

4 PLANNING APPEAL DECISIONS (AN99-2016)

(a) ERECTION OF DETACHED DWELLINGHOUSE - LAND TO THE EAST OF 61 GOTTERSTONE DRIVE

Planning application reference 16/00244/PPPL sought planning permission in principle for the erection of a detached dwelling. The application was refused by the Development Management Committee at its meeting on 16th May 2016. The reason for refusing planning permission in principle was that the erection of a house on the site would adversely impact on the character and environmental quality of the Gotterstone Drive streetscape by virtue of the loss of an area of informal open space that enhances the amenity and well-being of the properties and residents it serves. Therefore, the proposed development did not enhance the distinct character or identity of Gotterstone Drive and was contrary to Policy 9 (Design of New Housing) of the Dundee Local Development Plan 2014.

The appointed Reporter **ALLOWED** the appeal on the grounds that the addition of a new property, of appropriate design and height and would be in keeping with the residential character of the surrounding area. The Reporter found that a dwelling that meets the required design standards can be accommodated within the plot, in relation to a number of rooms/total floor area, provision of off-street parking and distance between facing windows of habitable rooms. The detailed design of such a dwelling will be subject to further approval. The reporter stated that the loss of the informal open space, which is in private ownership and is not protected or part of the Council's green network, would not be of sufficient weight to refuse the application on the basis that each of the surrounding houses have private garden space and the site is close to other areas of public open space, including Claypotts Park which could be accessed without crossing any roads. The Reporter concluded that the current informal use of the land and siting of items of street furniture are not material matters of sufficient weight to outweigh the requirements of the local Development Plan. For these reasons, the Reporter concluded that the proposed development complied with the relevant provisions of the Development Plan and stated that there were no material considerations which would justify refusing to grant planning permission for the development.

(b) PROPOSED CAR WASH: 133B BROUGHTY FERRY ROAD, DUNDEE

Planning application reference 16/00285/FULL sought planning permission to erect a secure site accommodation building within the car wash facility under construction at 133B Broughty Ferry Road, Dundee. The application was refused by the Development Management Committee at its meeting on 16th May 2016. The reason for refusing planning permission was because the proposed secure site accommodation building by virtue of scale, design and massing would adversely impact on the appearance of the Broughty Ferry Road streetscape to the detriment of the amenity of neighbouring residential properties. Therefore, the proposed development failed to comply with the requirements of Policies 7 (High Quality Design) and 16 (Small Scale Commercial Uses within Residential Areas) of the Dundee Local Development Plan 2014.

The appointed Reporter **ALLOWED** the appeal on the grounds that the proposed building would have no adverse effect on the streetscape of the Broughty Ferry Road, neighbouring residential properties or nearby listed buildings. The Reporter also added that the proposal would result in an acceptable small scale commercial development within a residential area, and would result in major improvement over the visual impact of the former petrol station. For these reasons, the Reporter concluded that the proposed development complied with the relevant provisions of the Development Plan and stated that there were no material considerations which would justify refusing to grant planning permission for the development.