

4 PLANNING APPEAL DECISION (AN16-2022)

Planning Application 21/00070/FULL – 35 Carseview Gardens, Dundee

Planning Application 21/00070/FULL sought planning permission to demolish the existing dwelling and to erect a replacement dwelling at 35 Carseview Gardens. The application was refused by Planning Committee at the meeting on 16 August 2021 for the following reasons.

1 The proposal is contrary to Policy 1 (High Quality Design and Placemaking) as it would result in the loss of a fine sandstone lodge house built in 1892 that has character and is far more appropriate for the setting. Further, the design and size of the proposed new dwelling is inappropriate and out of keeping with the surrounding area and the proposal would fail to contribute positively to the quality of the surrounding built and natural environment. There are no material planning considerations of sufficient weight to justify approval of the application contrary to the development plan.

2 The applicant has failed to provide a statement to demonstrate compliance with Policy 48 (Low and Zero Carbon Technology in New Development). There are no material planning considerations of sufficient weight to justify approval of the application contrary to the Development Plan.

Planning appeal reference PPA-180-2068 was submitted and the Reporter appointed by Scottish Ministers issued a decision on 27th January, 2022. The Reporter's decision was to ALLOW the appeal and APPROVE PLANNING PERMISSION.

The Reporter considered the issue of demolition of the existing building and concluded that whilst the existing building may have a history and benefit from some interesting detail, it appears to have had a number of unfortunate alterations. The Reporter found that the replacement of the building would not alter or diminish the overall character of the Perth Road Sub-area of the Conservation Area.

The Reporter considered the design of the replacement dwelling and concludes that the proposed house would contribute positively to the surrounding built environment and respect its character. Also in respect of design the Reporter noted that reinstating the "gap" in the stone boundary wall along Glamis Road would ensure that the existing character of Glamis Road is respected.

In respect of non-compliance with Policy 48 the Reporter concluded that a planning condition could be used to secure compliance with Policy 48. In addition, the details of the proposed air source heat pump could also be secured using a condition.

Claim for an Award of Expenses

The appellant had also submitted a claim for an award of expenses. The Council was not found to have acted unreasonably in refusing the application. The claim was dismissed and no expenses were awarded.

The appeal and expenses decisions can be accessed via the following link:

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=121822>