the former garage was used for storage, and sufficient parking remains within the curtilage of the property. There is no adverse impact on parking provision. The proposal complies with this criterion.
- 7.13 **The proposal complies with NPF4 Policy 16g and LDP Policy 11.**
- 7.14 The Householder Development Supplementary Guidance states that outbuildings should respect and complement the character of the existing house and surrounding area. Outbuildings should be smaller in scale to the main dwelling house and of a scale appropriate to a domestic garden setting. They should not normally be situated in front of domestic properties and should not be over dominant in relation to the existing and surrounding properties.
- 7.15 The Guidance also advises that outbuildings should be positioned where they do not overshadow neighbouring properties. If the outbuilding is to be used as additional living space, it should be positioned so that it does not overlook neighbours.
- 7.16 The principle of the development of the site for an outbuilding has been established, and the proposed alterations do not conflict with the Householder Guidance Supplementary Guidance.
- 7.17 **The proposal complies with the Householder Development Supplementary Guidance.**

Historic Environment

- 7.18 **NPF4 Policy 7c: Historic assets and places** states that development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.
- 7.19 **LDP Policy 49: Listed Buildings** states that development proposals in close proximity to or within the curtilage of a listed building should have regard to the preservation or enhancement of the setting of the listed building.
- 7.20 The application site lies within the curtilage of a Category B listed building. The increase in height of 0.3 metres and the addition of a window and door are minor changes which do not give rise to any additional impact on the setting of the listed building beyond that already established by the approved development.
- 7.21 Since the original permission was granted, further works within the curtilage have been approved under application 25/00432/FULL, including removal of planting to the east and south of the house. The current proposals incorporate replacement planting along these boundaries, within an approved boundary fence which is currently being installed.
- 7.22 A condition is recommended requiring the implementation of replacement planting upon completion of the building works, with any plants failing within a period of five years to be replaced.
- 7.23 The proposal preserves the setting of the listed building.
- 7.24 **The proposal complies with NPF4 Policy 7c and LDP Policy 49, subject to condition.**
- 7.25 **NPF4 Policy 7d: Historic assets and places** states development proposals in or affecting conservation areas will only be supported where the character and appearance of the

conservation area and its setting is preserved or enhanced. Relevant considerations include the:

- i architectural and historic character of the area;
- ii existing density, built form and layout; and
- iii context and siting, quality of design and suitable materials.

7.26 **LDP Policy 51: Development in Conservation Areas** states that within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features that contribute to the character and appearance of the conservation area.

7.27 The site is located within the West End Suburbs Conservation Area. The outbuilding replaces a double garage and is 0.3 metres higher than previously approved. A small portion of the structure is visible from Perth Road, including above the wall section, and the east elevation from the site access. This is, however, limited and will be further mitigated by approved landscaping and boundary treatments.

7.28 The design, materials, and limited visibility of the building ensure that it does not adversely affect the character or appearance of the conservation area. The proposal therefore preserves the character of the area.

7.29 **The proposal complies with NPF4 Policy 7d of NPF4 and LDP Policy 51, subject to condition.**

7.30 It is concluded from the foregoing that it fully complies with the Development Plan.

STATUTORY DUTIES

Planning (Listed Buildings and Conservation Areas) Scotland Act 1997 as amended

7.31 Section 59(1) of the Planning (Listed Buildings and Conservation Areas) Scotland Act 1997 as amended states that in considering whether to grant planning permission for a development which affects a listed building or its setting, the planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.32 Section 64(1) of the Planning (Listed Buildings and Conservation Areas) Scotland Act 1997 as amended states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

7.33 For similar reasons to those explained above in the assessment of the application in accordance with NPF4 Policy 7c and d and LDP Policies 49 and 51, the development would preserve the character and appearance of the category B listed building and West End Suburbs Conservation Area. The proposal satisfies the statutory obligations.

MATERIAL CONSIDERATIONS

7.34 The material considerations to be taken into account are as follows:

A – NATIONAL POLICY AND GUIDANCE

7.35 Historic Environment Policy for Scotland (2019) requires to be considered when determining applications for planning permission for development which may affect the historic environment. The Policy advises that development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and its setting. Historic Environment Policy for Scotland acknowledges that the protection of the historic environment is not about preventing change but seeking to ensure that where change is proposed, it is appropriate, carefully considered and if appropriate, reversible.

7.36 For the reasons explained above, the application complies with the relevant national policy and guidance.

B – WEST END SUBURBS CONSERVATION AREA APPRAISAL

7.37 The West End Suburbs Conservation Area Appraisal identifies Perth Road as characterised by large south facing Victorian villas set behind boundary walls and landscaping with a mix of traditional and modern materials throughout.

7.38 The proposed timber cladding and flat roof design are compatible with traditional development in the area and do not conflict with the aims of the Appraisal.

C – REPRESENTATIONS

7.39 Ten objections have been received raising the following valid material grounds which are considered and assessed as follows:

7.40 **Objection** - fails to preserve or enhance character of conservation area and is visible out with the site.

Response - as set out in the assessment, the increase in height is modest and results in limited visible from the public realm, subject to landscaping, the impact of the increased height is not significant.

7.41 **Objection** - visual overbearing impact in terms of height, flat roof not in keeping with area.

Response - the building remains appropriate in scale and is consistent with the approved scheme, including the flat roof design.

7.42 **Objection** - impact on setting of listed building.

7.43 **Response** - the minor changes do not affect the setting of the listed building beyond the approved development.

7.44 **Objection** - overshadowing.

Response - no additional overshadowing arises due to the scale and position of the building.

7.45 **Objection** - addition of window on east elevation and external lights affecting residential amenity.

Response - the window serves the applicant's garden only. External lighting has been removed and can be controlled by condition.

- 6.1 **Objection** - flue will be visible on Perth Road and impact of fumes.

Response - the flue has been removed from the proposal.

- 7.46 **Objection** - painting the building black will not be in keeping with the aesthetic of the area.

Response - the building will be finished in natural timber, left to weather to silver. It will not be painted black.

- 7.47 **Objection** - concerns it will be let out for commercial purposes.

Response - a condition attached to the original permission restricting use to incidental residential purposes will be re-imposed.

- 7.48 The issues raised in the representations have been considered and addressed in the report and the grounds raised are not of sufficient weight to justify refusal of planning permission.

It is concluded that there are no material considerations of sufficient weight in this case to justify refusal of planning permission.

8 CONCLUSION

- 8.1 The application for alterations to the outbuilding, currently under construction, is in accordance with the Development Plan. There are no material considerations of sufficient weight that would justify refusal of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

- 9.1 It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 **Condition** – within three months of the date of this permission, the external lights on the garden building shall be removed.

Reason – in the interest of residential amenity.

- 2 **Condition** - within three months of the date of this permission, a scheme of landscaping shall be submitted to and approved in writing by the planning authority. The landscaping works shall be carried out in accordance with the approved details within 12 months of the date of this permission. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.

Reason - to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.

- 3 **Condition** - the ancillary building hereby approved shall only be used for domestic purposes incidental and ancillary to the existing dwelling at 458 Perth Road. At all times it shall be used for purposes incidental and ancillary to the use of the main dwelling and

not used, let or otherwise disposed of as a separate unit of accommodation nor used for any other purpose.

Reason - to ensure an acceptable form of development in accordance with the applicant's/agent's submitted particulars and to retain control over the use of the site and to ensure that consideration can be given to the effects and impacts of uses other than that approved herewith.