

**Planning Permission 11/02063/FUL  
at  
Land 63 Metres Northeast Of  
11 Mackenzie Place  
Edinburgh**

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**Development Management Sub-Committee  
of the Planning Committee**

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**1 Purpose of report**

To consider application 11/02063/FUL, submitted by City Of Edinburgh Council. The application is for: **Erect hut and fences around allotment site.**

It is recommended that this application be **GRANTED** subject to the conditions below.

**2 The Site and the Proposal**

**Site description**

The application site is a narrow strip of open space 0.15ha in area located on the south side of Mackenzie Place/India Place. It is located at the foot of the wooded slopes emanating down from Doune Terrace. It is currently being used as allotments. The site is secured at present by temporary herring type fence panels 1.8m high.

Private car parks exist along the eastern side of the site, whilst the north side of Mackenzie Place is a mainly residential area. A house also exists along the west boundary of the site.

This property is located within the New Town Conservation Area.

## **Site History**

March 2011- Planning permission granted for use as an allotment including the construction of footpaths, landscaping and alterations to existing cellars (as amended) (application reference 10/03522/FUL).

A hut was previously proposed under 10/03522/FUL, but due to the timescale involved in bringing the site into use and the number of concerns relating to it, it was removed from the application proposal.

## **Pre-Application Process**

There is no pre-application process history

## **Description Of The Proposal**

It is proposed to erect a communal hut on the site for use as a meeting room and erect fences.

The hut is trapezoid in shape and is located on the north-west boundary of the site at the Mackenzie Place/India Place junction. It is 7.42m wide on its south-west side and 8.81m at its angled north-west side. It is 2.84m deep at its north-east side and 5.61m deep at its south-west side and. The roof of the hut is 2.2m high at its south-western side and 4.08m high at its north-eastern side. It is proposed to install a Danish wood burning stove within the hut and associated stainless steel flue that protrudes above the roof.

Materials include black stained vertical timber walls, a black zinc standing seam roof and anodised aluminium framed doors and windows.

The hut has a small timber decked terrace area on its south-west side.

Temporary fencing is proposed in the centre of the hedge bed along the south-west, north-west and partly on the north-east sides of the allotment site. This is proposed for a period of one year until the hedging proposed under application reference 10/03522/FUL is established. The fencing will be a Bekaert weld mesh green powder coated to a height of 1200mm.

The north-east boundary of the site will have a timber fence and gates to a height of 1500mm. The fence and gates will be stained to match the cellar doors.

A design statement has been submitted in support of the application. This is available to view on the Planning and Building Standards Portal.

### **3. Officer's Assessment and Recommendation**

#### **Determining Issues**

Do the proposals harm the character or appearance of the conservation area?  
If they do, there is a strong presumption against granting of permission.

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?

#### **ASSESSMENT**

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

- a) the proposals adversely affect the character and appearance of the conservation area;
- b) the proposals adversely affect the historic garden/designed landscape;
- c) the proposals adversely affect residential amenity; and
- d) there are any implications for trees.

a) The hut is a stand alone building of a contemporary design and is not intended to relate to other buildings in the area; the nearest building is approximately forty metres away. The building has a specific function for allotment holders. The proposed hut will add interest to this relatively uninspiring street.

The proposed 1.2m high Bekaert fence, whilst not in-keeping with the character and appearance of the conservation area is proposed for a temporary period of one year to allow a hedge to establish along the perimeter of the site. The location of the fence within the hedge bed would mean that once the hedge is established, it would be inappropriate to remove the fence due to potential damage to the established hedge. Given the height of the fence and the screening provided by the hedge, it is proposed to allow the fence on permanent basis rather than temporary.

The proposed 1.5m high timber fence and gate stretching from the south-east corner of the allotments up the embankment to the existing footpath off Doune Terrace will have little or no effect on the character and appearance of the conservation area.

The proposals will therefore preserve the character and appearance of the conservation area.

b) The proposals do not adversely affect the historic garden/designed landscape.

c) The proposals do not raise any residential amenity concerns.

d) A tree plan and specification for hand dug foundations for the posts for the timber fence that runs up the embankment has been submitted. Provided the fence is erected in the accordance with the plan and specification, the proposal will not result in any undue harm to the trees on the embankment.

In conclusion, the scale of the proposed hut and the erection of the fences will not adversely affect the character and appearance of the conservation area, the historic garden/designed landscape, residential amenity or the trees. There are no material considerations which outweigh this conclusion.

As this is a Council development, a Committee decision is required.

The application does not require notification to Ministers since the proposal complies with the development plan.

It is recommended that the Committee approves this application, subject to a condition relating to the specification for the hand dug foundations for the fence posts.

## REASON FOR DECISION

The proposals comply with the development plan.

**John Bury**  
Head of Planning

<b>Contact/tel</b>	Brian Fleming on 0131 529 3518
<b>Ward affected</b>	A11 - City Centre
<b>Local Plan</b>	Edinburgh City Local Plan
<b>Statutory Development Plan Provision</b>	Urban Area, Historic Garden, Designed Landscape – Inventory Site
<b>Date registered</b>	22 June 2011
<b>Drawing numbers/ Scheme</b>	01-12 Scheme 1

### **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](http://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](mailto:helen.martin@edinburgh.gov.uk).

If this application is not identified on the agenda for presentation and you wish to request one at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting. Contact details can be found in the Committee agenda papers.

**Application Type** Planning Permission  
**Application Address:** Land 63 Metres Northeast Of  
11 Mackenzie Place  
Edinburgh

**Proposal:** Erect hut and fences around allotment site.  
**Reference No:** 11/02063/FUL

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## Consultations, Representations and Planning Policy

### Consultations

#### Historic Scotland

*No comments to make on the proposal.*

### Representations

The application was advertised on 8 July 2011. Four letters of representation have been received; two from neighbouring residents and one from the Ann Street Society, objecting and one from The Architectural Heritage Society of Scotland in support of the proposal. The material grounds of concern/objection are:

Conservation and Design issues, taken account of in assessment a and b.:

- design insensitive to surrounding area
- hut is unnecessarily tall
- materials and colour do not complement the surrounding buildings
- hut too large and out of character with surrounding area
- will impact on the allotment site as will block out the sun
- design not appropriate to World Heritage Site

The Architectural Heritage Society of Scotland supports the proposal stating *the design is of an appropriately 21st century design, enhancing a long neglected part of the Water of Leith Valley... The form of the hut is sober and dignified while the materials used reflect those traditionally associated with horticulture.*

***Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.***

## **Planning Policy**

The application site is in an Urban Area and a Historic Garden/Designed Landscape- Inventory Site in the Edinburgh City Local Plan.

The site is also located in the New Town Conservation Area and World Heritage Site.

## **Relevant Policies:**

### **Relevant policies of the Edinburgh City Local Plan.**

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Policy Env 7 (Historic Gardens & Designed Landscapes) establishes a presumption against development that would be detrimental to Historic Gardens and Designed Landscapes.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** on "Trees and Development" provides guidance on the information required to support planning applications in respect of tree protection, the retention of trees of landscape, biodiversity or amenity significance, and encourages new tree planting where appropriate.

### **Other Relevant policy guidance**

**The New Town Conservation Area Character Appraisal** states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

## Appendix B

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### Conditions/Reasons associated with the Recommendation

#### Recommendation

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

#### Conditions

1. The foundations for the fence posts shall be hand dug as per the specification set out on planning drawing reference 12.

#### Reasons

1. In order to safeguard protected trees.

### INFORMATIVES

It should be noted that:

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

**End**

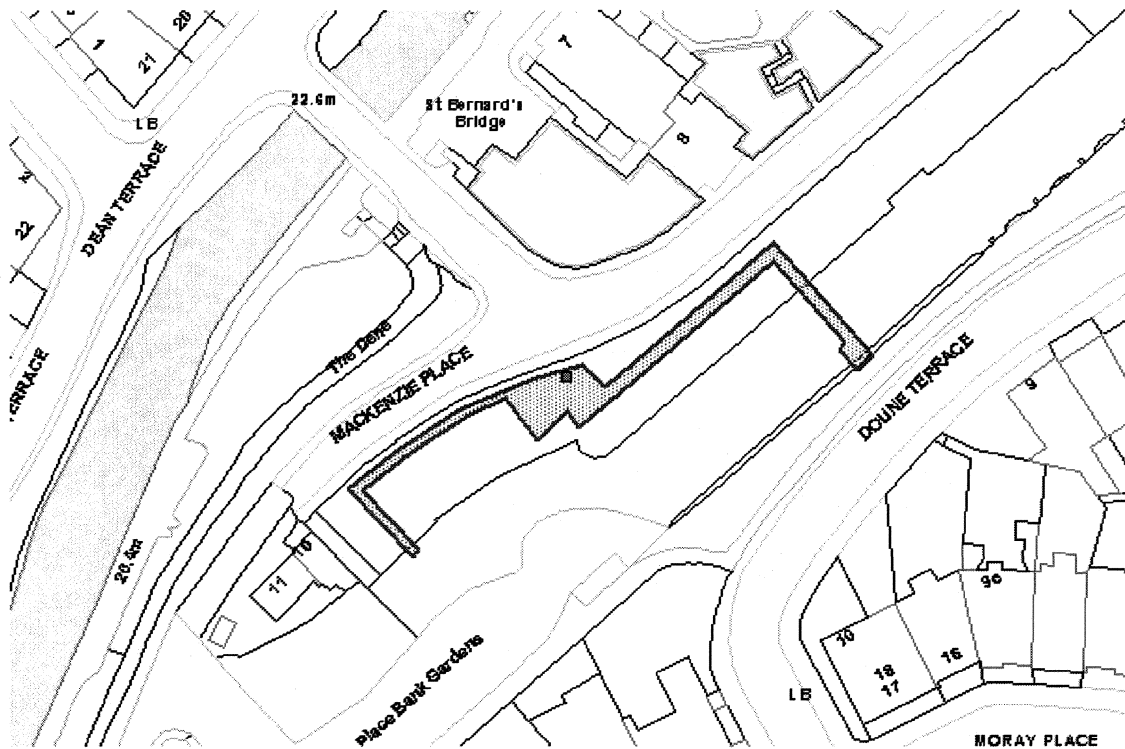


## Appendix C

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### Location Plan

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