

Full Planning Application 05/02042/FUL
at
5 Ravelrig Wynd
Edinburgh
EH14 7FB

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/02042/FUL, submitted by Mr Darling. The application is for: **Re-position garden fence as shown on plan, original fence position approved as part of CALA's planning consent - (Fence 1 metre high)**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The application site is part of plot 5 within the north eastern part of a recently constructed development of 8 houses.

The site is a large detached house with garden to the east and south. The southern part of the garden is in the Green Belt, whilst the eastern part is within the urban area. The site is also within the Balerno Conservation Area.

The northern boundary of the site is a 1.8 metre high close boarded fence. The boundaries to the east and south are 1 metre high post and wire fencing. The area of land to the south of the garden forms part of a woodland providing

a landscaped setting for the development. There are mature trees protected by a Tree Preservation Order.

Site history

Site history

Feb 2003 Planning permission was granted for the conversion of existing buildings to form new residential units and for a new build residential development associated landscaping and access works. The permitted development rights contained within Classes 1, 3, 4, 5 and 7 of the General Permitted Development Order of plots 5,6,7,8 were removed by a condition of this consent. Other conditions required landscaping of post and wire fencing and a landscape management plan.

March 2004 Planning permission was granted for an amendment to the house types (04/01917/FUL)

Feb 2005 A planning application for the introduction of 1.8 metre high timber fences to rear gardens of dwellings was withdrawn (04/04290/FUL)

17th May 2005 planning permission was granted for the alteration of rear garden boundaries from a hedge to a 1.8 metre timber fence, revision of rear boundaries of plots four and five, the change of use from open space to private garden ground. (amended to revised boundary for plot 4 only) (05/00255/FUL).

23rd August 2005 planning permission was granted for a hardwood conservatory on the rear elevation (east facing) of the house (05/02465/FUL).

Description of the Proposal

The applicant proposes to reposition the garden fence in line with the southern boundary of plots 6 and 7 to the west. The proposed fence would be a 1 metre high post and wire fence. The applicant has clarified that he is not applying for a change of use of the land but wishes to enclose land which he owns.

3 Officer's Assessment and Recommendations

The determining issues are:-

- Do the proposals comply with the development plan?
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

- Do the proposals harm the character or appearance of the Conservation Area or the green belt? If they do, there is a strong presumption against the granting of permission.

ASSESSMENT

To address these determining issues the Committee needs to consider whether:

- a) The proposal has an adverse impact on the character or appearance of the Green Belt, Area of Great Landscape Value or the Conservation Area;
- b) There would be any adverse effect on the amenity of neighbouring properties;
- c) Whether there would be any adverse effect on trees protected by a Tree Preservation Order.

a) Balerno Conservation Area was designated in 1975 and its boundaries are shown on the Proposals Map. It contains the 19th century village core of traditional stone buildings disposed informally around Main Street, which now performs the role of a small shopping centre for the surrounding housing. There are no 'listed' buildings in the village but collectively they form a cohesive entity which is worthy of preservation and enhancement. To the east of the old village lies Malleny House and Gardens, a National Trust Property and 'listed' category 'A'. The good management of this property is therefore assured. The northern extent of the Conservation Area contains the site of the new Balerno High School and its recreation grounds, while to the west several field and woodland belts are included because of their importance to the landscape setting of the historic village.

The closure of the Balerno Main Street to vehicular traffic in 1981 has provided an opportunity to improve the Conservation Area. Proposals for its paving and landscaping are in preparation by Lothian Regional Council and will be carried out in 1984/85. The appearance of Main Street would also benefit from the landscaping of the small vacant site at the Ladycroft corner and it is the District Council's intention to secure its inclusion within the overall landscaping project. Alternatively a suitably designed new building at this location would also enhance the conservation area as would the imaginative redevelopment of the yard at Dean Park Brae. The District Council are keen to promote these and other measures which would improve the Conservation Area.

In addition to the Conservation Area, other parts of Balerno are of some interest in that they are of high amenity value and provide a landscape setting for the village. These areas are centred upon:

(i) the Water of Leith valley, west of the Conservation Area, between Johnsburn Road and Lanark Road West, containing three 'listed' buildings and characterised by houses set in large gardens, open countryside and belts of woodland. Three tree preservation orders are in force.

(ii) The Water of Leith Valley, east of the Conservation Area, consisting of the well-wooded lands enclosing Balerno High School playing fields and an area of amenity value between Newmills Road and Lanark Road. This location contains two listed buildings and forms an important visual break between the built-up areas of Currie and Balerno.

(iii) The Bavelaw Burn Valley, to the south of the Conservation Area, extending out to Malleny Mill and Harmeny School. The area contains one tree preservation order and one 'listed' building. There are however fine mature trees throughout the features of industrial archaeological interest. In the recent past the valley has experienced development pressure for private house building, and this has not always been of benefit to the character of the locality.

The Council intends controlling development within these areas to ensure that their existing character and amenities are maintained. Consideration will also be given to the need for extending the boundaries of the designated Conservation Area to cover all or part of these areas.

The design of the proposed fence is similar to the fencing to be used in the approved woodland management and landscaping plan for the wider development and is acceptable.

The location of the fence would not preclude the implementation of the previously approved woodland management and landscaping plan. In terms of the visual impression of a woodland landscape, this would be maintained whether the woodland is inside the post and wire fence or outwith it.

The removal of the existing garden boundary fence will mean that there will be no physical barrier between the applicant's garden area and an area of woodland. The implications of enclosing an area of woodland and creating a more direct link with a private garden area requires to be considered.

The land performs two functions, amenity and recreational use in terms of the definition of 'open space' in the Finalised Rural West Edinburgh Local Plan.

The land also performs the two functions of serving a recreational purpose or enhancing local amenities referred to in policy 2.49 of the Currie Balerno Local Plan and in policy E51 of the Finalised Rural West Edinburgh Local Plan. However because of the limited size of the land in question and its corner location in relation to the much larger area of open space where there are formalised footpaths and rights of way, the recreational aspects of the land are limited. The major function the land performs is visual and as an area of nature conservation value, neither of which would be lost by the erection of the fence. Whilst the applicant has stated that the proposal is not for a change of use of the land, there is no doubt that the community benefit in terms of recreational use will be reduced. However this reduction in recreational amenity is not considered significant since the land still provides wider visual benefits and retains its nature conservation interest.

The recent approval of an alteration to the boundary of plot 4 to include an area of woodland within the rear garden was also considered acceptable

active recreational opportunities. However this land is located within the Urban Area where different policies apply.

The area of woodland to be fenced off by the proposal lies within the green belt. This would be similar to Plots 6,7 and 8 which have their rear gardens within the green belt. This was accepted when planning permission was granted for the overall development (01/01917/FUL). These gardens (plots 6,7, and 8), which are located within the green belt, were considered to be acceptable in terms of their impact upon the green belt providing their permitted development rights were removed and has appropriate boundary treatments. This proposal will retain the land's woodland characteristics and as such will not adversely affect the appearance of this Green Belt area. The proposal will also not adversely affect the appearance of the area of Great Landscape Value.

The proposal is not for a change of use, the design of the fence is acceptable, the loss of recreational value is not significant, the visual amenity of the area will not be adversely affected and the nature conservation value of the land will not be lost. The proposal is considered to be acceptable.

For the avoidance of doubt, an informative is recommended to the effect that the consent relates to development consisting solely of the erection of a fence along a new boundary line and specifically does not relate to development consisting of any change of use of the land consequential upon its enclosure by the consented fence, or otherwise.

b) The neighbour's amenity will not be reduced by the proposal.

c) The land to be fenced off will include trees protected by the Tree Preservation Order. The liability of maintaining them and carrying out additional woodland planting in accordance with the approved management plan will rest with the owners.

It is recommended that the Committee approves this application.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	David McFarlane on 0131 529 3512 (FAX 529 3716)
Ward affected	01 - Balerno
Local Plan	Currie Balerno Local Plan
Statutory Development Plan Provision	Green Belt
Date registered	30 August 2005
Drawing numbers/ Scheme	1,2,3,4

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal : www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Helen Martin on 0131 529 3517. Email: helen.martin@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.boGUNovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 5 Ravelrig Wynd
Edinburgh
EH14 7FB

Proposal: Re-position garden fence as shown on plan, original fence position approved as part of CALA's planning consent - (Fence 1 metre high)

Reference No: 05/02042/FUL

Consultations, Representations and Planning Policy

Consultations

No Consultations received.

Representations

The application was advertised on 9 August 2005

No representations have been received.

Planning Policy

The proposal lies within an area mainly allocated as Green Belt, Countryside Policy Area, and Area of Great Landscape Value on the Currie Balerno Local Plan. The site is allocated as being within the Greenbelt, an Area of Outstanding Landscape Quality and the Balerno Conservation Area on the Finalised Rural West Edinburgh Local Plan. There is also a Tree Preservation Order in force in the site.

Relevant Policies:

Currie Balerno Local Plan

Policy 2.2 states that no development in the countryside will be permitted for purposes other than agriculture, outdoor recreation or other purposes appropriate to a rural area.

Policy 2.8 states that the Green Belt is to be maintained within the boundaries shown on the proposals map.

Policy 2.9 states that planning permission will not be granted for new development or redevelopment in the Green Belt for purposes other than agriculture, recreation or

other uses appropriate to a rural area. Planning consents will contain provisions for the safeguarding of amenity and the landscape.

Policy 2.16 states that within the Area of Great Landscape Value, the retention of landscape quality will be the overriding factor in considering proposals for development which may be acceptable under other policies.

Policy 2.49 states that there will be a presumption against any development on existing public open space and on private open space which serves a recreational purpose or enhances local amenities.

Finalised Rural West Edinburgh Local Plan

Policy E5 restricts development in Green Belt and Countryside policy areas to protect their landscape qualities, rural character and amenity.

Policy E6 states that where acceptable in principle, development proposals in the Green Belt or Countryside must meet high standards of design and landscaping and meet criteria to safeguard local amenity.

Policy E8 states that development will not be permitted where it would adversely affect the special scenic qualities and integrity of the area of Great Landscape Value or Areas of Outstanding Landscape Quality. These landscape features include: the patterns of woodland, fields, hedgerows and trees; the special qualities of rivers and lochs; and skylines and hill features, including prominent views.

Policy E15 seeks to ensure the survival and retention of healthy mature trees. Where the loss of woodland, trees or hedgerows is unavoidable, the developer will be required to undertake equivalent replacement planting.

Policy E16 promotes the protection of significant individual trees, tree groups and shelter belts through Tree Preservation Orders. No new development shall be sited within 20 metres of the trunk of a protected tree or within 10 metres of its canopy, whichever is the greater. Through its Urban Forestry Strategy, the Council will promote and support additional woodland planting, promote the enhancement of existing woodland and to ensure the sympathetic integration of new trees in woodlands, particularly in Areas of Great Landscape Value where there will be a presumption against large scale coniferous afforestation.

Policy E51 seeks to retain public and private open space of recreational, amenity or nature conservation value. Proposed development which would result in the loss of all or part of an area of open space will only be permitted where there is no detrimental impact in terms of recreational, amenity or nature conservation value in terms of the criteria used to measure value.

The Balerno Conservation Area Character Appraisal emphasises the predominance of vernacular buildings within the conservation area, the consistency in the use of traditional building materials, the substantial green setting giving a rural appearance, and the wide range of uses and which result in a self-contained village character.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED**

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

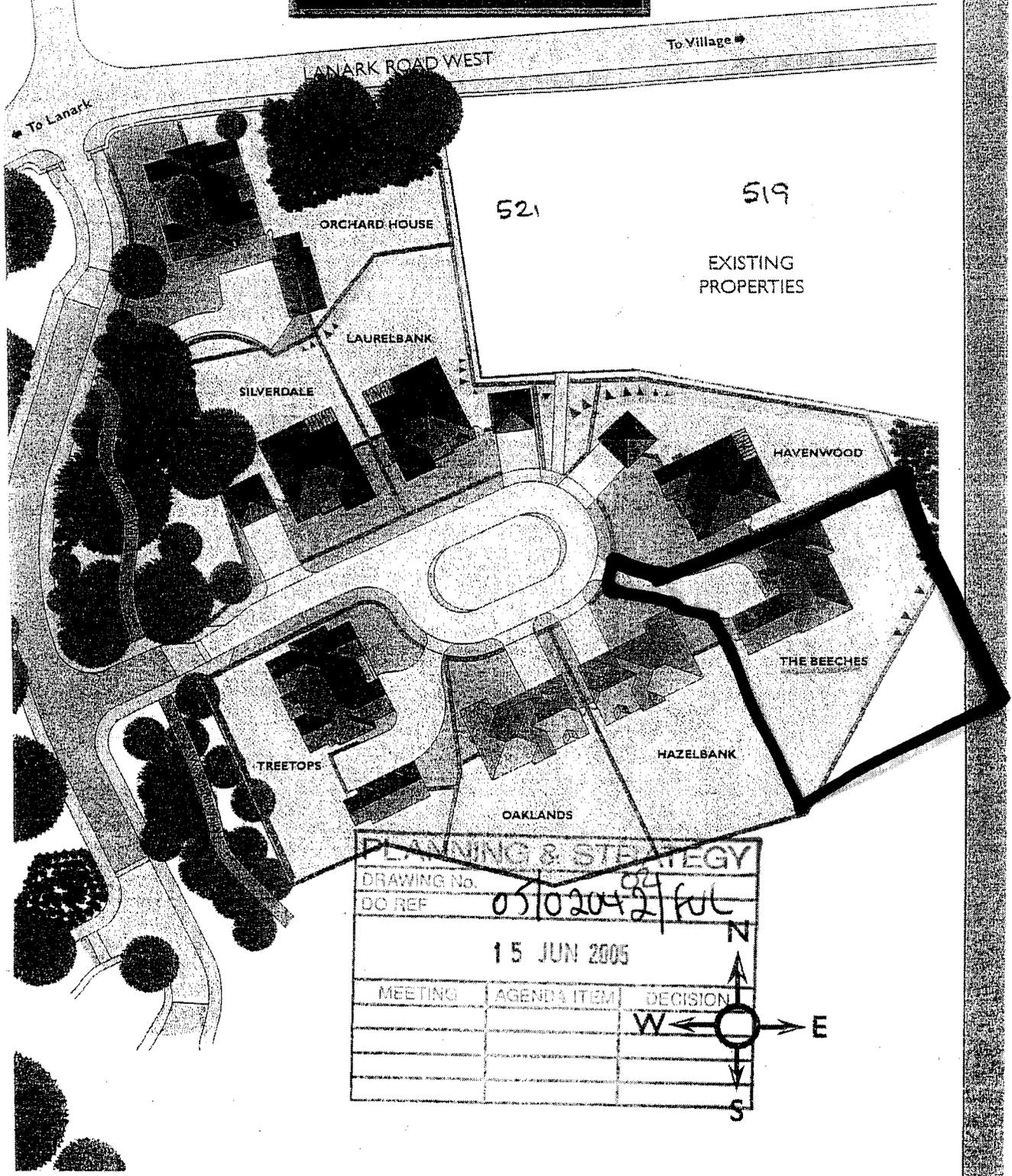
INFORMATIVES

It should be noted that:

1. For the avoidance of doubt, the consent relates to development consisting solely of the erection of a fence along a new boundary line and specifically does not relate to development consisting of any change of use of the land consequential upon its enclosure by the consented fence, or otherwise.

End

RAVELRIG WYND DEVELOPMENT LAYOUT



PLANNING & STRATEGY		
DRAWING No.	024	
DO REF	05/02042/fcl	
15 JUN 2005		
MEETING	AGENDA ITEM	DECISION

