



## **Agenda Item 6**

**CONSTRUCTION OF OUTBUILDING  
(ANCILLARY LIVING  
ACCOMMODATION) AT THE WOOD  
YARD, CAULDCOATS HOLDINGS,  
BLACKNESS, LINLITHGOW, EH49  
7LX FOR MR STEVE MATTHEWS -  
P/22/0420/FUL**

**FALKIRK COUNCIL**

**Subject:** CONSTRUCTION OF OUTBUILDING (ANCILLARY LIVING ACCOMMODATION) AT THE WOOD YARD, CAULDCOATS HOLDINGS, BLACKNESS, LINLITHGOW, EH49 7LX FOR MR STEVE MATTHEWS - P/22/0420/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 19 January 2023

**Author:** DIRECTOR OF PLACE SERVICES

**Local Members:** Ward - Bo'ness and Blackness

Councillor David Aitchison  
Councillor Stacey Devine  
Councillor Ann Ritchie

**Community Council:** No Community Council

**Case Officer:** Julie Seidel-Gregory (Planning Officer), Ext. 4880

[View this Application on Public Access](#)

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

- 1.1 This application relates to the development of an outbuilding, to be used as ancillary living accommodation at the Wood Yard, Blackness. The main dwellinghouse is currently under construction and at the time of the officer site visit was at an advanced stage with occupation expected before the end of 2022.
- 1.2 The application site is located in the countryside in the 'holdings' area of Blackness. The application site and house under construction is related to industrial buildings to the north of the site.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application was called in for determination by the Planning Committee by Councillor Ann Ritchie for the following reason:
- Against the planning policy for development in the countryside.

### **3. SITE HISTORY**

- 3.1 A planning application P/18/0175/FUL for the erection of a dwellinghouse and associated works was granted on 21 September 2018.
- 3.2 A planning application P/21/0643/FUL for the construction of ancillary living accommodation was refused on 15 February 2022.

### **4. CONSULTATIONS**

- 4.1 Falkirk Council's Environmental Protection Unit have not objected to the application.
- 4.2 The Coal Authority have no objection.

### **5. COMMUNITY COUNCIL**

- 5.1 There is no active community council serving the application site area.

### **6. PUBLIC REPRESENTATION**

- 6.1 In the course of the application 1 contributor submitted a letter to the Council. The salient issues are summarised as follows:-
- One neutral representation was received enquiring about the number of outbuildings which will be developed at the site. A response was provided direct to the contributor. No further comments were received.

### **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**

- 7a.1 [The Falkirk Local Development Plan \(LDP2\)](#) was adopted on 7 August 2020. The proposed development was assessed against the following policy or policies:

#### HC08 - Residential Extensions and Alterations

- 7a.2 It is considered that the scale, design and materials of the proposed outbuilding would be sympathetic to the existing building. The location and scale of extension would not significantly affect the degree of amenity, daylight or privacy enjoyed by surrounding properties. The proposal would not result in an overdevelopment of the site or impact off-street parking. The application accords with policy HC08 'Residential Extensions and Alterations'.

7a.3 Accordingly, the application accords with the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are Falkirk Council Supplementary Guidance ,the information submitted in support of the application and draft National Planning Framework 4

### **Falkirk Council Supplementary Guidance**

7b.2 The application accords with the guidance contained in SG03 'Residential Extensions and Alterations' (adopted).

### **Information Submitted in Support of the Proposal**

7b.3 The applicant has submitted a Design Statement which makes comment on the family circumstances, which now require ancillary living accommodation on site. The statement also makes comment on the consented outbuilding for the site (approved as part of planning permission P/18/0175/FUL). This current proposal is on the same footprint and seeks to replicate the original scale, massing and character of the approved outbuilding, whilst achieving the required ancillary living and garage accommodation.

7b.4 The proposed outbuilding, although large, would be subordinate in scale to the main dwellinghouse. It is accepted that the scale, massing and appearance would be similar to the approved outbuilding for the site (which is extant and can be developed). The outbuilding would share a driveway/access and utilities with the main dwellinghouse and would not have any boundary subdivision. There would not be a detrimental impact on nearby residential properties and a generous level of garden ground would be maintained. The proposed development represents a form of ancillary living accommodation which is assessed as being acceptable in this instance.

### **Draft National Planning Framework 4 (NPF4)**

7b.5 NPF4 was laid before the Scottish Parliament on 8 November 2022 for approval. As it has not completed its parliamentary process only limited weight can be attached to it as a material consideration in the determination of this application.

## **7c Conclusion**

7c.1 The application is assessed as being in accordance with the Development Plan. There are no material planning considerations to warrant refusal of the application.

## **8. HUMAN RIGHTS AND EQUALITY ASSESSMENT**

8.1 Officers have considered the Human Rights Act 1998 in making this recommendation. It is considered that the proposed recommendation would not adversely impact on any protected characteristic groups as identified within the Equality Act 2010.

## **9. RECOMMENDATION**

**9.1 It is recommended that the Planning Committee grant planning permission subject to the following condition(s):-**

- 1. The development to which this permission relates must be begun within three years of the date of this permission.**
- 2. 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.**
- 3. The outbuilding hereby permitted shall only be used for purposes ancillary to the main dwellinghouse and shall not be occupied or sold as an independent dwellinghouse nor shall it be used as holiday accommodation.**

**Reason(s):-**

- 1. To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2019.**
- 2. As these drawings and details constitute the approved development.**
- 3. To ensure that the development is used for purposes ancillary to the main house.**

**Informative(s):-**

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

|                             |  |
|-----------------------------|--|
| <b>Monday to Friday</b>     | <b>08:00 – 19:00 Hours</b>               |
| <b>Saturday</b>             | <b>08:00 – 13:00 Hours</b>               |
| <b>Sunday/Bank Holidays</b> | <b>No noise audible at site boundary</b> |

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

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**pp Director of Place Services**

**Date:** 9 January 2023

**LIST OF BACKGROUND PAPERS**

1. Falkirk Local Development Plan 2.
2. SG03 'Residential Extensions and Alterations' (adopted).
3. Representation received from Mr John Coulman, 17 Cauldcoats Holdings, By Linlithgow, EH49 7LY on 18 November 2022.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel-Gregory, Planning Officer.

## **Policy Schedule**

### **HC08 Residential Extensions and Alterations**

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 impact on the functioning of garden ground, unacceptable loss of off-street parking or road safety issues.

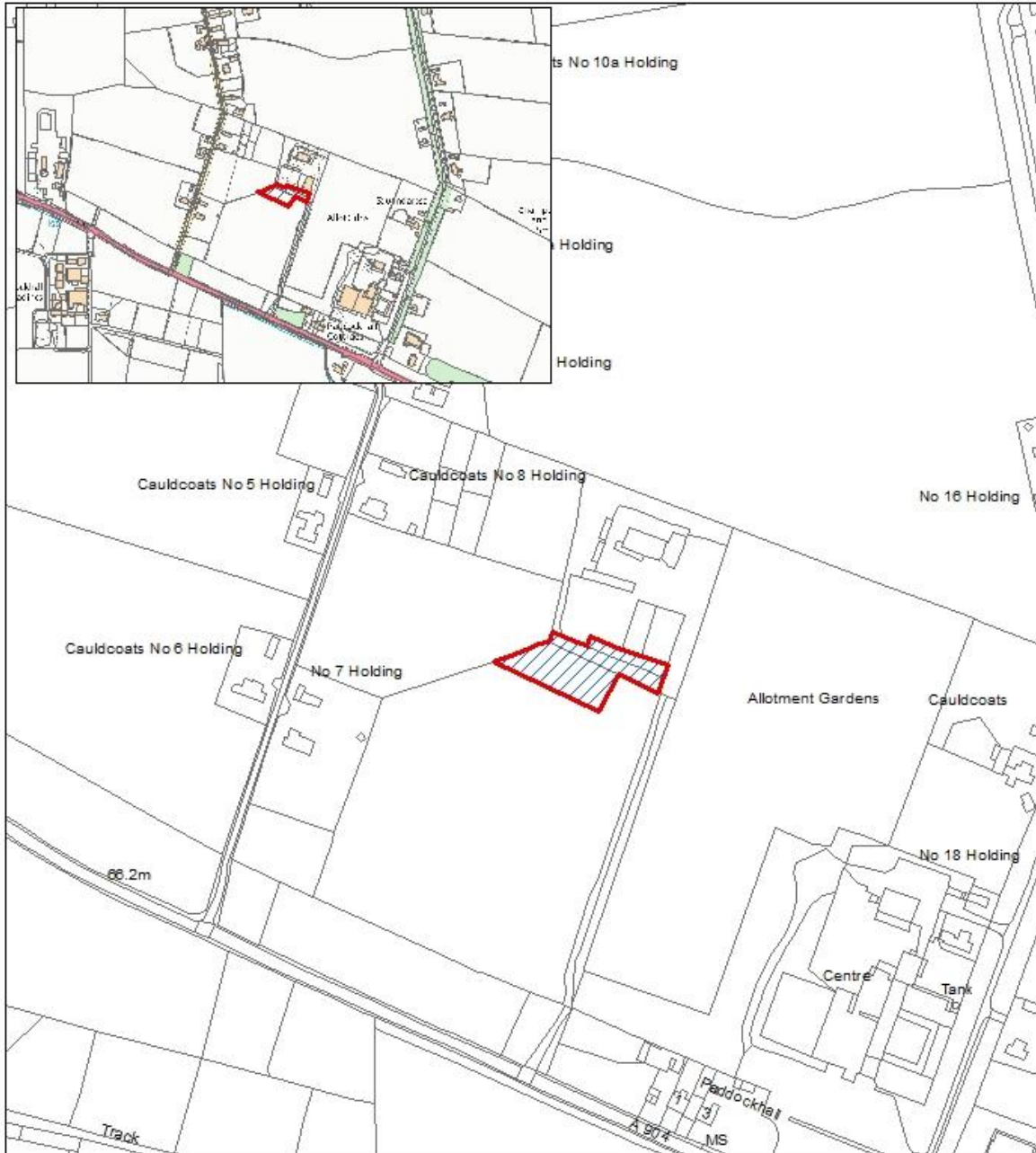
Detailed guidance on the application of these criteria is set out in Supplementary Guidance SG03 'Residential Extensions and Alterations'.

# Planning Committee

## Planning Application Location Plan

# P/22/0420/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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