

**KEY INFORMATION**

**Ward** The Ferry

**Proposal**

Proposed Repositioning of 1.8 metre High Wall and Erection of 1.0 metre High Boundary Wall and Gate

**Address**

2 Bannoch Rise  
Broughty Ferry  
Dundee

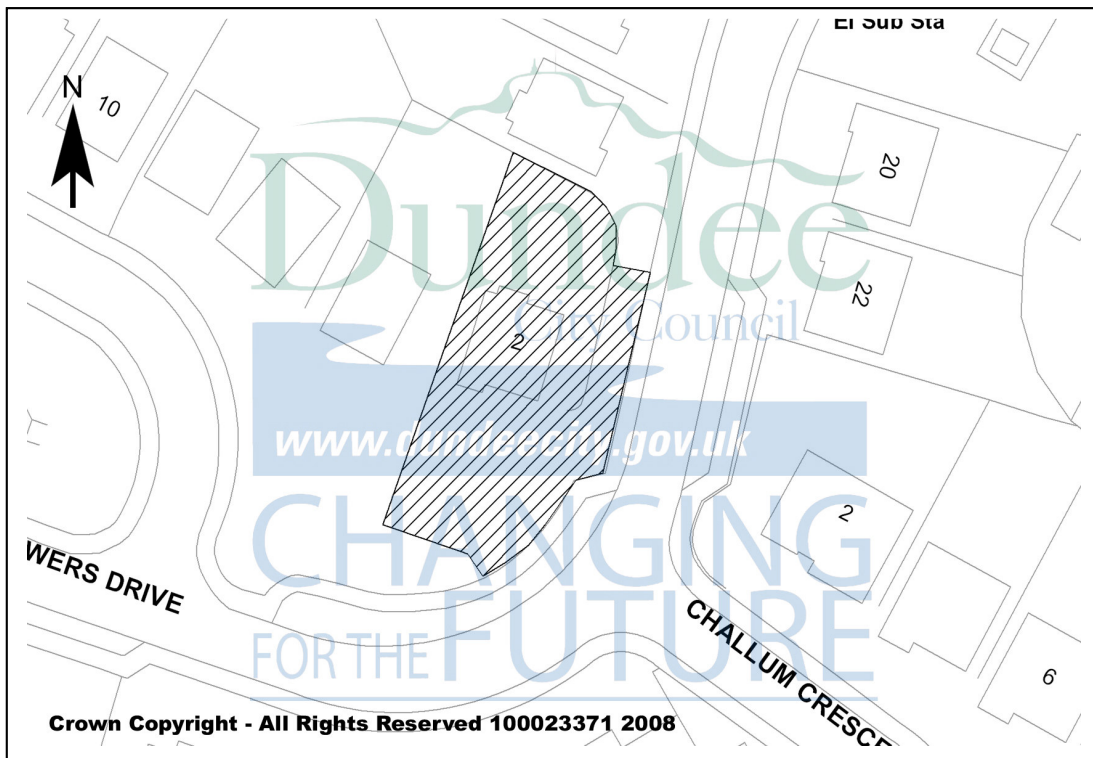
**Applicant**

Mr & Mrs K McLeish  
2 Bannoch Rise  
Broughty Ferry  
Dundee  
DD5 3US

**Agent**

**Registered** 5 June 2008

**Case Officer** Paul Macari



## Proposal for New Garden Wall in Bannoch Rise

The Proposed Repositioning of 1.8 metre High Wall and Erection of a Boundary Wall and Gate is **RECOMMENDED FOR APPROVAL** subject to conditions.

Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed wall is considered to meet the criteria of Policy 1 of the Dundee Local Plan Review 2005. The concerns of the objector are not supported by this Department. It is recommended that planning permission be **APPROVED** subject to conditions.

**SUMMARY OF REPORT**

- This application seeks full planning permission for the erection of a 1.8m and 1m high brick built wall along the eastern boundary of the rear, side and front garden of 2 Bannoch Rise, Broughty Ferry Dundee.
- Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review is relevant to the outcome of this planning application.
- One letter of objection has been received from a neighbouring resident concerned about visibility, road safety, outlook, finishing materials and future resale values of neighbouring properties. These concerns are not supported.

## DESCRIPTION OF PROPOSAL

This application seeks full planning permission for the erection of a 1.8m and 1m high brick built wall along the eastern boundary of the rear, side and front garden of 2 Bannoch Rise, Broughty Ferry Dundee. The wall is to be finished in facing brick with a concrete cope on top.

## SITE DESCRIPTION

The application site comprises a detached 2 storey dwelling situated on the northern corner of the junction between Bannoch Rise and Lawers Drive. The existing house is spread over 2 storeys, benefits from extensive front, rear and side gardens, and, an integral garage. The house is finished in quartz roughcast and has a pitched roof finished in grey concrete tiles. The doors and window frames are white PVCU with rainwater goods being black PVCU.

The rear garden is bound by 1.8m high timber fencing to the north and west. To the east, the rear garden is enclosed by a 1.8m high red brick built wall that extends to level with the front elevation of the house. The existing eastern boundary wall is set back from the eastern property boundary. The area of garden ground to the east of the existing wall is grassed. However, due to the use this area of land by pedestrians as an unauthorised footpath the grass is becoming worn with people taking a shortcut across the front garden ground on to Lawers Drive extending this area of erosion.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 2005

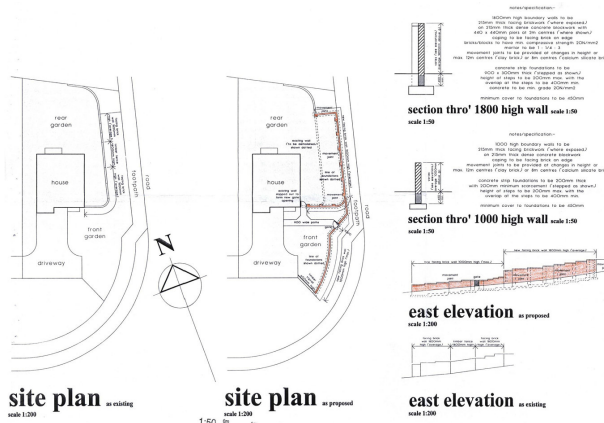
The following policies are of relevance:

## Policy 1: Vibrant and Sustainable Communities.

The Council will promote vibrant communities, encouraging the

development of a 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 effect on the environmental quality enjoyed

by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.



site plan as existing scale 1:200

site plan as proposed scale 1:200

east elevation as proposed scale 1:200

## 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 ref: 08/00229/FUL sought planning permission for repositioning of a 1.8m high wall and erection of 1m high boundary wall and gate. This application was withdrawn before it could be reported to the Development Quality Committee for deliberation. This application was recommended for refusal as the proposed wall would have blocked forward visibility of drivers navigating Lawers Drive. The current proposals overcome this issue by setting the proposed wall back from the footpath that bounds the site to the east by 1m.

## PUBLIC PARTICIPATION

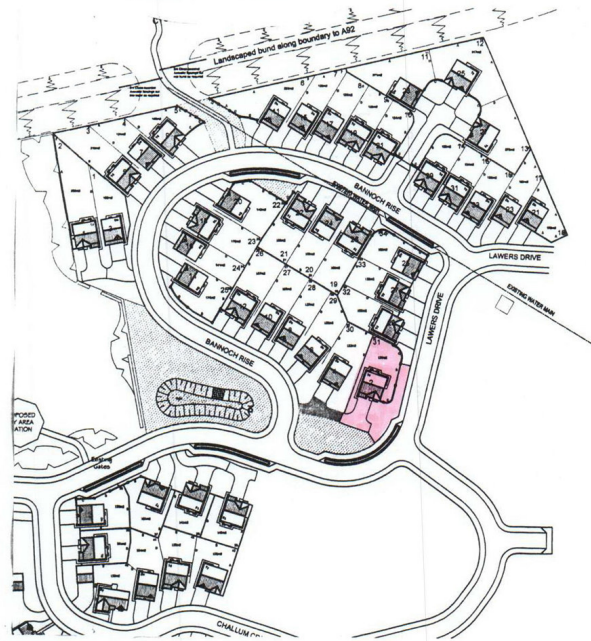
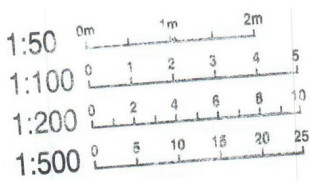
The applicant has completed the statutory neighbour notification procedure. One letter of objection has been received from a 3rd party concerned about visibility when exiting neighbouring properties, finishing materials and outlook as well as future resale of neighbouring properties.

## CONSULTATIONS

No adverse comments have been received from consultees.

## OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider



## location plan

scale 1:1250

- 5.06.08 08 /

- 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

The proposal under consideration involves the erection of 1m high brick boundary wall rising to 1.8m to the rear of the property. It is considered that the proposed alterations are of a design that will not adversely impact on the prominent elevations of the house or the surrounding streetscape but rather create a clear boundary between public and private space safeguarding the private garden ground of 2 Bannoch Rise, Dundee. The revised positioning of the proposed boundary wall will safeguard the forward visibility of drivers navigating Bannoch Rise as well as neighbours exiting their properties (the existing visibility splay of 2.4m by 2.4m as required by Streets Ahead - a Design Guide, has been retained at 32 Lawers Drive) while all existing points of access both vehicular and pedestrian surrounding the site will be retained without compromise.

It is concluded from the foregoing that the proposal complies with the provisions of the Policy 1 (Vibrant and Sustainable Communities) and consequently the development plan.

### Other Material Considerations

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

- a Concerns of Objectors

One letter of objection has been received from a neighbouring resident concerned about the impact the proposed wall will have on visibility, road safety for children especially, finishing materials, outlook and future resale value of properties bounding the application site. Concerns of road safety and visibility have been discussed in the Observations Section above. These concerns are not supported.

The proposed wall is not considered to impact upon the outlook of

neighbouring properties. This is because 32 Lawers Drive has no south facing windows and has an east to west orientation where as the proposed wall will bound the site to the south. Given the position of the existing integral garage at 32 Lawers Drive as well as the porch canopy over the front door, the proposed wall will not be visible from existing ground floor window openings. This concern is not supported.

The matter of finishing materials can be addressed by way of condition should the Committee be mindful to grant planning permission.

Concerns regarding future resale value of neighbouring properties are not considered material to the outcome of this planning application and therefore cannot be supported.

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

### CONCLUSION

The proposed wall is considered to meet the criteria of Policy 1 of the Dundee Local Plan Review 2005. The concerns of the objector are not supported by this Department. It is recommended that planning permission be granted subject to conditions.

### RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 BEFORE WORK STARTS ON SITE, details of the proposed finish of the boundary wall shall be submitted to this Planning Authority for written approval and thereafter implemented in accordance with the approved details.

### Reasons

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