



West Lothian
Council

Local Review Body

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

6 September 2017

A meeting of the **Local Review Body** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Wednesday 13 September 2017** at **11:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Confirm Draft Minute of Meeting held on Wednesday 16 August 2017 (herewith)

Public Items for Decision

5. CONTINUED ITEM OF BUSINESS:-
 - (a) Notice of Review Application No.0315/H/17 - Variation to Planning Application 0446/H/16 to increase house extension by 1 metre in length at 21 Parkhead Crescent, West Calder (herewith)

DATA LABEL: Public

NOTE **For further information please contact Elaine Dow on Tel No.01506 281594 or email elaine.dow@westlothian.gov.uk**

MINUTE of MEETING of the LOCAL REVIEW BODY of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 16 AUGUST 2017.

Present – Councillors George Paul (Chair), Lawrence Fitzpatrick, Stuart Borrowman, William Boyle, Charles Kennedy, Tom Kerr, Dom McGuire and David Tait

Apologies – Councillor Pauline Clark

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. MINUTE

The committee confirmed the Minute of its meeting held on 28 June 2017. The Minute was thereafter signed by the Chair.

3. NOTICE OF REVIEW APPLICATION NO.0190/P/17 - PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF A DWELLING AT ORMISTON HILL, KIRKNEWTON

The committee considered a report (copies of which had been circulated) by the Clerk and Legal Adviser to the Local Review Body which related to a Notice of Review for the refusal of planning permission in principle for the erection of a dwelling at Ormiston Hill, Kirknewton.

Attached to the report were the Notice of Review and other relevant documents and the report identified the policies in the development plan and relevant planning guidance that had been referred to in the review documents.

Committee decided that the review documents in conjunction with the site visit conducted before the meeting provided sufficient information to enable the review to be determined without any further procedure.

The committee considered the review application in terms of the statutory test, to have regards to the development plan and to make its decision in accordance with the development plan unless material considerations indicated otherwise.

The Local Review Body also took into account the view expressed in the Notice of Review documents.

Decision

To refuse the review application and uphold the Appointed Person's decision and refuse planning permission.

4. NOTICE OF REVIEW APPLICATION NO.0315/H/17 - VARIATION TO

PLANNING APPLICATION 0446/H/16 TO INCREASE HOUSE
EXTENSION BY 1 METRE IN LENGTH AT 21 PARKHEAD CRESCENT,
WEST CALDER

The committee considered a report (copies of which had been circulated) by the Clerk and Legal Adviser to the Local Review Body which related to a Notice of Review for the refusal of planning permission in principle for a variation to planning application 0446/H/16 to increase house extension by 1 metre in length at 21 Parkhead Crescent, West Calder

Attached to the report were the Notice of Review and other relevant documents and the report identified the policies in the development plan and relevant planning guidance that had been referred to in the review documents.

In reviewing the documents attached to the report it was noted that there was a discrepancy in the Appointed Person's Handling Report in that it stated in one part of the Handling Report that the proposal did comply to policy HOU9 of the West Lothian Local Plan and to the council's House Extension and Alteration Design Guide 2015 and but in another part of the Handling Report it stated that the proposal did not comply. Therefore the Planning Adviser advised committee that it would be best to continue the application and seek clarity from the Appointed Person on the matter.

Decision

To agree to continue the review application for one cycle to seek clarity from the Appointed Person in relation to the content of the Handling Report and whether or not the proposal did/did not comply with HOU9 of the West Lothian Local Plan and to the council's House Extension and Alteration Design Guide 2015.



LOCAL REVIEW BODY

APPLICATION NO. 0315/H/17 VARIATION TO PLANNING APPLICATION 0446/H/16 TO INCREASE HOUSE EXTENSION BY 1M IN LENGTH AT 21 PARKHEAD CRESCENT, WEST CALDER

REPORT BY CLERK AND LEGAL ADVISER TO THE LOCAL REVIEW BODY

A PURPOSE OF REPORT

This covering report describes the documents and other matters relevant to the consideration by the Local Review Body of this application for review of a decision by the council's Appointed Person. The application is to review the refusal of a variation to planning permission 0446/H/16 to increase house extension by 1 metre in length at 21 Parkhead Crescent, West Calder

B REVIEW DOCUMENTS

The following documents form the Review Documents for consideration by the Local Review Body and are circulated to members with this report:-

1. The Decision Notice, dated 25 July 2017;
2. The Handling Report;
3. The Notice of Review, submitted by the applicant, dated 28 July 2017 including a supporting statement, an email from the Planning Case Officer and two drawings.

No representations have been received in relation to the planning application

The applicant has stated in the review application that they consider that the Local Review Body could decide the review case by conducting a site visit only.

The review application was first considered by the Local Review Body at its meeting on 16 August 2017; this included conducting a site visit on the same day. However the item was continued as members were not clear from the content of the Handling Report if the application did or did not conform to HOU9 of the West Lothian Local Plan and the council's House Extension and Alteration Design Guide 2015. Therefore they were seeking clarity from the council's Appointed Person on the matter. A copy of the Procedure Note requesting this information was attached to the committee papers.

A revised Handling Report was received from the Appointed Person, a copy of which is attached to this report. A copy was also sent to the applicant's agent for

comment but no further comments were received within the stipulated 14 day period.

C DEVELOPMENT PLAN POLICIES AND PLANNING GUIDANCE

Planning permission was refused by the Appointed Person as they considered that the proposed scale and design of the proposed extension was out of keeping with that of the existing property and would be detrimental to the visual amenity and would be a significant addition to the rear garden area. Additionally the extension would not be in keeping with the style, scale or design to the existing form and appearance of the property. The Appointed Person therefore concluded that the proposal was contrary to policy HOU9 of the West Lothian Local Plan and contrary to the council's House Extension and Alteration Design Guide 2015.

D PLANNING CONDITIONS, LEGAL AGREEMENTS AND GOOD NEIGHBOUR AGREEMENTS

Without prejudice to the outcome of this review, to assist the Local Review Body in its deliberations and to assist the applicant and interested persons in securing a prompt resolution of the review, the Planning Adviser has drafted planning conditions which the Local Review Body may wish to consider imposing should it be minded to grant planning permission. A copy is circulated with this report.

Wendy Richardson, Solicitor, West Lothian Civic Centre

Tel No. 01506 283524, Wendy.Richarson@westlothian.gov.uk

Date: 13 September 2017

- 1 AUG 2017

FOR OFFICIAL USE ONLY

Reference No :
Date of Receipt :

NOTICE OF REVIEW

(LOCAL DEVELOPMENT – DECISION BY APPOINTED PERSON)

This Form is for a review by the West Lothian Council Local Review Body under Section 43A(8) of the Town and Country Planning (Scotland) Act 1997 in respect of decisions by the appointed person on local development applications.

The review will be conducted under the Town and Country Planning (Schemes of Delegation and local Review Procedure) (Scotland) Regulations 2008.

Please read and follow the accompanying West Lothian Council Local Review Body Guidance Notes when completing this form. Failure to supply all the relevant information or to lodge the form on time could invalidate your notice of review.

Use BLOCK CAPITALS if you are completing the form by hand.

PART A	APPLICANT'S DETAILS	Name	MR + MRS MACKIE
		Address	21 PARKHEAD CRESCENT WEST CALDER
		Postcode	EH55 8AU
		Telephone No. (1)	[REDACTED]
		Telephone No. (2)	
		Fax :	
	E-mail :	[REDACTED]	
	REPRESENTATIVE (If any)	Name	EUAN ROBERTSON
		Address	ROBERTSON ARCHITECTURE + DESIGN 17 CLIFTON ROAD, EAST CALDER
		Postcode	EH53 0HT
		Telephone No. (1)	[REDACTED]
		Telephone No. (2)	
		Fax :	
	E-mail :	robertson-architecture@live.co.uk	
Please tick this box if you wish all contact to be through your representative.			

Do you agree to correspondence regarding your review being sent by e-mail? *
YES ☒

PART B	APPLICANT REF. NO.	LIVE/0315/H/17
	SITE ADDRESS	21 PARKHEAD CRESCENT WEST CALDER EH55 8AU
	DESCRIPTION OF PROPOSED DEVELOPMENT	VARIATION TO PLANNING LIVE/0446/H/16 TO INCREASE HOUSE EXTENSION BY 1 M IN LENGTH
	DATE OF APPLICATION	17 TH APRIL 2017
	DATE OF DECISION NOTICE (IF ANY)	26 TH JULY 2017

Note:- This notice must be served on the planning authority within three months beginning with the date of the decision notice or, if no decision notice was issued, from the date of expiry of the period allowed for determining the application.

Type of Application (please tick the appropriate box)

Application for planning permission (including householder application)	<input checked="" type="checkbox"/>
Application for planning permission in principle	<input type="checkbox"/>
Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)	<input type="checkbox"/>
Application for approval of matters specified in conditions	<input type="checkbox"/>

PART C	TYPE OF REVIEW CASE
Refusal of application by appointed officer	<input checked="" type="checkbox"/>
Failure by appointed officer to determine the application within the period allowed	<input type="checkbox"/>
Conditions imposed on consent by appointed officer	<input type="checkbox"/>

Statement of reasons and matters to be raised

You must state, in full, the reasons for requiring a review of your case. You must also set out and include with your application all the matters you consider require to be taken into account and which you intend to raise in the review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

State here the reasons for requiring the review and all the matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form of which ten copies must be provided.

- APPLICATION NECESSARY DUE TO LOCATION OF SCOTTISH WATER Foul LINE
- CONSTRUCTION / FABRICATION OF EXTENSION HAD ALREADY COMMENCED WHEN PIPE LOCATION WAS FOUND TO BE DIFFERENT.
- THE LENGTHENING OF THE EXTENSION WAS PURELY TO AVOID PIPE, IF THE FORM WERE TO BE CHANGED THIS WOULD ACTUALLY INCREASE THE DEVELOPED AREA
- THE CASE OFFICER IN CHARGE GAVE NO INDICATION THAT THERE WAS A PROBLEM WITH THE PROPOSED VARIATION, NOR THAT PREVIOUS CONSENT WAS TOUCH + GO.
- WE WERE GIVEN NO OPPORTUNITY TO DISCUSS PROJECT AND POSSIBLY PRESENT TO DMC AS DECISION WAS MADE WITHOUT OUR KNOWLEDGE FOLLOWING NUMEROUS PHONE CALLS IN PURSUIT.
- AFTER BEING TOLD THE APPLICATION WOULD BE REFUSED IT TOOK 3½ WEEKS TO GET THE DECISION NOTICE.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

* ~~YES~~/NO

STATEMENT OF REASONS CONTINUED - LINE/0315/H/17

- THERE WERE NO OBJECTIONS RECEIVED FROM NEIGHBOURS
- WHEN THE CASE OFFICER WAS ASKED TO COMMENT ON THE PROPOSED CHANGES IN MARCH, THERE WERE NO CONCERNS RAISED AT THAT POINT, SUBSEQUENTLY WE WERE INFORMED BY HER LINE MANAGER THAT THE PREVIOUS CONSENT WAS THOUGHT TO BE 'TOUCH + GO'.
- COMPLETE LACK OF COMMUNICATION OR CONSIDERATION IN THIS CASE AS THE CASE OFFICER KNEW THAT WORK HAD COMMENCED.

If yes, you should now explain why you are raising new material, why it was not raised with the appointed officer before, and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all documents, materials and evidence which you wish to submit and rely on in your review. Ten (10) copies of these documents, materials and evidence must be lodged with this notice. If necessary, this can be continued or provided in full in a separate document.

1.	Pl01 - EXISTING PLANS + ELEVATIONS
2.	Pl02 B- PROPOSED PLANS + ELEVATIONS
3.	D-01 - EMAIL FROM CASE OFFICER.
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	

PART D REVIEW PROCEDURE

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process ask for further information or representations. The procedure adopted will be one or a combination of meetings; adjourned meetings; written submissions; hearing sessions and inspecting the land which is the subject of the review.

Please indicate what procedure (or combination of procedures) you think is most appropriate. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

Hearing sessions(s)

Site inspection

Assessment of review documents only, with no further procedure

✓

If you have selected "further written submissions" or "hearing session(s)", please explain which of the matters you have included in your statement of reasons you believe ought to be subject of those procedures, and why.

SITE INSPECTION

The Local Review Body may decide to inspect the land which is subject to the review.

Can the site be viewed entirely from public land?

* YES/NO

Is it possible for the site to be accessed safely, and without barriers to entry?

* YES/NO

If you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain why that may be the case.

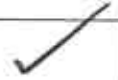
PART E CHECKLIST

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review. Failure to supply all the relevant information or to lodge the form on time could invalidate your notice of review.

Full completion of all parts of this form



Statement of your reasons for requiring a review and matters to be raised



Statement of your preferred procedure



All documents, materials and evidence which you intend to rely on.
Copies must accompany this notice.



Where your case relates to another application (e.g. it is a renewal of planning permission or a modification, variation or removal of a planning condition, or an application for approval of matters specified in conditions), it is advisable to provide that other application reference number, approved plans and decision notice from that earlier consent.

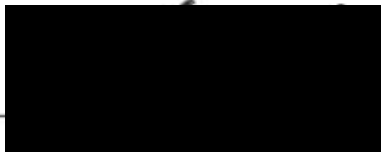
*****DECLARATION*****

I, the applicant/agent*, hereby require West Lothian Council to review the case as set out in this form and in the supporting documents, materials and evidence lodged with it.

I have been provided with a copy of the West Lothian Council Local Review Body Guidance Notes before lodging this notice.

I understand that the Council will make a copy of the notice of review (including my name, address and other personal information), the review documents and any notice of the procedure of the review available for inspection at an office of the Council until such time as the review is determined, and that all of that information may also be available on the Council website.

Signed



Date

28/07/17

* Delete as appropriate

Please return this completed form to :-

Val Johnston
Committee Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

robertson-architecture@live.co.uk

From: Stewart-Leslie, Arabella <Arabella.Leslie@westlothian.gov.uk>
Sent: 27 March 2017 15:55
To: Euan Robertson
Subject: RE: Planning Amendment - 21 Parkhead Crescent - West Calder - LIVE/0446/H/16 - [OFFICIAL]

DATA LABEL: OFFICIAL

Hi Euan,

As your extending the proposal and it's on the boundary it would be suitable to submit another householder application rather than a non-material variation as it would be appropriate to consult with the neighbouring properties.

I do believe the application was approved less than a year ago? Which means you wouldn't need to pay another fee to apply and once the 21 day period for public comment has passed a decision could be issued if this is a time sensitive matter.

Kind regards
 Arabella

www.westlothian.gov.uk

From: Euan Robertson [mailto:robertson-architecture@live.co.uk]
Sent: 27 March 2017 10:33
To: Stewart-Leslie, Arabella
Subject: Planning Amendment - 21 Parkhead Crescent - West Calder - LIVE/0446/H/16
Importance: High

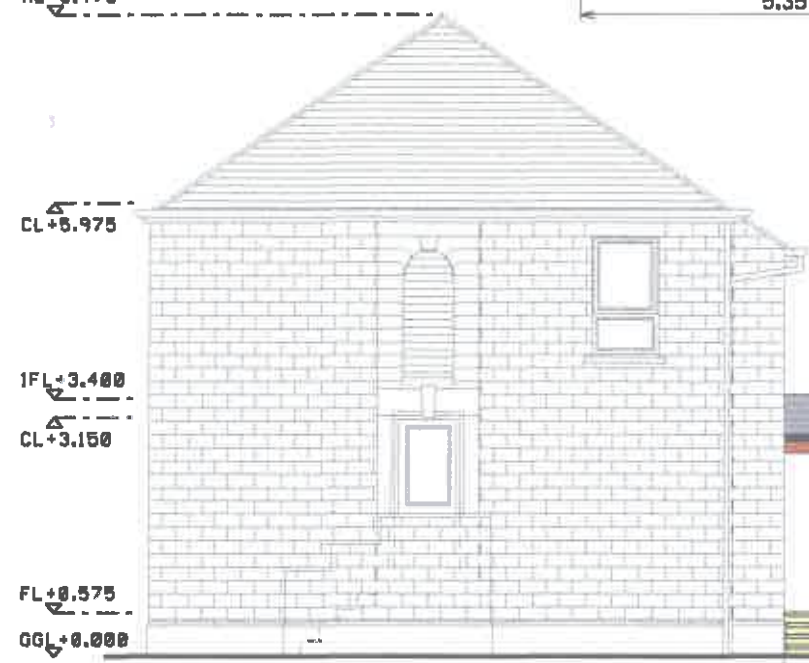
Good morning Arabella,

Please find enclosed a quick overmark sketch of proposed alterations required to the above planning permission.

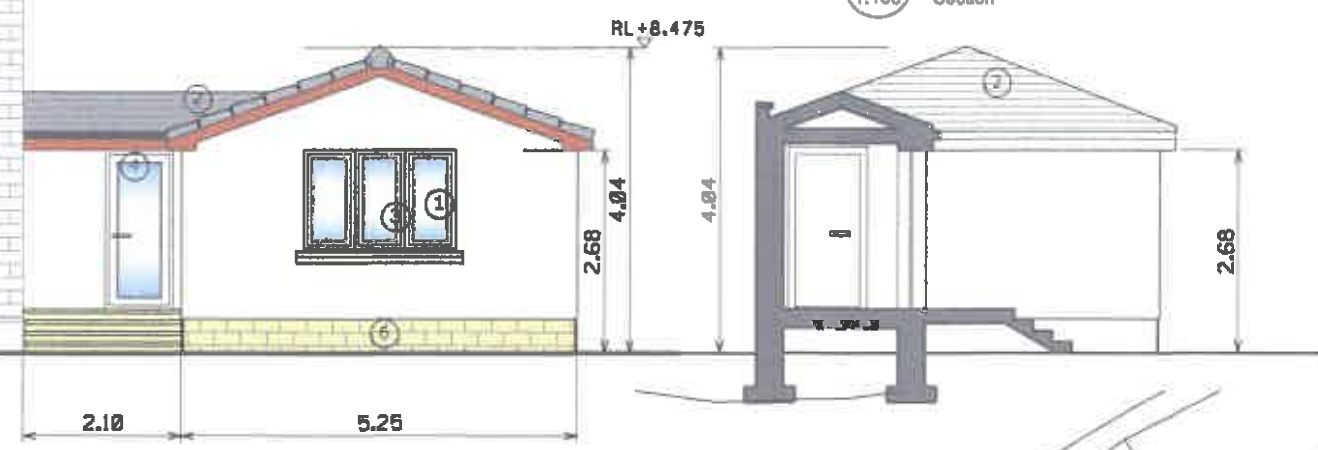
Essentially the Scottish water combined sewer running through the back garden which we have build over consent for is in the wrong location. Unfortunately the pipe is pretty much under one of the walls forming the new living room, the best method of avoiding this pipe and minimising



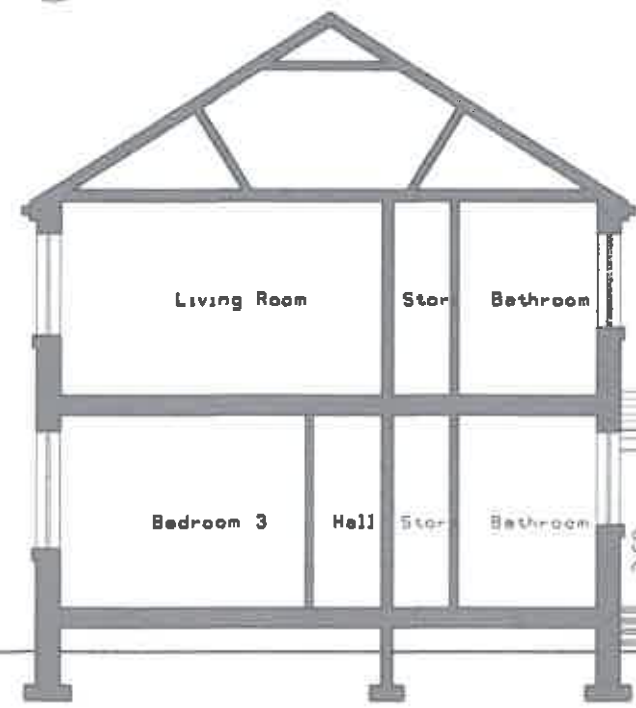
5 Proposed
1:100 Rear Elevation



3 Proposed
1:100 Side Elevation



4 Proposed
1:100 Section



2 Proposed
1:100 Side Section



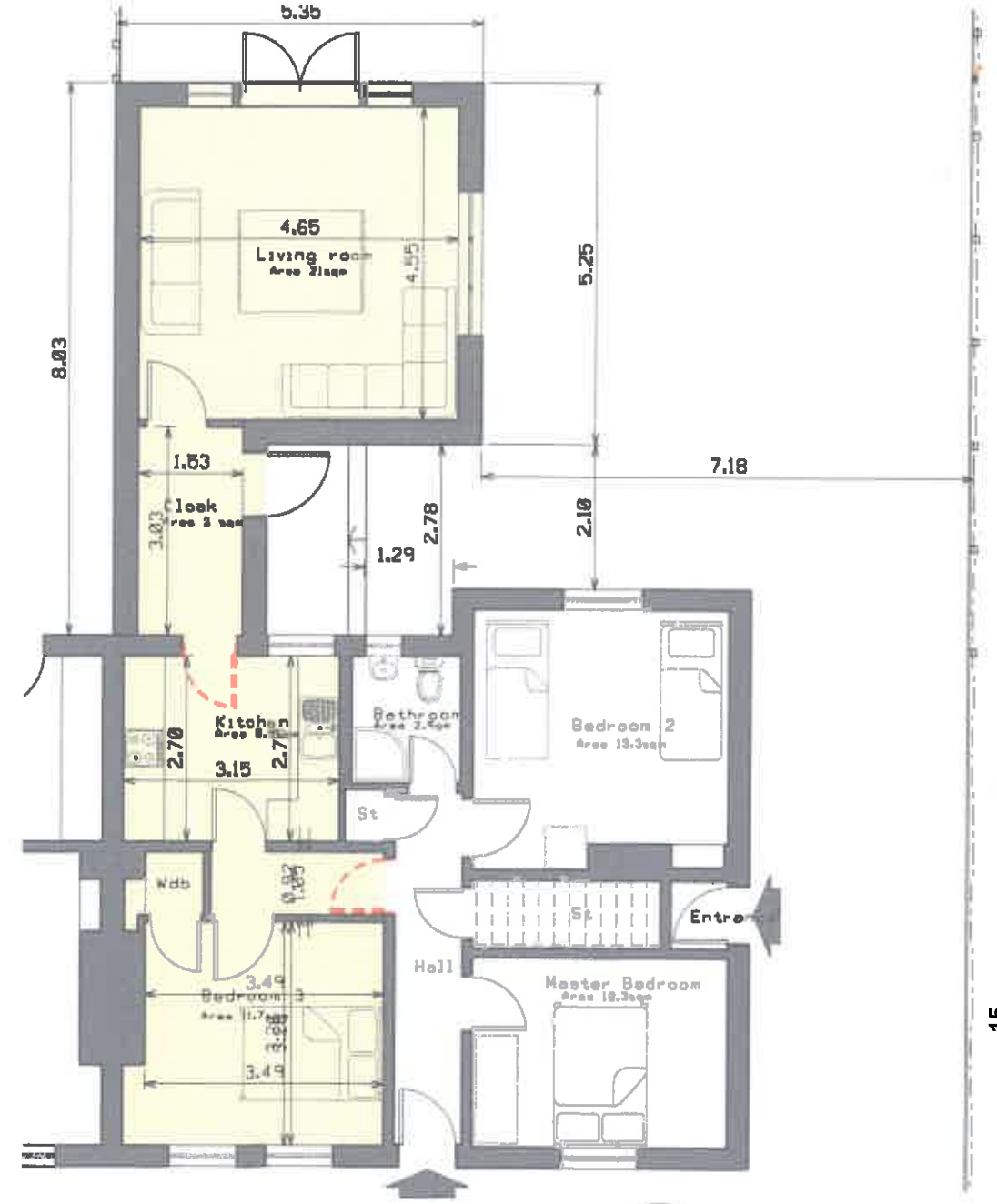
1 Existing
1:500 Rear Elevation

- Materials key**
- ① White through colored rough cast
 - ② Concrete tile roof to match existing
 - ③ white UPVC windows to match existing
 - ④ Treated sw soffit / barge boards painted brown to match existing
 - ⑤ Rainwater goods to be black UPVC
 - ⑥ Pre-cast stone base course

**SITE AREAS
-PROPOSED-**

Site Area - 3985sqm or 0.0398Ha
 Building Area - 109.5 Sqm
 Garden Area - 288.5 Sqm
 % green space - 72%

Denotes boundary of application site



6 Proposed
1:100 Ground floor plan



REV B	Apr 17	ER	Side elevation dimension amended as per planning comments				
REV A	Apr 17	ER	Extension moved 1m further out to miss SW combined drainage pipe				
REV.	DATE	DRAWN	DESCRIPTION				
REVISIONS							
0	4	10	20	40	60	80	100
1	35	15	30	60	100		
CLIENT: Mr & Mrs Mackle							
JOB: Proposed Rear Extension							
21 Parkhead Crescent							
DRAWING: Proposed Plan, Elevs & Sections							
DRAWNER	JOB NO 1520	DR NO PL02					
DATE May 16	REV B	SCALE As shown					



4 Existing
1:100 Ground floor plan

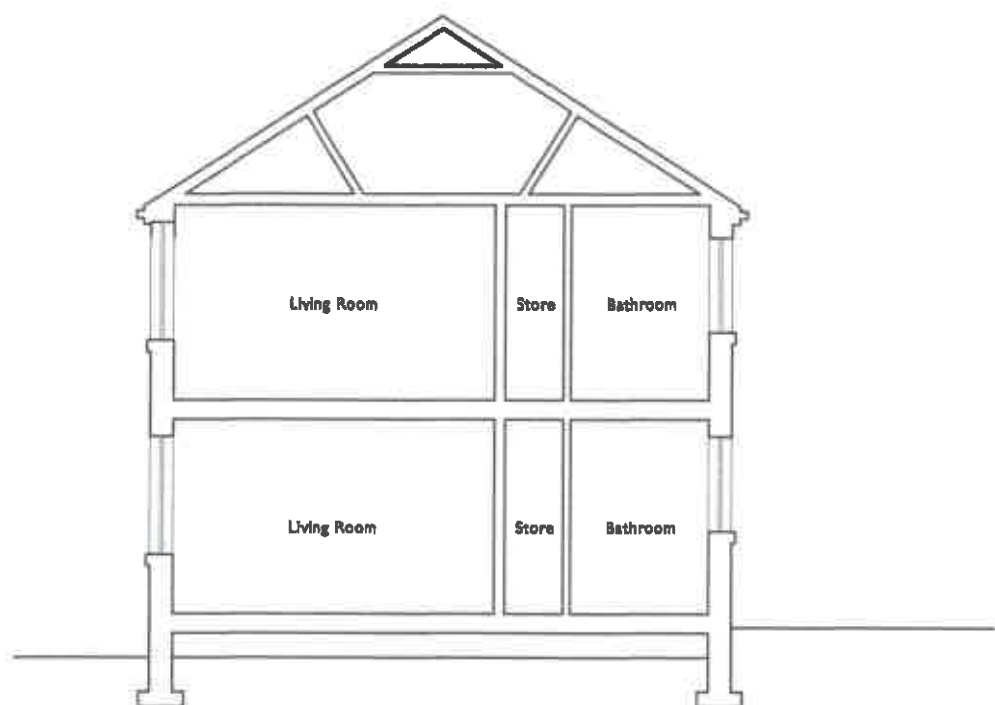
SITE AREAS

-EXISTING-

Site Area - 398Sqm or 0.0398Ha
 Building Area - 75 Sqm
 Garden Area - 323 Sqm
 % green space - 81%

Denotes Dwelling for which
 planning permission is sought

Denotes boundary of application
 site



3 Existing
1:100 Section



2 Existing
1:100 Side Elevation



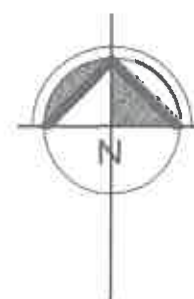
1 Existing
1:100 Rear Elevation



5 Existing
1:1000 Location Plan



6 Existing
1:500 Site Plan



CLIENT: Mr & Mrs Mackie
 JOB: Proposed Rear Extension
 21 Parkhead Crescent
 DRAWING: Existing plans/elevs & location
 DRAWNER JOB NO.1520 DR NO.101
 DATE May 16 REV SCALE As shown

ROBERTSON ARCHITECTURE
 & DESIGN



DECISION NOTICE REFUSAL OF PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997, as amended

West Lothian Council, in exercise of its powers under the Town & Country Planning (Scotland) Act 1997 (as amended), **refuses full planning permission for the development described below**, and in the planning application and docquetted plan(s).

APPLICATION REFERENCE LIVE/0315/H/17

PROPOSAL

Variation to planning permission LIVE/0446/H/16 to increase house extension by 1m in length (Grid Ref: 302141, 663013) (GRID REF: ,)

LOCATION

21 Parkhead Crescent, West Calder, EH55 8AU

APPLICANT

Scott Mackie, 21 Parkhead Crescent, West Calder, Livingston, EH55 8AU

The above **local application was determined by an officer appointed by the council in accordance with its scheme of delegation**. Please see the advisory notes for further information, including how to request a review of any conditions.

Docquetted plans relative to this decision are identified in Annex 1, Schedule of Plans.

Dated: 25.07.2017

Craig McCorriston
Head of Planning, Economic Development and Regeneration

West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

Signature:

DATA LABEL: PUBLIC

The council in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 (as amended) refuses planning permission for planning application 0209/FUL/16, for the reason(s) set out as follows:

- 1 The proposed scale and design of the proposed side extension is out of keeping with that of the existing property. The proposed length of the extension will be detrimental to visual amenity and will be a significant addition to the rear garden area. The proposal is therefore contrary to policy HOU9 in the Finalised West Lothian Local Plan
- 2 The extension will not be in keeping in either style, scale or design to the existing form and appearance of the property. The proposal is therefore contrary to the provisions of the councils House Extension and Alteration Design Guide 2015.

ADVISORY NOTES TO DEVELOPER

How to challenge the council's Decision

If your application was determined under delegated powers as a local application by an officer appointed by the council and you disagree with the council's decision on your application, or one or more of the conditions attached to the decision, you can apply for a review by the council's Local Review Body. If the application was heard at a committee and in any other case you can seek an appeal of that decision to the Government's Directorate for Planning and Environmental Appeals. You can find information on these processes and how to apply for a review, or to appeal, here: <http://www.westlothian.gov.uk/article/2078/Decisions-Reviews-and-Appeals>

If the decision of the council is overturned by the Local Review Body or the Directorate for Planning and Environmental Appeals, the developer of the land should be made aware of the following notes.

Notification of the start of development

It is a legal requirement that the person carrying out this development must notify the planning authority prior to work starting on site. The notification must include full details of the name and address of the person carrying out the development as well as the owner of the land and must include the reference number of the planning permission and the date it was granted. If someone is to oversee the work, the name and contact details of that person must be supplied. The relevant form is available online on the council web site under Planning and Building Standards. Please ensure this form is completed and returned accordingly.

Notification of completion of development

The person who completes this development must, as soon as practicable after doing so, give notice of completion to the planning authority. The relevant form is available online on the council web site under Planning and Building Standards. Please ensure this form is completed and returned accordingly.

Contaminated land procedures

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease and the issue shall be reported in writing to the planning authority immediately. The developer is required to follow the councils Supplementary Planning Guidance Development of land potentially affected by contamination. This document provides developers and their consultants with information on dealing with the planning process in West Lothian when development is proposed on land which is

suspected of being affected by contamination. This document and further guidance is provided via the Councils web pages at <http://www.westlothian.gov.uk/article/2220/Contaminated-Land>

Liaison with the Coal Authority

As the proposed development is within an area which could be subject to hazards from current or past coal mining activity, the applicant is advised to liaise with the Coal Authority before work begins on site, to ensure that the ground is suitable for development.

Any activities which affect any coal seams, mine workings or coal mine entries (shafts) require the written permission of the Coal Authority. Failure to obtain such permission constitutes trespass, with the potential for court action. The Coal Authority is concerned, in the interest of public safety, to ensure that any risks associated with existing or proposed coal mine workings are identified and mitigated.

To contact the Coal Authority to obtain specific information on past, current and proposed coal mining activity you should contact the Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

Advisory note to developer - General

Please note that it is the developer's responsibility to ensure that all relevant consents and certificates are in place prior to starting work on site and that it is the developer's responsibility to speak with service authorities to ensure safe connection is possible to allow the development to proceed.

Annex 1, Schedule of Plans - LIVE/0315/H/17

Docquetted Number	Drawing Description	Drawing Number
1	Location Plan and Existing Plans	PL01
2	Proposed Plans	PL02



West Lothian
Council

HANDLING REPORT

Ref. No.: 0315/H/17 **Email:** arabella.leslie@westlothian.gov.uk

Case Officer: Arabella Stewart-Leslie **Tel No.:** 01506 283445

Ward: Fauldhouse and the Breich Valley **Member:** Pauline Clark
David Dodds
Cathy Muldoon

Title Variation to planning permission LIVE/0446/H/16 to increase house extension by 1m in length (Grid Ref: 302141, 663013) at 21 PARKHEAD CRESCENT, WEST CALDER, EH55 8AU

Application Type Local Application

Decision Level LIST 23/06/2017

Site Visit [02/05/2017](#)

Recommendation refuse permission

Decision REFUSAL OF FULL PLANNING PERMISSION

Neighbour Notification Neighbour notification procedures have been carried out correctly - case officer verification ASL

Description of Property Two storey semi-detached property

Description of Proposals Single storey rear extension

Site History application 0446/H/16 - granted

Representations None

Advertisement None

Consultations None

Policy and Guidance

Plan	Policy	Assessment	Conform
West Lothian Local Plan	<p>HOU9 - Residential and Visual Amenity</p> <p>Development proposals will be assessed against the need to protect the residential and visual amenity of existing residents and other occupiers. Developments shown to adversely</p>	<p>The proposal would be visually detrimental to residential and visual amenity.</p> <p>A previous application was granted for the erection of an extension 7 metres along the boundary with the neighbouring property. The proposal was substantial in terms of overall length into the garden space.</p> <p>The proposal would see an increase of 1metre along the boundarywith the neighbouring property, which would have a</p>	No

	<p>impact on amenity to a significant degree will not be supported.</p> <p>An extension of the length proposed would constitute overdevelopment of the garden ground and would not be subsidiary to the main form of the house. Due to its location it would also be overbearing to neighbouring properties.</p>	
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Supplementary Planning Guidance	Assessment	Conform
House Extension and Alteration Design Guide 2015	<p>Extensions and other alterations to dwellings should generally be designed as an integral part of the property and should reflect its character. They should not dominate the existing building or be designed in isolation solely to fit in a required amount of additional accommodation.</p> <p>The extension should be of a scale that does not dominate the existing property or your neighbours' houses. It should be subsidiary in appearance to the main house and should not detract from the appearance of the dwelling or surroundings. External walling and roofing materials should normally match those of the existing building. Where other materials are proposed, they should complement the existing dwelling.</p> <p>The windows and doors should be of a similar style, appearance, material and proportion to those in the existing house.</p> <p>Rear extensions have much less impact on the streetscene than extensions to the front or side. Particular attention should be paid to issues of privacy, overlooking, and sunlight/daylight and overshadowing.</p>	No

Conclusions and Reason for Decision

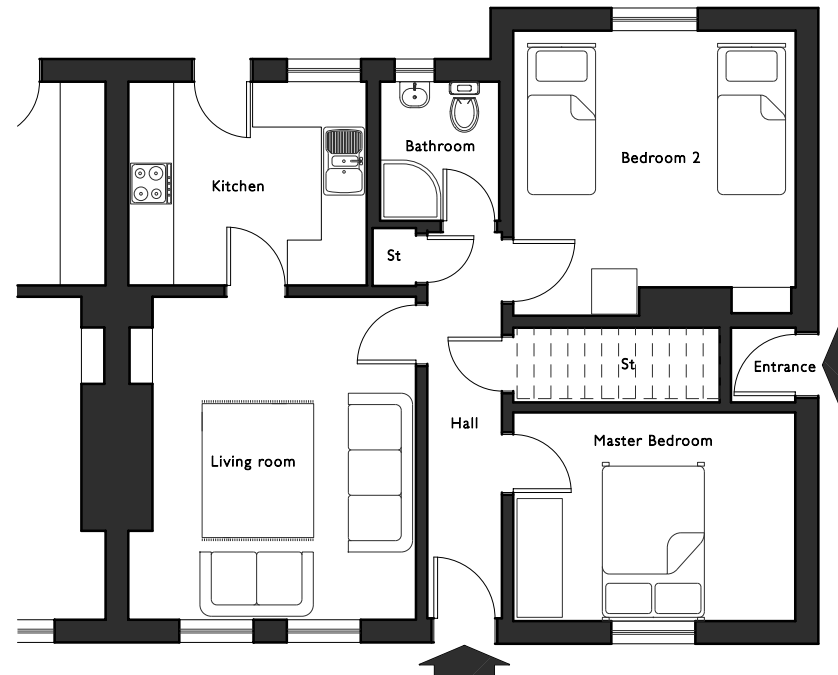
The proposal would be visually detrimental to residential and visual amenity and for this reason fails to comply with Policy HOU 9 of the West Lothian Local Plan and supplementary guidance.

List of Review Documents

Approved/refused drawings schedule:

Annex 1, Schedule of Plans - 0315/H/17

Docquetted Number	Drawing Description	Drawing Number
1 of 2	Location Plan and Existing Plans	PL01
2 of 2	Proposed Plans and Elevations	PL02



SITE AREAS

-EXISTING-

Site Area - 398Sqm or 0.0398Ha

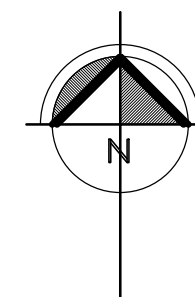
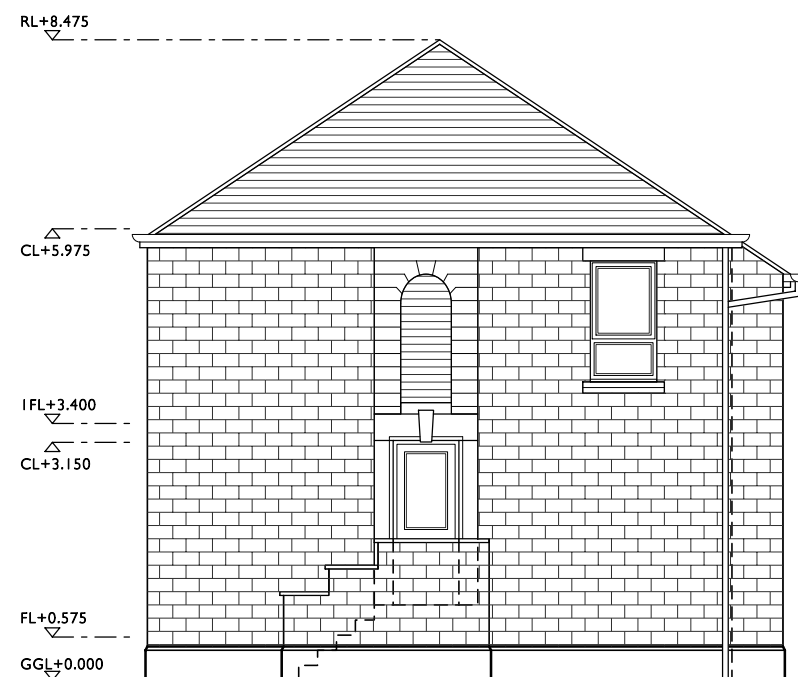
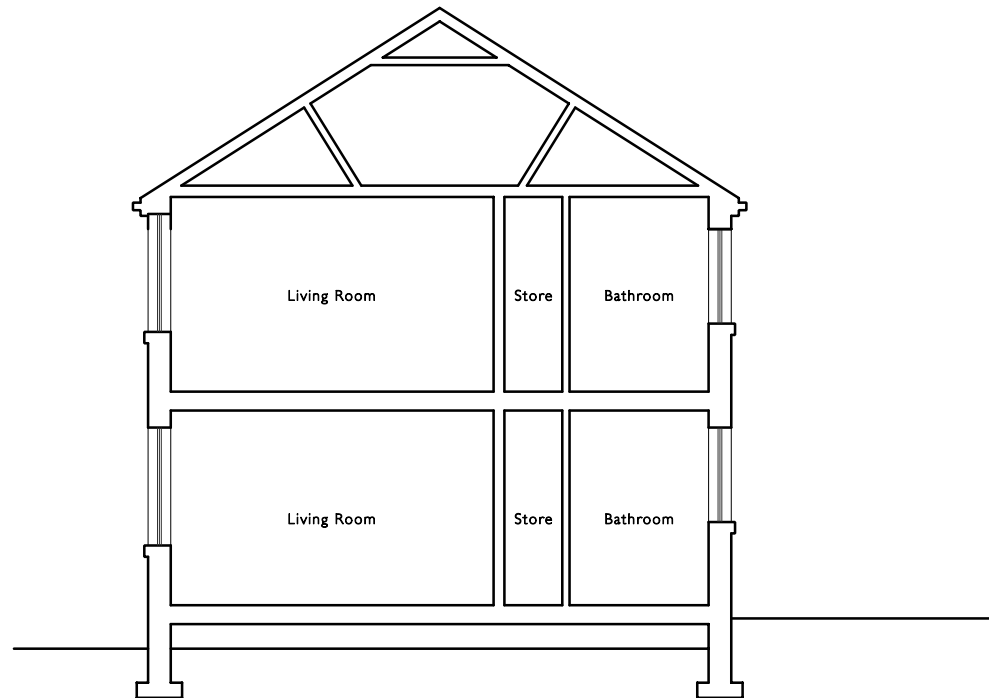
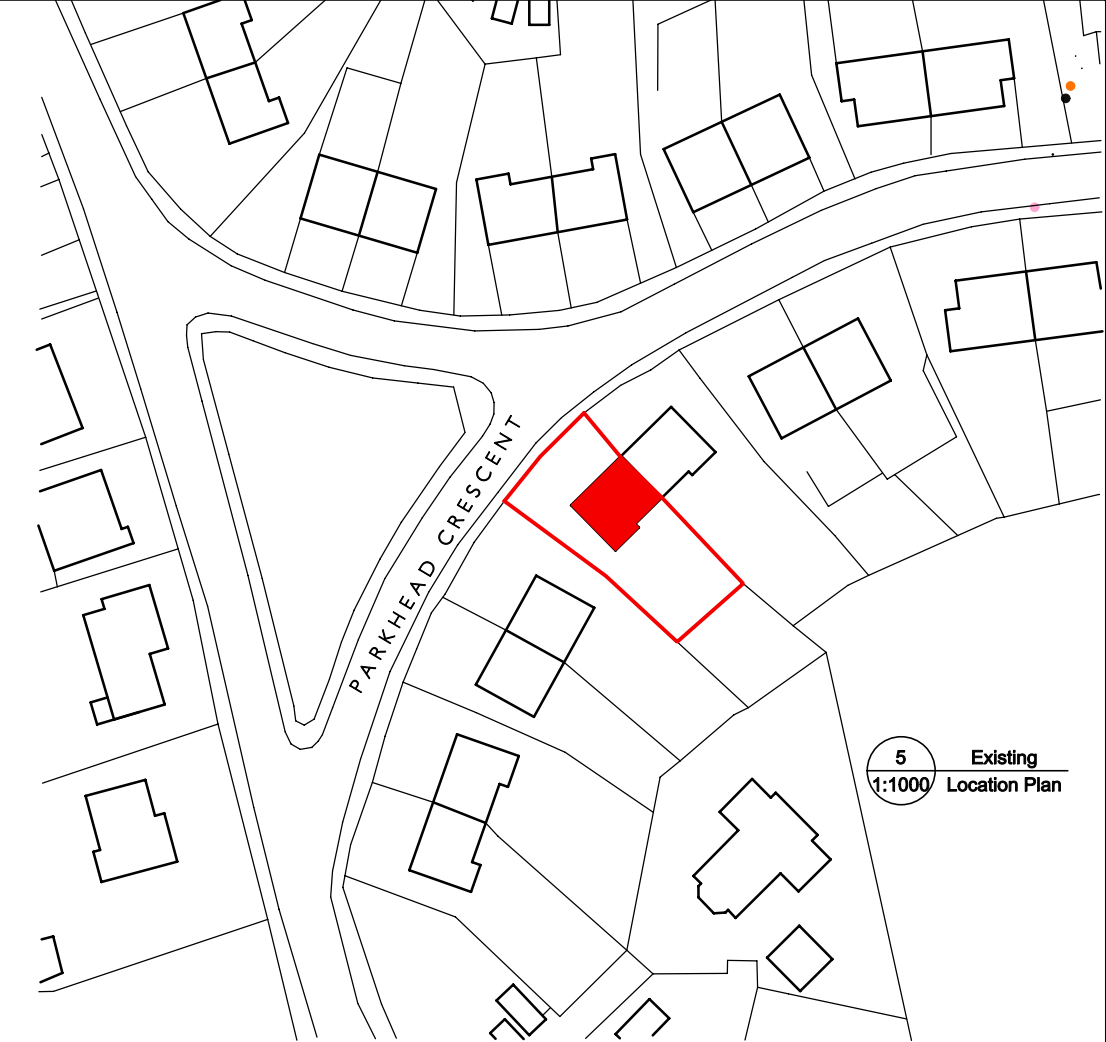
Building Area - 75 Sqm

Garden Area - 323 Sqm

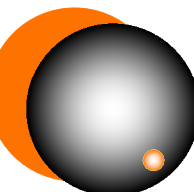
% green space - 81%

 Denotes Dwelling for which planning permission is sought

 Denotes boundary of application site



CLIENT: Mr & Mrs Mackie
 JOB: Proposed Rear Extension
 21 Parkhead Crescent
 DRAWING: Existing plans/elevs & location
 DRAWNER JOB NO.1520 DR NO.101
 DATE May 16 REV. SCALE As shown



ROBERTSON ARCHITECTURE
 & DESIGN



LOCAL REVIEW BODY

PROCEDURE NOTICE

APPLICATION NO.0315/H/17 – VARIATION TO PLANNING APPLICATION 0446/H/16 TO INCREASE HOUSE EXTENSION BY 1M IN LENGTH AT 21 PARKHEAD CRESCENT, WEST CALDER

The Local Review Body at its meeting on 16 August 2017 decided under Regulation 15(1) of the Town and Country Planning (Schemes of Delegation and Local Review Body Procedure) (Scotland) Regulations 2013 that further information should be provided to it by means of written submissions.

The Local Review Body decided to request the following information:-

- A. From the council's Appointed Person, clarity on the content of the Handling Report in that it stated in one section of the document that the application did conform to policy HOU9 and to the council's House Extension and Alteration Guide and in another section of document that it did not conform to HOU9 and council's House Extension and Alteration Guide

The information was to be sent to the Clerk to the Local Review Body and to the other parties noted below so that they have the opportunity to make comments in response :-

- Euan Robertson, Robertson Architecture & Design, 17 Clifton Road, East Calder, EH53 0HJ or email at Robertson-architecture@live.co.uk

That information is to be provided on or before Wednesday 23 August 2017

The other parties have 14 days from the date of receipt of any such information to make comments on it, but not to raise new matters

A copy of this Procedure Notice has been sent to all parties involved in the review application

Wendy Richardson
Clerk to the Local Review Body
West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF

16 August 2017

01506 281613

Wendy.richardson@westlothian.gov.uk

WEST LOTHIAN COUNCIL LOCAL REVIEW BODY

MEMBERS' CHECKLIST

PART 1 – DOCUMENTS, POLICIES AND OTHER CONSIDERATIONS

1	Type of review, review documents, procedural problems, new matters raised, draft conditions and developer agreements
2	Development plan policies and national and local planning guidance
3	Relevant material considerations drawn from the review documents
4	Factual disputes to be resolved

PART 2 – FIRST MEETING

1	National guidance on review cases and applicant's preferences for procedures
2	Additional Information needed and why
3	How to get it – site visit, written submissions, Hearing Session
4	Sufficient information to determine the application?

PART 3 – ADJOURNED FIRST MEETING

1	Completion of procedures decided on at first meeting
2	Additional information needed and why
3	How to get it
4	Sufficient information to determine the application?

PART 4 – DETERMINATION

1	Assess against each development plan policy - conform or breach?
2	Decide as per development plan unless justified by material considerations
3	In applying the statutory test, what is the decision?
4	Provide planning reasons for decision letter and minute