

**KEY INFORMATION**

Ward Maryfield

**Proposal**

Demolition of existing garage  
And erection of stone built  
store

**Address**

77 Mains Drive  
Dundee  
DD4 9BN

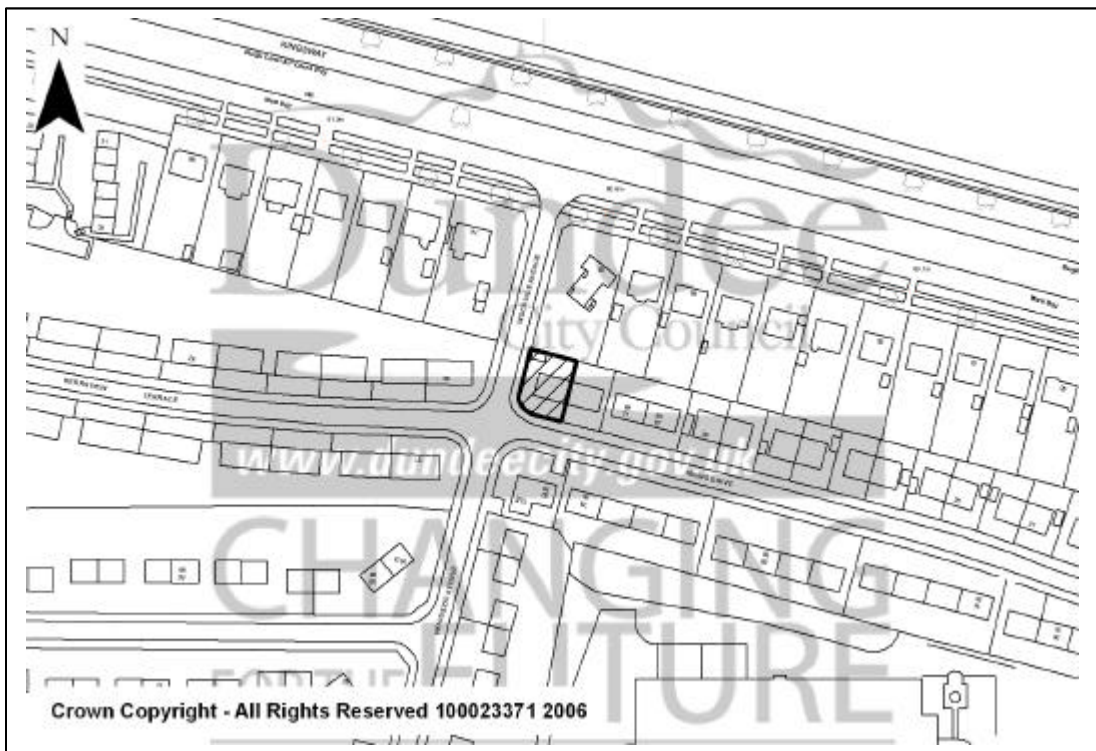
**Applicant**

Mr George Mather  
77 Mains Drive  
Dundee  
DD4 9BN

**Agent**

Registered 9 May 2007

Case Officer S Johnson



## Proposed Storage Building in Garden Ground in Mains Drive

The demolition of an existing garage and erection of a store is **RECOMMENDED FOR REFUSAL**.  
Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development does not comply with Policy 14 of the Dundee Local Plan Review 2005. It is considered that the objection submitted is supported. Therefore the application is recommended for **REFUSAL**.

**SUMMARY OF REPORT**

- Planning permission is sought for the demolition of an existing garage and the erection of a store at 77 Mains Drive, Dundee.
- One letter of objection was received in respect of this application the main grounds of objection are: this proposal will have an adverse impact and is not in keeping with the character of the area; it is contrary to Policy 14 in terms of reducing sunlight and daylight; the drawings have shown an access path of 60cm which is barely enough for a wheelie bin and not enough for a wheelchair. The neighbourhood notification procedure was not followed correctly. The proposal will occupy this joint access area plus land belonging to the adjoining property.
- It is considered that the proposal does not comply with Policy 14 of the Dundee Local Plan Review 2005 in terms of the effect on the existing dwelling and the surrounding area. There are no material considerations that would justify the grant of approval of the application.

**DESCRIPTION OF PROPOSAL**

Planning permission is sought for the demolition of an existing garage and the erection of a stone built store at 77 Mains Drive, Dundee. The store will measure approximately 8.6metres in length and 2.5metres in height. Vehicle access is no longer taken from Woodside Avenue. It would appear the only entrance will be from within the site by a single pedestrian door. The building work will be breeze block which the applicant has stated may be painted white. The roof on the store will be a flat felt roof with a window.

**SITE DESCRIPTION**

The application site is a corner site located on the north side of Mains Drive and the east side of Woodside Avenue. It is a two storey semi-detached flatted property. There is parking to the front of the property within the curtilage. There is an existing timber garage to the west of the site with vehicular access from Woodside Avenue. This is a residential area where the majority of properties are two storey flatted terraced properties. Some have parking within the curtilage otherwise on-street parking is the norm.

**POLICY BACKGROUND**

**Dundee and Angus Structure Plan 2001-2016**

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

**Dundee Local Plan 2005**

The following policies are of relevance:

**POLICY 14: ALTERATIONS AND EXTENSIONS TO HOUSES**

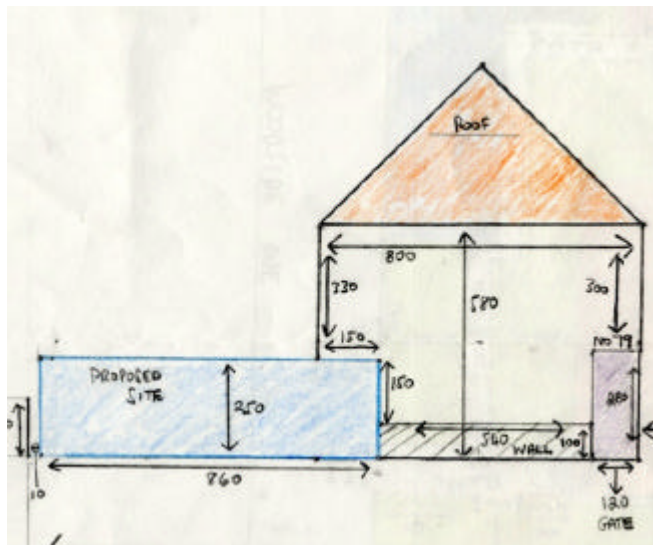
Proposals to alter or extend existing dwellinghouses will be only be permitted where:

- a there is no adverse impact on the appearance of prominent elevations of the house; and
- b there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties; and

- c more than 50% of the original useable garden area will be retained; and
- d the design and materials respect the character of the existing building.

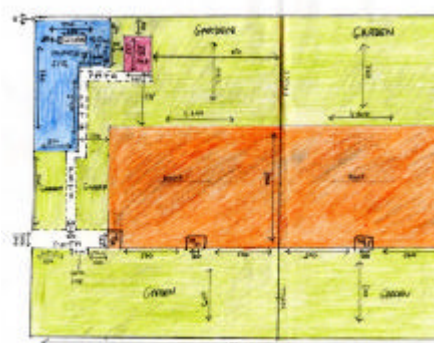
**Scottish Planning Policies, Planning Advice Notes and Circulars**

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.



**SUSTAINABILITY ISSUES**

There are no specific sustainability policy implications arising from this application.

**SITE HISTORY**

Two previous applications were submitted to build a stone store on this

site. One was invalid on receipt (Planning reference: 06/01175/FUL) and the other was withdrawn before determination (Planning reference: 06/00791/FUL).

**PUBLIC PARTICIPATION**

Statutory neighbour notification was carried out. One letter of objection was received from an adjoining neighbour. The grounds of objection are:

This proposal will have an adverse impact on the character of the area.

The proposal is not in keeping with the character of the residential area. The proposed store will introduce an industrial sized element into a residential area. Five trees will require to be cut down not three as indicated on the plans.

The scale and mass (28ft long and over 8ft high) of the proposal is not appropriate for the site. The store would occupy a large section of the current garden area and will directly impact on the appearance of neighbouring dwellings.

It is contrary to Policy 14 in terms of reducing sunlight and daylight into the neighbour's garden.

In terms of Policy 15, the materials (grey breeze block) would not be appropriate to the surrounding area in the scale proposed.

The scale and size of the store would obscure the neighbouring property.

The measurements on the drawings are incorrect. The drawings have shown an access path of 60cm which is barely enough for a wheelie bin and not enough for a wheelchair.

The neighbourhood notification procedure was not followed correctly.

The proposed development is to replace an existing temporary structure (wooden garage) that currently occupies part of a jointly owned access path. The proposal will still occupy this joint access area plus land belonging to the adjoining property.

Copies of the objection letter are available in the Member's Lounge and the issues are discussed in the "Observations" section below.

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## CONSULTATIONS

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No adverse comments were received from statutory consultees or other bodies.

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## OBSERVATIONS

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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.

In terms of Policy 14 the store is proposed to be erected to the north west of the two storey flatted development, it is considered that the dwelling on the west elevation (No.79) would be most affected by this development. The proposed location for the shed is approximately 0.6metres from the adjoining neighbour's front door. Consequently, it is considered that the prominent elevations of this adjoining property will be adversely effected by this development.

Due to the proposed overall size (gross floor approximately 32sqm) and height(approximately 2.5m) of the proposed store it is considered that at certain times of the day there may be a certain amount of loss of sunlight and daylight to the garden area to the east of the site.

The approximate overall size of the store is 32sqm. The existing garage is approximately 20sqm. The garden area is approximately 106sqm. Even though this application is proposing the erection of a much larger store it would appear that fifty percent of the original useable garden area will be retained.

In terms of the design and materials for this proposed development it is considered that due to the scale and massing of the new store that this development will be out of character for the dwelling and the residential area. There are no elevational drawings

of the proposed store. The plans state that the store will be built in stone. However, the applicant has stated in the application form that the finishing materials will be breeze block and a photograph was enclosed with the application which shows that the finishing materials will be breeze block which may be painted white. The use of breeze block is not complementary to the existing dwelling or the surrounding residential area. The roof will be a flat felt with a window. There are no further details regarding the proposed window or access to the store.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

### Other Material Considerations

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

One letter of objection was received in respect of this application. The main issues relating to the loss of daylight and the scale and size of the store have been considered in the development plan section above. The other issues are considered below:

The objector has stated that five trees will require to be removed as a result of this proposal and not three as the applicant has stated. The photographs taken from the site visit on 22 May 2007 show three trees and a number of large shrubs. These will require to be removed to accommodate this development. It would be regrettable to lose these shrubs and trees in order to accommodate this large breeze block store.

The objector has stated that the application is contrary to Policy 15 in terms of the materials being proposed. It is considered that Policy 15 is not relevant on this occasion as this policy deals with new residential development within garden ground. However, as stated previously the use of breeze blocks is not acceptable at this location.

The objector has stated that the plans submitted are using incorrect measurements as they have shown an access path which measures 60cm which is barely enough for a wheelie bin. It would appear that the objector is questioning the amount of space that is being left as a result of this proposal rather than the accuracy of the plans. In terms of the access path it is

arguable how useable this proposed path would be.

The objector has stated that the neighbour notification procedure was not followed correctly. The applicant has stated in correspondence dated 28 May 2007 that all relevant neighbours had been renotified.

The objector has stated that the site for the proposed development will occupy part of a jointly owned access path and additional land belonging to the adjoining property. This is not a relevant planning matter but relates to legal issues and consequently, can not be considered when assessing this application.

In addition, it is considered that there is inadequate information to make a thorough assessment of this proposal. It is not clear what the intended purpose is for the store and whether there will be any potential disturbance to the residential amenity of the surrounding residential properties. As stated previously, no elevation drawings have been provided. Consequently, there is no indication as to how this store will appear when erected and there are no details regarding the position of the door to the store, the type of roof and the window on the roof. It should be noted that the applicant was asked for elevational drawings of the completed store on 29 May 2007 to date this information has not been forthcoming.

It is concluded from the foregoing that there are no material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be refused.

### Design

As stated previously it is considered that the scale, massing and materials of the proposed store would have a detrimental impact on the neighbouring property and the surrounding residential area.

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## CONCLUSION

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It is considered that the proposal is contrary to Policy 14 of the adopted Dundee Local Plan Review 2005. The objection is supported on this occasion.

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RECOMMENDATION

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It is recommended that consent be REFUSED for the following reason:

Reason

- 1 The proposed development is contrary to Policy 14 due to the impact on the prominent elevations of the neighbouring property, loss of light and the design and materials. In addition, there is inadequate information to make a thorough assessment of this proposal. There are no material considerations that would justify a departure to the provisions of the development plan in this instance.