

# Planners order removal of garden fence

**An Edinburgh homeowner is being ordered to take down a fence which was put up without planning permission, after neighbours said that woodland he didn't own had been built around in a bid to extend his garden.**

Gregory Favier applied to the council for consent to keep the six-foot tall wooden fence around his Cramond home but planners concluded it resulted in an "unacceptable loss of open space".

His retrospective bid was lodged after the structure was reported to the council.

The application attracted objections from locals who claimed that land which was not part of Mr Favier's property had been encroached on.

Laura Collins, of Peggy's Mill Road, said she often plays with her children in the woods next to the Inveralmond Drive home and it was "obvious that a large area of woodland has been taken into private ownership without authorisation".

Neighbours said the land allegedly taken over was mutually owned by dozens of local residents who had not given their permission.

Objecting to the plans, one said: "The south and west fence should traverse and meet on their own land, and not that of adjoining owners.

"This same area has been 'sanitised' into a residential garden, and thus a de facto loss of biodiversity, compared to the undergrowth and thicket of the woodland floor."

Another said they did not object to a new fence being erected on the "settled and undisputed boundary" but added the proposals involved an encroachment on common amenity land.

It was also pointed out the work had been carried out without planning permission within both a conservation area and the greenbelt.

The council said the plans would "result in an unacceptable loss of open space, and is likely to have a damaging impact on a number of trees that are either protected or worthy of retention".

Planning officers said despite the comments made about land ownership this "cannot be considered as material to the acceptability of the planning application" and that this was "a private legal matter".

They added: "The eastern section, including the driveway leading from the premises to Inveralmond Drive is designated within the adopted Edinburgh Local Development Plan as being open space and forms part of the council's existing green infrastructure.

"The erection of the fence and gates would result in a loss of this designated open space to private garden ground."

The applicant is now expected to be served with an enforcement notice ordering him to take down the fence, or he could be slapped with a fine.

However, he has three months from the date of the decision to

lodge an appeal.

*by Donald Turvill, Local Democracy Reporter.*

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