

Reference No. P/16/0721/FUL



**Town and Country Planning (Scotland) Act 1997 as Amended  
Issued under a Statutory Scheme of Delegation.**

**Falkirk Council****Refusal of Planning Permission**

Applicant  
Mr John Thomson  
4 Kinglass Court  
Bo'ness  
EH51 9RH

This Notice refers to your application registered on 16 December 2016 for permission in respect of the following development:-

Development      Change of Use of Public Open Space to Private Garden Ground and Erection of  
Outbuilding and Fence (Partially Retrospective) at

Location            4 Kinglass Court, Bo'ness, EH51 9RH

The application was determined under Delegated Powers. Please see the attached guidance notes for further information, including how to request a review of the decision.

In respect of applications submitted on or after 1 January 2010, Falkirk Council does not issue paper plans. Plans referred to in the informatives below can be viewed online by inserting your application number at <http://eplanning.falkirk.gov.uk/online/>

In accordance with the plans docquetted or itemised in the attached informatives as relative hereto, Falkirk Council, in exercise of its powers under the above legislation, hereby

**Refuses Detailed Planning Permission**

The Council has made this decision for the following

**Reason(s):**

1. The proposal would have an adverse effect on the character and appearance of the area through the loss of amenity open space, planned as an integral part of the residential development. The application site forms part of a mature tree belt (which surrounds the Kinglass housing development) contributing to the character and townscape setting of the area and providing screening and a landscaped buffer between the residential development and Bo'ness Recreation Centre. The change of use of the site (including its enclosure by a fence and the erection of a pigeon loft) would be detrimental to the landscape and visual amenity of the area, contrary to Policy INF03 'Protection of Open Space' and D03 'Urban Design' of the Falkirk Local Development Plan.

**Informatives:**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02 and 03.

23 February 2017

  
Director of Development Services