

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 8 MARCH 2016

DENSHA VILLA, MAIN STREET, BARRY

REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

The Committee is asked to consider an application for a Review of the decision taken by the Planning Authority in respect of the refusal of planning permission for change of use and alteration of garage to dog grooming parlour (retrospective), application No 15/00421/FULL, at Densha Villa, Main Street, Barry.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**);
- (ii) review the case submitted by the Applicant (**Appendix 2**); and
- (iii) consider the further lodged representations (**Appendix 3**).

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN

This Report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. CURRENT POSITION

The Development Management Review Committee is required to determine if they have sufficient information from the Applicant and the Planning Authority to review the case. Members may also wish to inspect the site before full consideration of the Appeal.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from the recommendations in the Report.

5. CONSULTATION

In accordance with Standing Order 48(4), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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Appendix 1 – Submission by Planning Authority
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Appendix 3 – Further Lodged Representations

**ANGUS COUNCIL'S SUBMISSION IN RESPECT OF REFUSAL OF PLANNING
PERMISSION**

APPLICATION NUMBER – 15/00421/FULL

APPLICANT- MS ANDREA PHILLIPS

**PROPOSAL & ADDRESS – CHANGE OF USE AND ALTERATION OF GARAGE TO
DOG GROOMING PARLOUR (RETROSPECTIVE) AT DENSHA VILLA MAIN STREET
BARRY DD7 7RP**

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Angus Council

Application Number:	15/00421/FULL
Description of Development:	Change of Use and Alteration of Garage to Dog Grooming Parlour (Retrospective)
Site Address:	Densha Villa Main Street Barry DD7 7RP
Grid Ref:	353387 : 734260
Applicant Name:	Ms Andrea Phillips

Report of Handling

Site Description

The application property is located to the south of Main Street within a 4 house cul-de-sac some 314m west of the junction of Constable Place/Station Road. The 1½ storey detached dwellinghouse is located within a plot measuring 333sqm at the south west corner of the cul-de-sac. The application site is bound to the north by Beech Hedge a detached dwellinghouse; to the east by Dungrifton a detached dwellinghouse; to the south by a driveway access serving 4 residential properties that are currently under construction and to the west by an area of soft landscaping serving the aforementioned housing development. The boundaries of the application site consist of a mixture of timber fencing and concrete block walls. Vehicular access to the property is located at the north boundary of the site.

Proposal

The application seeks retrospective change of use of the detached garage associated with the dwellinghouse to a dog grooming parlour. The detached garage which has a footprint of 26sqm and an overall height of 3.5m is located in the south east corner of the site. The vehicular door at the north elevation of the garage has been in filled with a window and associated timber cladding below. The internal layout of the garage consists of a reception area for customers and wet room for the dog grooming. Access to the garage is via a doorway at the west elevation which is accessed through the garden of the dwellinghouse. It should be noted that the external alterations to the garage do not require planning permission.

The application has not been subject of variation.

Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 31 July 2015 for the following reasons:

- Neighbouring Land with No Premises

The nature of the proposal did not require a site notice to be posted.

Planning History

04/01464/FUL for Erection of a Dwellinghouse and Garage was determined as "Approved subject to conditions" on 16 December 2004.

An observation was received by the Planning Service on 22 May 2014 in respect of the operation of a dog grooming business from the garage of the application property. This matter was investigated and the property owner advised that a planning application would be required for the operation of the business from the garage. A planning application (ref: 15/00421/FULL) was validated on 24 July 2015 for the retrospective change of use of the garage to a dog grooming parlour.

Applicant's Case

The applicant has provided information relating to the operation of the dog grooming business. This indicates:

The business operates Monday - Friday 0900 - 1700 with no working at the weekend.

There is no additional member of full time staff employed. A family member occasionally helps.

There is no crossover of appointments with only one dog groomed at a time which can take approximately 2hrs to complete.

Customers are encouraged to use the parking within the driveway of the property when dropping of dogs to be groomed.

There are no dogs boarded at the premises overnight.

Consultations

Angus Council Environmental Health - This consultee offers no objections to the proposal.

Community Council - There was no response from this consultee at the time of report preparation.

Angus Council - Roads - This consultee offers no objection to the proposal.

Scottish Water - There was no response from this consultee at the time of report preparation.

Representations

25 letters of representation were received. 11 objected to the proposal and 13 supported the proposal.

The main points of concern were as follows:

Points of Objection

The operation of a full time business in a residential area is not appropriate.

The supporting information is misleading and does not detail exactly how the business operates.

Road traffic safety implications associated with the operation of a business in a small cul-de-sac.

The driveways of the neighbouring residential properties are being obstructed by inconsiderate parking by customers.

Comment: the above matters are discussed in the Assessment section below.

There must be alternative premises that could accommodate such a business that would not affect residential amenity;

The granting of the application will create a precedent for similar applications.

Comment: every application is considered on its own merits against relevant development plan policies and other material planning considerations. The acceptability of this application is assessed below.

Points of Support

The business provides a wonderful service to the community.

The service provided is organised and well respected and it would be a sad loss if this could not continue.

Parking is always available.

The applicant is a friendly, dog lover and the proposed facility is contained in an excellent, compact building.

Comment: the substantive issue in this case is not whether the applicant provides a good dog grooming service but whether the proposed development subject of this application is appropriate in a residential area.

Development Plan Policies

Angus Local Plan Review 2009

Policy S1 : Development Boundaries

Policy S6 : Development Principles (Schedule 1)

Policy SC18 : Working from Homes

TAYplan Strategic Development plan

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

Assessment

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

Angus Council is progressing with preparation of a Local Development Plan to provide up to date Development Plan coverage for Angus. When adopted, the Angus Local Development Plan (ALDP) will replace the current adopted Angus Local Plan Review (ALPR). The Draft Proposed Angus Local Development Plan was considered by Angus Council at its meeting on 11 December with a view to it being approved and published as the Proposed ALDP for a statutory period for representations. The Proposed ALDP sets out policies and proposals for the 2016-2026 period consistent with the strategic framework provided by the approved TAYplan SDP (June 2012) and Scottish Planning Policy (SPP) published in June 2014. The Proposed ALDP, as approved by Angus Council, will be subject to a 9 week period for representation commencing in February 2015. Any unresolved representations received during this statutory consultation period are likely to be considered at an Examination by an independent Reporter appointed by Scottish Ministers. The Council must accept the conclusions and recommendations of the Reporter before proceeding to adopt the plan. Only in exceptional circumstances can the Council choose not to do this. The Proposed ALDP represents Angus Council's settled view in relation to the appropriate use of land within the Council area. As such, it will be a material consideration in the determination of planning applications. The Proposed ALDP is, however, at a stage in the statutory process of preparation where it may be subject to further modification. Limited weight can therefore currently be attached to its contents. This may change following the period of representation when the level and significance of any objection to policies and proposals of the plan will be known.

The application site is not specifically allocated for any purpose and lies within the Development Boundary of Carnoustie. Policy S1 criterion (a) indicates proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant

policies of the Local Plan.

The application seeks retrospective planning permission for the formation of a dog grooming business from a detached garage within the curtilage of a residential property. There are no policies that deal specifically with dog grooming businesses but Policy SC18 of the Local Plan deals with proposals that involve working from home. Policy S6 also identifies general criteria against which all proposals require to be assessed.

Policy SC18 states that Angus Council will support proposals for working from home which utilise only a small part of the residential accommodation and are not detrimental to the amenity of neighbours or the surrounding area.

In this case the business is located within the detached garage associated with the dwellinghouse and would therefore utilise only a small part of the residential accommodation.

The second test of Policy SC18 requires that proposals are not detrimental to the amenity of neighbours or the surrounding area. Policy S6 also deals with amenity considerations and indicates amongst other things that the amenity of proposed and existing properties should not be affected by matters including unreasonable restriction of privacy, smells or fumes, noise levels and vibration, or disturbance by vehicular or pedestrian traffic.

The application property is located in the south west corner of a small cul-de-sac consisting of four dwellinghouses that are located within close proximity to each other with access via a 5.6m wide access road. There are no footways either side of the access road. In terms of residential amenity impacts, it is noted that the dog grooming business would operate 5 days a week from 0900 - 1700 with up to four dogs being groomed a day with potentially 20 dogs being groomed in a week. Environmental Health colleagues have offered no objection to the application and I accept that the operations within the garage would be unlikely to result in significant amenity impacts on neighbours. However, 11 letters of objection have been received from six properties, including from two properties located within the cul-de-sac adjacent to the application property. It is evident from the letters of objection that the nature of the dog grooming business is attracting visitors coming and going from the premises throughout the day. The impact of the vehicle movements associated with the business has been highlighted through the letters of objection and I accept that this level of additional activity in an otherwise quiet cul-de-sac where houses are reasonably close to each other and where there are no pavements and limited provision for off-street visitor parking would have an adverse impact on the amenity of occupants of nearby property. The planning system could not readily regulate the number of dogs groomed over the course of a day or the associated number of visitors/vehicle movements and impacts could increase over and above that currently experienced. This type of use is not compatible with the existing residential use of the cul-de-sac, where typical comings and goings and general activity would be limited and it would detrimentally change the character of the area. Although largely a Police matter there have been instances where driveways of the neighbouring properties have been obstructed by inconsiderate parking from customers visiting the business and I accept that this results in an adverse amenity impact for other residents. Such a scenario would appear to have arisen as a result of the narrow nature of the cul-de-sac and a lack of adequate areas for alternative parking and this demonstrates that a business of this nature that will attract visitors should be located out with a residential area of this nature. In certain residential locations a small scale business operation might be acceptable where it would not adversely impact on any existing residential property; it is not considered that this particular location would be able to achieve that and this conclusion is supported by the letters of representation that have been received in relation to the operational business. On this basis the proposal is contrary to Policies SC18 and S6.

Policy S6 of the ALPR also identifies other matters relating roads/parking/access; landscaping/open space/biodiversity; drainage and flood risk; and waste management. Objections have been received in respect of roads/parking/access. The Roads Service has been consulted on the proposal and has considered the application in terms of the traffic likely to be generated by it and its impact on the public road network. No objection has been received from the Roads Service to the proposed development in terms of road traffic or pedestrian safety. I accept that the development may not adversely affect road

traffic safety but notwithstanding that, and as detailed above, I am concerned that the nature of the use and its associated activity and on-street parking would adversely affect the amenity of occupants of other residents in the area. The proposal raises no significant issues against the remaining criteria of Policy S6. However, the proposal would be contrary to policy S6 of the ALPR as the use of the garage for dog grooming would have a detrimental impact on residential amenity.

As the proposal is contrary to other policies of the ALPR as indicated above, it is also contrary to Policy S1 criterion (a).

I recognise that the proposal provides employment for the owner of the property and that it will provide some economic benefit to the area. However, I do not consider that such benefit would justify approval of a development in circumstances where it gives rise to significant adverse impacts on the amenity of other residents.

This is a use which has been operational at the site for some time without the benefit of planning permission. The use of the premises during that time has identified that parking and general activity associated with the use has had a detrimental impact on the amenity of occupants of an otherwise quiet cul-de-sac. Objections have been raised regarding the impact of the development on the amenity of occupants of neighbouring houses and the planning system could not readily control the business to mitigate those impacts or prevent expansion of the business and intensification of those adverse amenity impacts. Given the nature of the area, I am not convinced that the operation of a full time business at this location can be undertaken without unacceptable detrimental amenity impacts and on this basis the application is contrary to development plan policy. The proposal is contrary to development plan policy and there are no material considerations that justify approval of the application.

No legal agreement is required.

Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

Equalities Implications

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

Decision

The application is Refused

Reason(s) for Decision:

1. That the proposal is contrary to Policies S6 and SC18 of the Angus Local Plan Review 2009 because traffic and activity associated with the business operation would be significantly detrimental to the amenity of occupants of neighbouring houses within the established housing development.
2. That the proposal is contrary to Policy S1 criterion (a) of the Angus Local Plan Review because it

is not compatible with Policies S6 and SC18 of that Local Plan by virtue of its adverse impact on the amenity of occupants of nearby houses.

Notes:

Case Officer: Ruari Kelly
Date: 27 October 2015

Development Plan Policies

Angus Local Plan Review 2009

Policy S1 : Development Boundaries

(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.

(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.

Policy S6 : Development Principles (Schedule 1)

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles

Amenity

(a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.

(b) Proposals should not result in unacceptable visual impact.

(c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

(d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.

(e) Access to housing in rural areas should not go through a farm court.

(f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17 : Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary.

(g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

(h) Development proposals should have regard to the Landscape Character of the local area as set out in

the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)

(i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.

(j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.

(k) The planting of native hedgerows and tree species is encouraged.

(l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

(m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)

(n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.

(o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)

(p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

(q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38)

(r) Development should minimise waste by design and during construction.

Supporting Information

(s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Policy SC18 : Working from Homes

Angus Council will support proposals for working from home which utilise only a small part of the residential accommodation; and are not detrimental to the amenity of neighbours or the surrounding area.

DEVELOPMENT BOUNDARIES

1.29 Angus Council has defined development boundaries around settlements to protect the landscape setting of towns and villages and to prevent uncontrolled growth. The presence of a boundary does not indicate that all areas of ground within that boundary have development potential.

Development boundaries:

Generally provide a definition between built-up areas and the countryside, but may include peripheral areas of open space that are important to the setting of settlements.

Policy S1 : Development Boundaries

(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.

(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.

Public interest: *Development would have benefits for the wider community, or is justifiable in the national interest.*

Proposals that are solely of commercial benefit to the proposer would not comply with this policy.

DEVELOPMENT PRINCIPLES

1.44 The principles in Schedule 1 provide a 'checklist' of factors which should be considered where relevant to development proposals. They include amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information. The Local Plan includes more detailed policies relating to some principles set out. Not all development proposals will require to comply with all of the principles.

Policy S6 : Development Principles

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles**Amenity**

- a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- b) Proposals should not result in unacceptable visual impact.
- c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

- d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- e) Access to housing in rural areas should not go through a farm court.
- f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17: Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary
- g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

- h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- k) The planting of native hedgerows and tree species is encouraged.
- l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

- m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

Waste Management

- q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38).
- r) Development should minimise waste by design and during construction.

Supporting Information

- s) (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Working From Home

2.52 Opportunities to work from home have increased and this is now a real alternative to more traditional office or factory based employment. It can create new jobs throughout urban and rural areas in both trades and services. As well as contributing to economic diversification, home/tele-working can reduce the need to travel and use skills within the community that might otherwise be lost. Further planning guidance on working from home is available in Angus Council Advice Note 17: Miscellaneous Planning Policies.

2.53 Running a business from home will require planning approval if it constitutes a 'material change of use' i.e. significantly affects the use of a building as a house. It is advisable to consult the Planning and Transport Department to clarify whether planning permission is required.

Angus Council Advice Note 17:

Naturally, if the proposal can be accommodated with little or no adverse effects in respect of external storage or processes etc. and only utilise a small part of the residential accommodation, then the application is likely to be treated sympathetically. If, however, the activity is of such a commercial nature that the quiet residential atmosphere is jeopardised, a refusal is likely to ensue.

Policy SC18 : Working From Home

Angus Council will support proposals for working from home which utilise only a small part of the residential accommodation; and are not detrimental to the amenity of neighbours or the surrounding area.

ANGUS COUNCIL

COMMUNITIES PLANNING

CONSULTATION SHEET

PLANNING APPLICATION NO

15/00421/FULL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

27

07

15

**PLEASE DO NOT TAKE AWAY THE LAST SET OF PLANS WHERE POSSIBLE COPIES
WILL BE PROVIDED ON REQUEST**

ELECTRONIC SUBMISSION DRAWINGS TO BE VIEWED VIA IDOX

From:BallW

Sent:6 Aug 2015 09:20:39 +0100

To:KellyR

Cc:ThomsonSD

Subject:Planning Application 15/00421/FULL- Dog Grooming Parlour, Densha Villa, Main St, Barry

Ruari,

I refer to the above application for Change of use and alteration of garage to Dog Grooming parlour(retrospective) at Densha Villa, Main Street, Barry DD77RP and can now confirm that I have seen the plans and visited the site. This business has been operating for over a year and no complaints have been received by this service. This application does not seek to change any circumstances regarding the operations currently in place therefore this Service has no objections and no further comment to make.

Wendy

Wendy Ball, Environmental Health Officer, Communities Department, Dewar House, Hill Terrace, Arbroath, 01241 435618

From:ThomsonSD

Sent:28 Aug 2015 15:21:04 +0100

To:KellyR

Cc:BallW

Subject:RE: Planning Application 15/00421/FULL- Dog Grooming Parlour, Densha Villa, Main St, Barry

Ruari I have read through the objections and would advise as follows;

All of the objections appear to relate to concerns over parking for customer cars which is not really something I can comment on and whether or not this is an issue will obviously depend on the consideration of the customers when they visit. From a noise point of view; While the business will change the amenity of the area, the proposed level of use will generate a maximum of 8 vehicle movements during working hours which will not result in significant noise levels at neighbouring properties. As Wendy Ball has stated we have not had any complaints about noise since the business started operating and therefore in light of the above I would not object to this proposal.

I hope the above is useful but should you require anything further please do not hesitate to contact me.

Regards

steve

Steven Thomson Senior EHO Regulatory & Protective Services, Communities, County Buildings
Angus Council, County Building,s Market Street, Forfar DD8 3WA Telephone 01307 473331

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr GEORGE STOTT

Address: 11 KINLOCH STREET CARNOUSTIE ANGUS

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have used Andrea (Doggy Delicious) since she opened last year and feel I must comment on the planning application. I am partial blind and live in Carnoustie. Before she opened it was difficult for me to get my dog groomed. Andrea now has "Baxter" picked up taken to her salon groomed and returned home with no extra transportation costs. The business provides a wonderful service to the community and to older people in particular- and long may it continue to do so

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr B Ferguson

Address: Westfield Main Street Barry Village Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am totally behind this planning application . I stay across the road from the cul-de-sac and I totally support this planning application. I am at home most of the day looking after my four dogs as my partner works. On a daily basis from Monday to Friday I see the comings and goings of the customers to the dog parlour. The so called volume of traffic is minimal and I do not see a problem. Andrea has a great wee business going and it is great to see people using a local business . As for the amount attending daily I can verify that on average Andrea will groom three to four dogs daily as I have three dogs that require grooming and they are there from roughly 9am to 3pm and no other dogs are groomed at this time.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr B Ferguson

Address: Westfield Main Street Barry Village Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Irrespective if one has dogs or not I would still support this application. It's a great wee business & has I have said previously the amount of traffic into this area is minimal .

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr B Ferguson

Address: Westfield Main Street Barry Village Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would once again like to make a comment on the issue of traffic in this cul de sac. The word exaggerated comes to mind. . As I have said previously I am about mostly throughout the day in my house or garden and I have yet to see so called problems with cars blocking residents or causing disruption to the residents in that area. The whole situation is a total fabrication and is just absolutely ridiculous . What ever happened to live and let live.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs D McLean

Address: Oakley Main Street Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Addition to previous comment-

We have the human right to peaceful enjoyment of our property. This is first and foremost a residential area not a business area.

The application States a Mon to Fri service but this has been operating on Saturdays for over a year and only recently this has changed.

Whilst I like everyone else, would support new businesses and a boost to local economy, I would like it not to be outside our front door. It would be easy to comment and support this if we were customers and taking our dogs to be groomed here but unfortunately this is not the case, it is our home. Surely there are plenty empty shops or units in nearby business areas that can be used for this purpose, and would not affect the neighbours who have the right to object.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs D McLean

Address: Oakley Main Street, Barry Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The "lawful" parking space the previous gentleman commented on has in fact a sign on the lamppost at the exact spot referred to (erected by the council) which reads "TURNING POINT PLEASE KEEP CLEAR" If people adhered to this sign then residents would not feel the need to place signs to keep their property or parking areas accessible. The property this comment is referring to is accessed by this "turning point" and was built at the same time as the property for their family to park in.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs D McLean

Address: Oakley Main Street, Barry Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We strongly object to this planning application, as we live in this quiet, small cul de sac.

- 1). There are no parking spaces other than the applicants drive.
- 2). There is no public walkway to the applicants property and we have had to ask customers not to walk across the front of our garden.
- 3) Privacy is being invaded.
- 4) In some weeks the business is operating 6 days per week.
- 5) Volume of cars/customers has increased and this can lead to creation of a precedent for more of the same.
- 6) At any given time, two vehicles or more can be collecting their dogs and this has caused obstruction to neighbours drives due to it being a very narrow small hammer head turning point in the cul de sac.

Summary - we have lived here for nearly 14 years and have enjoyed the quiet nature of our street. Unfortunately this is no longer the case and we feel that this is not the correct environment/location to run a business of this type.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs N Beckers

Address: 34 MacDonald Smith Drive Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have friends living in close proximity to the dog grooming parlour. I find it difficult enough to get a parking space due to the amount of residents cars alone, I feel that further amounts of traffic in this narrow restricted cul de sac with a small hammer head turning point will only cause safety issues and may cause damage to residents cars and property. Residents privacy is being compromised as not all clients are respecting the property boundaries. Having used dog groomers in the past, there can be no guarantees of the amount of dogs being dropped off and collected at any one time.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs Maxine Wardlaw

Address: 17 challum walk Broughty ferry Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I strongly agree on supporting this application, Andrea offers an excellent service . I have used this service since Andrea started up and have always ensured there is space in her driveway for my car, it's never been an issue. Due to the nature of this business there is never more than 1 dog receiving this service at a time so believe that there is minimal disruption to this street. Would be a great shame to lose such an excellent service.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs E Ford

Address: 21a High Street Monifieth Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this planning application.

As a regular visitor to one of the properties in this cul de sac, I have witnessed more cars/customers than quoted on the application form. Maybe these have just been "busy days", I have also witnessed Saturday morning customers. On one occasion a neighbour struggled to get her car out of her drive due to two cars turning up at the same time to collect their dogs, I am sure the dog groomer requests that this does not happen but unfortunately she is not responsible for her customers time keeping.

I was surprised to learn that a business such as this can open up in a residential area without relevant planning permission and surely this can make way for any property to open up a business from their garage if they so wished.

The "great service" this dog grooming parlour is providing is not in question the location of the parlour is.

Undoubtedly there will be many comments of support from customers (and there are many customers) who use this dog groomer as as it is not likely to be on their street, or in their cul de sac. Surely serious consideration should be given to the other houses in this cul de sac whose privacy and property are affected by it.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs E Ford

Address: 21a High Street Monifeith Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I note on previous comments, customers stating that it would be "a shame to lose this service", no one is asking the service to stop operating but simply asking it to move to a more suitable location. The amount of vehicles has reduced in the last few weeks but the applicant has stated on her letter that her daughter helps out, this raises concerns that this could mean expansion of the business in the future. It would be a real shame if shops and retail units were to remain empty and businesses were able to pop-up and operate from garages in residential areas everywhere for over a year without relevant planning permission.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Ms S Milne

Address: 5 Dalhousie Park Monifieth Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object on behalf of my family who own a property in this street. (I previously lived with them for 6 months)

I have experienced first hand a business starting in a residential street, it began trading in close proximity to a property I have recently sold and caused no end of problems.

This is a small, quiet cul de sac and should remain so, if the dog groomer provides an excellent service then her customers will follow her if she moves to a commercial area, where they would get the same service but without intruding on private family homes.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Ms S Milne

Address: 5 Dalhousie Park Monifieth Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this planning application.

I am regularly at one of the properties in this cul de sac. I have most definitely witnessed Saturday customers, as said in previous comments, this may have stopped recently. Due to the location of their garden seating area being at the side/front of their property, my family felt the need to erect a taller fence to give them more privacy. If, as stated on the application, there are on average a minimum of 20 dogs per week, this would mean 80 dogs every 4 weeks and 1040 per year. I cannot understand why anyone would feel that this is an acceptable amount of customers /traffic/general public in such a small cul de sac and residential area.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr Ged Rhynd

Address: 68 Maule Street Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There is a definite pattern with supporting comments from folk who (mostly appreciate the service received) don't actually reside in the cul-de-sac. It is also abundantly clear from reading the comments that visiting or being around a house or garden nearby is clearly not the same as living in the cul-de-sac & my mother has lived here for 25 years without any problems.....until this business started! My mother is certainly not the only person to witness public shouting, swearing, offensive gestures & customers of this business parking inconsiderately & disputing same. I am now disgusted to learn the applicant has been to my 82 year old mother's door to strongly demonstrate how upset she is at my mother's comment of objection to her application. Initially, I simply didn't think this location was suitable to run a business of this nature, however, it would now appear there exists an additional issue with this business.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr Alastair Donaldson

Address: 20 Harris Road Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I fully support the change of use to a dog grooming parlour, as the applicant would be supplying a worthwhile service to the local community. The applicant is a friendly, dog lover and the proposed facility is contained in an excellent, compact building, ideal for dropping off and uplifting your pet from the applicant.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs Dorothy Donaldson

Address: 20 Harris Road Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have used this excellent service several times and fully support the application.

Parking is not an issue as it only takes a minute to drop off our pet and collect him later.

The grooming facility is small but well organised and only grooms one dog at a time.

It would be disappointing if the application was refused due to a lack of parking which is not really an issue.

Any small business supplying this type of service should be encouraged.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs LYNNE DUFF

Address: 5 VORLICH DRIVE BROUGHTY FERRY DUNDEE

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I strongly support this planning application as I use the service on a regular 6 weekly basis. Parking is always available given the provider only ever has 1 dog in at a time. As noted I use the service every 6 weeks

and have found no problem with there being a space to park. There is a service strip to walk on also. I stepped on this one day and was verbally abused by a middle aged male who was telling me to move away from his area. His tone and behaviour left me anxious and upset on this occasion. I have since requested that my dog is collected from my home. The service provider has agreed to this despite this taking up her time and resources. The service provided is organised and well respected and an asset to the area. It would be a sad loss if this could not continue.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mrs Alice Rhynd

Address: Dungrafton Main Street Barry, by Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this planning application as I live in this quiet, small cul de sac & feel the following points substantiate my objection:-

- 1) Impact on adjacent property/parking.
- 2) There are no parking spaces other than the applicants drive.
- 3) There is no public walkway to the applicants property.
- 4) The business is operating up to 6 days per week with the volume of cars/customers increasing which over & above the road/pedestrian safety issues, can lead to creation of a precedent for more of the same.
- 6) At any given time, two vehicles or more can be collecting their dogs and this has caused obstruction to neighbours drives/parking area due to it being a very narrow small hammer head turning point in the cul de sac.

Summary - I have lived here for 25 years and have enjoyed the quiet nature of this street without any traffic/safety issues. Unfortunately this is no longer the case and we feel that this is not the correct environment/location to run a business of this type.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr Leonard Malloy

Address: Pavillion House, 4 The Stables, Park View Monifieth, Dundee DD5 4GB

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: My wife & I have used this dog grooming service for the last year and have never had an issue with parking. Andrea has always been very considerate of her neighbours and, in order that no inconvenience be caused to them, asked us to park in her driveway when setting down/picking up our dogs. This has always worked extremely well for us and we have never had any issues. We strongly support this application.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Ms D Miller

Address: Westfield, Main Street Barry Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am a close neighbour of this property and fully support the application.

My house is directly opposite the cul-de-sac related to the application so we are in a good position to see the level of traffic coming and going and my partner is home all day.

We have not witnessed any increase in traffic, or indeed any parking issues, as a result of the property being used as a dog grooming parlour. Indeed the impact on the street is so minimal that for the initial period of the business operating we did not even know it existed. It was the neighbour next to the parlour, Alice, who advised us of this and recommended it to have our dog groomed.

I am confused at the suggestion that the business operates 6 days a week. Recently we asked to have our dog groomed at a weekend and were told that the business only operates during week days. However we would have no objection to the business operating at the weekend.

I can see no good reason to object to this application. The business is discrete and has no impact on the surrounding area. It is good to see new businesses opening and contributing to our economy. It would be a real pity if this application were refused.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr Donald Archibald

Address: 6 Craigmill Gardens Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I support this application. I have read the objections and feel the claims are being exaggerated. I have used the dog grooming service on several occasions and have never come across any problems gaining access to or from the property. I have always been able to park in the drive. In any case the very worst case scenario is that 2 customers are there at the same time and I know the proprietor minimises the risk by managing her appointments so as to avoid such 'crossovers'. I have never been at the premises at the same time as another customer so the appointment system must work very well. I have noted the presence of an unlawful 'No Parking' sign placed on a fence adjacent to the property. Although I have never had cause to park in that area I would do so as my vehicle would be legally parked and unlikely to cause an obstruction. My understanding is that a vehicle that is lawfully parked is only causing an obstruction when its presence means another vehicle is unable to move or manoeuvre past it. The 'offending' vehicle is not causing an obstruction merely due to its proximity to someone's property. There will be many examples of legally parked vehicles causing an obstruction and moving temporarily to make way and then returning to its original lawful parking space. I accept continually parking over someone's drive would cause an obstruction and would be very annoying but that is not what I see happening here. I have always parked in the drive at Densha Villa and I think the claims relating to traffic volume, road safety and disruption are being exaggerated. I also live at the end of a cul de sac with a turning area right outside my drive. Vehicles visiting other houses often park there but they are not obstructing me just because of their proximity to my house. The proprietor has made me aware of the concerns neighbours have re parking and I expect all of her clients will be careful and sympathetic. My experience is that the situation is being managed very well.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Mr L McLean

Address: Oakley Main Street, Barry Carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to planning permission for dog grooming parlour.

I was not informed at the time of garage conversion by letter of the proposed business. I have copies of emails my wife has sent to Angus council planning dept. dating back to May 2014 asking when this would be made available. We were informed over this period that due to staff shortages last summer that this has taken longer than first expected. As noted on the letter available on this application that the applicant advises that she is grooming 3 to 4 dogs per day, i.e. approx 20 dogs per week, I believe the actual amount is greater than is stated. I believe that if this application is granted this business will only grow and the amount of traffic will increase.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Miss Sally Patrick

Address: 24 Balmossie terrace Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I strongly support this planning as I use this service on a regular basis for my dogs and an excellent service is provided. I have used this service since May and from my very first appointment owner Andrea has always ensured there is space in her driveway for my car. On the rare occasion there may not sufficient space in her driveway, she has informed myself and most certainly all her customers that a pick up and drop off service is available for our pets. Due to there being space in the driveway, whether or not there is deemed to be an appropriate walkway, has never been an issue for myself as I open my door on to the property without disruptions of any other premises surrounding. Due to the nature of this business there is never more than 1 dog receiving this service at a time and I personally have never crossed paths with another service user during my use so believe that there is minimal disruption to this street. Would be a great shame to lose such an excellent service.

Comments for Planning Application 15/00421/FULL

Application Summary

Application Number: 15/00421/FULL

Address: Densha Villa Main Street Barry DD7 7RP

Proposal: Change of use and alteration of garage to dog grooming parlour (retrospective)

Case Officer: Ruari Kelly

Customer Details

Name: Miss jacqueline mcnicol

Address: 21 ravensby.rd carnoustie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I have been using Andrea to groom my dog for over the last 12 months. When I first spoke to Andrea over the phone she informed me to park up the drive when dropping and picking my dog up so not to cause any hazard\ unconvinced to any neighbours. At no time have I parked anywhere apart from up Andrea ' s drive, which is usually 2-3 minutes when dropping my dog off and appox five minutes when picking her up . At no time have I ever used speed when entering culd-er-sac due to the fact of residential area and very short distance from main road .



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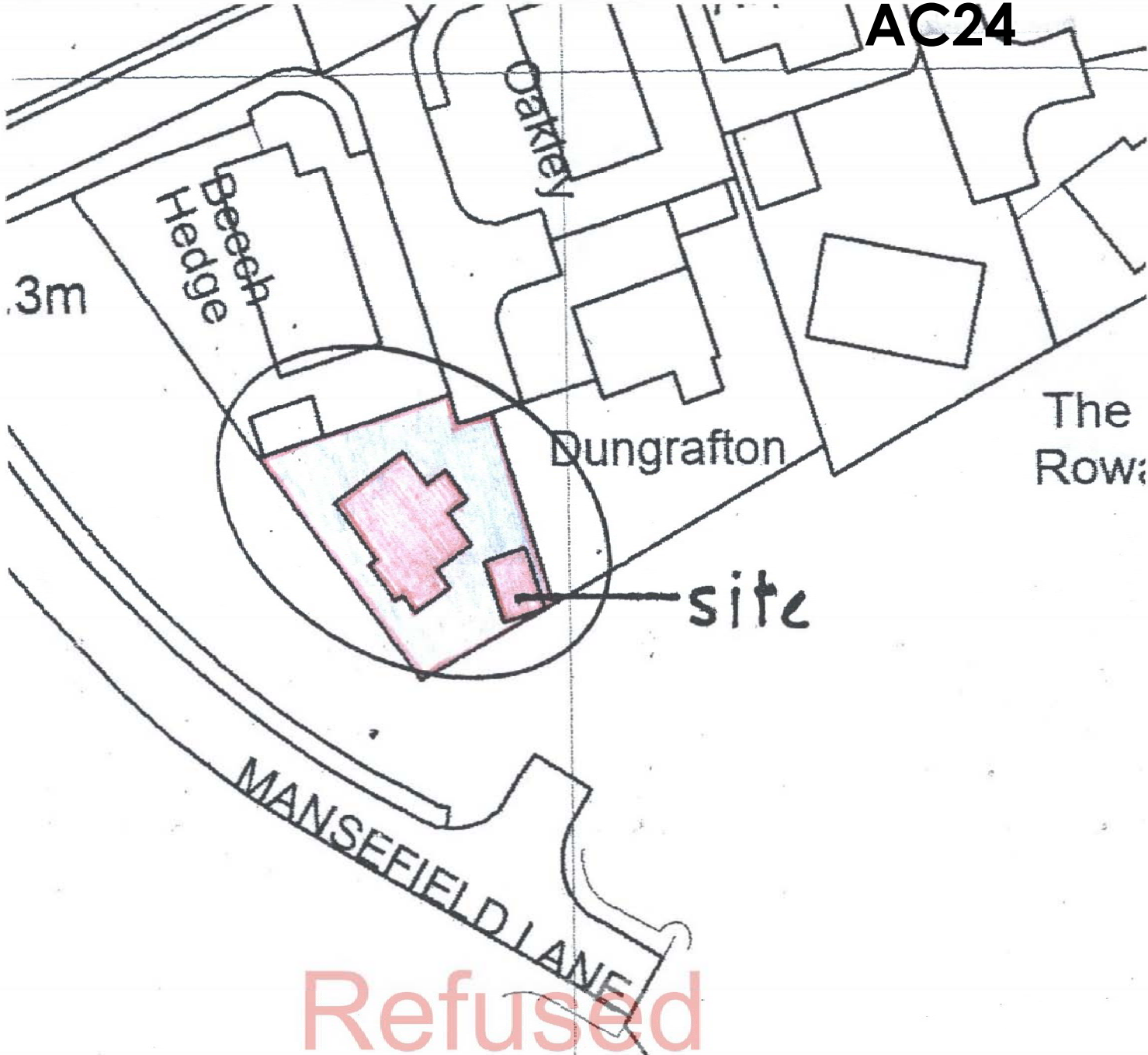
SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 353382, 734264



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Refused



Refused

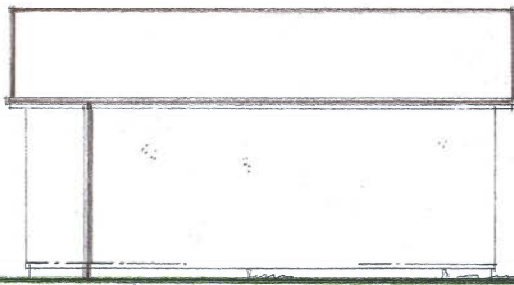
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block plan at 1:500

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Refused



prop ne elev a 1:50

exist conc interlocking
roof tiles

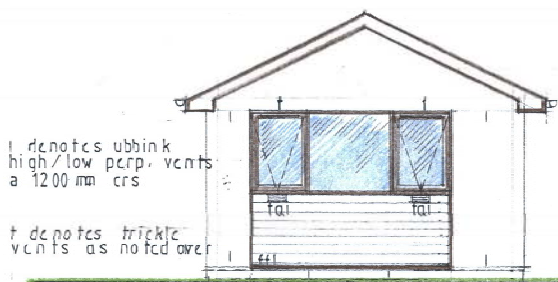
harled walls

upvc bargeboards
fascias and soffits



prop se elev a 1:50

Refused



f denotes ubbink high/low perp. vents a 1200 mm crs

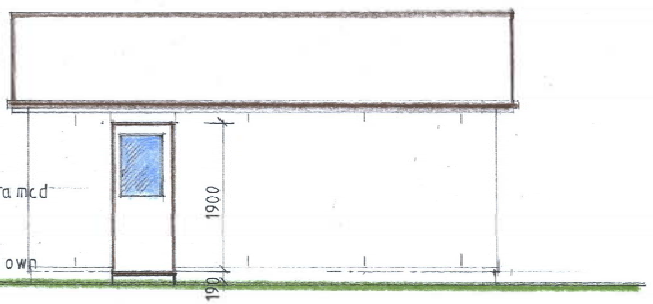
t denotes trickle vents as noted over

prop front elev a 1:50 nw

fai denotes 215x75 mm stadium nylon fresh air inlets 2 of

remove exist garage door frames etc and supply and instal 2700x2260 mm upvc framed arched window

form conc slip step to raised ffl and cut down door height



1900
f.f.l.

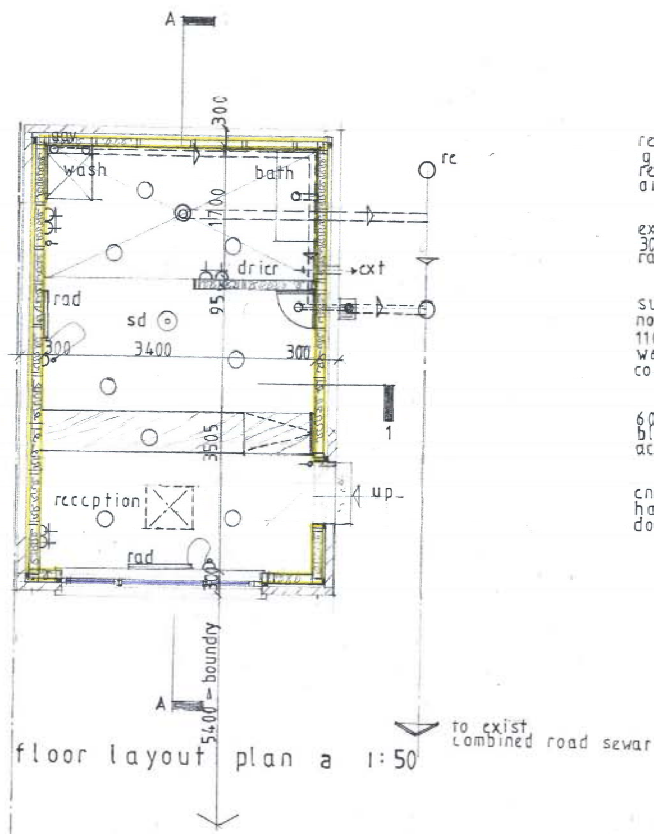
prop side elev a 1:50 sw

Refused

aav denotes 50 mm durogo air admittance valve sited above spill over level of appliance. sp denotes 32 mm standpipe connection for washing machine. 50 mm diam upvc waste pipe laid to fall a'18 = 90 mm

■ denotes rockwool dpc faced cavity closers at the head, jamb, sill of door and window and element junctions to tech sind 2:4-1

600 x 600 mm loft access hatch draft stripped and insulated to avoid air infiltration



reduce the effective ground level at the rear elevation and infill verge with pea gravel

extract fan supplying 30 ltrs per second extraction rate.

supply and lay alto non slip flooring 110 mm floor gully in wet area laid to fall and connected to 110 mm upvc waste drain

600 x 40 mm veneer faced blockboard counter with 900 mm access counter top

ensure that door access has low threshold and clear door width is 825 mm

AC25



AC25



AC25



73

AC25



AC25



75

AC25



Turning Head
Please keep
clear

76

PRIVATE
PARKING
ACCESS

AC25



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)
REGULATIONS 2013

PLANNING PERMISSION REFUSAL
REFERENCE 15/00421/FULL

To **Ms Andrea Phillips**
c/o Home Redesign
64 Fergus Square
Arbroath
DD11 3DW

With reference to your application dated 24 July 2015 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Change of Use and Alteration of Garage to Dog Grooming Parlour (Retrospective) at Densha Villa Main Street Barry DD7 7RP for Ms Andrea Phillips

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docquetted as relative hereto in paper or identified as refused on the Public Access portal.

The reasons for the Council's decision are:-

- 1 That the proposal is contrary to Policies S6 and SC18 of the Angus Local Plan Review 2009 because traffic and activity associated with the business operation would be significantly detrimental to the amenity of occupants of neighbouring houses within the established housing development.
- 2 That the proposal is contrary to Policy S1 criterion (a) of the Angus Local Plan Review because it is not compatible with Policies S6 and SC18 of that Local Plan by virtue of its adverse impact on the amenity of occupants of nearby houses.

Amendments:

The application has not been subject of variation.

Dated this **6 November 2015**

Iain Mitchell - Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG

From:Andrea Phillips

Sent:16 Sep 2015 11:00:01 +0100

To:KellyR

Subject:Re: Planning Application 15/00421/FULL - Change of Use and Alteration of Garage to Dog Grooming Parlour (Retrospective) at Densha Villa Main Street Barry

Dear Mr Kelly,

In response to the questions asked of me:

. The business does operate Monday to Friday 09.00 - 17.00. When I did do a Saturday in the beginning it was the odd Saturday and only one dog.

. I do not employ a full time member of staff as I said in my letter previously my daughter is in college 3 days a week which I have proof of. Monday's and Fridays she occasionally helps with bigger dogs or difficult dogs.

. In all the time I have been open there was ONE crossover and one customer was in my driveway and the other parked in the street (not blocking) any other residents.

. It's very difficult to put an exact time on a dog being groomed as all dogs are different and behave differently but roughly 2hrs.

. There is only ever one dog at a time unless it's a family who have 2 dogs, or if I've gone over the time I will keep the finished dog on the premises until the next one comes in to avoid crossovers.

. Apart from my own dogs and Mr Mitchell shares a dog with his ex wife there are no other dogs being home boarded as I don't offer this facility.

Hope this answers all questions asked of me. I have much proof of many things and will attach or copy what I can at the end when I've had my say.

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW

**CHANGE OF USE AND ALTERATION OF GARAGE TO DOG
GROOMING PARLOUR (RETROSPECTIVE) AT DENSHA VILLA, MAIN
STREET, BARRY**

APPLICATION NO 15/00421/FULL

APPLICANT'S SUBMISSION

ITEM 1 Notice of Review



County Buildings Market Street Forfar DD8 3LG

Tel: 01307 461460

Fax: 01307 461 895

Email: plnprocessing@angus.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000139786-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Applicant Details

Please enter Applicant details

Title: *

Other Title:

First Name: *

Last Name: *

Company/Organisation:

Telephone Number: *

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

Address 1 (Street): *

Address 2:

Town/City: *

Country: *

Postcode: *

Site Address Details

Planning Authority:

Angus Council

Full postal address of the site (including postcode where available):

Address 1:

SALON

Address 5:

Address 2:

DENSHA VILLA

Town/City/Settlement:

CARNOUSTIE

Address 3:

MAIN STREET

Post Code:

DD7 7RP

Address 4:

BARRY

Please identify/describe the location of the site or sites.

Northing

734262

Easting

353385

Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Appealing against a planning application refusal

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Considering the decision was due to a road traffick act of 2009, stating it would be significantly detrimental to neighbouring houses. How come the roads department approved the business?? Also I could ask my clients to park in the main road as I live approx 50 yards from the main road. In fact many of my clients already do this. I also so many pick ups in the area, making the amount of clients coming to my business considerably less than previously stated.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

Yes No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

I have my diary stating the amount of dogs I groom in any one day, considering my neighbours have more visitors frequenting their premises than I have clients, this decision is a joke.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

15/00421

What date was the application submitted to the planning authority? *

20/07/15

What date was the decision issued by the planning authority? *

06/11/15

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? * Yes No

Have you provided the date and reference number of the application which is the subject of this review? * Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? * Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review * Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Andrea Phillips

Declaration Date: 17/12/2015

Submission Date: 17/12/2015

**FURTHER
REPRESENTATIONS**

ANGUS COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)
REGULATIONS 2013



PLANNING PERMISSION REFUSAL
REFERENCE 15/00421/FULL

To Ms Andrea Phillips
c/o Home Redesign
64 Fergus Square
Arbroath
DD11 3DW

With reference to your application dated 24 July 2015 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Change of Use and Alteration of Garage to Dog Grooming Parlour (Retrospective) at Densha Villa Main Street Barry DD7 7RP for Ms Andrea Phillips

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby Refuse Planning Permission (Delegated Decision) for the said development in accordance with the particulars given in the application and plans docketed as relative hereto in paper or identified as refused on the Public Access portal.

The reasons for the Council's decision are:-

- 1 That the proposal is contrary to Policies S6 and SC18 of the Angus Local Plan Review 2009 because traffic and activity associated with the business operation would be significantly detrimental to the amenity of occupants of neighbouring houses within the established housing development.
- 2 That the proposal is contrary to Policy S1 criterion (a) of the Angus Local Plan Review because it is not compatible with Policies S6 and SC18 of that Local Plan by virtue of its adverse impact on the amenity of occupants of nearby houses.

Amendments:

The application has not been subject of variation.

Dated this 6 November 2015

Iain Mitchell - Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG

I WOULD LIKE TO CONFIRM MY OPINION
THAT THE DECISION TO REFUSE PLANNING
PERMISSION WAS CORRECT CONSIDERING
THE TRAFFIC ISSUES HAVE CONTINUED
DUE TO THE ONGOING BUSINESS ACTIVITY



U27/0/16

ForsythSL

From: McLean Dawn (NHS TAYSIDE) [REDACTED]
Sent: 19 January 2016 09:14
To: ForsythSL
Subject: 15/00421/FULL

Dear Ms Forsyth

Application No: 15/00421/FULL

In reply to the letter we received on Friday 15.01.16 from yourself, informing us of the application for a review of the decision to refuse planning permission to operate a dog grooming business at Densha Villa, Main Street, Barry.

We have been informed by one of the applicant's customers that the property we refer to has now been sold and the dog grooming business is moving to another location. We can only assume that the appeal may have been lodged to allow the applicant to continue to run the business until the conclusion of the sale.

Myself and my family who live adjacent to this property wish to again express our objections and concerns. As is apparent in the comments from those who objected to this application, we strongly feel that the correct decision was made by Angus Council in refusing permission for a business such as this to operate in our very small quiet residential cul-de-sac. We feel relieved that common sense prevailed and also hope that other residents in similar situations can be assured that their right to peaceful enjoyment of their property is upheld. This has been a long uneasy process and has caused upset to those of us who made the objections, as the business has been running without planning permission for almost 22 months. As has been stated in the comments for this application, it is not the service the applicant is providing but the location that is objectionable. I would hope that major consideration would once again be given to residents in this cul-de-sac whom this business affects and not the customers.

Yours sincerely

Mrs D McLean & Family

This message may contain confidential information. If you are not the intended recipient please inform the sender that you have received the message in error before deleting it. Please do not disclose, copy or distribute information in this e-mail or take any action in reliance on its contents: to do so is strictly prohibited and may be unlawful.

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