

AGENDA ITEM No. 2

Application No: N/07/00276/FUL

Date Registered: 20th February 2007

Applicant: Mr John Rafferty
2 Drumglass Steadings
Near Croy
G65 9TR

Development: Erection of 1.8 Metre Fence

Location: 2 Drumglass Steadings
Kilsyth

Ward: 64 Croy And Kilsyth South And Smithstone Councillor Francis Griffin

Grid Reference: 271991 675477

File Reference: N/07/00276/FUL

Site History:

- 04/00239/FUL Change of Use of Waste Land to Garden Ground Approved 21/04/2004
- 04/01027/FUL Construction of a Garage Approved 28/07/2004
- 04/02156/AMD Construction of a Garage (Amendment to Planning Application N/04/01027/FUL) Approved 02/03/2005

Development Plan: The site is covered by Green Belt policies in the Kilsyth Local Plan 1999

Contrary to Development Plan: No

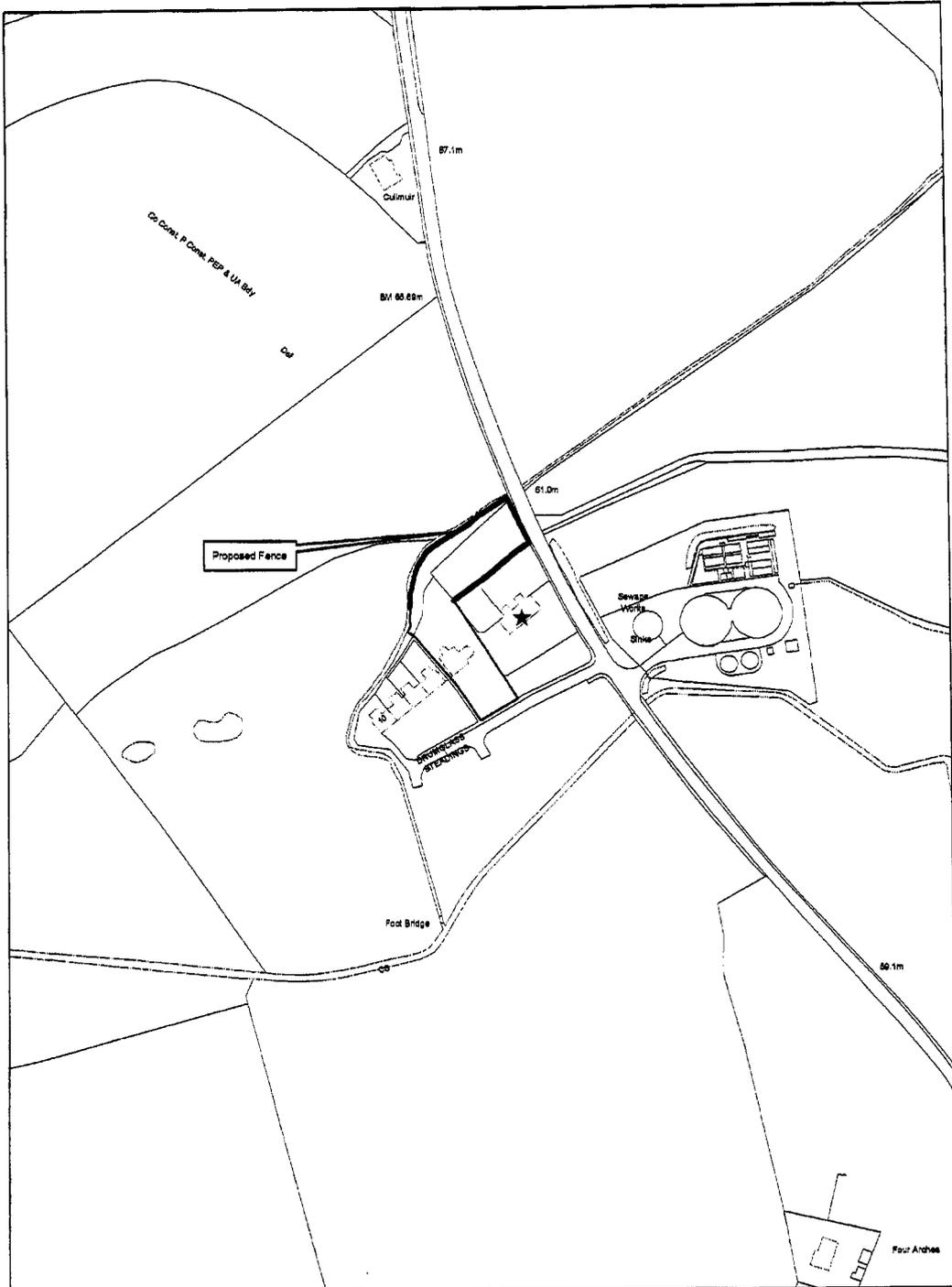
Consultations:

Representations: 1 letter of representation received.

Newspaper Advertisement: Not Required

Recommendation: Approve Subject to the Following Conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission
Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
2. That the fence hereby approved shall match the design and height of the existing fence at 2 Drumglass Steadings.
Reason: In the interests of visual amenity.
3. That a visibility splay of 2.5 metres by 160 metres, measured from the driveway of Drumglass Cottage shall be provided. For the avoidance of doubt, this shall require the relocation of the



The above is reproduced from a plan of the site
 prepared by the Planning Department of the
 Council of the County of Wick, and is hereby
 certified to be a true and correct copy of the
 original plan as deposited with the Council
 on the 15th day of June 1955.
 J. J. O'NEILL, Clerk.

N/07/00276/FUL
Mr J Reilly
2 Drumglass Steadings Croy
Erection of a 1.8 Metre High Fence
★ Representation

N
 North
Lanarkshire
 Council
 1:2,500

boundary fence outwith the required visibility splay highlighted in BLUE on the approved plans.

Reason: To ensure satisfactory vehicular access to and from Drumglass Cottage.

Background Papers:

Application form and plans received 20th February 2007

Letter from Christine & Michael Insley, Drumglass Cottage, Kilsyth, G65 9TR received 2nd March 2007.

Kilsyth Local Plan 1999

Any person wishing to inspect these documents should contact Mrs Kirsten Devlin at 01236 616463.

DATE: 14th March 2007

APPLICATION NO. N/07/00276/FUL

REPORT

1. Description of Site and Proposal

- 1.1 This application is for the erection of a 1.8 metre high fence on land associated with 2 Drumglass Steadings, near Croy. It is proposed that the fence will match the existing rear garden boundary fencing at nos. 2 – 10 Drumglass Steadings.
- 1.2 The area to be fenced off sits north of Drumglass Cottage and was granted a change of use from waste land to garden ground in April 2004.

2. Development Plan

- 2.1 The application raises no strategic issues in terms of the Glasgow and the Clyde Valley Joint Structure Plan 2000 and can therefore be assessed against Local Plan policies.
- 2.2 In terms of the Kilsyth Local Plan 1999 the site is covered by Green Belt policies.

3. Consultations and Representations

- 3.1 My Traffic and Transportation Section have commented that a visibility splay of 2.5m x 160m is required within which nothing higher than 900mm is to be erected, due to the location of the neighbouring driveway. This matter can be dealt with as a condition.
- 3.2 One letter of objection has been received from the residents of Drumglass Cottage who abut the application site. The main points of objection and my comments thereon are as follows:-

- The proposal is contrary to the Local Plan as the land is zoned as Green Belt.

Comment: While the land is zoned as Green Belt in the Kilsyth Local Plan 1999 it is garden ground associated with 2 Drumglass Steadings (Approved in April 2004).

- The land is currently being used as a builder's yard without the benefit of any permissions. There is concern that if approved, the fence would allow more material to be stored on site.

Comment: At present there are plant, machinery and some building materials on the ground. This matter will be investigated further, and, if necessary, the appropriate enforcement action will be initiated to ensure that the land remains as garden ground.

- The boundary treatments in the area are either hedgerows or dry stone walls. A modern wooden fence would be out of character. The objectors' house faces north, unlike the rest of the houses at Drumglass Steadings, therefore having the equivalent of a back fence at the front of their property.

Comment: I am satisfied that the proposed fence will tie in adequately with the rest of the boundary fencing at Drumglass Steadings, and will have a minimal impact on the adjacent residents.

- A 1.8 metre high fence adjacent to the objectors' driveway will restrict their view of the road, which is used by heavy goods vehicles. The road is already a well known accident black spot.

Comment: My Traffic and Transportation Section have stated that a visibility splay of 2.6m x 160m is required in order to protect the neighbours' visibility when exiting the driveway. This matter can be dealt with by attaching a planning condition.

- It is stated that amenity and outlook has been lost by the construction of roads associated with the renovated properties at Drumglass Steadings and the large detached garage. A fence will remove their only open aspect.

Comment: The roads and garage are bound to have had some impact on the objector's amenity and outlook. It is considered that the construction of a 1.8 metre high fence (which will be approximately 8 metres from the front elevation of their house) will have little impact on amenity and outlook.

- The objectors are concerned that access to their septic tank (which is located on the applicant's land) will be restricted by the proposed fence.

Comment: The above is a legal matter between the parties and is not material to the consideration of this application.

- It appears that part of the fence is to be constructed on land owned by the objector, and they require clarification of where exactly it is proposed.

Comment: This is a legal matter between the parties involved and is not a material planning consideration. The submitted plans clearly outline the intended location of the fence.

4. Planning Assessment and Conclusions

4.1 Under section 25 of the Town and Country planning (Scotland) Act 1997 planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. It is considered that the development will have a minimal impact on the adjacent neighbours providing the visibility from their driveway is maintained (which can be conditioned). Notwithstanding the objections raised and discussed in Section 3 above, it is recommended that planning permission be granted.

4.2 The issue of the use of the ground as a "builder's yard" will be followed up separately.