

# OTHER NOTICES

## TREE REPLACEMENT NOTICES SECTION 168

### 1.

Our Reference: **04/00005/TREE**

Address: **Woodcroft, 69 Dundee Road, Broughty Ferry, Dundee, DD5 1NA**

Reason for issuing notice:

- On or around November 2003, 2 Corsican Pine, 3 Evergreen Oak, 1 Beech, 1 Sycamore, 1 Yew and 9 other conifer trees situated in the West Ferry Conservation Area (1997) were removed in contravention of Section 172 of the Act. Under Section 174 of the Act the owner of the land is under a duty to plant another tree. It appears to the Council that this duty has not been complied with.

The owners undertook the removal of these trees without the benefit of a tree survey. By letter dated 30 December 2003 the Council advised the owners of the land that within 2 months they had to replant 8 trees of a given size and species. The owners did not comply. The Council feels that the replanting of these trees will enhance and preserve the character and appearance of this particular Conservation Area.

Notice effective: 1 October 200

Status: Complied

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### 2.

Our Reference: **05/00039/TREE**

Address: **The Lodge, 4 Grosvenor Road, Dundee, DD2 1LF**

Reason for issuing notice:

- On 1<sup>st</sup> July 2004 information was received from a member of the public regarding the health of trees situated within the West End Suburbs Conservation Area. Following investigations by the Council's Forestry Officer the Council considers that 37 mature trees have been wilfully destroyed in contravention of Section 172 of the Act, as on inspection it was discovered that holes had been drilled into the base of these trees. Samples were taken from the trees and testing was arranged with the Arboricultural Advisory and Information Service. However, they considered it unlikely that anything meaningful could be obtained from undertaking chemical analysis, although they did state "it is curious to note that several of the sample showed good extension growth until 4 or 5 years ago. This suggests that something may have started the decline at that time and that the trees were able to hang on until another damaging event occurred."

Under Section 174 of the Act, if a tree is destroyed, in contravention of Section 172 of the Act the owner of the land is under a duty to plant another tree of an appropriate size and species at the same place as soon as

he reasonably can. The owner has failed to comply with this duty. The Forestry Officer has recommended that all trees should be replaced and has specified the appropriate size and species. The Council considers that the replanting of the 37 trees will enhance and preserve the character and appearance of this particular Conservation Area.

Notice effective: 30 April 2005

Status: Direct Action taken by Council to comply with Notice

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## **BREACH OF CONDITION NOTICE SECTION 145**

### **1.**

Our Reference: **12/00183/CONBRE**

Address: **Mid Craigie Parish Church, Longtown Terrace, Dundee, DD4 8JP**

Reason for issuing notice: The following condition has not been complied with:

- Condition 2 states the use hereby approved shall be operated in accordance with the details submitted by the applicant in the letter dated 27 February 2012 unless otherwise agreed in writing by the City Council. The details submitted in the letter dated 27 February 2012 stated auction collections 09.00 – 17.00 Monday and Tuesday, viewing days Wednesday 08.30 – 17.00 every 2 weeks, sale day Thursday 08.30 – 17.00 every 2 weeks and collection day Friday 10.00 – 18.00 every 2 weeks.

Notice effective: 11 November 2012

Status: Complied

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### **2.**

Our Reference: **16/00081/CONBRE**

Address: **Lidl UK GMBH, Macalpine Road, Dundee, DD3 9HU**

Reason for issuing notice: The following condition has not been complied with:

Condition 5 all deliveries, including loading, unloading or lay-up shall be between 0700 hrs to 2200 hrs Monday to Saturday and 0900 hrs to 1800 hrs Sunday.

Notice effective: 4 May 2017

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## **STOP NOTICE SECTION 140**

**1.**

Our Reference: **05/00034/UNUSE**

Address: **Former Filling Station, Charleston Drive, Dundee, DD2 2EY**

Reason for issuing notice: The activity to which this notice relates is a breach of planning control, consisting of (i) operating as a Foam Car Wash facility; (ii) the mechanical and/or manual washing of vehicles; and (iii) the use of an associated generator without the required planning permission.

Notice effective: 21 April 2005

Status: Complied

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## **SECTION 33A**

**1.**

Our Reference: **14/00016/UNUSE**

Address: **Unit A 106 Fintry Road Dundee, DD4 9HF**

Reason for issuing notice: Requiring an application of change of use to car repair garage

Notice effective: 18 June 2014

Status: Complied

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**2.**

Our Reference: **12/00141/UNUSE**

Address: **Car Park Main Street Dundee, DD3 7HN**

Reason for issuing notice: Change of use to car park

Notice effective: 25 October 2012

Status: Complied

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**3.**

Our Reference: **12/00074/UNUSE**

Address: **Car Park Main Street Dundee, DD3 7HN**

Reason for issuing notice: Change of use to car boot sales

Notice effective: 30 October 2012

Status: Complied

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**4.**

Our Reference: **11/00077/NONCMP**

Address: **19 Strathern Road Broughty Ferry Dundee, DD5 1PP**

Reason for issuing notice: Non-compliance with approved plans

Notice effective: 29 September 2011

Status: Complied

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**5.**

Our Reference: **14/00081/UNDEV**

Address: **15 Rockfield Street Dundee, DD2 1LD**

Reason for issuing notice: Erected unauthorised timber fencing

Notice effective: 19 December 2014

Status:

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**6.**

Our Reference: **11/00063/UNDEV**

Address: **Hillside, 43 Constitution Street Dundee, DD3 6JH**

Reason: Erection of unauthorised flue

Notice Effective: 8 November 2011

Status: No further action

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**7.**

Our Reference: **10/00141/UNUSE**

Address: **27 Roseangle Dundee, DD1 4LS**

Reason: Sub-division of property to form office on ground floor and flat on 1<sup>st</sup> floor

Notice Effective: 1 September 2011

Status: Complied (partly)

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**8.**

Our Reference: **10/00103/UNDEV**

Address: **9 Jacobson Place Dundee, DD3 9TA**

Reason: Formed access to classified road

Notice Effective: 1 September 2011

Status: Complied

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**9.**

Our Reference: **12/00137/UNDEV**

Address: **Downfield FC Social Club, 129 Balgowan Ave Dundee, DD3 0JB**

Reason: Erection of a smoking shelter

Notice Effective: 8 March 2013

Status: Complied

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**10.**

Our Reference: **13/00130/NONCMP**

Address: **28 Invergowrie Drive Dundee, DD2 1RF**

Reason: Extension not constructed as per approved plans

Notice Effective: 4 October 2013

Status: Complied

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**11.**

Our Reference: **13/00063/UNUSE**

Address: **Lawside Dye works, 47 Byron Street Dundee, DD3 6QT**

Reason: Unauthorised Change of Use from Class 6 to Class 5 and unauthorised installation of ventilation flue

Notice Effective: 24 July 2013

Status: Complied

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**12.**

Our Reference: **13/00098/UNDEV**

Address: **38A Kenmore Terrace Dundee, DD3 6EL**

Reason: Formation of a driveway

Notice Effective: 4 October 2013

Status: Complied

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**13.**

Our Reference: **14/00043/UNDEV**

Address: **2/0 434 Perth Road Dundee, DD2 1JQ**

Reason for issuing notice: Erection of fencing

Status: Pending

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## **WASTLELAND NOTICE SECTION 179**

**1.**

Our Reference: **07/00051/CONSRV**

Address: **437A King Street Broughty Ferry, DD5 2HA**

Reason for issuing notice: Overgrown land

Notice effective: 9 April 2009

Status: Complied

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**2.**

Our Reference: **12/00119/LAND**

Address: **St Peters McCheyne Church, 328 Perth Road Dundee, DD2 1EQ**

Reason: Land to north in neglected condition

Notice Effective: 5 November 2012

Status: Complied

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**3.**

Our Reference: **17/00088/LAND**

Address: **Ground at and around Balmossie Pumping Station, Wyvis Road, Broughty Ferry, Dundee, DD5 2PX**

Reason for issuing notice: Neglected condition of land

Notice effective: 23 November 2017

Status: Direct action completed on 30 May 2018. Works undertaken by the Council.

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**4.**

Our Reference: **17/00071/LAND**

Address: **Riverside House, 11 Luna Place, Dundee Technology Park, Dundee, DD2 1TP**

Reason for issuing notice: Neglected condition of building. Broken windows and doors and graffiti all over building

Notice effective: 10 September 2018

Status: Notice not complied with. Council considering direct action.

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