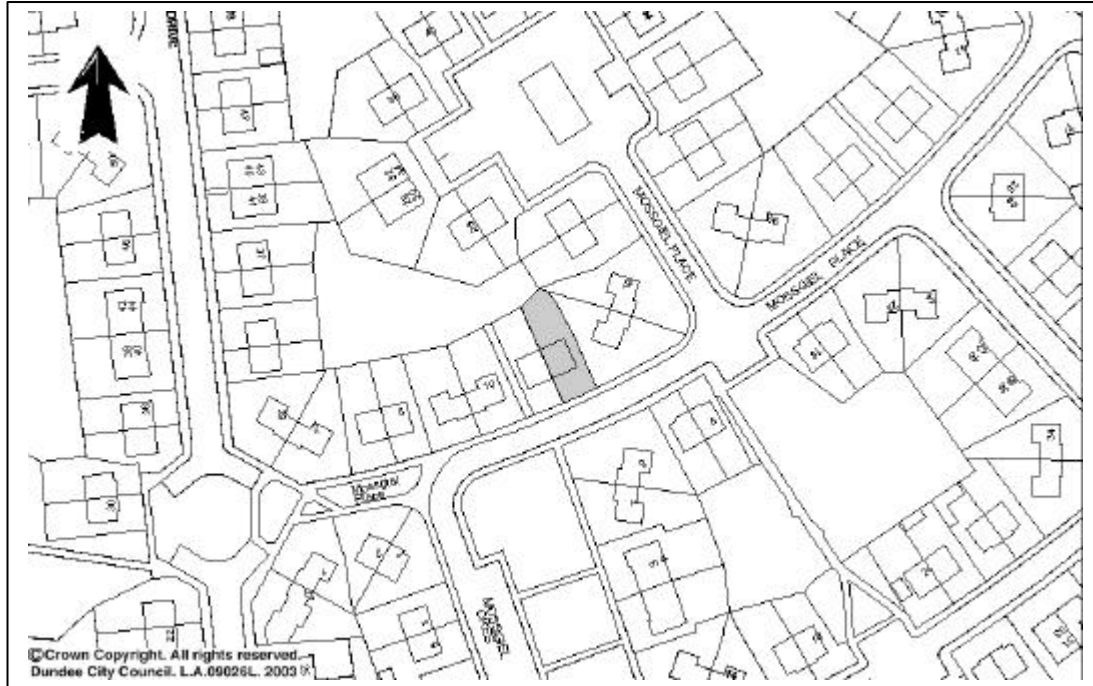


**KEY INFORMATION****Ward** Pitkerro**Proposal**

Erection of flat roofed double garage

**Address**14 Mossgiel Place  
Dundee**Applicant**Mr G Macalister  
14 Mossgiel Place  
Dundee  
DD4 8AW**Agent****Registered** 27 Sep 2005**Case Officer** C Walker

## Consent Sought for Garage at Mossgiel Place

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

**RECOMMENDATION**

It is considered that the proposal complies with Policy 14 of the adopted Dundee Local Plan Review and any concerns about potential commercial use can be dealt with by a planning condition. The application is therefore recommended for **APPROVAL**.

**SUMMARY OF REPORT**

- Planning permission is sought to retain a double garage which is almost complete. The garage is to the rear of a semi detached 2 storey house in a suburban location.
- Policy 14 of the Dundee Local Plan Review 2005 relates to proposals to alter or extend houses, including garages such as this. In this case, the garage is of appropriate design and siting and the structure will not have any adverse impact on the amenities of neighbours. It therefore complies with the Local Plan.
- In order to allay any concerns about potential commercial use of the garage, should Members be minded to approve the application, a condition could be attached restricting the use of the garage to domestic purposes only.

## DESCRIPTION OF PROPOSAL

Planning permission is sought to retain a garage which is almost complete. It has an area of 37 sq. metres with block walls and a flat felt roof. It is proposed to harl the walls and install timber lined garage doors to finish the development.

The garage sits behind the house along the eastern site boundary, accessed by a narrow driveway from Mossgiel Place.

## SITE DESCRIPTION

The application site is a semi detached 2 storey house and its garden ground located on the north side of Mossgiel Place. It is finished with timber clad walls.

The site is surrounded by similar houses and there is an area of open space to the north of the rear garden area. The rear garden area is enclosed on all sides by timber fences.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan Review 2005

Policy 14: Proposals to alter or extend existing dwelling houses will only be permitted where:

- There is no adverse impact on the appearance of prominent elevations of the house; and
- There is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties; and
- More than 50% of the original useable garden area will be retained; and
- The design and materials respect the character of the existing building.

## 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

Key Theme 13 is relevant to this application and states that places, spaces and objects should combine meaning and beauty with utility.



## SITE HISTORY

The applicants started to erect this garage without planning permission. Following a complaint from the local councillor, an enforcement officer visited the site and informed them that planning permission was required.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and no public comment was received.

## CONSULTATIONS

No adverse comments were received from any of the statutory consultees.

## OBSERVATIONS

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

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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 14 of the adopted Local Plan relates to proposals to alter or extend houses.

In this case, the garage which has been erected is of appropriate design and siting and the structure will not have any adverse impact on the amenities of neighbours. Although it is larger than the standard single garage normally erected in locations such as this, its size is not excessive for the plot.

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

## Other Material Considerations

The other material consideration to be taken into account is a concern by the local councillor that the garage might be used for commercial purposes. It is for this reason that she has asked the application to be put to the Committee even though there have been no objections from neighbours and the application could be dealt with under delegated powers.

The application is for a domestic garage only and if consent is granted then this does not permit the building to be used for commercial purposes. In any event the garage does not lend itself for commercial use, given the constraints of the narrow access drive, the size of the building and the absence of any inspection pit. Furthermore, no evidence of any commercial use has been provided to date and none was observed on unannounced visits to the site. However in order to allay any concerns about this issue, should Members be minded to approve the application, a condition could be attached restricting the use of the garage to domestic purposes only.

This would not restrict the applicant from using the garage for servicing or repairing cars owned by him.

It is concluded from the foregoing that the concerns about possible commercial use of the premises can be covered by a planning condition. It is therefore recommended that planning permission be granted with conditions.

## Design

The design of the garage is satisfactory and it will not detract from the visual amenity of the wider area.

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## CONCLUSION

It is considered that the proposal complies with Policy 14 of the adopted Dundee Local Plan Review and any concerns about potential commercial use can be dealt with by a planning condition. The application is therefore recommended for APPROVAL.

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## 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 walls of the garage shall be harled and the garage doors installed in accordance with the approved plans within 3 months of the date of this consent.
- 3 The garage shall be used only for a purpose incidental to the use of the application property.

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that the garage is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties.