

FALKIRK COUNCIL

Subject: **ERECTION OF FENCE (1.8M HIGH) AT 33 ABBOTSFORD STREET, FALKIRK, FK2 7QJ FOR MR BRYAN HUGHES - P/13/0267/FUL**

Meeting: **PLANNING COMMITTEE**

Date: **25 June 2013**

Author: **DIRECTOR OF DEVELOPMENT SERVICES**

Local Members: **Ward - Falkirk North**

Provost Pat Reid
Councillor David Alexander
Councillor Dr C R Martin
Councillor Cecil Meiklejohn

Community Council: **Langlees, Bainsford and New Carron**

Case Officer: **Katherine Chorley (Assistant Planning Officer), Ext. 4704**

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site consists of a flatted dwelling located in a residential area. The property is pebbledash rendered with a slate roof and sits on a corner plot. The boundaries of neighbouring plots are defined by low level brick walls with high hedging above. The application site has a small length of railing on the corner with no boundary treatment along the side.
- 1.2 The applicant seeks planning permission for the erection of a 1.8m high fence along the boundary of the plot, terminating adjacent to the existing railings and then running in to the site and terminating at the boundary line with the neighbouring property.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The site is in the ownership of Falkirk Council and under the Scheme of Delegation the application requires to be considered by the Planning Committee.

3. SITE HISTORY

- 3.1 None.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has no objection to the application.

5. COMMUNITY COUNCIL

- 5.1 The Langlees, Bainsford and New Carron Community Council have not made any representations.

6. PUBLIC REPRESENTATION

- 6.1 During consideration of the application, no letters of objection or representation were received.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan

- 7a.1 There are no relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan

- 7a.2 Policy SC9 - 'Extensions And Alterations To Residential Properties' states:

"Extensions and alterations to residential properties will be permitted where:

- (1) the scale, design and materials are sympathetic to the existing building;*
- (2) the location and scale of the extension or alterations will not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties; and*
- (3) it will not result in overdevelopment of the plot, thereby giving rise to adverse impacts on the functioning of garden ground, or the unacceptable loss of off-street parking."*

- 7a.3 The development is considered against policy SC9 in the Falkirk Council Local Plan. This policy requires that the scale, design and materials are sympathetic to the existing building. In addition to this, the location and scale of the alterations should not have a significant affect on neighbouring properties and should not result in overdevelopment of the plot.

- 7a.4 The proposed fence would be located along the boundary with the public road in an area predominantly characterised by low brick walls and hedging. It would therefore be somewhat out of character with the surrounding area. A request was made that the fence be reduced in height to 1.5m which would sit more comfortably with neighbouring properties. However, the applicants have advised that the rear garden sits higher than street level and a lower fence would not provide the privacy or security they require. Given this, and the fact that the fence is not proposed to go the full length of the property, with the low level railings retained on the corner, on balance, the proposed fencing is considered acceptable in design terms.
- 7a.5 It is not considered that the provision of a 1.8m high fence would have an impact on neighbouring properties as it would be set away from habitable room windows.
- 7a.6 The proposed alterations would create a private area of amenity space for the occupants of the flat. This would be an improvement on the current situation where the occupants do not benefit from any private outdoor space.
- 7a.7 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

- 7b.1 The material consideration to be assessed is the Falkirk Local Development Plan (Proposed Plan).
- 7b.2 The Proposed Falkirk Local Development Plan was approved by the Council for consultation in March 2013, with the period for representations running from April to June 2013. It is expected to be adopted in early 2015, at which point it will replace the current Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan Policy and constitutes a material consideration in the determination of planning applications.
- 7b.3 Policy HSG07 relates to house extensions and alterations and is worded in a similar way to policy SC9 in the existing Local Plan. It also requires that developments do not have a detrimental impact on road safety. The proposed development is considered to comply with this policy and would not impact on road safety.

7c Conclusion

- 7c.1 The proposal is considered to improve the living environment for the occupants and the limited length of the fence is considered acceptable. The proposal therefore complies with the principles of policy SC9 and HSG07 of the Local Plan and Local Development Plan. There are no material planning considerations which would warrant refusal of planning permission in this case and the recommendation is therefore to grant planning permission.

8. RECOMMENDATION

8.1 It is therefore recommended that Committee grant planning permission subject to the following condition(s):-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.

Reason(s):-

- (1) As these drawings and details constitute the approved development.

Informative(s):-

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A and 02.

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Director of Development Services

Date: 17 June 2013

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Local Development Plan.

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Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504704 and ask for Katherine Chorley, Assistant Planning Officer.

Planning Committee

Planning Application Location Plan

P/13/0267/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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