

Full Planning Application
at
22 Glenlee Gardens
Edinburgh
EH8 7HG

Development Quality Sub-Committee
of the Planning Committee

Proposal: Installation of kennel to garden (repositioning of existing)
Applicant: Mr Donnelly.
Reference No: 04/00379/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The permission hereby granted shall ensure for the benefit of the applicant only, and the use shall cease and the works shall be removed on the termination of the applicant's occupation of the property.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to give due recognition to the special circumstances displayed by the applicant/s in this particular case, and to enable the planning authority to exercise appropriate control at the expiry of these special circumstances.

2 Main report

Site description

The application site comprises a modern end terraced property on the south side of Glenlee Gardens. The rear garden is 8.0m long and there is a 1.3m wide mutual access path to the rear of the terrace with a 2m high wall to the rear of that. The individual gardens are bounded primarily by open metal fencing, though there are some close-boarded fences and hedges, and several existing sheds. There is a mixture of terraced and two storey flatted properties in the surrounding area.

Site history

9 July 2003: applicant advised by letter that the proposal was permitted development.

10 December 2003: following complaint from neighbour concerning the erection of the kennels, the applicant was advised that planning permission should actually have been sought.

Development

This application is for the erection, in retrospect, of two dog kennels in the rear garden. There are two adjoining timber shed structures and two runs with metal caging surrounding them. The caging is screened on the sides with a natural finish matting material. The combined sheds are 3.0m wide by 1.1m deep. The runs are 1.85m long. The structure is 1.95m high. The shed part of the development is currently located on the mutual path and the runs are within the applicants' garden. This application shows that all the development will be moved forward to within the garden.

The proposals are not permitted development as they are within 20 metres of the road and are not for purposes incidental to the enjoyment of the dwelling house as such.

Consultations

No consultations undertaken.

Representations

Following neighbour notification one letter of objection has been received from a neighbour to the north west. The grounds of objection are:

1. The scale of the structure;
2. That the kennels are for business purposes;

3. The structure is a wild animal cage which is inappropriate in a domestic garden;
4. The proposal is out of keeping with the character of the area.

The legal issue regarding the use of the mutual path is also raised.

Policy

The application site lies within a Housing and Compatible Uses policy area in the adopted North East Edinburgh Local Plan.

Relevant Policies:

Policy H7 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or the reasonable prospects of further residential development where this is an objective of the Local Plan.

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals comply with the development plan?
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address these determining issues, the Committee needs to consider whether:

1. The proposals are in keeping with the character and appearance of the surrounding area
2. The proposals will be detrimental to residential amenity

- a) The structure covers an area which is less than 30% of the curtilage of the property and is less than 2.0m in height. It is therefore in keeping with the scale of normal garden structures which would be allowed under permitted development limits. The sides to the caging have been well screened and it is only the frontage which remains open to view. This faces into the applicants' own garden and is not visible to the general public. The proposals are in keeping with the character and appearance of the surrounding area.
- b) The kennel is located on the boundary with the neighbouring property to the south east. It will create no more overshadowing than a 2.0m high fence or the other garden sheds within the locality.

The applicant currently works as a police dog handler with one dog though the unit has been built to accommodate 2 dogs. This number is no greater than in many domestic situations and no complaints have been made regarding noise nuisance.

The development is not detrimental to residential amenity.

It is recommended that the Committee approves this application.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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Ward affected 35 -Meadowbank

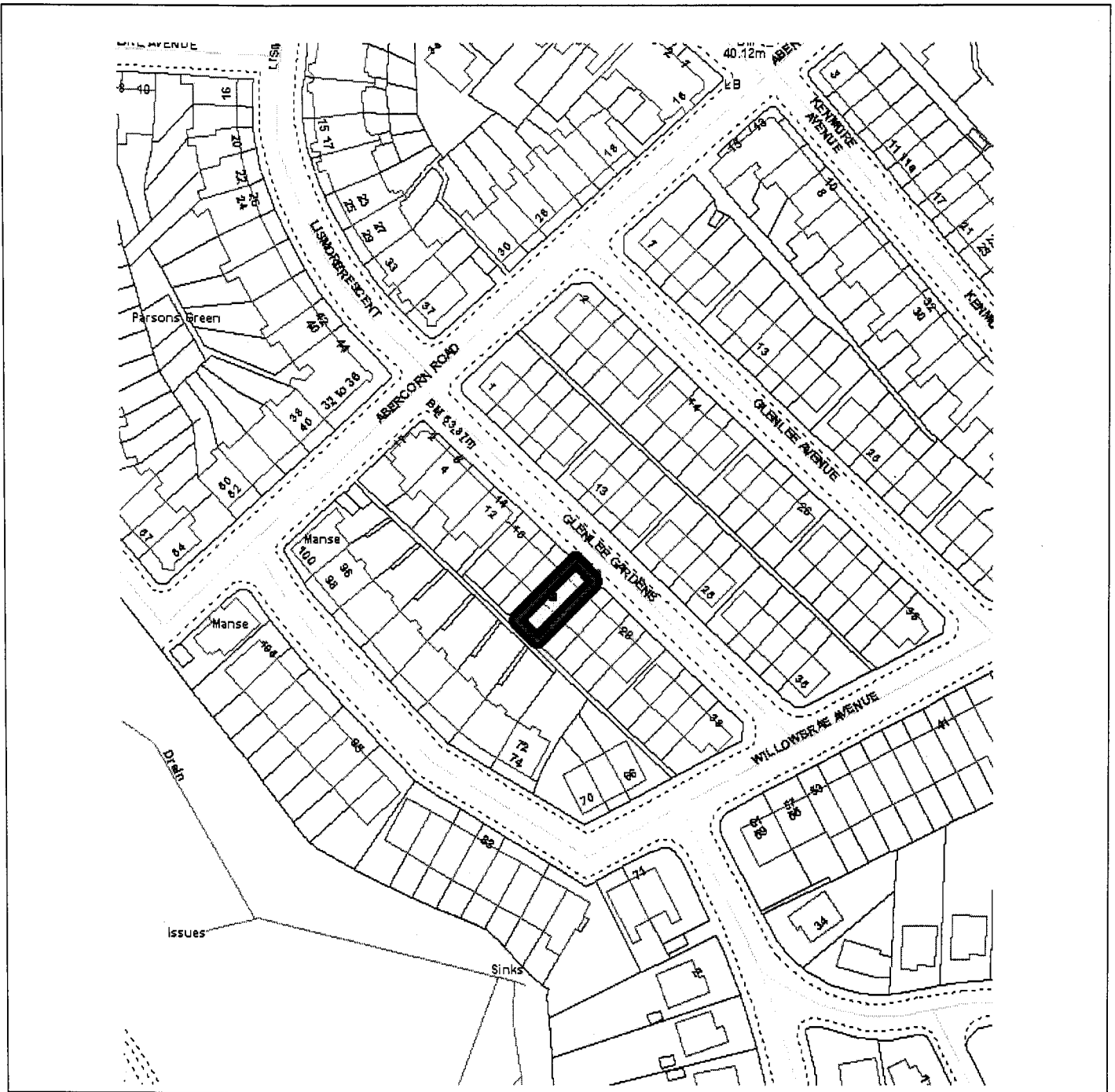
Local Plan North East Edinburgh Local Plan

**Statutory Development
Plan Provision** Housing and Compatible Uses

File af

Date registered 1 March 2004

**Drawing numbers/
Scheme** 01-02
Scheme 1



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PLANNING APPLICATION

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Application number:	04/00379/FUL	WARD	35- Meadowbank

THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY