

KEY INFORMATION

Ward Balgay

Proposal

Erection of garage and formation of driveway

Address126 City Road
Dundee
DD2 2PW**Applicant**Mrs Elizabeth Symon
126 City Road
Dundee
DD2 2PW**Agent**

Registered 27 Aug 2003

Case Officer Eve Jones



The erection of a garage and formation of a driveway is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The application is considered to comply with the relevant Council policies. The objection from the neighbour cannot be supported. Accordingly, the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the development of a garage and driveway to the front of an established semi-detached house. The house is in an elevated position and the site will require to be excavated to allow access to the garage from street level.
- The relevant policies in the Dundee Local Plan and the Finalised Local Plan Review seek to support domestic developments of this type unless they have an adverse effect on the appearance of the house and surrounding area.
- The adjoining neighbour has objected to the development on the grounds of the impact on the appearance of both houses, the potential loss of a mature hedge between the gardens and potential loss of trees in his garden.
- The City Council recognises householders reasonable aspirations to have safe secure off street parking within their own curtilages. This older property is one of many built without driveways or garages. The front garden is the only site where such a facility can be located.
- It is considered that the visual impact of the proposed development is limited and is not sufficient to justify refusal of the application. An appropriate condition is recommended to protect the hedge and trees in the adjoining garden.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a garage at the front of the house at 126 City Road. The single garage is to be set back from the footway with space for a car to park in front of the garage. The garden will be excavated and retaining walls built around the garage. The garage will be a standard concrete panel construction with a shallow pitched sheeting roof. The door will be operated by remote control.

SITE DESCRIPTION

The application site is the southern half of a pair of semi detached late Victorian houses on the west side of City Road. The houses are set approximately 1.5 metres above street level and are well set back from the road with large front gardens and very small rear gardens. The west side of City Road is characterised by such houses, none of which were built with any vehicular access to the road. Over time, garages and vehicle parking bays have been excavated out of the front garden embankments with most of the garages being located immediately at the rear of the footway. Many of the gardens support mature landscaping with trees, shrubs and hedges.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies are of relevance:

Policy H4 Protection of Amenity. The policy supports alterations and extensions to houses provided the appearance of the house and surrounding area is not adversely affected and inter alia, the materials, style and form are alien to the existing building. While the garage is not an alteration to the existing house, it is considered that it extends the residential facilities of the house by the provision of safe off street garaging for

a car. It is considered that the provisions of Policy H4 should apply in this case.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application.

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 14: Alterations and Extensions to Houses. Proposals will only be permitted where there is no adverse impact on the appearance of prominent



elevations of the house. The garage is considered to be additional facilities to the residential property as detailed in Policy H4 above.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application.

LOCAL AGENDA 21

The proposal ensures local needs are met locally by the provision of safe parking within the house curtilage.

SITE HISTORY

There is no relevant planning history.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and an objection was received from the neighbour in the adjoining house on the grounds of the detrimental impact of the development on the appearance of both properties, the adverse effects the development will have on a mature hedge which separates the gardens and on established trees within the neighbour's garden. The objector also considers that to reverse out of the proposed garage and driveway into City Road will be hazardous.

CONSULTATIONS

The Council's Arboricultural Office sought more detailed plans to ensure that the proposed retaining walls for the garage and driveway will be at least 1 metre away from the existing hedge in order to ensure its survival. He considers such a distance will also ensure that the trees are undamaged. Additional plans were received on that basis.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider :

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

Policy H4 Protection of Amenity supports alterations and extensions to houses provided the appearance of the house and surrounding area is not adversely affected and inter alia, the materials, style and form are alien to the existing building.

The Council recognises that there are areas of the City where, in the past, houses were built without driveways or provision for private car parking. The desire of residents to provide safe secure off street parking is supported in most cases provided the garage development does not have a significant impact on the house and the surrounding area.

The houses on the west side of City Road at this point are in such a location and the only opportunity for off street parking is within the front garden grounds. Several garages have been built with planning permission in a similar location at other properties in City Road. The site does not lie within a Conservation Area and is immediately adjoining a group of local shops. Whilst the development will affect the appearance of the house, it is not considered to be of such significance as to support refusal of the application. The mature landscaping is a feature of this line of houses and the mature hedge will conceal the new garage from the adjoining house. Further plans have been submitted which detail the increased distance of the garage and retaining walls in order to protect the mutual hedge and the trees in the neighbouring garden in accordance with the advice of the Arboricultural Officer.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan

Other Material Considerations

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

Finalised Dundee Local Plan Review

Policy 14: Alterations and Extensions to Houses. Proposals will only be permitted where there is no adverse impact on the appearance of prominent elevations of the house. The development will have an impact on the appearance of the house but it is not considered that the impact will be sufficiently adverse to support refusal of the application, given that the Council recognises the reasonable aspirations of householders to provide safe secure off street parking within their curtilages. It is considered that the measures taken to protect the mature landscaping will assist in

minimising the visual impact of the development.

Objection

One objection was received from the neighbour as detailed above. The issues of the detrimental impact of the development on the appearance of both properties, the adverse effects the development will have on a mature hedge which separates the gardens and on established trees within the neighbour's garden have been considered in the Development Plan section above. An appropriate condition is recommended. The objector also considers that to reverse out of the proposed garage and driveway into City Road will be hazardous. The development is considered to be acceptable on road safety grounds as the driveway is far enough from the City Road/Tullideph Road junction and there is adequate visibility to the east due to the distance from the boundary wall/hedge. The driveway will also reduce on street parking which should improve visibility for pedestrians crossing the road. The objection cannot be supported.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The proposal is a conventional domestic garage of acceptable design and materials

CONCLUSION

The construction of a garage in the front garden of a house will affect its appearance. However, the Council recognises householders reasonable aspirations to provide safe off street car parking within their own curtilages. Garages in front gardens have been granted planning permission in other parts of the city where houses have been constructed with no other off street parking opportunities. The site does not lie within a Conservation Area and the house is not listed. The application is considered to be in accordance with the policies in the Dundee Local Plan and the Finalised

Local Plan Review. The objection cannot be supported and it is considered that an appropriate condition can be applied to protect the hedge and trees.

RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 The excavation for the retaining wall shall be dug no closer than 1 metre from the face of the existing mature hedge on the northern boundary of the site.
- 3 The garage shall be fitted with a roller door.
- 4 Any gates to be erected on the boundaries of the development shall be designed to open only into the site of the development.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To protect those landscape features which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
- 3 In order to prevent interference with the free flow of traffic and pedestrians on the adjoining highway.
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