

KEY INFORMATION

Ward The Ferry

Proposal

Erection of boundary fencing and double garage

Address

10 Victoria Road
Broughty Ferry
Dundee

Applicant

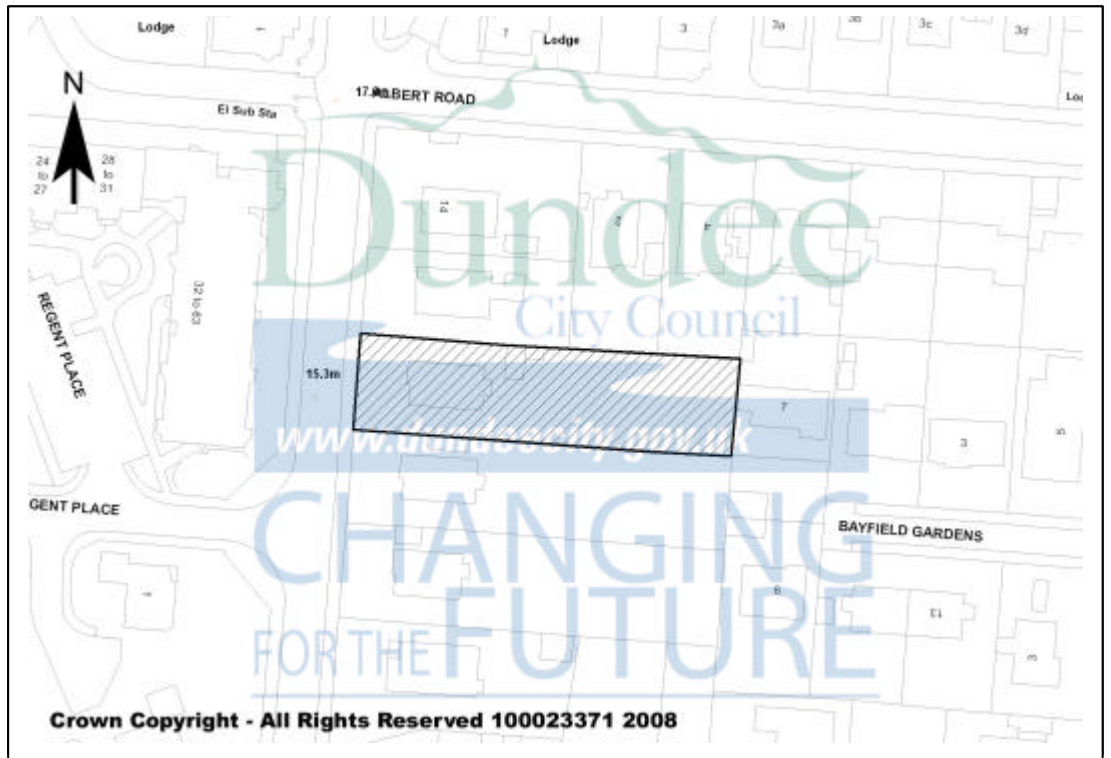
Mr & Mrs Gibson
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Agent

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Registered 7 Nov 2008

Case Officer Paul Macari



Proposed garage and Fencing in Victoria Road

The erection of a boundary fence and a double garage is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed garage and boundary fence meet the criteria of Policy 1 (Vibrant and Sustainable Communities) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005. The concerns of objectors are not supported. There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold planning permission. The application is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- This application seeks planning permission for the erection of a detached garage and boundary fence as well as the formation of a hard-standing at 10 Victoria Road, Broughty Ferry.
- Policy 1 (Vibrant and Sustainable Communities) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review are relevant to the outcome of this planning application.
- 2 letters of objection have been received from neighbouring residents.
- The proposed development is considered to comply with the Development Plan. The concerns of the objectors are not supported.

DESCRIPTION OF PROPOSAL

This application seeks full planning permission for the erection of a detached double garage and 1.8m high boundary fence at 10 Victoria Road, Broughty Ferry.

The proposed garage is of a traditional pitched roof design and will be finished in red concrete roof tiles with roughcast elevations to match the existing house. The garage shall be centrally located in the rear garden with a parking and turning area in front.

The proposed 1.8m high timber screen fence is to be erected along the northern and southern boundaries of the rear garden.

SITE DESCRIPTION

The application site is situated on the eastern side of Victoria Road and comprises a 1.5 storey detached house with extensive front and rear garden grounds. A driveway runs along the southern boundary of the site providing vehicle access and off street parking facilities. The site is raised above road level and is therefore enclosed by 1.8m high stone built retaining walls to the west and east and 1m high retaining walls to the north and south. The southern boundary is reinforced by 1m high hedging while the northern boundary is reinforced by 1.8m high timber fencing. A small stone built garden shed is situated midway along the northern boundary in the rear garden. Access through the rear garden and around the house is formed through newly laid stone pavers.

The house itself has a natural slate hipped roof with a south facing hexagonal dormer extension. The external walls are finished in white painted roughcast with a block work front elevation. The house benefits from white painted steel framed casement windows and black painted cast iron rainwater goods. The dormer face and haffits are finished in grey roughcast.

The properties to the north and south of the site are of a similar scale, design and massing although the dormer extensions are situated to the rear and south. The rear garden of the application site is bound by the rear gardens of neighbouring properties.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

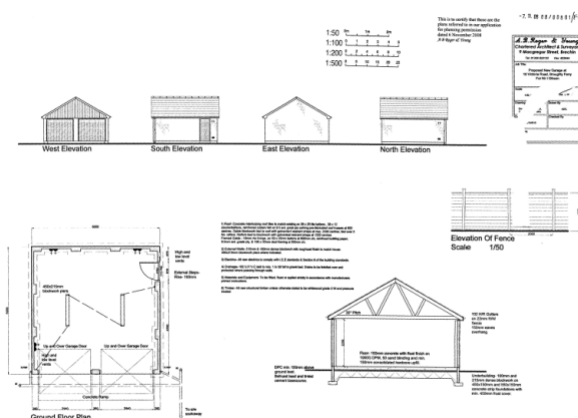
There are no policies relevant to the determination of this application.



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.



Policy 61: Development Within 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 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

SPP 23 Planning and the Historic Environment sets out the framework for dealing with planning applications affecting listed buildings and conservation areas.

Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas.

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: 08/00498/FUL sought planning permission for the erection of an extension to the rear elevation of the existing house at 10 Victoria Road, Broughty Ferry. This application was approved subject to conditions.

PUBLIC PARTICIPATION

The applicant has followed the statutory neighbour notification procedure as dictated by the Town and Country Planning (General Development Procedure)(Scotland) Order 1992. Two letters of objection have been received from neighbouring residents concerned about:

- loss of privacy;
- the proposed garage and fence being out of character;

- loss of daylight/overshadowing;
- visual appearance;
- noise disturbance and pollution;
- loss of trees and birdlife;
- omission of turning area;
- concerns relating to the approved extension; and
- projection of the proposed boundary fence beyond the front building line.

Members will already have had access to these letters and the points raised are considered in the "Observations" and "Material Considerations" Sections of this report below.

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 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the Council is required to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

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 or enhancing the character or appearance of the Conservation Area.

The Development Plan

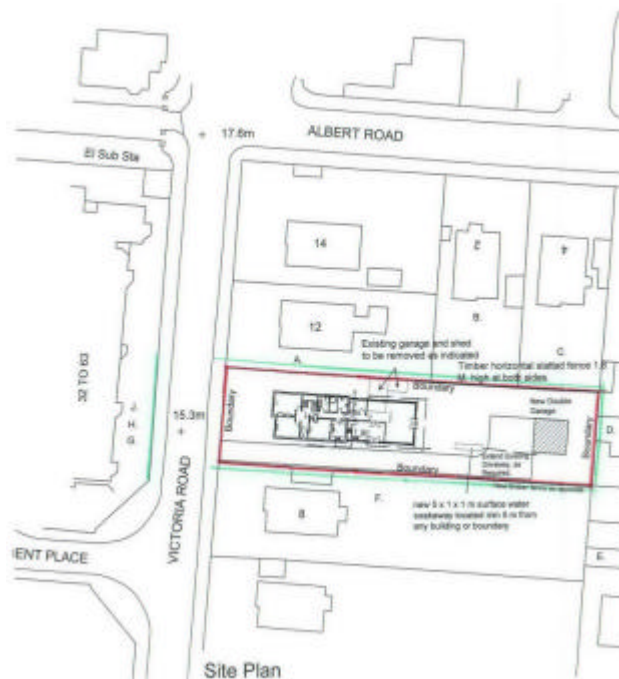
The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

The proposed garage and boundary fence are considered to comply with the provisions of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005. The proposed garage will be centrally positioned in the rear garden with a parking area between the garage and driveway. The driveway that runs along the southern boundary of the property will terminate at the centrally positioned parking area. This will provide parking for 4-5 cars, a turning

The proposed boundary fence to be erected along the northern and southern elevations of the application site will provide residents both to the north and south of the application site with a greater degree of privacy. The proposed fence is of a high quality design that will not detract from the visual appearance of the application site or neighbouring properties.

The proposed garage and parking area is considered to enhance the level of amenity afforded to 10 Victoria Road while the proposed boundary fence shall maintain existing levels of amenity afforded to neighbouring properties bounding the application site.

With regard to Policy 61 of the Dundee Local Plan Review 2005, the proposed garage is of a traditional design with a pitched roof. The applicant has attempted to blend the garage with the existing house through the use of matching finishing materials. The proposed garage and boundary fence will not be visible from Victoria Road and given the topography of the application site, only the roof of the proposed garage will be visible from properties bounding the site to the north. Therefore the proposed developments will not have a significant impact upon the visual appearance of the West Ferry Conservation Area.



area as well as a outdoor storage facilities for garden furniture and garden tools. The central position of the garage and parking area will also create four large areas of private garden ground along the northern, southern and eastern boundaries and the respective elevations of the proposed garage, and, between the rear elevation of the extended house and parking area. Cumulatively these areas of private garden ground will have an area of 350m². It is therefore considered that the proposed garage and parking facilities will provide additional parking, storage and turning facilities within the curtilage of the application site to the benefit of the Victoria Road streetscape and surrounding West Ferry Conservation Area.

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

The Statutory Requirements of Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are discussed in detail in the assessment of the proposed development against Policy 1 (Vibrant and Sustainable Communities) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005 above. It has been concluded that the erection of boundary fencing and a detached garage as well as the formation of a parking/ turning area would not have an adverse impact on the character and setting of the West Ferry Conservation Area. Consequently, it is considered that the

statutory duty set out in these Sections of the Act is discharged.

Other Material Considerations

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

Views of the Objectors

Two letters of objection have been received from neighbouring residents concerned about:

- Loss of privacy - although the existing shrubbery has been removed from the northern boundary of the application site, the erection of the proposed fence will enhance the level of privacy afforded to neighbouring residents. These concerns are not supported:
- The fact that the proposed garage and fence are out of character with the area - although the application site is located within the West Ferry Conservation Area, the erection of timber fencing is not considered to be out of character. While the boundaries of properties fronting Victoria Road are stone built, there are several examples of timber fencing as well as block work walls between properties. The proposed fence is of a sensitive scale and design so as to enhance privacy while minimising the impact upon visual amenity. The fencing cannot be viewed from Victoria Road and therefore will not impact upon the historic Victoria Road streetscape. In a similar vein the proposed garage will be obscured from public view by the existing house at 10 Victoria Road and therefore will have a limited impact upon the surrounding historic environment of West Ferry Conservation Area. However, it should be noted that the proposed garage is of a scale, design and finish that compliments the existing house albeit a modern addition to the built form of 10 Victoria Road. There are also several examples of similar garages built within the garden grounds of properties surrounding the application site. These concerns are not supported.
- Loss of daylight/overshadowing - as detailed in the section headed

“Development Plan” of this report, the proposed fence and garage will not impact upon neighbours privacy nor will they overshadow neighbouring properties due to their scale, massing, location as well as the topography of the application site. These concerns are not supported.

- Visual appearance - the proposed garage and fence will not be visible from Victoria Road and will therefore not impact upon the visual amenity of the West Ferry Conservation Area. The fence is of a sympathetic design that is well suited to the leafy suburban location of the application site. While the proposed garage is an obvious addition to the application site and West Ferry Conservation Area, every attempt has been made to blend the proposed garage with the existing house through the use of matching finishing materials. As discussed under the section headed “Development Plan” of this report the appearance of the proposed garage is considered to be a sympathetic addition to the property at 10 Victoria Road and due to the topography of the application site and the proposed fencing, only the roof of the proposed garage will be visible from neighbouring properties to the north and south. These concerns are not supported.
- Noise disturbance and pollution - the proposed developments will not give rise to significant concentrations of noise disturbance or air pollution as a result of increased vehicle movements within the application site. The Council’s Environmental Health and Trading Standards Department have not raised concern over these matters and as such these concerns are not supported.
- Loss of trees and birdlife - while the existing shrubs and hedging along the northern, southern and eastern boundaries have been removed prior to the submission of this application their loss will not significantly impact upon the level of birdlife in Broughty Ferry. This because the trees and

shrubs removed were not of a specie or condition uncommon in the surrounding conservation area. Further, during the Case Officers site visit for planning application ref: 08/00498/FUL the rear garden of the application site was overgrown and unkempt whereby the trees and shrubs that have now been removed did not contribute to the visual amenity of the West Ferry Conservation Area. These concerns are not supported.

- Omission of turning area - the proposals include the formation of a large area of hard-standing in front of the proposed garage. This area will be used for car parking and turning so that vehicles can enter and exit the application site in a forward gear. This concern is not supported.
- The projection of the proposed boundary fence beyond the front building line - the proposed boundary fencing will not project beyond the front building line of the existing building and therefore will not be visible from Victoria Road.
- Concerns relating to the approved extension - the concerns raised by the objector relating to the extension to the rear of the house previously approved by the Development Quality Committee are not relevant to the outcome of this planning application.

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 design of the proposed garage and fence is considered to be sympathetic to the character and setting of the West Ferry Conservation Area. This is reflected in the use of materials that match the existing house so as to minimise the visual impact of the new build garage on the existing house and surrounding properties. Further the layout of the proposed developments are such that the garage is not visible from Victoria Road while the remaining garden ground is arranged

to maximise privacy and take advantage of the southern aspect.

CONCLUSION

The proposed garage and boundary fence meet the criteria of Policy 1 (Vibrant and Sustainable Communities) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005. The concerns of objectors are not supported. There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold planning permission.

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 BEFORE WORK STARTS ON SITE, details and samples of the proposed finishing materials shall be submitted to this Planning Authority for written approval. Thereafter, the materials approved by virtue of this condition shall be applied in accordance with the stamped approved drawings.

Reasons

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