

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Housing, Environmental and Economic Development

Planning Committee: 4 October 2011

DC11/174/COU Change of use of open space to garden ground at land adjacent to 12 Granger Road, Balloch by Mr S Carr

1. REASON FOR REPORT

- 1.1** This application relates to land owned by the Council. Under the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. DEVELOPMENT DETAILS

- 2.1** This application relates to a small area of open ground located adjacent to the applicant's home. The land covers an area of approximately 80m² and is positioned at the end of a row of semi detached houses, adjacent to the junction of a short cul-de-sac. There is a parking area to the rear of the land, and a row of houses on the opposite side of the cul-de-sac. The applicant proposes to use this area of open space as an additional area of garden ground. No details have been provided of the intended treatment of the boundary.

3. CONSULTATIONS

- 3.1** West Dunbartonshire Council Estates Service has no objection.

4. REPRESENTATIONS

- 4.1** None.

5. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

West Dunbartonshire Local Plan 2010

- 5.1** The site lies within an Existing Residential Area, within which Policy H5 requires that development proposals take account of the character of the area and the need to retain open space, amongst other criteria. The proposal would result in the loss of a small area of public open space, but it is considered that this space makes little contribution to the amenity of the area. The proposed use as private garden ground would be in keeping with the character and appearance of the area, and would therefore be in compliance with the above policy.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

Appearance and Character

- 6.1** The site lies within a residential area which primarily consists of semi detached and terraced properties. The layout of the area is such that the houses behind the applicant's home front a footpath rather than a road, and the adjacent cul-de-sac contains a small car park to serve these houses. The application land serves as an open area between this car park and the main road, so that the car park appears as part of the street rather than being hidden behind a fence. Other than this aesthetic function, the open space serves little practical purpose. Changing the use of the land to garden ground would not result in any loss of functional open space and would have no impact on any neighbouring property.
- 6.2** It would however be desirable for the open space to remain relatively open so that it does not serve to enclose the parking area at the rear. The provision of high fencing, extensions or outbuildings would have potential to detract from the appearance of the cul-de-sac, and might also interfere with sight lines for vehicles using the car park. The applicant has indicated that he intends to enclose the land with a fence, although at the time of writing he had not decided what type or height of fencing would be used. Consequently, a condition can be attached to any consent requiring approval of the boundary treatment and removing permitted development rights for extensions and outbuildings on the land.

7. CONCLUSION

- 7.1** It is considered that the change of use of this small area of open space to garden ground would not have any detrimental impact on the amenity of the area or any adjacent houses, and is acceptable in terms of local planning policies.

8. RECOMMENDATION

- 8.1** **Grant** full planning permission subject to conditions set out in Section 9 below.

9. CONDITIONS

- 01.** The development hereby approved shall commence within a period of 3 years from the date of this decision notice.
- 02.** The developer shall submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:
- a)** A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
 - b)** A Notice of Completion of Development as soon as practicable once the development has been completed

03. Prior to the commencement of works, full details of the design of any fence to be erected on site shall be submitted for the further written approval of the Planning Authority and shall be implemented as approved. Such fencing shall not exceed 1 metre in height.
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, and any subsequent orders amending, revoking or re-enacting that Order, no extensions or outbuildings shall be erected upon the land subject to this permission without an express grant of planning permission.

Elaine Melrose
Executive Director of Housing, Environmental
and Economic Development
Date: 21 September 2011

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Appendix: None.

Background Papers: 1. Application forms and plans;
2. Consultation responses; and
3. West Dunbartonshire Local Plan 2010.

Wards affected: 1 Lomond