

# Man's plan to extend garden with 'land grab' refused

An Edinburgh resident's plan to increase the size of his garden by buying a strip of public land has been foiled by the council.

Gary Copland sought to take advantage of his Newcraighall home's location next to a patch of grassy open space, and said he had secured agreement from land owners to buy part of it and move his garden fence.

In a change of use application to the council he said the space, which he claimed was mostly a "place for dogs to defecate", would be used for "bee and butterfly planting".

However council officials have refused planning permission, ruling that removing a parcel of land "that is open and regularly accessed by members of the public" would be unacceptable.

The decision came after the neighbouring Newcraighall Primary School raised concerns the proposal, if approved, would make an "already busy area more crowded".

Headteacher Jan Paterson said around half of the school's 200 pupils exited the playground through the gate behind Mr Copeland's Klondyke Street property.

While neither objecting to or supporting the application she wrote: "At the moment it is a useful area for gathering groups together during fire drills or evacuation procedures, close to the building but out-with the playground."

She said using the space for wildflower planting would be "appreciated by us as long as it remains available for learning purposes.

“We have very little green space so close to the building and would be pleased to work together to create an area everyone could enjoy.”

Planners acknowledged it was a “muster point” for the school “in case of emergencies”.

Mr Copland argued acquiring the 80-square-metre strip closest to his home would still leave most – “around 75 per cent” – of the grassed area by the school gates in public use.

He said land owners, Manor Estates Housing Association, were “happy to sell” but change of use permission had to be approved first.

“The total area is grassed with hedging and trees on one side, against a school boundary. It is largely used by dog walkers as a place for dogs to defecate (largely picked up by owners), occasionally by children who use the area by the hedging to build dens,” the application read.

“The council has recently removed a substantial amount of wood/pallets/broken chairs/general detritus as fly tipping as waste material gathers.”

Ms Paterson questioned whether the land owners may be willing to “gift the ground for community use such as that proposed by the applicant and might that be a useful way forward”.

Council planning officers said: “The principle of the proposal, changing an area of public open space to a private garden is unacceptable in that it would remove a parcel of land that is open and regularly accessed by members of the public.

“The application site has amenity qualities as it is used by members of the public as well as being used as a muster point for the adjacent Newcraighall Primary School in case of emergencies.

“Taking this into consideration, the proposal would represent the loss of a regularly used public space and there would be no wider community benefit.”

By Donald Turvill Local Democracy Reporter