

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts to be considered by Planning Applications Committee on
10th February 2016

Reference No: 2015/0776/TP

Ward: 1

Applicant:

Mr Alistair Langfield
11 Arisdale Crescent
Newton Mearns
East Renfrewshire
G77 6HE

Agent:

Site: 11 Arisdale Crescent, Newton Mearns, East Renfrewshire, G77 6HE

Description: Erection of fence at side (in retrospect)

Reference No: 2016/0002/TP

Ward: 6

Applicant:

Councillor Stewart Miller
Flenders Farm
Low Flender Road
Clarkston
East Renfrewshire
G76 8RD

Agent:

Site: Flenders Farm, Low Flender Road, Clarkston, East Renfrewshire, G76 8RD

Description: Erection of cattle shed

REPORT OF HANDLING

Reference: 2015/0776/TP

Date Registered: 8th December 2015

Application Type: Full Planning Permission

This application is a Local Development

Ward: 1 Neilston Newton Mearns North Uplawmoor

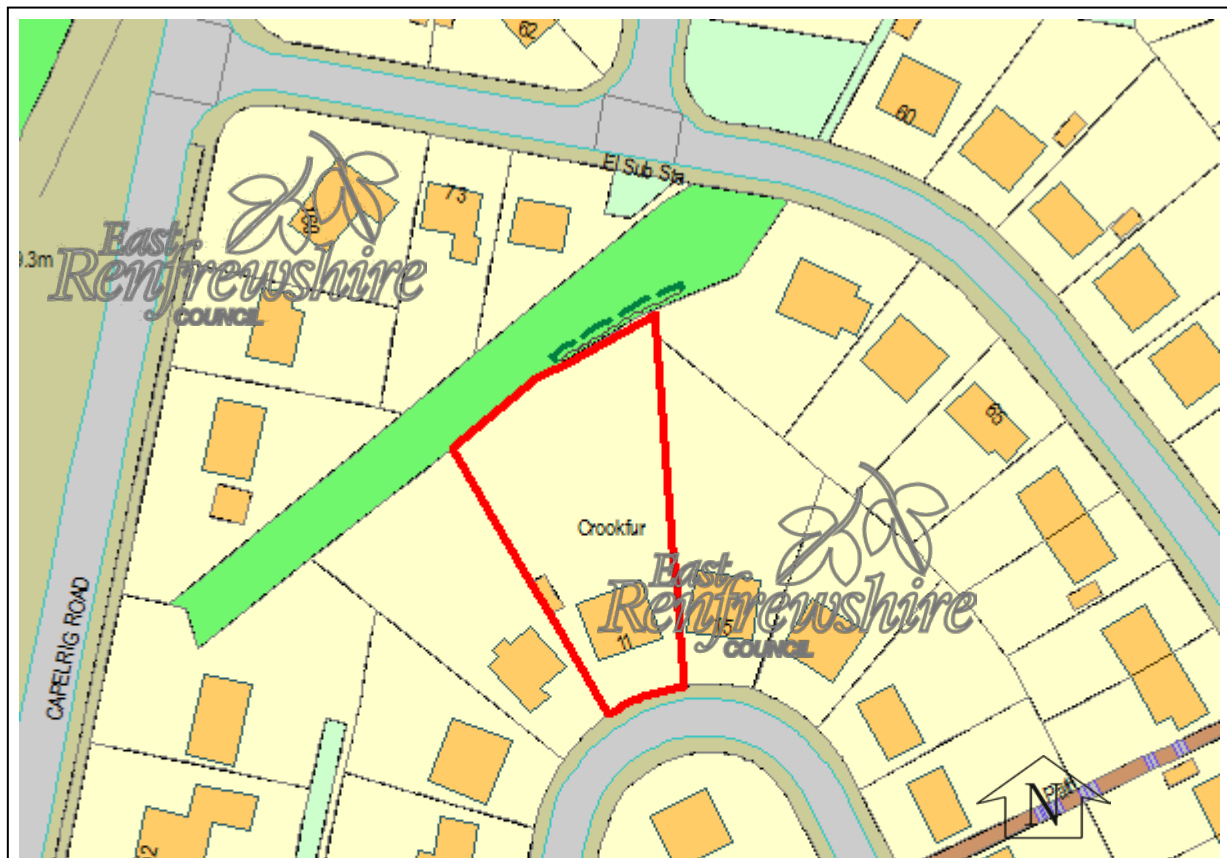
Co-ordinates: 254155/:656751

Applicant/Agent: Applicant: Agent:

Mr Alistair Langfield
11 Arisdale Crescent
Newton Mearns
East Renfrewshire
G77 6HE

Proposal: Erection of fence at side (in retrospect)

Location: 11 Arisdale Crescent
Newton Mearns
East Renfrewshire
G77 6HE



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CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2015/0699/TP	Erection of fence at side (in retrospect)	Withdrawn	24.11.2015
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REPRESENTATIONS:

A total of 14 representations have been received:

Representations can be summarised as follows:

The fence is not in keeping with the area and is too tall

Will set a precedent

It restricts light in the late afternoon, and references one other instance where the fence was restricted to a height of 2m

Submission in terms of the height of the fence detailed is misrepresented

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

No reports have been submitted for consideration as part of this application.

ASSESSMENT:

This is a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However as more than 10 objections have been received the application has to be presented to the Planning Applications Committee for determination.

The application site consists of a detached bungalow and its curtilage on the north side of Arisdale Crescent within an established residential area of Newton Mearns. The immediate area largely consists of bungalows.

The application is for a fence that has already been constructed along part of the side boundary with the neighbouring property at number 15 Arisdale Crescent. The application is a result of an enforcement complaint. An earlier planning application for the fence (2015/0699/TP) was withdrawn by the applicant and a 300mm high trellis which had sat on top of the fence was removed prior to the submission of the current application.

The proposal is required to be assessed against Policy D1 of the adopted East Renfrewshire Local Development Plan. This policy indicates that development should not result in significant loss of character or amenity to the surrounding area and should not adversely impact the amenity of neighbouring properties by unreasonably restricting their sunlight. As this is a fence in a residential location the general principle of the construction of the fence is considered to be acceptable. The determining issue is whether the fence is excessive in scale that would in turn adversely affect the amenity of neighbouring properties through its visual impact or unreasonably restricting sunlight.

The fence consists of close boarded vertical timber slats. The fence is 'L' shaped with its long leg approximately 15.5m long along the common boundary with 15 Arisdale Crescent. Its short leg is approximately 2.5m long and runs from the applicant's house to the common boundary and this section of fence includes a gate. Approximately 7.5m of the long leg of the fence is more exposed

to the neighbouring property and much of this section is between 2m and 2.1m high when measured from the applicant's property. This section only rises marginally above that which would be allowed under permitted development rights ie 2m. A short section of this part of the fence measured from the neighbouring garden rises to a height of 2.2m.

A short section of the long leg of the fence rises to a height of 2.5m when measured from the garden of the neighbouring property. It sits immediately behind a structure in the form of a workshop/gazebo which sits within the neighbouring garden. This workshop/gazebo itself is approximately 2.4m high. A slight reduction in the height of this section of the fence was also suggested to the applicant however given the presence of the structure immediately behind it, it is considered to be acceptable. This section of the fence cannot readily be seen from the roadway.

The short leg of the fence which sits between the side wall of the applicant's house and the side boundary separates the applicant's rear garden from the front curtilage of the property. It rises to a height of 2.36m when measured from the applicant's property however due to changes in the ground level in the front garden area it appears lower when viewed from the public footway. It should be noted that none of the representations suggest any particular issue with this section of the fence. A slight reduction in the height of this section of the fence (by removing one of the horizontal timber slats at it stop) by approximately 100 mm was suggested to the applicant but not carried out. Notwithstanding this section of the fence is considered to be acceptable in height when viewed from the roadway.

It is not considered that the fence is excessively high and is considered acceptable against the relevant criteria in Policy D1 of the Local Development Plan.

In terms of the objections that have been received the following comments are made. An assessment of the visual impact of the fence has been made above and this impact is considered acceptable. It is not considered that the decision on this application would set a precedent. Should similar applications be received in the future they will be assessed against the relevant development plan policies and any material planning considerations.

In addition the representations suggest that the height of the fence is not detailed or misrepresented; that it restricts light in the late afternoon; and refers to one other instance where the fence was restricted to a height of 2m and that the application fence must be reduced to a height of 2m.

It is considered that the information submitted with the application is sufficient to determine the application. In any event the fence is already in place and the dimensions have been measured on site.

Any additional overshadowing is considered to be marginal given that part the fence rises only slightly above that which would be allowed under permitted development rights. Indeed the loss of light resulting from the fence is not considered excessive. The two short sections of fence which rise above 2m are neither overbearing when viewed from the neighbouring garden nor do they result in significant additional loss of light.

Therefore, taking into account the Local Development Plan and material planning considerations, it is recommended that the application be approved.

RECOMMENDATION: Grant

PLANNING OBLIGATIONS: None

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr Ralph Howden on 0141 577 3694.

Ref. No.: 2015/0776/TP
(RAHO)

DATE: 3rd February 2016

DIRECTOR OF ENVIRONMENT

Reference: 2015/0776/TP - Appendix 1
DEVELOPMENT PLAN:

Strategic Development Plan

This proposal raises no strategic issues in terms of the Glasgow and the Clyde Valley Strategic Development Plan and therefore the East Renfrewshire Local Plan is the relevant policy document

Adopted East Renfrewshire Local Development Plan

Policy D1

Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species.
The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;
11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where

appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;

15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

GOVERNMENT GUIDANCE:

Given the size and scale of the development it is not considered that government guidance is a relevant material consideration.

REPORT OF HANDLING

Reference: 2016/0002/TP

Date Registered: 5th January 2016

Application Type: Full Planning Permission

This application is a Local Development

Ward: 6 -Busby Clarkston Eaglesham

Co-ordinates: 256587/656235

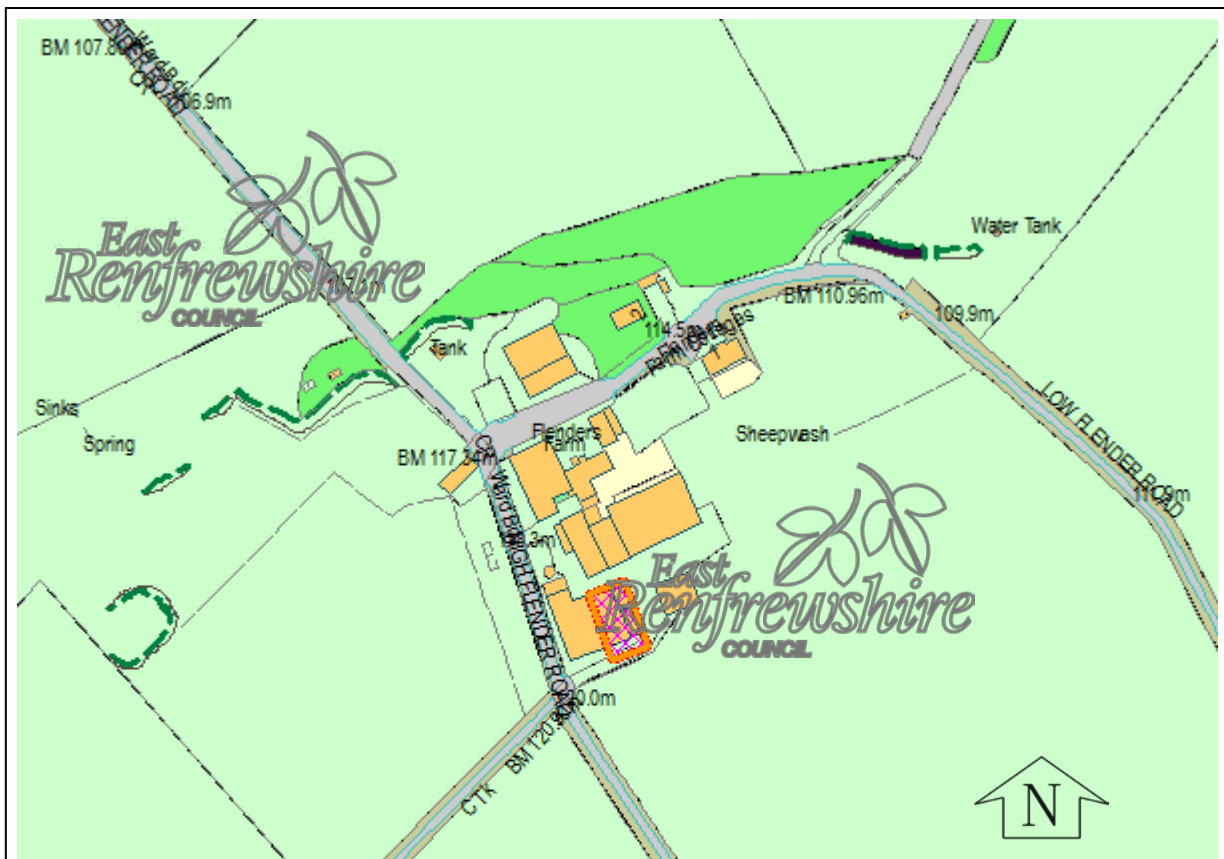
Applicant/Agent:

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CONSULTATIONS/COMMENTS: None.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2015/0487/PN	Erection of cattle shed (prior approval)	Withdrawn	30.07.2015
2015/0561/TP	Erection of Cattle Shed (to replace storm damaged building).	Withdrawn	28.08.2015
2015/0728/PN	Erection of cattle shed (prior approval)	Granted	18.11.2015

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

No reports have been submitted for consideration as part of this application.

ASSESSMENT:

This is a Local Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. However as the application has been submitted by an elected member of the Council the application has to be presented to the Planning Applications Committee for determination.

The application site comprises an area to the rear of the farm buildings at Flenders Farm, Low Flenders Road, Clarkston. The farm and its associated buildings are located to the east of Mearns Road, Clarkston. The farm extends to some 116.85 hectares and the main farm enterprise is rearing of beef cattle. The site is located in the greenbelt.

Prior approval was recently granted (2015/0728/PN) for a cattle shed to replace part of a shed destroyed by fire in 2015. The current application is to erect a cattle shed to replace the remaining part of the original shed. The reason why planning permission is required for this shed is that the aforementioned prior approval for the adjacent shed has been granted within the last 2 years and the sheds are beside each other.

The proposed shed will have a ridge height of 6.48m and will be 24.384m long and 12.192m wide. The east facing side of the shed and both end elevations will be formed from concrete panels to a height of 1.5m with slate blue coloured Plastisol coated box profile steel sheeting above. The west facing elevation will be open. The roof will be pitched and finished in fibre cement corrugated panels with a grey finish with insert GRP rooflights.

The application requires to be assessed against the adopted Local Development Plan and any material considerations. The relevant policies in the East Renfrewshire Local Development Plan are D1 and D3 with the supporting Supplementary Planning Guidance - Rural Development Guidance.

The proposed building will largely be hidden from wider public view by the shed which has already been granted under 2015/0728/PN. It will also be of similar height and general dimensions to the section of the original shed it is to replace. The shed is located at a grouping of buildings and is similar in appearance to other agricultural sheds found in the countryside.

It is considered that the proposal is an appropriate development within the greenbelt and that the siting, size, scale and materials of the development will not have an adverse impact on the rural character of the landscape. The proposal therefore accords with the relevant Local Development Plan policies.

RECOMMENDATION: Grant

PLANNING OBLIGATIONS: None

ADDITIONAL NOTES: None

ADDED VALUE: None

BACKGROUND PAPERS:

Any background papers referred to in this report can be viewed at www.ercplanning.eastrenfrewshire.gov.uk/eplanning, where you can enter the Reference Number listed below. Any further information can be obtained from Mr Ralph Howden on 0141 577 3694.

Ref. No.: 2016/0002/TP
(RAHO)

DATE: 3rd February 2016

DIRECTOR OF ENVIRONMENT

2016/0002/TP - APPENDIX 1

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16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D3

Green Belt and Countryside Around Towns

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Further detailed information and guidance is provided in the Rural Development Guidance Supplementary Planning Guidance.

GOVERNMENT GUIDANCE:

Given the size and scale of the development it is not considered that government guidance is a relevant material consideration.