

REPORT OF HANDLING FOR APPLICATION 24/01514/FUL

ADDRESS:	118 Blackhill Drive Glasgow G23 5NN	Item 3 4th February 2025
PROPOSAL:	Erection of fence to side of dwellinghouse.	

DATE OF ADVERT:	This application did not require to be advertised.
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	One representation received – objecting. Main points summarised below: <ol style="list-style-type: none"> 1. Issue relating to traffic, parking and access problems <ul style="list-style-type: none"> - Comment: the development could potentially obstruct their visibility when driving out of their driveway. 2. Objection to fence height of 2 metres <ul style="list-style-type: none"> - Comment: the proposal is for a fence with a height of 1.69 metres which is in line with the height of the fence when first built.
PARTIES CONSULTED AND RESPONSES	Glasgow City Council's Transport Planning team was consulted. Their recommendation is as follows: <i>"Application should be refused as the fence is too high. Fence should not exceed 600mm in compliance with Fig 3.2 of the residential design guide."</i>
PRE-APPLICATION COMMENTS	No pre-application advice sought prior to the development. Following the works, the applicant was informed that an application for Planning Permission would be required.

EIA - MAIN ISSUES	NONE
CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES	NOT APPLICABLE
DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES	NOT APPLICABLE
IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES	NOT APPLICABLE
S75 AGREEMENT SUMMARY	NOT APPLICABLE
DETAILS OF DIRECTION UNDER REGS 30/31/32	NOT APPLICABLE
NPF4 POLICIES	The National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland up to 2045. Unlike previous national planning documents, the NPF4 is part of the statutory development plan and Glasgow City Council as planning authority must assess all proposed development against its policies. The following policies are considered relevant to this application: Policy 1: Tackling the climate and nature crises Policy 2: Climate mitigation and adaption Policy 14: Design, Quality and Place Policy 16: Quality Homes
CITY DEVELOPMENT PLAN POLICIES	CDP 1: The Placemaking Principle SG 1: Placemaking, Residential Development – Alterations to Dwellings & Gardens

OTHER MATERIAL CONSIDERATIONS	Design Guide New Residential Areas 3. Design Standards – Figure 3.2
REASON FOR DECISION	The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.

	COMMENTS
PLANNING HISTORY	<p>23/00568/EN: Alleged Breach: Unauthorised alterations to fence</p> <p>Investigation Outcome: Founded – Enforcement Actions Necessary</p> <p>On the back of the investigation, the offending property owner has submitted this Retrospective Planning Application for consideration.</p>
SITING	The application site is located in an established residential area, within Ward 15 - Maryhill. The property occupies a corner plot and is a detached dwelling on the north side of Blackhill Drive. This 2-storey dwelling is similar in character to many properties in the neighbourhood. The property has an enclosed garden at the rear (east) providing private amenity space. The property also benefits from a front garden with no fencing. The side fencing along Blackhill Drive is 1.69-metre-high fence. The current fence is an anomalous feature in the streetscape as most of the street-facing gardens have soft landscaping (hedges) as a boundary treatment.
DESIGN AND MATERIALS	Formation of a 1.69 metre high fence along the south side boundary of the property that fronts onto the street along Blackhill Drive. Fence to be formed of vertical slatted timber secured to 90mm x 90mm fence posts. Fencing to be chamfered to front of house & to neighbour at driveway to 116 Blackhill.
DAYLIGHT	No issues.
ASPECT	The proposed fence will front onto the street along the south and west boundary of the site.
PRIVACY	Typically, the garden ground at the rear of a dwelling provides private amenity space. The application property benefits from an area of garden ground at the rear which can be suitably screened with a fence up to 2 metres in height under permitted development legislation. Generally, front gardens and side gardens with a street-facing frontage are not considered to offer the same levels of private amenity as a rear garden. The fencing along Blackhill Drive provides privacy to the rear garden. In this neighbourhood there is a variety of privacy screening including hedges but there is some high fencing for rear gardens. Consequently, the street-facing gardens in the locale are bounded by green soft-landscaping while rear gardens generally maintain privacy through high fencing.
ADJACENT LEVELS	No issues.
LANDSCAPING (INCLUDING GARDEN GROUND)	The amount of usable garden ground will not be affected by this proposed development. Therefore, no development plan issues in this regard.
ACCESS AND PARKING	No changes proposed to the current access and parking arrangements. However, the development has the potential to interfere with the visibility of vehicles when pulling out of their driveway and when approaching the corner of Blackhill Drive.
SITE CONSTRAINTS	No relevant site constraints.
OTHER COMMENTS	<p>Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.</p> <p>The issues to be taken into account in the determination of this application are therefore considered to be:</p> <ul style="list-style-type: none"> a) Whether the proposal accords with the statutory Development Plan; b) Whether any other material considerations (including objections) have been satisfactorily addressed.

In respect of (a), the Development Plan comprises of NPF4 adopted 13th February 2023 and the Glasgow City Development Plan adopted 29th March 2017. The proposal is generally consistent with the aims and abovementioned policies of NPF4 as the proposal uses timber, which is considered to be a sustainable material and appropriate for construction of a fence.

Policy 14: Design, Quality and Place

The intent of Policy 14 is to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle. Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 16: Quality Homes

Policy 16 states that householder development proposals will be supported where they do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials.

Case Officer Comment:

The development of the 1.69 metre high solid panel fence along the street-facing boundaries has meant that the originally planted greenery along an amenity strip of the estate has had to be removed. This development has a detrimental effect to the area given that it is in a location that is readily observable from public areas.

The proposal is not considered to be consistent with the aims of Policy 14 and Policy 16 of NPF4.

Glasgow City Development Plan

CDP 1: The Placemaking Principle

Policy CDP 1 is an overarching Policy which must be considered for all development proposals to help achieve the key aims of the Glasgow City Development Plan. CDP 1 states that *new development should aspire towards the highest standards of design while providing high quality amenity to existing and new residents in the City. New development should respect the environment by responding to its qualities and character.*

Case Officer Comment: The proposed development fails to respect the quality and character of the local built environment. The proposed development, when assessed as a whole, appears incongruous and over-dominant rather than a suitable and harmonious addition to the property.

The proposal is considered to be contrary to Policy CDP 1.

SG 1: The Placemaking Principle

This guidance sets out the planning requirements for alterations to dwellings and gardens for particular types of householder developments, such as fences and boundary treatments. It outlines the criteria that must be met in relation to, for example design and materials. It seeks to ensure that alterations to houses are carefully designed, so that the visual amenity of residential buildings and areas is not adversely affected by over-dominant developments and that residential amenity is not reduced. The following is an extract of the guidance that applies to this application:

- *The siting, form, scale, proportions and detailed design should be in keeping with the existing building and wider area.*
- *Alterations to dwellings should be designed so they do not dominate the existing building, or neighbouring buildings.*
- *External materials should reflect the character of the original building and the street.*
- *In front gardens, where privacy is less of a consideration, walls and fences should not exceed 1 metre in height.*
- *In rear gardens, where a level of privacy can be expected, walls and fences up to 2 metres are acceptable.*

Case Officer Comment:

The proposed development is a 1.69-meter-high fence. However, the new proposal places the fence closer to the road than in the original plan and encapsulates a strip of land which previously was a landscaping strip with the softening effect of planted shrubs. Similar fencings in the estate all have a strip of greenery separating the fence with the footpath;

	<p>therefore the development is considered to be incongruent with the general provision of permitter fencing within the estate and is therefore detrimental to the visual amenity of the area and the character of the street scene.</p> <p>The proposal is considered to be contrary to SG 1.</p> <p>Design Guide New Residential Areas</p> <p>This guidance builds on and interprets the guidance set out in Designing Streets and draws together the Council's key planning and road design requirements. It is used by Council officials to support their assessment of residential proposals that require planning and/or road construction consent. The following is an extract of the guidance that applies to this application:</p> <ul style="list-style-type: none">• Checking visibility in the vertical plane is then carried out to ensure that views in the horizontal plane are not compromised by obstructions such as the crest of a hill, or a bridge at a dip in the road ahead. It also takes into account the variation in driver eye height and the height range of obstructions. Eye height is assumed to range from 1.05 metres (for car drivers) to 2 metres (for lorry drivers). Drivers need to be able to see obstructions 2 metres high down to a point 600 mm above the carriageway.• Forward visibility is the distance a driver needs to see ahead to stop safely for obstructions in the street. The minimum forward visibility required is equal to the minimum SSD. It is checked by measuring between points on a curve along the centreline of the inner traffic lane. Consideration should be given to vertical geometry and any other obstructions. There will be situations where it is desirable to reduce forward visibility in conjunction with other methods to control traffic speeds.• Figure 3.2 - Measurement of forward visibility <p><u>Case Officer Conclusion</u></p> <p>In terms of (b), other material considerations include the views of statutory and other consultees and the contents of letters of representations. Glasgow City Council's Transport Planning team recommend the proposal is unacceptable and should be refused as the fence exceeds 600mm in compliance with Figure 3.2 of the Design Guide New Residential Areas.</p> <p>Every application for Planning permission is assessed on its own merits against the current Development Plan. When assessed as a whole, it is considered the proposed development will have a detrimental impact on the amenity of the application site and neighbouring properties. Furthermore, the Transport Planning team recommends the proposal is refused. It is considered, for the reasons outlined in the report above, this application is not in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan. On the basis of the foregoing, it is recommended that this application for planning permission be refused.</p>
RECOMMENDATION	Refuse

Date	09.08.2024	DM Officer	Ellen Sanders
Date	<u>09.08.2024</u>	DM Manager	Tony Trotter

24/01514/FUL: REFUSAL REASONS

RFDELZ

01. **V02 – Reason to REFUSE** – The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.
02. The proposal is contrary to Policy 14: Design, Quality & Place and Policy 16: Quality Homes of the National Planning Framework 4, CDP 1: The Placemaking Principle and SG 1: Placemaking (Part 2, Residential Development - Alterations to Dwellings & Gardens) of the Glasgow City Development Plan as specified below, and there is no overriding reason to depart therefrom.
03. The proposal is contrary to Policy 14: Design, Quality & Place of National Planning Framework 4 in that the proposed development has not been designed to improve the quality of the area. Furthermore, the proposed development has been poorly designed, will be detrimental to the amenity of the area and is inconsistent with the six qualities of successful places due to its siting, height, scale and design.
04. The proposal is contrary to Policy 16: Quality Homes of National Planning Framework 4 in that the proposed development will have a detrimental impact on the character and environmental quality of the home and the surrounding area in terms of its siting, height, scale and design.
05. The proposal is contrary to CDP 1 of the Glasgow City Development Plan in that, due to its inappropriate siting, height, scale and design, the proposed development fails to meet the highest standards of design while providing high quality amenity to existing and new residents in the City. Furthermore, the proposed development fails to respect the quality and character of the local built environment.
06. The proposal is contrary to SG 1 of the City Development Plan in that the erection of the fence, by virtue of its inappropriate siting, height, scale and design, will visually detract from the character and appearance of the property and would not be in keeping with the existing end-terrace dwelling and the wider area. The proposed development will give the appearance of an incongruous, disproportionate and over-dominant addition to the dwelling which would dominate the existing property and the neighbouring dwellings to the detriment of visual and residential amenity and the character of the street scene.

Drawings

The development shall not be implemented in accordance with the drawing(s)

Location Plan Received 10 June 2024

Proposed Site Plan Received 10 June 2024

Proposed Fence Received 26 July 2024

As qualified by the above reason(s), or as otherwise agreed in writing with the Planning Authority