

**KEY INFORMATION****Ward** Coldside**Proposal**

Retrospective permission for amendments to planning permission 04/00782/FUL for 2 additional parking spaces and revised boundary wall treatment

**Address**

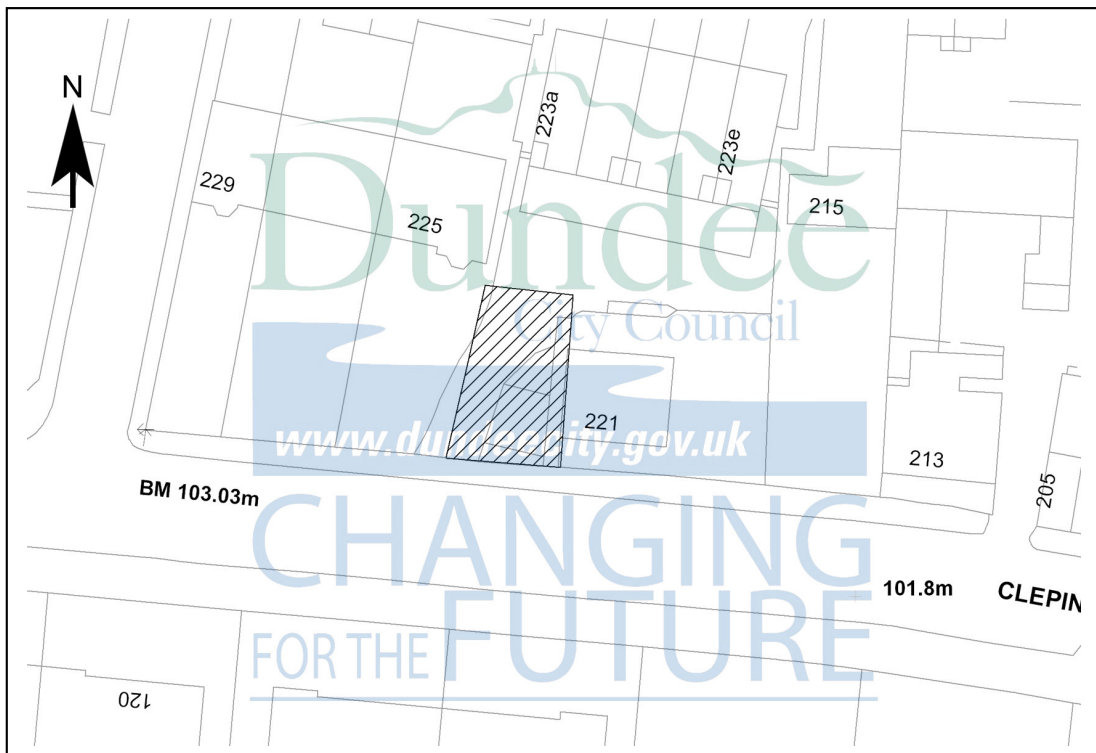
Land adjacent to 223A-E  
Cleington Road  
Dundee

**Applicant**

Ward Building Services  
Unit 1(A)  
Kingsway Business Centre  
Mid Craigie Road  
Dundee

**Agent**

Peter Inglis Architects  
Unit 3  
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Dundee DD2 1SW

**Registered** 30 June 2008**Case Officer** C Walker

## Consent Sought for Amendments to Housing Development in Cleington Road

Retrospective permission for amendments to planning permission 04/00782/FUL for two additional parking spaces and revised boundary wall treatment is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The development complies with Local Plan policy and will not adversely impact on the amenities of neighbours. The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought to retain a front boundary wall on Cleington Road and to form 2 parking spaces in a landscaped area to the east of the entrance driveway to recently constructed townhouses. This development is linked to the previous approval for 5 townhouses on the site.
- Policy 1 of the Dundee Local Plan 2005 seeks to ensure that new development should minimise any affect on the environmental quality enjoyed by local residents.
- A letter of objection was received from the owner of a neighbouring dwelling concerned about the design of the wall and the impact of the 2 parking spaces on her property.
- The development complies with Local Plan policy, the design of the wall is satisfactory and the 2 parking spaces will not adversely impact on the amenities of neighbours.>

## DESCRIPTION OF PROPOSAL

Planning permission is sought to retain a front boundary wall on Clepington Road and to form 2 parking spaces in a landscaped area to the east of the entrance driveway to recently constructed townhouses.

This development is linked to the previous approval for 5 townhouses on the site (application 04/00782/FUL refers). The approved scheme indicated a reclaimed stone boundary wall to the front of the site and a landscaped area to the east of the entrance (parking for the townhouses was provided for in the form of 5 garages and a parking space in front of each of them).

Instead of a stone wall the applicants constructed a modern enclosure of steel railings on top of a low block wall in the same location and to the same height as the approved stone wall. They now seek to retain this wall. 2 parking spaces were formed in the landscaped area, not for the benefit of the townhouses but to serve an existing house at 225 Clepington Road to the west of the site. This planning application seeks not to retain the 2 spaces which have been formed but to relocate them so that they are further from the entrance to the site.

## SITE DESCRIPTION

The site comprises land to the front of a recently completed development of 5 townhouses at 223(a)-(e) Clepington Road. It extends to some 150m<sup>2</sup> and includes the new access driveway to the townhouses, 2 recently formed parking spaces and a landscaped area to the east and a roadside boundary to the south.

Immediately to the east of the site is a detached bungalow at 221 Clepington Road. The blank gable of that house faces the site. To the north are the recently completed townhouses. To the west is an end terrace one and a half storey house at 225 Clepington Road, which is set back from the road behind a front garden area. To the south, on the

opposite side of Clepington Road are 2 storey flats.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016



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

### Dundee Local Plan 2005

Policy 1 is of relevance and states that in existing residential areas such as this

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 permission was granted in February 2005 for 5 townhouses on the site (application 04/00782/FUL refers). This permission was implemented by the current applicants.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and a letter of objection was received from the owner of a neighbouring dwelling. The objector is concerned that the development was not carried out in accordance with the approved plans, that the approved stone wall was more in keeping with the area, that the 2 parking spaces are only 1 metre from the bedroom wall of her property and that there are parking and safety issues at this location.

Copies of this letter are available for inspection in the Members Lounges and the points raised are considered in the Observations Section of this Report.



the Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and

## CONSULTATIONS

No adverse comments on the development were received from Consultees .

## OBSERVATIONS

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.

Policy 1 generally seeks to protect residential amenity. It states that new development should 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. In this case the issues that need to be addressed are those relating to design, parking and traffic movement issues and noise.

In terms of the retention of the front boundary enclosure, it is considered that its design is satisfactory. It relates directly to and matches the design of the modern townhouses constructed on this site. Although there are stone dwellings on either side of the site, there are a variety of boundary enclosures including low stone walls immediately to the east and west, a block wall further to the east and railings on the south side of Clepington Road. It is considered that taking into account the variety of enclosures in this area and the relationship to the design of the townhouses that the retention of this wall would not contravene the design requirement of Policy 1. The proposed parking spaces match the design of the driveway and raise no design issues.

In terms of parking and traffic movement issues, the development is likely to enhance the environmental quality enjoyed by local residents. Clepington Road is a busy road with limited off street parking facilities so

that there is pressure on the on street spaces. The provision of 2 additional spaces to serve a neighbouring dwelling will alleviate this problem to a small extent.

Finally in terms of noise, it is not considered that the provision of 2 parking spaces close to the blank stone wall of the neighbouring dwelling will result in an unacceptable loss of amenity. Prior to the construction of townhouses, the area of ground immediately to the west of the gable of that house was the access road to a builder's yard and formerly to a taxi office. The provision of 2 parking spaces are unlikely to have any significant impact particularly since Clepington Road itself carries significant traffic levels and since the access road to the 5 townhouses and their parking and manoeuvring areas are also adjacent to the adjoining dwelling.

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

## Other Material Considerations

The other material consideration to be taken into account is the views of the objector. The concerns of the objector relating to the design of the wall and the impact of the 2 parking spaces have already been addressed in the assessment of the development against Policy 1 of the Local Plan and it was concluded that there would be an adverse impact. The objector also referred to safety issues but these relate to the existing parking arrangements to the rear of her dwelling and not to the proposed development of 2 additional spaces. If anything the formation of additional spaces is likely to reduce parking pressures. Provided the new spaces are located a suitable distance from the site entrance (as is proposed) then the development will not lead to traffic safety problems.

It is concluded from the foregoing that insufficient weight can be accorded to the views of the objector such as to justify the refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

## Design

It is considered that the design of the front boundary enclosure is satisfactory. It relates directly to and matches the design of the modern

townhouses constructed on this site. Although there are stone dwellings on either side of the site, there are a variety of boundary enclosures including low stone walls immediately to the east and west, a block wall further to the east and railings on the south side of Clepington Road. It is considered that taking into account the variety of enclosures in this area and the relationship to the design of the townhouses that the retention of this wall would not result in an unsatisfactory visual appearance. The proposed parking spaces match the design of the driveway and raise no design issues.

## CONCLUSION

The development complies with Local Plan policy and will not adversely impact on the amenities of neighbours.

## RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 Within 3 months of the date of this consent the proposed parking spaces shall be fully formed and the area where the existing spaces are shall be grassed over to the satisfaction of the Council.

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of traffic safety and visual amenity.