

Permission to erect Fencing/Gates



General

If you intend to carry out any improvements or alterations to your home and / or property and you are a council tenant you must first obtain permission from Stirling Council Housing Service. We also advise that you contact Stirling Council's Planning Service and Building Standards Team for advice on planning permission, building warrants, legislation, safety and other relevant issues, if necessary, prior to commencing work. If your property is within the Loch Lomond & Trossachs National Park (LLTNP), any Planning enquiries should be directed to the LLTNP Planning Authority located in Balloch.

If you are an owner-occupier in a former council house you may require planning permission or a building warrant for certain types of works. If you propose to carry out internal alterations that do not change the external appearance of your property, you do not require the prior consent of Stirling Council's Housing Service. If you propose to carry out alterations that alter the external appearance of your property or alterations to the land e.g. boundary treatment, driveway, extensions, garage etc, you require the prior consent of Stirling Council's Housing Service as the Benefitted Proprietor. An application form can be obtained from the following options: -

- Online - www.stirling.gov.uk
- Email - wightmang@stirling.gov.uk
- Phone - 0845 277 7000

Council Tenants

You can apply

- in writing to Technical Services, Springkerse Depot, Kerse Road, Stirling, FK7 7TE
- by telephoning 0800 027 5888
- by e-mailing info@stirling.gov.uk
- by completing the online contact form from our website www.stirling.gov.uk

You must make sure

- you do not carry out any work until formal written permission is given from Stirling Council.
- in most cases the dividing boundary feature between two properties is a mutual boundary between the occupants of both properties. You should first agree the style and height of the proposed fence with your neighbour prior to applying to Stirling Council's Housing Service for permission to proceed with the work.
- it is important that any boundary fence is erected on the legal boundary line. If you are unsure as to where the legal boundary is located you must contact us for confirmation.
- should you propose to erect a gate across a communal footpath you must first obtain the consent of all the owners with a right to use the communal footpath. In addition, the closing mechanism must be located at a height of 1.00m and no locks will be permitted. The closing mechanism must be a ring gate latch if the height of the gate exceeds 1.10m in height. For gates with a height of less than 1.10m, the closing mechanism to be used must be garden gate latch. Unrestricted access must be provided to all those with a right to use the footpath at all times.
- should you propose to erect a gate across a shared access footpath i.e. neighbouring properties have a right of access through your ground you do not require to obtain the consent of all the owners with a right to use the shared footpath. However, the closing mechanism must be located at a height of 1.00m and no locks will be permitted. The closing mechanism must be a ring gate latch if the height of the gate exceeds 1.10m in height. For gates with a height of less than 1.10m, the closing mechanism
- the Loch Lomond & Trossachs National Park (LLTNP) you should contact the LLTNP Planning Authority located in Balloch.

- when preparing the ground for erection of the fence and / or gate posts, you do not damage existing underground services. This is important, as you will be responsible for any damage caused as a result. Please note if any remedial work is required and is carried out by Stirling Council you will be accountable for these costs. Prior to work commencing you should contact the relevant utility services for confirmation as to the location of any underground services such as electricity supply cables, gas supply pipes, drainage etc.
- you agree to have the work carried out by a qualified tradesperson and to the complete satisfaction of Stirling Council
- you agree that you are responsible for the full costs of the installation. Where the fencing is to be erected along an internal boundary dividing two properties, the fence becomes the mutual property of both neighbouring properties. Each property is therefore responsible for the future repair and maintenance of the fence. Where the fence is erected along the front boundary of a property, it is the occupants sole responsibility to repair and maintain the fence.
- you agree where the installation is bought under a hire purchase, loan or may other means of credit finance, you agree to clear any outstanding charges before vacating the house.
- you accept that it is your responsibility to obtain permission from other agencies, if required. For example Roads (Development Control), Planning, Building Standards, Scottish Power, Scottish Gas etc.

If you need help or this information supplied in an alternative format please call 0845 277 700.



email: info@stirling.gov.uk text: 0771 799 0001
 phone: 0845 277 7000 web: stirling.gov.uk