

# Report

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Report to:	<b>Clydesdale Area Committee</b>
Date of Meeting:	<b>10/06/2008</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CL/08/0198
Planning Proposal:	Erection of Wrought Iron Railings and Gates (Retrospective)

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Stanley Burr Stolz & Cecilia Gilmour Stolz
- Location : "Cherubs"  
17 Bonnington Avenue  
Lanark  
ML11 9AL

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission – (Subject to Conditions – Based on Conditions Listed)

### 2.2 Other Actions/Notes

- (1) The Area Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: Scottish Conveyancing Services
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **Lower Clydesdale Local Plan (Adopted)**  
- Policy RES1:- Residential Areas

### **Finalised South Lanarkshire Local Plan - As Modified)**

- Policy RES6: Residential Land Use
- Policy DM1: Development Management

### ◆ Representation(s):

- ▶ 1 Objection Letters
- ▶ 0 Support Letters
- ▶ 1 Comments Letters

## Planning Application Report

### 1 Application Site

- 1.1 The application site is located at 17 Bonnington Avenue, within an established residential area of Lanark. It consists of a ground floor flat with associated garden to the front and side.
- 1.2 The application site is situated off an unadopted road and there is off street parking provided within the curtilage of the ground floor flat.

### 2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of a 1.2 metre high wrought iron fence and vehicular access gate along the boundary with Bonnington Avenue.

### 3 Background

#### 3.1 Local Plan Status

- 3.1.1 Policy RES1: Residential Areas of the Lower Clydesdale Local Plan (Adopted) and Policy RES 6 – Residential Land Use and Policy DM 1 – Development Management of the Finalised South Lanarkshire Local Plan apply. These policies seek to protect visual and residential amenity and to avoid any negative impact as a result of development.

#### 3.2 Relevant Government Advice/Policy

- 3.2.1 None relevant.

#### 3.3 Planning Background

- 3.3.1 There is no recent planning history for the site.

### 4 Consultation(s)

- 4.1 None

### 5 Representation(s)

- 5.1 One letter of representation has been received, the contents of which are summarised as follows:

- (a) **The application is retrospective.**

- Response:** Agree. This fact does not influence the assessment of the proposal.

- (b) **The gate hinders the objector's servitude right of access to her property.**

- Response:** Noted. This is a legal issue to be resolved between the parties involved and has no bearing on the assessment of this planning application.

This letter has been copied and is available for inspection in the usual manner.

## **6 Assessment and Conclusions**

- 6.1 The retrospective planning application under consideration is for the erection of a 1.2 metre high boundary fence and gate to the front of 17 Bonnington Avenue.
- 6.2 One letter of objection has been received, the grounds of which are based on legal issues pertaining to rights of access. This is not a material planning consideration and does not influence the assessment of this application.
- 6.3 The determining issues in assessing this application revolve around visual impact and road/public safety. The railings are very much in keeping with the character of the area and raise no issues in terms of visual amenity. In terms of road and public safety, the structure does not restrict vehicular visibility upon egressing the site and is therefore acceptable in this respect. Local Plan Policy seeks to protect the residential and visual amenity of the area and, in view of the above, no policy issues are raised. I therefore recommend that consent is granted.

## **7. Reason for Decision**

- 7.1 The proposal is acceptable in terms of visual amenity and road/public safety.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**2 June 2008**

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Representations
  - Representation from : Harper Macleod, The Ca'd'oro, 45 Gordon Street, Glasgow, G1 3PE, DATED 23/04/2008
  
  - Representation from : Lorna Davidson, 17a Bonnington Avenue, Lanark , ML11 9AL, DATED 28/04/2008

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Caroline Bell, Planning Officer, South Vennel, Lanark ML11 7JT  
Ext 3125 (Tel :01555 673125 )  
E-mail: [Enterprise.lanark@southlanarkshire.gov.uk](mailto:Enterprise.lanark@southlanarkshire.gov.uk)

## Detailed Planning Application

PAPER APART – APPLICATION NUMBER : CL/08/0198

### **CONDITIONS**

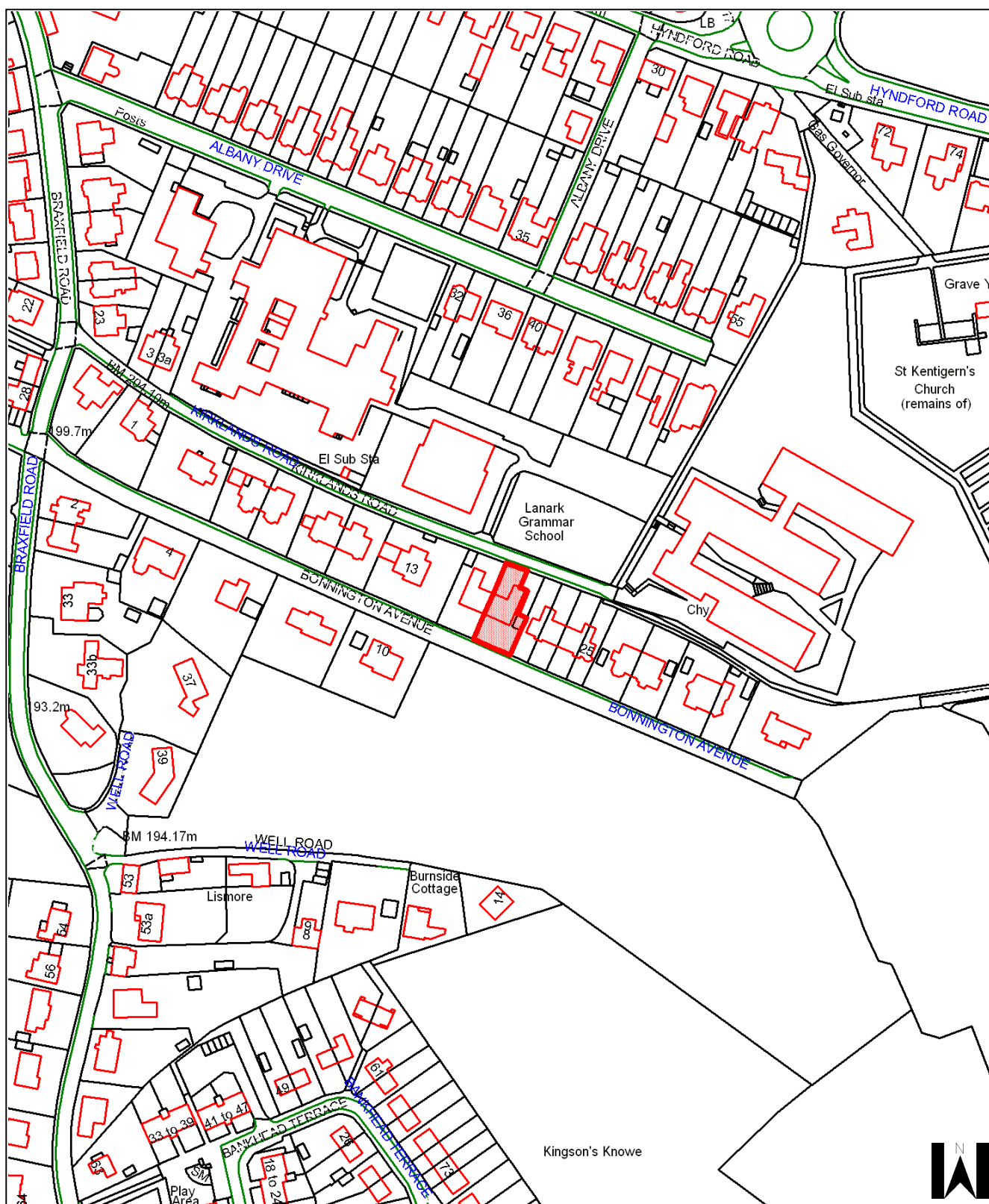
- 1        That the development hereby permitted shall be started within five years of the date of this permission.
- 2        That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.

### **REASONS**

- 1        To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2        In the interests of amenity and in order to retain effective planning control.

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