

KEY INFORMATION

Ward The Ferry

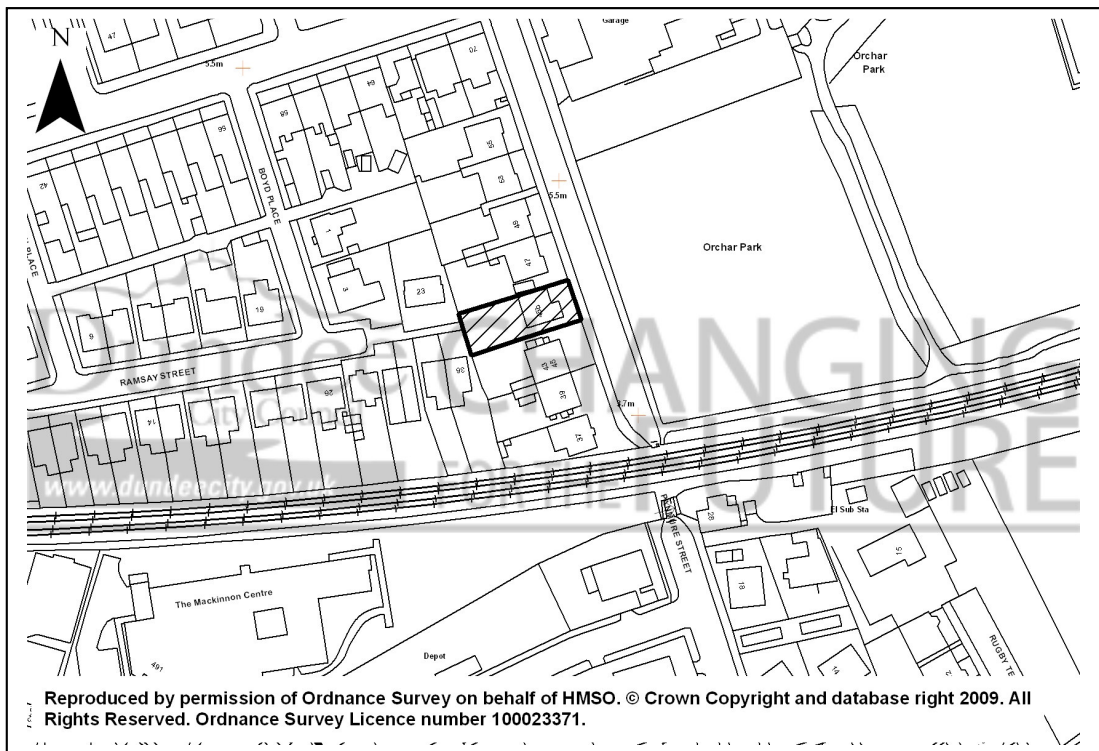
Proposal

Erection of summer house in rear garden area

Address45B Panmure Street
Broughty Ferry
Dundee**Applicant**Mr & Mrs Young
45B Panmure Street
Broughty Ferry
Dundee
DD5 2EU**Agent**

Registered 29 Sept 2009

Case Officer D Gordon



Summer House for Rear Garden in Broughty Ferry

The erection of a summer house in rear garden area is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of City Development.

RECOMMENDATION

It is considered that the proposal is consistent with the requirements of Policy 61 of the Dundee Local Plan Review 2005 and that there are no material considerations that would justify the refusal of this application contrary to the terms of this policy. The application is recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought for a summer house in the rear garden of a single storey, detached dwelling house. Permission is required by virtue of the size of the proposed structure (approximately 11.5m²) and its location in a conservation area.
- The proposal raises issues under Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005.
- No objections to the application have been received.
- It is considered that the scale, design and location of the proposed summer house will have a neutral impact on the appearance and character of the surrounding area.
- It is concluded that the proposal is in accordance with Policy 61 of the Plan and that there are no material considerations of sufficient weight to justify the refusal of this application contrary to the terms of this policy.
- The application has been submitted by an officer of the Council involved in the statutory planning process. Accordingly, this "local" development application is prohibited from being determined by an 'appointed officer' under Council's Scheme of Delegation.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves the erection of a timber summer house in the rear garden of a detached dwelling house located on the west side of Panmure Street in Broughty Ferry. The structure will be pitched roof in design and will measure approximately 3.1m x 3.7m and will be 2.63m in height.

The building is to be positioned in the north-west corner of the garden approximately 1 metre distant from adjacent boundary fences.

Planning permission for this summer house is required by virtue of Class 3 (2)(f) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) as the site is within a conservation area and the proposed structure has a floor area greater than 4m².

The application has been submitted by an officer of the Council involved in the statutory planning process. Accordingly, this "local" development application is prohibited from being determined by an 'appointed officer' under Council's Scheme of Delegation.

SITE DESCRIPTION

The site is located on the west side of Panmure Street approximately 77.5 metres to the south of its junction with Monifieth Road.

The property is a single storey, detached dwelling that has a pitched roof finished in natural slate. The house has white roughcast walls. A small garden is located to the front of the house.

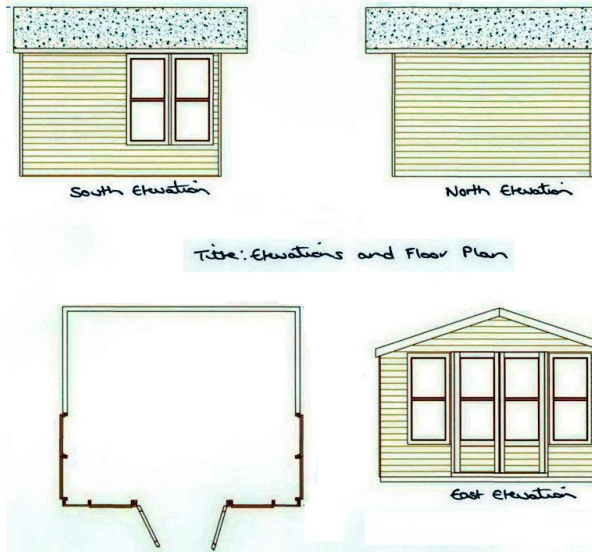
To the rear, the garden area is rectangular in shape and measures approximately 17m x 11.7m. A small timber garden shed located in the south west corner. The garden is enclosed by 1.8 metre high timber fencing on the north and west boundaries and a 1 metre high timber fence on the south boundary. A variety of neighbouring trees and shrubs are particularly evident in the adjoining gardens located to the west and south.

The surrounding area is predominantly residential in character. To the south there are 2.5 storey high stone villas and to the north and west there are 1.5 storey stone build dwellings. Orchar Park is located to the east of the site.

The property is located within the Reres Hill Conservation Area.

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 61: Development in Conservation Areas - within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which

contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

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

07/00391/FUL - Erection of single storey extension to rear, front porch, 1.8 metre high gate and construction of driveway - Approved 12 June 2007.

PUBLIC PARTICIPATION

There have been no objections submitted to this proposal by members of the public.

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:

- 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.

In accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the Council is required to have special regard to the desirability of preserving and enhancing the character or appearance of the conservation area.

The Development Plan

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

The proposal under consideration involves the erection of a timber summer house in the north west corner of the rear garden area of a single storey detached property located on the west side of Panmure Street. The structure will be pitched roof in design and will measure approximately 3.1m x 3.7m and will be 2.63m in height. The building is required for purposes incidental to the use of the existing dwelling house.

The application site is located within the Reres Hill Conservation Area. As a result, the application falls to be determined under the terms of Policy 61 (Development in Conservation Areas) of the Dundee Local Plan 2005. This policy requires, amongst other things, that all development proposals will be expected to preserve or enhance the character of the surrounding area.

The structure is to be located in the north west corner of the rear garden approximately 1 metre distant from the 1.8 metre high fencing on the north and west boundaries of the site. It is considered that the design of the building together with the screening affects of the adjacent enclosures and vegetation will ensure that that the proposal will have a neutral impact on the setting of the conservation area.

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

The statutory requirements under Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 have also been discharged in the assessment of the proposals against the criteria of the Development Plan above.

Other Material Considerations

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

There have been no objections to the proposal submitted by members of the public. It is considered that the scale and location of the structure will ensure that the proposal will not have a significant impact on the environmental qualities currently enjoyed by the surrounding occupiers.

It is concluded from the foregoing that insufficient weight can be accorded to any 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.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.



Design

The design of the proposed summer house is considered to be acceptable and appropriate in this residential area located within a conservation area.

CONCLUSION

It is concluded that the provision of a summer house in the location proposed will have a neutral impact on the character and appearance of the conservation area and will not detract from the environmental qualities currently enjoyed by surrounding occupiers.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition:-

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.