

Enforcement Report into Alleged Breach of Control
at
13 - 14 Argyle Place
Edinburgh
EH9 1JL

Development Quality Sub-Committee
of the Planning Committee

Owner/s

Occupier

Reference No: 06/00409/E05

1. Purpose of Report

Breach of Control:

The unauthorised demolition of a wall within the rear garden of the property.

Recommendation:

That Committee authorises the initiation of enforcement action to require the re-building of the wall.

The Site

Site Description

The premises are two, stone built, former terraced houses, now converted into one unit in use as a backpackers hostel.

They are situated on the east side of Argyle Place, approximately 20 metres to the north of its junction with Sciennes Road.

The premises have a small front garden and a large back garden, backing onto and gaining access to Sylvan Lane, which runs between the properties in Argyle Place and Sylvan Place.

The property is unlisted and falls within the Marchmont and Meadows Conservation Area.

Site History:

24.3.1992 - application (92/00401/FUL) to demolish rear boundary wall held to be permitted development.

Representations

One letter of complaint has been received from a neighbouring resident.

Description of Development

The demolition of part of a stone wall located within the rear garden of the premises.

3. Officer's Assessment and Recommendations

The determining issue in this case is the effect of the removal of the wall on the character and appearance of the Conservation Area.

A considerable section of the property's original rear boundary wall was demolished by the present owner in the early 90s, following the submission of an application which was determined to be permitted development. The wall subject of this report was built sometime afterwards. It runs parallel with, but is set back approximately 8 metres from the rear boundary with the lane. The area in between is used for parking.

Class 7 (Gate, fence, wall or other means of enclosure) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, which grants permitted development rights to undertake certain works to means of enclosures, has been withdrawn from the Marchmont and Meadows Conservation Area, through the imposition of an Article 4 Direction Order. Therefore, any works to such features require the benefit of planning permission.

Despite being a non-original feature, the wall broadly matched the surrounding walls in terms of height and materials. It provided a degree of separation between the lane and the property, albeit that it was set back from the original boundary wall. By partially removing the wall, the owner has eroded the important relationship between public space in the lane and private garden space, with no effective division between these two areas now existing.

The top of the lane, where the wall has been removed, is characterised by its sense of enclosure, with much of the original boundary treatment still in existence. The works have had a detrimental impact on the nature of this part of the lane, and have had an adverse effect on the character and appearance of the Conservation Area.

It is recommended that enforcement action is taken to ensure the wall is re-instated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Alan Moonie on 0131 529 3909
Ward affected	Ward 48 - Sciennes
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
File	Enforcement
Date Complaint Received	19 June 2006

Planning Policy

The site lies within the Central Edinburgh Local Plan, in an area defined as 'Housing and Compatible Uses'.

The following policies are relevant:

CD4 (Conservation Areas) seeks to require the retention of all features which contribute to the character and appearance of conservation areas.

CD17 (Materials) aims to ensure a greater use of traditional materials in conservation areas.

CD19 (Building Alterations) seeks to prevent damage to the character of conservation areas through unacceptable alterations.

Appendix A

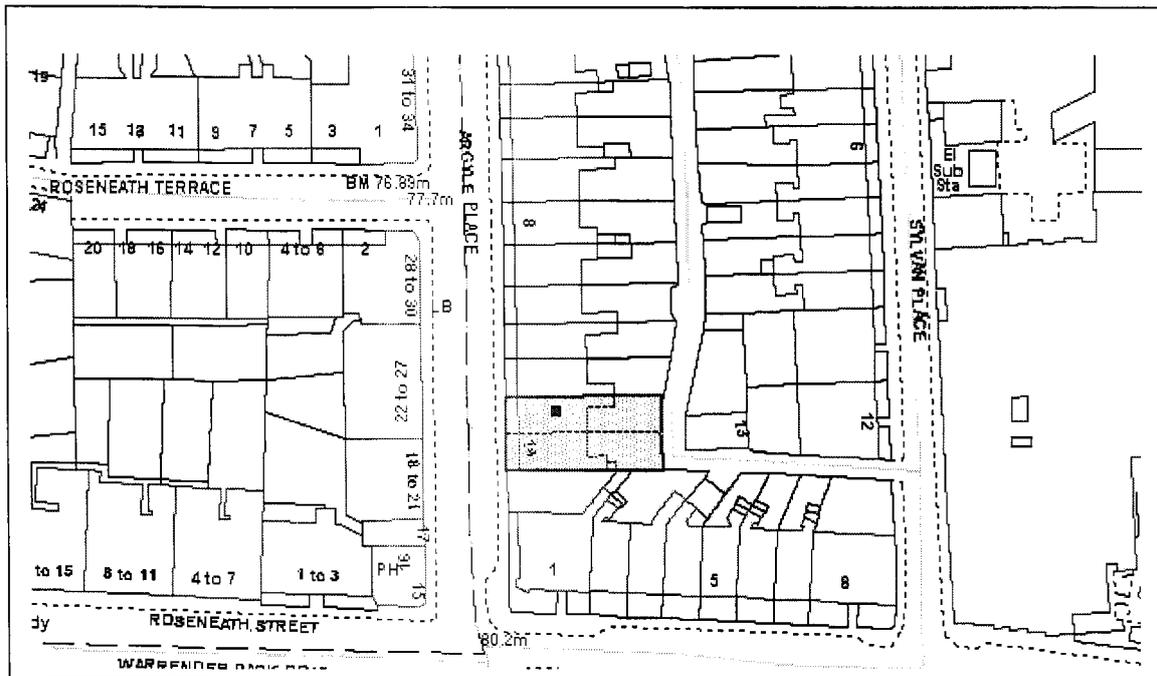


Address: 13 - 14 Argyle Place
Edinburgh
EH9 1JL

Breach of Control: The unauthorised demolition of a wall within the rear garden of the property.

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Location Plan



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