

KEY INFORMATION

Ward East End

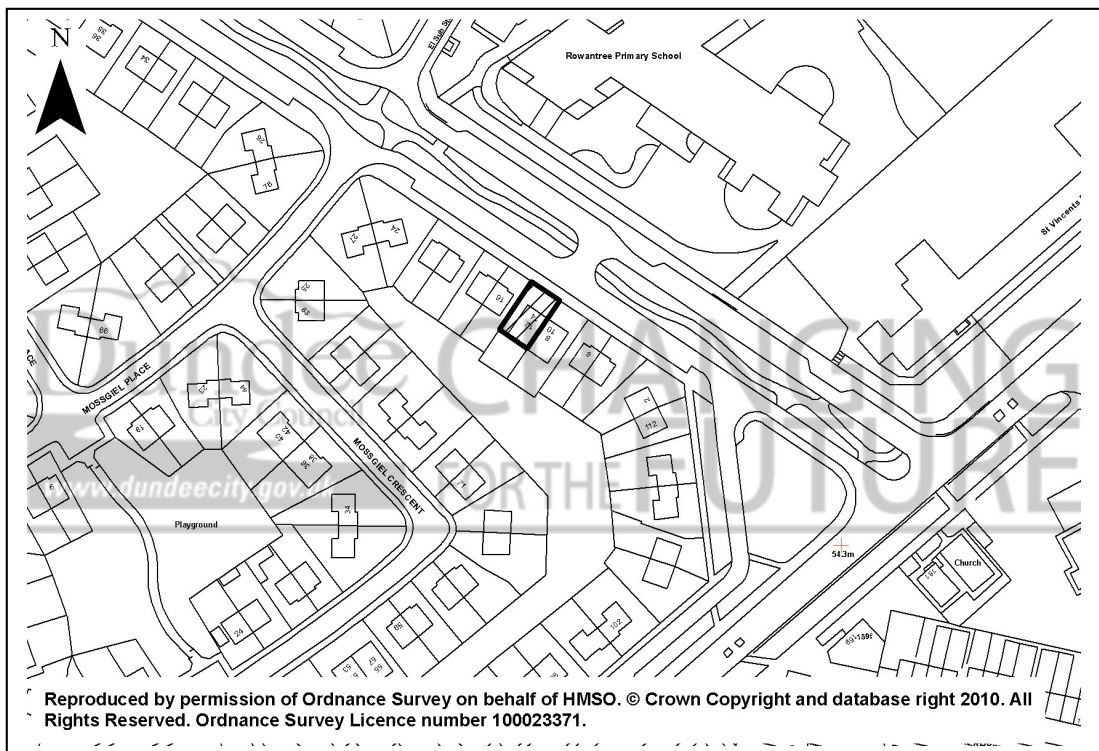
Proposal

Formation of driveway

Address14 Glenconnor Drive
Dundee
DD4 8BU**Applicant**John Boan
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Registered 10 June 2010

Case Officer L Campbell



Proposed Driveway in Glenconnor Drive

The formation of a driveway is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The proposal complies with the provisions of the development plan. There are no material considerations of sufficient weight that would justify the refusal of this application contrary to these provisions. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The application seeks permission to form a driveway.
- The proposal involves the development of land which is in the ownership of the Council. In this respect, the application is prohibited from being determined by an "appointed officer" under the Council's Scheme of Delegation.
- The proposal falls to be considered under the terms of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan 2005.
- One objection has been received from a neighbouring resident concerned about safety issues and noise/smell issues.
- The proposals fully comply with the relevant development plan policies. There are no material considerations of sufficient weight which would justify the refusal of this application contrary to the provisions of the Development Plan.

DESCRIPTION OF PROPOSAL

The application proposes the formation of a driveway for a single vehicle to the front of a flatted block of dwellings. The driveway would be surfaced with paving slabs. There would also be gravel laid down. It is thereafter intended to install a gate to the front of the driveway.

SITE DESCRIPTION

The application site is located on the south side of Glenconnor Drive. To the north of the site is Rowantree Primary School. The street largely comprises two storey semi-detached or flatted dwellings. The application building forms part of a flatted block of four dwellings. The block is finished in brown wooden cladding with a slate roof. There is a line of black metal fencing which encloses many of these properties.

The street itself is wide and off street parking is provided.

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

There is no site history for the application site.



PUBLIC PARTICIPATION

The Council has carried out the statutory Neighbour Notification procedure as stipulated in Section 19 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

One objection was received in relation to the proposal. The concerns raised are listed below:

- there is an existing problem with dogs fouling within the garden ground when the gates are not closed and this may increase if the gates to the driveway are not regularly closed;
- when the existing fencing is removed and replaced with gates there is, in the future, potential for children to gain open access to the street;
- high potential for noise and fumes from the vehicle;
- access to the proposed driveway would require either reversing in

and/or reversing onto a busy street;

- the building will be unsightly and could affect the value of the property;
- subsequent tenants may not act in a responsible way with the potential for the proposed driveway to become a "dumping area" for old or parts of vehicles and therefore leading to the deterioration of what is a good area.

A copy of the objection is available in the Members Lounge. It is intended to comment on the terms of the objection in the Observations Section and the Material Considerations sections of this report.

CONSULTATIONS

No adverse comments have been received from consultees.

OBSERVATIONS

Statutory Requirements

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance the development plan unless other material considerations indicate otherwise.

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 1: Vibrant and Sustainable Communities, it is considered this policy is relevant to the determination of the application. This policy states that 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 and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movements issues, noise or smell.

The proposed driveway is to be constructed using paving stones and gravel. Part of the existing fencing will be retained to the front of the

dwelling. It is considered that the appearance of the driveway would be appropriate to the area and would not be out of character. In addition to this, the proposal has been assessed in relation to parking and traffic movement issues. It is considered that a driveway in this location will be acceptable and will not give rise to significant traffic or parking problems.

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:

View of the objector - there is an existing problem with dogs fouling within the garden ground when the gates are not closed and this may increase if the gates to the driveway are not regularly closed.

Subsequent tenants may not act in a responsible way with the potential for the proposed driveway to become a "dumping area" for old or parts of vehicles and therefore leading to the deterioration of what is a good area.

These are not valid material planning considerations in this instance.

High potential for noise and fumes from the vehicle.

It is considered that the use of the driveway will not exacerbate the existing levels of noise and smells from vehicles in the surrounding area.

Access to the proposed driveway would require either reversing in and/or reversing onto a busy street.

Individuals with drives are responsible for ensuring that they use them safely. It is only classified roads that users must be able to enter and leave the site in a forward gear. The proposed access meets current visibility requirements.

When the existing fencing is removed and replaced with gates there is, in the future, potential for children to gain open access to the street.

As stated above, the proposed access meets current visibility requirements and it is not considered that the driveway would create a road safety problem in this location.

The building will be unsightly and could affect the value of the property

It is considered that the appearance of the driveway would be appropriate to the area and would not be out of character. In terms of affecting the value of the property it is considered this is not a valid material planning consideration.

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 materials and design proposed are considered to be acceptable in keeping with the general appearance of the area.

CONCLUSION

It is concluded that the application proposals are in accordance with Policy 1 of the Dundee Local Plan Review 2005 and the concerns of the objector are not sufficient to warrant a decision contrary to this.

RECOMMENDATION

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

- 1 Details of the proposed Type A vehicle access on to Glenconnor Drive must be agreed prior to any works on site and the access must be formed and constructed to Dundee City Council standards and specifications.
- 2 The proposed drive access gates must open inwards to the site and must not open out over the adopted footway of Glenconnor Drive.

Reasons

- 1 Dundee City Council as Roads Authority manages and maintains the carriageway and footway of Glenconnor Drive.
- 2 Dundee City Council as Roads Authority manages and maintains the carriageway and footway of Glenconnor Drive. In the interest of pedestrian safety.