

4 PLANNING APPEAL DECISIONS - LAND SOUTH OF CLATTO GARDENS (AN18-2017)

Planning application reference 16/00349/PPPM sought Planning Permission in Principle for a residential development with access from Clatto Gardens (renewal of 12/00780/PPPM) at Land to South of Clatto Reservoir, Dalmahoy Drive, Dundee. The application was approved by the Development Management Committee at its meeting on 20th June, 2016. The planning permission was subject to the following condition which was the subject of the appeal:

Condition 18: prior to the development hereby approved commencing on site, a footway on the west side of Dalmahoy Drive (from the junction with Clatto Gardens to the junction with Garden Mill Place) shall be created to an adoptable standard, in accordance with details which have been agreed in writing by the Council. For the avoidance of doubt, details of the proposed footway shall be submitted to the Council for written approval prior to its formation on the west side of Dalmahoy Drive.

The appointed Reporter ALLOWED the appeal and varied the planning permission by deleting Condition 18. The Reporter concluded that the condition was not necessary or reasonable on the basis that the footway had already been formed by the Council.