

EAST RENFREWSHIRE COUNCILPLANNING APPLICATIONS COMMITTEE6 April 2016Report by Director of EnvironmentPLANNING ENFORCEMENT – 70 CRAIGHLAW AVENUE, WATERFOOT**1.0. INTRODUCTION**

- 1.1 This report is to request that Members authorise enforcement action to be taken in respect of the unauthorised erection of a fence at 70 Craighlaw Avenue, Waterfoot, G76 0EZ.

2.0. BACKGROUND

- 2.1. In June 2015, a planning application was submitted for the erection of a fence at the house at 70 Craighlaw Avenue, Waterfoot. The planning officer highlighted potential issues with the proposed fence to the applicant and suggested ways in which the application could be amended to make the application more likely to receive favourable consideration. This primarily centred on his concern that the fence would enclose much of the front garden of the property at a height of 1.8m. The house sits in a prominent corner position and it was considered that the fence proposed would be out of character with houses in the immediate area and would have significant impact on local amenity. He also suggested that the Council's Roads Service may have concerns with the potential impact on road safety.
- 2.2. Rather than amending the proposal the applicant chose to complain, among other matters, that the planning officer had pre-judged the application and that his application would not be given proper consideration. The applicant also claimed that he had been misinformed of the need for planning permission for the fence. He withdrew his application in November 2015. His complaints were the subject of Stage 1 and Stage 2 complaint procedures under the Council's Corporate Complaints Procedures and the response given to these reiterated that planning permission was required for the fence. The applicant was also made aware of the road safety concerns.
- 2.3. A report was later received that much of the fence applied for, including the sections to the front of the house, had been constructed. A site visit was undertaken in February 2016 and this has been confirmed. The applicant has since been advised of the Council's intention to undertake formal planning enforcement action.
- 2.4. The Council's Roads Service has confirmed that they have concerns regarding the impact of the fence on road safety.
- 2.5. The Planning Service is of the opinion that much of the fence, namely those sections forward of the front elevation of the house, is contrary to Policy D1 of the adopted Local Development Plan as its position and scale do not reflect the existing character of the area and thus results in a significant loss of amenity to the surrounding area. The impact on road safety is also of concern.

- 2.6. It is requested that the Planning Applications Committee to authorise formal planning enforcement action in the form of a Planning Enforcement Notice requiring that specified sections of the fence be removed or reduced to a height of 1.05m.

3.0. MAIN ISSUES

- 3.1. The fence that has been erected is unauthorised. Sections of the fence have significant adverse effect on the amenity of the surrounding area and there are associated road safety concerns.

4.0. RECOMMENDATION

- 4.1. Members are requested to authorise the service of an Enforcement Notice to require the removal or reduction in height of the unauthorised fence at 70 Craighlaw Avenue, Waterfoot.

Director of Environment
April 2016



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This is the plan referred to in the Planning Committee Enforcement Report for 70 Craighlaw Avenue, Waterfoot, Eaglesham.