

**Enforcement Report into Breach of Control
at
26 Lammermoor Terrace
Edinburgh
EH16 5SJ**

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

Owner/s Mr & Mrs Simpson
Occupier Mr & Mrs Simpson
Reference No: 08/00285/EOPDEV

1. Purpose of Report

Breach of Control:

A 1.8 metre solid panelled timber fence has been erected around the front garden of the property.

Recommendation:

It is recommended that committee authorises statutory enforcement action to require the removal of the unauthorised fence.

The Site

Site Description

The property lies on the south side of Lammermoor Terrace and forms part of group of four terrace houses.

The property is not listed or located within a conservation area.

Site History:

No relevant planning history.

Representations

Five letters of complaint were received.

Description of Development

A 1.8 metre solid panelled timber fence has been erected around the front garden area without the benefit of planning permission.

3. Officer's Assessment and Recommendations

The determining issue in this case is the effect the fence has on the character of the building, the streetscape and the surrounding area as a whole.

The Committee needs to consider whether the unauthorised fence is acceptable, having regard to provisions of the development plan and other material considerations.

The property is located on the south side of Lammermoor Terrace and forms part of a group of four terrace houses.

The character of the area is residential and is characterised by low fences and hedges. This development introduces a fence at the front of the property which is 1.8 metres in height and within twenty metres of a public road. This creates a sense of enclosure and appears incongruous within its surroundings. It is inappropriate in style and scale, and has the effect of distinguishing the property from the rest of the development, thus adversely affecting the street scene and the character of the area.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Brett Taylor on 0131 529 6125
Ward affected	Ward A16 - Liberton/Gilmerton (NEW)
Local Plan	South East Edinburgh
Statutory Development Plan Provision	Housing And Compatible Uses
File	
Date Complaint Received	1 May 2008

Planning Policy

South East Edinburgh Local Plan

Policy DQ19 (Alterations and Extensions) states that 'In considering proposals for the alteration or extension of an existing building, regard will be had to the form, proportions and character of the existing building and the wider impact of a proposal to ensure a sympathetic approach which makes a positive contribution to the appearance and character of the environment.'

Policy H6 (Protection of Amenity) states that 'Development for whatever purpose, including change of use proposals, 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) 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.'

Non-Statutory Guidelines

NSG (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.'