



# **AGENDA ITEM**

**9**

**Extension To Dwellinghouse At  
2 Princess Gate, Slamannan  
Road, Falkirk, FK1 5BP, For Mr  
Gordon Murray - P/16/0498/FUL**

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**FALKIRK COUNCIL**

**Subject:** EXTENSION TO DWELLINGHOUSE AT 2 PRINCESS GATE,  
SLAMANNAN ROAD, FALKIRK, FK1 5BP, FOR MR  
GORDON MURRAY - P/16/0498/FUL  
**Meeting:** PLANNING COMMITTEE  
**Date:** 23 November 2016  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Falkirk South

Councillor Colin Chalmers  
Councillor Dennis Goldie  
Councillor Gerry Goldie  
Depute Provost John Patrick

**Community Council:** Falkirk South

**Case Officer:** Kevin Brown (Planning Officer), Ext. 4701

**UPDATE REPORT**

1. Members will recall that this application was originally considered by the Planning Committee on 26 October 2016 (copy of previous report appended), when it was agreed to continue the application for a site visit. This site visit took place on Monday 7 November 2016.
2. Following a summary of the proposal by the case officer, Members sought clarification on various aspects of the proposed design and how this relates to the existing category B listed building.
3. The agent for the application emphasised that the design intention for this proposal was to retain the existing character of the building and explained that in his view, there is no need for the building to remain symmetrical in order to protect its character. The agent also provided various points of clarification in respect of detailed aspects of the roof design.
4. The objector to the application reiterated his concerns in respect of over-shadowing, finishing materials and impact upon the character of the listed building. Committee took the opportunity to view the application site from the objector's property and the case officer provided clarification on various aspects of the application process, including clarification that Historic Environment Scotland had been consulted on the related listed building application, which is identical in content, and have no objection to the proposal.

5. No new matters were raised that would alter the recommendation to grant planning permission.

**6. RECOMMENDATION**

- 6.1 It is therefore recommended that the Committee grant planning permission subject to the following condition(s):-

1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
2. Prior to the start of work on site, details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

**Reason(s):-**

1. As these drawings and details constitute the approved development.
2. To safeguard the visual amenity of the area.

**Informative(s):-**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01.
2. In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.
3. The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:

Monday to Friday	08:00 - 18:00 Hours
Saturday	09:00 - 17:00 Hours
Sunday / Bank Holidays	10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Manager.

4. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.

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pp Director of Development Services

Date: 14 November 2016

#### **LIST OF BACKGROUND PAPERS**

1. Objection received from Dr Kurt Mills, 1 Princess Gate, Slamannan Road, Falkirk, FK1 5BP on 20 August 2016.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

**FALKIRK COUNCIL**

**Subject:** EXTENSION TO DWELLINGHOUSE AT 2 PRINCESS GATE,  
SLAMANNAN ROAD, FALKIRK, FK1 5BP, FOR MR  
GORDON MURRAY - P/16/0498/FUL  
**Meeting:** PLANNING COMMITTEE  
**Date:** 26 October 2016  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Falkirk South

Councillor Colin Chalmers  
Councillor Dennis Goldie  
Councillor Gerry Goldie  
Depute Provost John Patrick

**Community Council:** Falkirk South

**Case Officer:** Kevin Brown (Planning Officer), Ext. 4701

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 This full application proposes a single storey rear extension to a semi detached, category B listed building at 2 Princess Gate, Slamannan Road Falkirk. The proposed extension would measure approximately 4m x 4m and would be finished in a combination of white render and reused stone doughtings from the existing building.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application has been called in by Depute Provost John Patrick because of concerns raised by the neighbour about the impact of the proposed extension on residential amenity and on the character and appearance of the listed building.

**3. SITE HISTORY**

- 3.1 P/16/0256/FUL Application Withdrawn 29.07.2016 Extension to Dwellinghouse  
3.2 P/16/0257/LBC Application Withdrawn 29.07.2016 Extension to Dwellinghouse  
3.3 P/16/0499/LBC Pending Consideration Extension to Dwellinghouse  
3.4 F/2002/0403 Listed Building Consent Granted 12.08.2002 Change of Use to Former Hospital to Form Two Dwellinghouses  
3.5 F/2000/0530 Detail - Granted 26.07.2001 Change of Use and Alterations from Former Hospital Building to 2 Dwellinghouses

- 3.6 F/2002/0395 Detail - Granted 19.08.2002 Change of Use of Former Hospital to Form Two Dwellinghouses
- 3.7 F/99/0859 Detail - Granted 28.08.2000 Erection of 53 Dwellinghouses
- 3.8 F/97/0206 Outline Granted 19.11.1999 Development of Land for Housing Purposes (Outline)

#### **4. CONSULTATIONS**

- 4.1 Falkirk Community Trust Museum Services have no objections to the proposal.
- 4.2 Falkirk Council Environmental Protection Unit has no objection to the proposal

#### **5. COMMUNITY COUNCIL**

- 5.1 The Falkirk South Community Council have not commented on this application.

#### **6. PUBLIC REPRESENTATION**

- 6.1 In the course of the application, 1 contributor submitted a letter to the Council. The salient issues are summarised below.
- The proposed development would adversely affect the character and appearance of the listed building and would unbalance the H-plan layout of the original building.
  - Privacy impacts and loss of natural light to neighbouring property.
  - Overdevelopment concerns.

#### **7. DETAILED APPRAISAL**

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

##### **7a The Development Plan**

The Falkirk Local Development Plan was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan. The proposed development was assessed against the following policy or policies:

- 7a.1 Policy HSG07 - Residential Extensions and Alterations states

*Extensions and alterations to residential properties will be permitted where:*  
*1. The scale, design and materials are sympathetic to the existing building;*

2. *The location and scale of the extension or alterations will not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties; and*
3. *It will not result in overdevelopment of the plot, thereby giving rise to adverse impacts on the functioning of garden ground, unacceptable loss of off-street parking, or road safety issues.*

*Proposals should comply with the detailed guidance on these criteria set out in the Supplementary Guidance SG03 'Residential Extensions and Alterations'*

7a.2 The scale, design and materials of the proposed extension are sympathetic to the existing building and surrounding area and the scale and location of the proposed extension would not significantly affect residential amenity levels or result in an overdevelopment of the plot. The proposal accords with the terms of Policy HSG07.

7a.3 Policy D09 - Listed Buildings states

*The Council supports the sustainable re-use and management of the historic built environment, and on that basis there is a presumption against demolition or any other works that would adversely affect the special interest or setting of a listed building. The Council recognises, however, that listed buildings will require alteration, extension and adaptation from time to time to remain in beneficial use and encourages creative and sensitive development where there are no such adverse effects. Accordingly:*

1. *The layout, design, materials, scale, siting and use of any development affecting a listed building, or its setting, including extensions, replacement windows, doors, roofs, rainwater goods, boundary treatments and other features, shall be appropriate to the character and appearance of the building and its setting, and should conform to Supplementary Guidance SG16 'Design Guidance for Listed Buildings and Non-Listed Buildings in Conservation Areas'.*
2. *Proposals for the total or substantial demolition of a listed building will only be supported where it is demonstrated beyond reasonable doubt that every effort has been made by all concerned to find practical ways of keeping it. In particular it should be demonstrated that:*
  - the existing building is no longer of special interest;*
  - the existing building is incapable of physical repair and re-use, as shown by the submission and verification of a thorough structural condition report;*
  - the costs of repair and re-use are such that it is not economically viable.**Supporting evidence should include a full economic appraisal, evidence that grant aid is not able to meet any funding deficit, and evidence that the building has been actively marketed at a reasonable price and for a period reflecting its location, condition and possible viable uses without finding a restoring purchaser; or*
  - the demolition of the building is essential for the delivery of significant economic benefits for the local or wider community.*
3. *RCAHMS will be formally notified of all proposals to demolish listed buildings to enable features to be recorded.*

7a.4 The proposal respects the character, appearance and setting of the existing Listed Building and accords with the terms of Policy DS09

#### 7a.5 Policy D13 - Battlefield Sites states

*There will be a presumption against development outwith the Urban or Village Limits which would destroy, erode, or adversely affect battlefield sites listed in the Inventory of Historic Battlefields, as identified on the Proposals Map. In assessing impacts, guidance provided in the relevant Historic Scotland guidance note will be followed. Proposals for the sensitive management and interpretation of battlefield sites will be supported.*

- 7a.6 The proposal is located within the urban limits and is not considered to destroy, erode, or adversely affect the 2<sup>nd</sup> Battle of Falkirk Battlefield site which covers this area. The proposal accords with Policy D13.

#### 7b Material Considerations

- 7b.1 The material considerations to be assessed are consideration of the site in relation to coal mining legacy, assessment of Public Representations and Supplementary Planning Guidance.

##### **Coal Mining Legacy**

- 7b.2 The application site falls within or is partially within the Development High Risk Area as defined by the Coal Authority. It is recognised that flexibility and discretion are necessary parts of the planning system and as such there may be exemptions to the requirement for a desk based Coal Mining Risk Assessment within the Development High Risk Area.
- 7b.3 Exemption can be on the grounds of the type of application or the nature of development. Only one of these needs to be met to exempt the need for a desk based Coal Mining Risk Assessment and also the consequential need for the Council to consult the Coal Authority. This proposal is considered to fall into one of these exempt groups, but ground conditions should still be considered as part of the Building Standards process, if relevant.
- 7b.4 Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

##### **Assesment of Representations**

- 7b.5 The proposed extension would remain subservient to the original building whilst clearly being a modern addition. The use of a simple materials palette and reuse of stone doughtings is considered appropriate in this location and the modern, yet simple, design is considered to respect the character and appearance of the original building whilst still allowing for the original H-plan layout to be clearly interpreted.



- 7b.6 The orientation of the existing buildings and the limited scale of development proposed is such that loss of daylight to neighbouring property is likely to be minimal. This view is strengthened by the presence of a 1.8m high timber fence between the existing properties as well as the fact that the proposed extension, which measures approximately 3.4m in height, is stepped 1m off the mutual boundary. The proposed extension would in fact increase the privacy enjoyed by the neighbouring property by reducing the amount of glazing within the rear elevation when compared to the existing property and by creating a more enclosed courtyard area immediately to the rear of the neighbouring property which would be completely free from overlooking windows.
- 7b.7 The proposed development would leave sufficient private amenity space to serve the existing dwellinghouse and is not considered to represent an overdevelopment of the plot.

### ***Supplementary Guidance***

Supplementary Guidance SG16 - Listed Buildings and Non-Listed Buildings in Conservation Areas.

- 7b.8 This document provides design guidance for developments such as this application and provides general advice in relation to external finishing materials and the setting of listed buildings. The guidance states that any development affecting a listed building should respect and preserve its special architectural or historic interest and, in relation to extensions, the proposal should respect and compliment the design, character and appearance of the existing building. It is considered that the proposed design achieves these aims and the proposal therefore accords with this guidance.

### **7c Conclusion**

- 7c.1 The proposal is an acceptable form of development and accords with the Development Plan. There are no material planning considerations that warrant a refusal of planning permission in this instance.

## **8. RECOMMENDATION**

- 8.1 It is therefore recommended that the Committee grant planning permission subject to the following condition(s):-

1. **The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
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Director of Development Services

Date: 17 October 2016

### **LIST OF BACKGROUND PAPERS**

1. Objection received from Dr Kurt Mills, 1 Princess Gate, Slamannan Road, Falkirk, FK1 5BP on 20 August 2016.

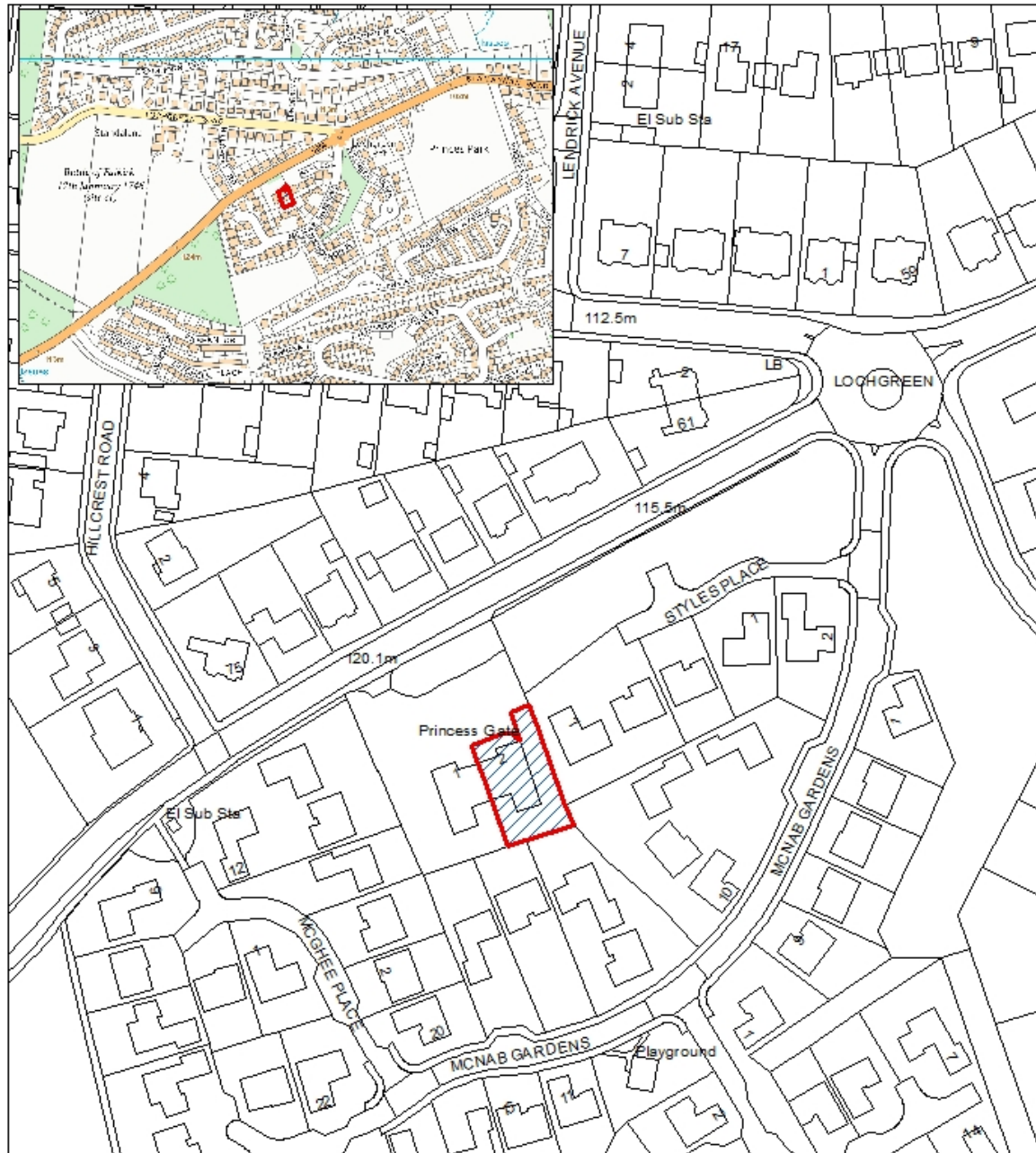
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

# Planning Committee

## Planning Application Location Plan

**P/16/0498/FUL**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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