

KEY INFORMATION

Ward The Ferry

Proposal

Erection of Decorative Garden Trellising along Eastern and Western Boundaries

Address

18 Abertay Street
Broughty Ferry
Dundee

Applicant

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Agent

Registered 3 Mar 2009

Case Officer P Macari



Consent Sought for Garden Trellis in Abertay Street

The erection of a Decorative Garden Trellising is **RECOMMENDED FOR APPROVAL**. Report by Director of Planning and Transportation.

RECOMMENDATION

The trellis fencing complies with the requirements of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005. The views of the objector are not supported. Accordingly it is recommended that planning permission be granted.

SUMMARY OF REPORT

- This application seeks retrospective planning permission for the erection of four lengths of trellis fencing along the eastern and western boundaries of 18 Abertay Street, Broughty Ferry.
- Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005 is relevant to the outcome of this planning application.
- One letter of objection has been received from a neighbouring resident concerned about appearance and design materials, residential amenity, impact upon the natural and built environment and accuracy of the plans submitted as part of this application.
- The concerns of the objector are not supported.

DESCRIPTION OF PROPOSAL

This application seeks retrospective planning permission for the erection of four lengths of trellis fencing along the eastern and western boundaries of 18 Abertay Street, Broughty Ferry.

Three lengths of brown stained decorative timber trellis fencing have been mounted to the existing 1.8m high sandstone wall forming the western boundary of the application site. The fencing projects above the stone copes of the wall by 0.5m. A 2m high brown stained trellis fence some 10m in length has been erected along the eastern boundary of the application site.

SITE DESCRIPTION

The application site comprises of a large two storey detached house located on the northern corner of Abertay Street and Abertay Crescent. The dwellinghouse is located in the northern sector of the site with areas of hard standing in the north western and south eastern corners of the site. The areas of hard standing are located next to the vehicular access points on Abertay Street and Abertay Crescent. The application site is enclosed by 1.8m high stone built walls to the north and west. A 1.8m high timber screen fence forms the southern boundary and a 0.5m high brick built walls forms the eastern boundary between the application site and 6, 10 and 12 Abertay Crescent. The southern and eastern boundaries of the application site are reinforced by mature trees and shrubbery.

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 1: Vibrant And Sustainable Communities - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing

areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.



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

Planning application 04/00511/FUL sought permission for the erection of an extension to the north east elevation of the original house and a sun lounge to the southern elevation. Planning permission was granted subject to conditions.

There is no other planning history of relevance to the outcome of this application.

PUBLIC PARTICIPATION

The applicant has followed the statutory neighbour notification procedure as stipulated by the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.

One letter of objection has been received from a neighbouring resident concerned about the impact that the fencing has on:

- Appearance and Design;
- Residential Amenity;
 - Natural and Built Environment;
 - Level of detail contained on submitted plans.

Members will already have had access to the objection letter and the points raised are considered in the Observations Section of this Report.

CONSULTATIONS

No adverse comments have been received from consultees.

OBSERVATIONS

Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997 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 1 (Vibrant and Sustainable Communities) is supportive of proposals that seek to preserve or enhance the level of environmental quality afforded to neighbouring properties be them commercial or residential. The decorative timber trellis fencing is of a scale, massing and colour that blends with the existing boundary enclosures. The timber trellis fencing provides a gentle transition between the hardness of the stone and brick boundary walls and the soft green trees and shrubs that line the eastern and western boundaries of the application site. The trellis fencing is therefore considered a positive addition to the application site that enhances the tree-lined character of the surrounding area. The trellis fencing therefore enhances the level of environmental quality afforded to the application site and neighbouring properties. The fencing complies with the provisions of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005.

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

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

Views of the Objector

One letter of objection has been received from a neighbouring resident concerned about:

Appearance and Design - the objector is concerned that the gap between the trellis fence and the 0.5m high dwarf wall eastern boundary of the application site is an indication that the trellis is too short and therefore poorly designed and constructed. The trellis fence along the eastern boundary of the application site has been erected behind the 0.5m high dwarf wall separating 18 Abertay Street from 6, 10 and 12 Abertay Crescent and therefore when viewed from an oblique angle there is a gap between the fence and wall. However, when viewed from Abertay Crescent the gap between the wall and trellis fence is not visible. The objector also makes reference to white planks being placed in the gap between the fence and wall

with these planks being indicative that the fence is too short. The Case officer did not view any white timber planks placed between the trellis fence and the dwarf wall forming the eastern boundary of the application site during the site visit. The design, scale, massing and finish of the trellis fencing is considered to complement the original property boundaries and in particular the eastern boundary.

Residential Amenity - the objector is concerned that the height of the trellis fencing will overshadow the side garden of their property. The eastern boundary of the application site is delineated by mature broadleaf laurel trees and a variety of shrubs 3-5m in height. The trellis fencing is not greater than 2.5m in height when measured from neighbouring properties bounding the application site to the east. It is therefore considered that the shadow cast by the existing trees delineating the eastern boundary of the site is greater than the shadow cast by the trellis fencing. The trellis fencing is therefore not considered to significantly overshadow the properties bounding the application site to the east.

Natural and Built Environment - the objector is concerned that the trellis fencing will block sunlight to the expensive plants situated along the western boundary of 6 Abertay Crescent. The trellis is no more than a timber framework with frequent and regular sized holes. Assertions of loss of sunlight are not supported as the trellis fencing does not contain any materials that would prevent sunlight from penetrating through the trellis.

Level of detail contained on submitted plans - although the location plans submitted do not show the recent extensions to 18 Abertay Street or the recent formation of a vehicular access, the plans show clearly the locations of the trellis fencing that is the subject of this application. The photographs submitted demonstrate clearly the scale and design of the fencing also. On this basis concerns relating to the quality and accuracy of the submitted plans are not 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.

Design

The design of the trellis fencing is considered to preserve and enhance the level of environmental quality afforded to the application site and surrounding properties.

CONCLUSION

The trellis fencing complies with the requirements of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005. The views of the objector are not supported. Accordingly it is recommended that planning permission be granted.

RECOMMENDATION

It is recommended that consent be GRANTED.