

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 27 November 2013

Subject: Receipt of an appeal in relation to the refusal of application DC13/168 for the retrospective erection of a rear garden fence and access gate at 81 Kirk Crescent Old Kilpatrick.

1. Purpose

- 1.1** This report advises the Committee of the submission of a planning appeal.

2. Recommendations

- 2.1** That the Committee **note the receipt of this appeal.**

3. Background

- 3.1** A retrospective application for the erection of a rear garden fence and access gate was refused by the Planning Committee on 28 August 2013. The application was refused on the grounds that the new fence did not reflect the established boundary treatments along the lane leading to Old Kilpatrick Cemetery, and that it set an unacceptable precedent for replacing the original metal railings and introducing inappropriate domestic access onto the lane. Accordingly, the proposal was considered to be contrary to Policy H5 of the West Dunbartonshire Local Plan 2010.

4. Main Issues

- 4.1** An appeal against the refusal of planning permission has been lodged with Scottish Ministers. The appellant has requested the appeal be dealt with by way of a site visit and written submissions.

5. People Implications

- 5.1** None.

6. Financial Implications

- 6.1** The Appellant has not submitted an application for an award of costs, although the time period for doing so had not expired at the time of writing of this report.

7. Risk Analysis

- 7.1** It is not considered necessary to carry out a risk assessment in relation to this report.

8. Equalities Impact Assessment (EIA)

- 8.1** No equalities impact assessment is required.

9. Consultation

- 9.1** The Committee will be advised of the outcome of the appeal in due course.

10. Strategic Assessment

- 10.1** There are no strategic issues.

Richard Cairns

Executive Director of Infrastructure and Regeneration

Date: 12 November 2013

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Appendices: None

Background Papers: None

Wards Affected: Ward 6