

**Enforcement Report into Breach of Control  
at  
Flat 1 21 Calder Grove  
Edinburgh  
EH11 4LX**

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

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**Owner/s** Mr Brian Nicol  
**Occupier** Mr Brian Nicol  
**Reference No:** 07/00807/EOPDEV

**1. Purpose of Report**

**Breach of Control:**

A 6ft solid panelled fence has been erected around the communal garden area without planning permission.

**Recommendation:**

It is recommended that the committee agrees that statutory enforcement action is taken to ensure the removal of the unauthorised fence.

**The Site**

**Site Description**

The property to which the fence relates is a four storey block of flats, circa 1969, and lies within a predominantly residential area. The property is within an area of housing and compatible uses, as identified in the South West Edinburgh Local Plan.

## Site History:

One of the residents within the block contacted the local housing office in an attempt to gain planning permission for the fence. However, he was advised that they were not in a position to grant planning permission as only the planning department could do this. Unfortunately, the gentleman was not given, nor sought the contact details of Planning in order that he may be advised on the matter.

## Representations

One complaint was received advising that a large fence had been erected around the communal garden area at 21 Calder Grove.

## Description of Development

A 6ft solid panelled fence has been erected around the communal garden area.

## 3. Officer's Assessment and Recommendations

The unauthorised fence creates a sense of enclosure within an area which is predominantly open. The original fence, which is still in situ, is around 4ft and is proportionate to the other fences in the estate.

What has now been erected has a detrimental impact on the visual amenity of the area and appears incongruous in its present state. It is inappropriate in style and scale and separates the block from the rest of the development.



**Alan Henderson**  
Head of Planning and Strategy

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<b>Contact/tel</b>	Alexander Gudgeon on 0131 529 6126
<b>Ward affected</b>	Ward A07 - Sighthill/Gorgie (NEW)
<b>Local Plan</b>	South West Edinburgh
<b>Statutory Development Plan Provision</b>	Housing & Compatible Uses
<b>File</b>	
<b>Date Complaint Received</b>	22 November 2007

## **Planning Policy**

### West Edinburgh Local Plan

Policy DQ11 (Alterations and Extensions) of the West Edinburgh Local Plan states:

‘Alterations to existing buildings should be subservient and relate carefully to the original building. They should be of a suitable scale to the existing building and the space around it and should have an acceptable impact upon its surroundings and neighbourhood.’

### West Edinburgh Local Plan

Policy H12 (Residential Amenity) of the West Edinburgh Local Plan states:

‘Development for whatever purpose, which would result in an unacceptable reduction in amenity for residents in the locality, will not be permitted.’

### Edinburgh City Local Plan

Policy Des 1 (Design Quality and Context) of the Edinburgh City Local Plan states:

‘Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it.’

The City of Edinburgh Council’s Non Statutory Guidance on ‘Quality of Landscaping in Developments’ section 4a states:

‘The choice of fence or wall should be of an appropriate style, scale and material for the individual location and function. It should enhance local identity and not itself detract from visual amenity.’

## Appendix A

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THE CITY OF EDINBURGH COUNCIL

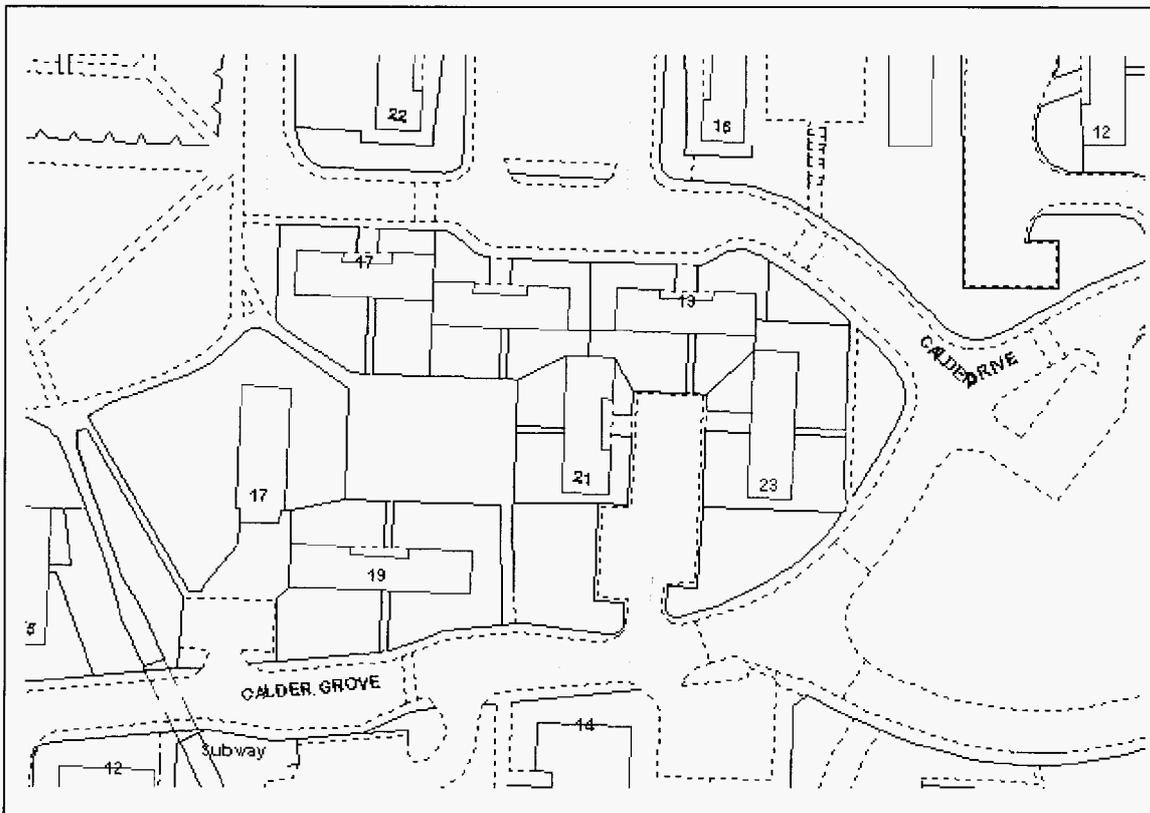
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### Location Plan



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