

3 PLANNING APPEAL DECISIONS (AN195-2009)

(a) 68-69 HIGH STREET, DUNDEE - INSTALLATION OF ILLUMINATED SIGNAGE

Reference is made to Article I(f) of the minute of meeting of this Committee of 16th March, 2009 wherein the above proposal was refused advertisement consent because the Council considered that the design and appearance of the sign detracted from the listed building on which it has been erected and from the conservation area.

The decision was appealed by the applicant under the provisions of Section 182 of the Town and Country Planning (Scotland) Act 1997 and Regulation 21 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

The appeal was determined by written representations and the decision was received by the Council on 29th July, 2009. Copies of the Reporter's decision letter have already been circulated to Members by email.

The Reporter **DISMISSED** the appeal and refused advertisement consent.

In reaching his decision the Reporter concluded that the sign which had been erected had an adverse impact on the listed building and the conservation area.

Following this decision the sign was removed from the premises.

(b) 13 FAIRFIELD ROAD, BROUGHTY FERRY, DUNDEE - PROPOSED NEW SINGLE STOREY DWELLINGHOUSE

Reference is made to Article I(e) of the minute of meeting of this Committee of 15th December, 2008 wherein the above proposal was refused planning permission because the Council considered that:-

- (1) The design and finishing materials of the house would detract from the conservation area and surrounding listed buildings bounding the application site contrary to Local Plan policies and the statutory duties set out in Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- (2) The development would adversely impact on trees which contribute to the setting of the conservation area and the grounds of the listed building contrary to Local Plan policies and the statutory duties set out in Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The decision was appealed by the applicant under the provisions of Section 47 and Schedule 4 of the Town and Country Planning (Scotland) Act 1997.

The appeal was determined by written representations and the decision was received by the Council on 25th August, 2009. Copies of the Reporter's decision letter have already been circulated to Members by email.

The Reporter **DISMISSED** the appeal and refused planning permission.

In reaching his decision the Reporter concluded that density issues alone did not justify refusal of the application and that the impact on trees was acceptable. However, he agreed with the Council that the design of the proposal was not of a quality to be expected within the grounds of a listed building in a conservation area.

(c) 48 THOMSON STREET, DUNDEE - CHANGE OF USE FROM OFFICE TO DWELLINGHOUSE

Reference is made to Article I(i) of the minute of meeting of this Committee of 16th March, 2009 wherein the above proposal was refused planning permission because the Council considered that:-

- (1) It failed to provide sufficient garden or amenity space which would result in a poor standard of development (Policy 4).

- (2) The extensive use of obscure glass to avoid overlooking provided a poor standard of amenity for the proposed dwelling (Policy 4).

The decision was appealed by the applicant under the provisions of Section 47 and Schedule 4 of the Town and Country Planning (Scotland) Act 1997.

The appeal was determined by written representations and the decision was received by the Council on 28th July, 2009. Copies of the Reporter's decision letter have already been circulated to Members by email.

The Reporter **DISMISSED** the appeal and refused planning permission.

In reaching his decision the Reporter considered that the very small area of open space provided a very low level of amenity contrary to Policy 4 of the Plan. He also concluded that whilst the conversion would have a neutral impact on the conservation area, the quality of the internal living space would provide a low level of amenity.