

FALKIRK COUNCIL

Subject: CHANGE OF USE FROM PARKING AREA TO PRIVATE GARDEN GROUND AND THE ERECTION OF A 1.8 METRE BOUNDARY FENCE AT LAND ADJACENT TO 8 HARRIS PLACE, GRANGEMOUTH, FK3 8TN FOR MR ALEX PATERSON - P/11/0677/FUL

Meeting: PLANNING COMMITTEE

Date: 1 February 2012

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Grangemouth
Depute Provost Allyson Black
Councillor Angus MacDonald
Councillor Alistair McNeill
Councillor Robert Spears

Community Council: Grangemouth

Case Officer: David Paterson (Planning Officer), Ext. 4757

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application refers to approximately 190 square metres of ground at the east side of the garage/parking area at Harris Place, Grangemouth, adjacent to 8 Harris Place.
- 1.2 It is proposed to change the use of the application site from garage/parking area to extend the garden ground of 8 Harris Place and to enclose the area with a 1.8 metre high fence.
- 1.3 There are currently two garages located at the application site. Both garages belong to the applicant.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The land which constitutes the application site is owned by Falkirk Council. Under the Council's amended Scheme of Delegation, such applications require consideration by the Planning Committee.

3. SITE HISTORY

- 3.1 No relevant site history.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has raised no objections. It is advised, however, that there should be no obstruction to visibility over one metre in height within 2.5 metres of the channel line of the access lane.

5. COMMUNITY COUNCIL

- 5.1 No representation has been received from Grangemouth Community Council.

6. PUBLIC REPRESENTATION

- 6.1 Two letters of objection have been received. The grounds of objection are that two properties at Tedder Street, Grangemouth, which back onto the application site, have a gate in their boundary fence which provides access to the existing garage/parking area. There is concern that emergency vehicles would not be able to access the rear gardens of these two properties at Tedder Street should planning permission be granted.

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 No strategic issues are raised by the proposed development.

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 It is not considered that the proposed development would have a significant impact on adjacent properties in terms of amenity or privacy. It is not considered that there would be a significant impact on off-street parking provision.

7a.4 The proposed development accords with Policy SC9.

7a.5 Policy SC10 - 'Existing Community Facilities' states:

"There will be a presumption against the loss of existing community facilities unless the Council is satisfied that there is no longer a need for the facility or an acceptable alternative facility is available."

7a.6 The application site forms part of an existing community garage/parking site, but Grangemouth Neighbourhood Officer has advised that Corporate and Neighbourhood Services has no objection to the proposal because it is not considered that there is any longer a need for the application site as a garage/parking area.

7a.7 The proposed development accords with Policy SC10.

7a.8 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the public representations received.

Assessment of Public Representations

7b.2 The Neighbourhood Officer has confirmed that the access gates at the boundary fencing of properties at Tedder Street have no formal status and that occupants at Tedder Street have no right of access to the application site.

7b.3 It is not considered that the proposed development would render properties at Tedder Street inaccessible to emergency vehicles.

7c Conclusion

7c.1 The proposed development accords with the Development Plan.

7c.2 The proposed development would not have a significant impact on adjacent properties in terms of amenity or privacy. The proposed development would not have a significant impact on off-street parking provision.

8. RECOMMENDATION

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

- (1) The development to which this permission relates must be begun within three years of the date of this permission.
- (2) There shall be no obstruction to visibility over one metre in height within 2.5 metres of the channel line of the entrance to the access lane.

- (3) Notwithstanding any details previously submitted, the development shall not commence on site until details of boundary fencing have been submitted to, and approved in writing by, the Planning Authority.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) In the interests of safeguarding highway users.
- (3) In the interests of visual amenity.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A and 02A.

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Director of Development Services

Date: 24 January 2011

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan.
2. Falkirk Council Structure Plan.
2. Letter of Objection received from Anne O'Donnell, 24 Tedder Street, Grangemouth, FK3 8SG on 6 December 2011.
3. Letter of Objection received from Mr F McFadden, 22 Tedder Street, Grangemouth, FK3 8SG on 9 December 2011.

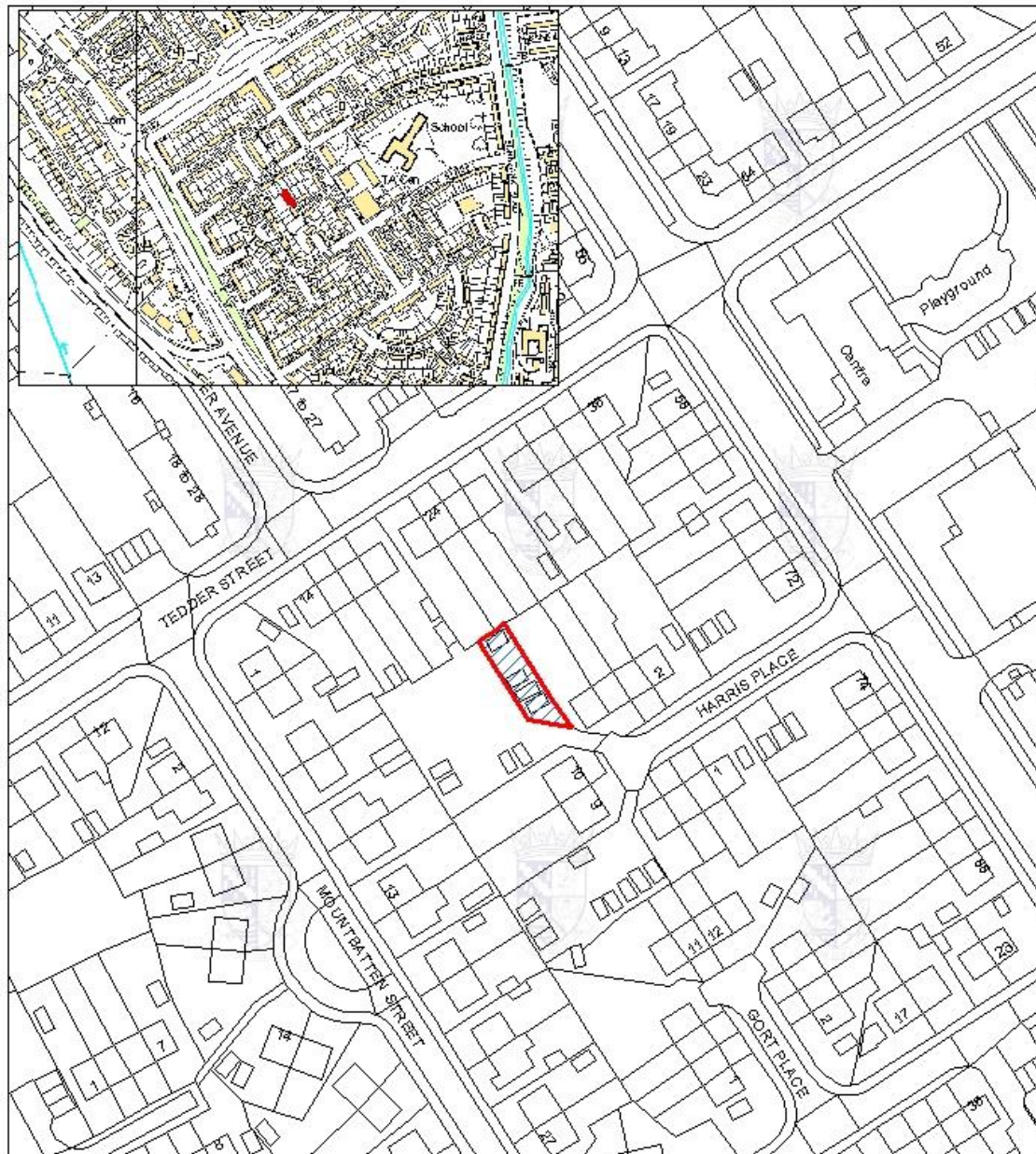
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson, Planning Officer.

Planning Committee

Planning Application Location Plan

P/11/0677/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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