



Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

18 October 2017

A meeting of the **Development Management Committee** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Wednesday 25 October 2017 at 10:00am**.

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 Minutes of Meeting of Development Management Committee held on Wednesday 27 September 2017 (herewith)

Public Items for Decision

5. Application No.0181/FUL/17 - Erection of workshop and stables, formation of paddock, siting of residential caravan and formation of new access at land at Park Farm Cottages, Philipstoun (herewith)
6. Application No.0426/FUL/17 - Erection of 6 houses including access roads and associated works at land at Clarendon House, Linlithgow (herewith)
7. Application No.0663/H/17 - Erection of decking (in retrospect) at 42 Northfield Cottages, West Calder (herewith)

Public Items for Information

8. Consider list of delegated decisions on planning applications and enforcement actions for 22 September 2017 to 6 October 2017 (herewith)
9. Appeals :-
 - (a) 0378/PO/17 - 7 Pardovan Holdings, Linlithgow - appeal submitted to Reporter's Office
 - (b) 0377/PO/17 - 7 Pardovan Holdings, Linlithgow - appeal submitted to Reporter's Office
 - (c) 0260/FUL/17 - land beside Oakwell, Philipstoun, Linlithgow - appeal submitted to Reporter's Office
 - (d) 0145/H/17 - 30 Laverock Park, Linlithgow - appeal submitted to Reporter's Office

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 27 SEPTEMBER 2017.

Present – Councillors Charles Kennedy (Chair), Stuart Borrowman, William Boyle, Harry Cartmill, Lawrence Fitzpatrick, Dom McGuire and David Tait

Apologies – Councillor Tom Kerr

1. DECLARATIONS OF INTEREST

Agenda Item 5 (App No.0427/FUL/17) – Councillor Dom McGuire declared a non-financial interest in that the applicant had attended his surgery but he had not discussed the merits of the application. Additionally the application had been discussed at a meeting of Elburn Community Council but he had not taken part in that discussion therefore he would participate in the item of business;

Agenda Items 7, 9 and 10 (App Nos 0536/FUL/17, 0592/P/17, and 0593/P/17) – Councillor Dom McGuire declared a non-financial interest in that the applicant had attended his surgery and he had also received documents from the applicant on the applications. Therefore he felt he had prejudged the application(s) and that he would remove himself from Chambers and not take part in the discussion or voting on the three applications;

Agenda Items 7, 9 and 10 (App Nos 0536/FUL/17, 0592/P/17, and 0593/P/17) – Councillor Willie Boyle declared a non-financial interest in that he had received documents from the applicant on the application(s) but would participate in the items of business;

Agenda Item 6 (App No.0458/FUL/17) – Councillor Stuart Borrowman declared a non-financial interest in that he had taken a call from the agent for the application but would participate in the item of business;

Agenda Items 7, 9 and 10 (App Nos 0536/FUL/17, 0592/P/17, and 0593/P/17) – Councillor David Tait declared a non-financial interest in that he had received documents from the applicant on the application(s) but would participate in the items of business;

Agenda Item 8 (App No.0586/FUL/17) – Councillor David Tait declared a non-financial interest in that he knew the objectors and was familiar with the proposal but would participate in the items of business;

Agenda Item 6 (App No.0458/FUL/17) – Councillor David Tait declared a non-financial interest in that he had taken a call from the agent for the application but would participate in the item of business;

Agenda Items 7, 9 and 10 (App Nos 0536/FUL/17, 0592/P/17, and 0593/P/17) – Councillor Harry Cartmill declared a non-financial interest in that he had received documents from the applicant on the application(s) but would participate in the items of business;

Agenda Items 7, 9 and 10 (App Nos 0536/FUL/17, 0592/P/17, and 0593/P/17) – Councillor Charles Kennedy declared a non-financial interest in that he had received documents from the applicant on the application(s) but would participate in the items of business; and

Agenda Item 6 (App No.0458/FUL/17) – Councillor Charles Kennedy declared a non-financial interest in that he had taken a call from the agent for the application but would participate in the item of business.

2. ORDER OF BUSINESS

The Chair ruled in terms of Standing Order 11 that the agenda would be dealt with in the following order:- 6, 7, 9, 10, 5 and 8.

The Chair also advised committee that he was in receipt of a request to continue Agenda Item 8 (App No.0567/FUL/17) by one of the objectors as they had been unable to attend the meeting. Committee agreed to hear the item of business.

3. MINUTE

The committee confirmed the Minute of its meeting held on 30 August 2017. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.0458/FUL/17

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0458/FUL/17	Erection of two dwelling houses with garages at Drovers Bank, Pardovan Farm Steading, Philipstoun	Refuse planning permission

The committee then heard the applicants agent, Mr Robin Holder, speak in support of the application.

Decision

To approve the terms of the report and refused planning permission.

Councillor Tait having moved an alternative position which did not receive a seconder had his dissent to the decision recorded.

5. APPLICATION NO.0536/FUL/17

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0536/FUL/17	Change of use from a nursery (class 10) to a house (class 9) at 5 Pardovan Holdings, Philipstoun	Refuse planning permission

The committee then heard Mrs Lesley Nock, the applicant, speak in support of the application.

Decision

To continue the application for two cycles to allow for planning officers to have further discussions with other council services and the applicant with regards to the economic business case surrounding the application and the applicant's personal circumstances.

6. APPLICATION NO.0592/P/17

The committee unanimously agreed to continue Application No.0592/P/17 for two cycles as it was for the same application site as Application No.0536/FUL/17 which had previously been continued for two cycles by committee.

7. APPLICATION NO.0593/P/17

The committee unanimously agreed to continue Application No.0593/P/17 for two cycles as it was for the same application site as Application No.0536/FUL/17 which had previously been continued for two cycles by committee.

8. APPLICATION NO.0427/FUL/17

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0427/FUL/17	Change of use of public space to private garden ground (in retrospect) and relocation of boundary fence at 84 Oldwood	Grant retrospective planning permission

Place, Elburn,
Livingston

Decision

To approve the terms of the report and granted planning permission.

9. APPLICATION NO.0586/FUL/17

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0586/FUL/17	Application under S42 for the variation of condition 28 of planning permission 0463/FUL/07 to extend the use of the external terrace from 21:00 to 01:00 hours at the Burgh Halls, The Cross, Linlithgow	Grant temporary planning permission subject to conditions

The committee noted that Thirza Hockaday, West Lothian Council, whilst not listed on the speakers list was available to answer questions.

Motion

To approve the terms of the report and grant temporary planning permission subject to conditions.

- Moved by the Chair and seconded by Councillor Lawrence Fitzpatrick

Amendment

To refuse the application as the proposal did not comply with HOU9 of the West Lothian Local Plan and that a dedicated smoking shelter to the front of the building should instead be encouraged.

- Moved by Councillor Willie Boyle and seconded by Councillor Stuart Borrowman

A roll call vote was taken which resulted as follows :-

Motion

Harry Cartmill

Lawrence Fitzpatrick

Amendment

Stuart Borrowman

Willie Boyle

Charles Kennedy

Dom McGuire

David Tait

Decision

Following a roll call vote the motion was successful by 5 votes to 2 and it was agreed accordingly.

10. DELEGATED DECISIONS

The Head of Planning, Economic Development and Regeneration had delegated powers to issue decisions on planning applications and enforcement action.

A list (copies of which had been circulated) of delegated decisions and enforcement action for the period 25 August to 15 September 2017 was submitted for the information of the committee.

Decision

To note the list of delegated decisions



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Erection of workshop and stables, formation of paddock, siting of residential caravan and formation of new access at Land at Park Farm Cottages, Philpstoun.

2 DETAILS

Reference no.	0181/FUL/17	Owner of site	Mr David Newall
Applicant	Mr David Newall	Ward & local members	Linlithgow Cllr Tom Conn Cllr Tom Kerr Cllr David Tait
Case officer	Steven McLaren	Contact details	01506 282404 steve.mclaren@westlothian.gov.uk

Reason for referral to Development Management Committee: Objection from Philpstoun Community Council.

3 RECOMMENDATION

Grant conditional permission.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

- 4.1 Planning permission is sought for the siting of a caravan and the construction of a 290sqm workshop with stables on land adjoining and to the south of the Union Canal, with access is off the B9080 opposite Oakwell Nursery. The proposed building lies approximately 60m from the canal at the nearest point with the paddock area adjacent to the canal. Land to the east of the site contains established allotments and land to the west, now know as 'Narrowboat Farm', is being cultivated and a number of agricultural structures have been erected.
- 4.2 The proposed building (see attached drawings) incorporates two stables in a lean-to section on the north of the structure; a materials storage area for gas, coal and steel; a smithy workshop incorporating gas and coal fired stations, anvils, horse shoeing bays and a waiting area. A separate canteen facility for the applicant and his employees/trainees is also provided within the building.

- 4.3 The main part of the building will be 5.6m in height with a canopy overhang on the western elevation. The building is located in the southernmost area of the application site nearest the B9080, where the access will be formed and the building will be clad in green profiled metal sheeting.
- 4.4 The northern half of the site adjacent to the canal is set aside as a paddock area and a residential caravan will be located to the west of the workshop as temporary accommodation while the business is established on the site.
- 4.5 Planning permission in principle for a 1.2 ha commercial development and erection of a house (Ref: 0655/P/14) was made for this site in 2014 but was withdrawn as insufficient information had been provided to allow for consideration of the business operation. A further application was submitted in 2015 (Ref: 0643/P/15) for planning permission in principle for the formation of a Farrier's Business (workshop, stables and paddocks) and erection of a house and garage (as amended).
- 4.6 Details of Mr Newall's current business operation and the ongoing viability of his business was submitted for consideration as part of the 2015 application. Economic Development carried out an assessment of the business and confirmed its viability. On the basis of this and an assessment of policies relating to development in the countryside it was established that the principle of the operation of a farrier's business was acceptable and permission was granted accordingly. The current application seeks detailed approval for the development.

5 PLANNING POLICY ASSESSMENT

- 5.1 The development plan comprises the Strategic Development Plan for Edinburgh South East Scotland (SESPlan) and the West Lothian Local Plan (WLLP). The council's West Lothian Local Development Plan (WLLDP)(proposed plan) and the SPGs on development in the countryside and single plot and small scale infill residential development are also material considerations.
- 5.2 The following development plan policies are relevant:

Plan	Policy	Assessment	Conform
West Lothian Local Plan (WLLP)	ENV33 – design of development in the countryside	<p>Any new development in the countryside acceptable in terms of policies ENV 31 and ENV 32 must conform to the design and development control policy guidelines issued by the council and contained in Planning Advice Notes issued by the Scottish Executive and the Scottish Government. In particular, new developments should take account of; a specific locational need; avoid open fields, skylines and other exposed locations; avoid sites immediately adjacent to main roads and railway lines; avoid disturbance to woodland and wildlife; impact on scheduled monuments; respect and complement local vernacular building styles; incorporate boundary treatments appropriate to the area; be appropriately serviced; be capable of being served by a safe vehicular access; avoid sites adjoining or particularly visible from rights of way, core paths, the Union Canal, view points and other well frequented public areas.</p> <p>The proposals relate to a rural business and the principle of developing the site for that business has already been established through planning application 0643/P/15. While the site is open and visible from the north and the Union Canal, it is</p>	Yes

Plan	Policy	Assessment	Conform
		<p>well screened by roadside hedges along the B9080 and the building is not located on a skyline. No trees or woodland are affected and whilst a section of hedging will require removal to form the access, replacement planting can be carried out within the site to offset this and provide screening from the north.</p> <p>This is a workshop building for a rural business. Its design has been modified to elongate the building and provide cladding fully to ground level, improving the general appearance from the initial submission. Whilst it is not an architecturally designed structure, it is similar to a number of profiled metal sheds and other buildings in the vicinity and is an appropriate design for its end use.</p> <p>Whilst the site is visible from the Union Canal, there has been significant change to the nature of the fields to the east and west of the site and the area is no longer pristine farmland. The development is therefore acceptable in terms of this policy.</p>	
WLLP	HOU9 – residential and visual amenity	<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 impact on amenity to a significant degree will not be supported.</p> <p>The development does not directly impact on the residential or visual amenity of nearby residents. The houses at Park Farm Cottages do not look towards the site and the proposed building sits lower than the property at Oakwell. There is therefore no significant adverse impact on the nearby residents.</p>	Yes
WLLP	IMP14 – policies and guidance	<p>Developers must have regard to the planning policies guidance referred to in this local plan. In submitting a planning application, a developer shall conform to supplementary guidance and planning briefs provided by the council.</p> <p>The council's SPG 'New Development in the Countryside' focuses on new housing rather than rural commercial buildings. Some flexibility is therefore required in assessing the suitability of design against this guidance. Given that a typical agricultural shed of up to 465sqm could have been constructed on the site under agricultural permitted development rights, the overall scale and design for this workshop building is acceptable.</p>	Yes
West Lothian Local Development Plan (proposed plan) (WLLDP)	DES1 – design principles	<p>All development proposals will require to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community and where appropriate, should include measures to enhance the environment and be high quality in their design. Development proposals which are poorly designed will not be supported. When assessing development proposals, the developer will be required to consider the following: there is no significant adverse impact on adjacent buildings or streetscape; there is no significant adverse impact on landscape character, wildlife or amenity of the area; suitable access and parking is provided; the development does not result in any significant adverse impact on the water environment. Development proposals must also accord with other relevant</p>	Yes

Plan	Policy	Assessment	Conform
		<p>policies and proposals in the development plan and with appropriate supplementary guidance.</p> <p>Some flexibility is required in assessing the suitability of design when the building is a rural workshop. Unlike residential properties where stone, wet dash render and slate would be expected as part of the design considerations for a rural site, the end use of the building needs to be taken into account in this case. Whilst an alternative design using traditional materials or alternative roof design would not be unwelcome, it would be unreasonable to insist on this level of finish on a working building when a typical agricultural shed of up to 465sqm could have been constructed on the site under agricultural permitted development rights and there are a number of profiled metal clad buildings in the area. The overall scale and design for this workshop building is acceptable.</p>	

6 REPRESENTATIONS

- 6.1 Neighbour notification was carried out and one representation has been received from Philpstoun Community Council. The full content of this objection is attached to this report and summarised below.

Comments	Response
The design of the building is inappropriate. The building proposed is an 'off the shelf' shed with no design consideration. This is not a prior notification for an agricultural building therefore the design should be improved.	It is agreed that there is little architectural merit in the design. The proposals have, however, been amended to hide base concrete panels behind the steel cladding and the stable block has been moved to the north elevation, reducing the width of the building and improving the overall appearance. The community council was re-consulted of these changes but continues to object to the design of the building. The building is a functional workshop for a rural business and as such the design of the building, as amended, is appropriate for its end use. There are also a number of other similarly designed non-residential properties in the Kingsfield/Philpstoun area.

7 CONSULTATIONS

- 7.1 This is a summary of the consultations received. The full documents are contained in the application file.

Consultee	Comments	Planning response
Contaminated Land Officer	The site investigation report's recommendations are acceptable. Radon protection measures to be installed and a remediation strategy prepared and submitted for approval.	Noted. These matters can be covered by condition.
West of Scotland Archaeological Service (WoSAS)	An archaeological watching brief is required during excavation works on site	Noted. This can be covered by condition.
Transportation	No objections. Technical requirements to be met on site.	Noted. This can be covered by condition.
Scottish Canals	Objection raised. Scottish Canals does not permit the discharge of foul water into the	Noted. The applicant is currently finalising the surface water and foul

Consultee	Comments	Planning response
	canals. Surface water may be acceptable if part of an approved SUDS scheme.	drainage proposals for the site in order to meet the requirements of Scottish Canals. If Members are minded to grant permission, the decision should not be issued until these matters are resolved.
Flood Risk Management	The treatment and attenuation of surface water runoff meets with requirements. The treatment plant will need to be registered with and approved by SEPA.	Noted.
Scottish Water	No objections.	Noted. It is the developer's responsibility to ensure safe connection to services.
SEPA	No objection. Subject to the agreement and verification of a revised scheme for the handling of foul water.	Noted. The applicant is in negotiations with SEPA therefore the decision should not be issued until these matters are resolved.
HSE	No objection.	Noted.

8 ASSESSMENT

- 8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.

West Lothian Local Plan and West Lothian Local Development Plan (WLLDP) (proposed plan)

- 8.2 The principle of developing the site to accommodate the applicant's business has been established through a previous permission. The assessment therefore focuses on the appropriateness of the proposed building.
- 8.3 Policy ENV33 sets out design principles for development in the countryside and on submission of the application, the scale and design were not as anticipated based on the indicative layout of the planning permission in principle. A meeting with the applicant was used to more fully understand the specific space requirements of the business and a more detailed floor plan (attached) was submitted to explain this.
- 8.4 Whilst a more traditional building design could be employed on the site, there is already a mixture of agricultural building designs in the area including red and grey profiled steel sheds with barrel roofs and flat/mono pitch extensions, grey rendered buildings with pitched roof, smaller more traditional rendered holding outbuildings and towards the north of the site, Kingsfield Farm Driving Range, Kingsfield Farm and Kingsfield Equestrian Centre all employ green profiled steel cladding for their rural businesses. Given the above, the design, as amended, is acceptable in this location and accords with policy ENV33.
- 8.5 There is no direct impact on nearby residential properties and the amended design of the building is appropriate for the site and the intended end use. In this respect the proposals accord with policy HOU9 of the WLLP and DES1 of the WLLDP (proposed plan).

9 CONCLUSION AND RECOMMENDATION

- 9.1 In recent years the land to the east of the site has been formed into allotments and in the past year the field to the west has been taken into separate ownership and a number of structures erected to allow the operation of that farm business. The proposed building lies 10m from the western boundary of the allotments and with an eaves height of 4m and overall height of 5.6m, the building will not have a detrimental impact on the operation of the allotments on this boundary.
- 9.2 With these adjacent activities, the siting of the proposed building will not be isolated and will simply read as part of the changing character of this strip of ground which fronts onto the Union Canal.
- 9.3 The use of simple profiled metal cladding of red, grey and green is common place on working rural buildings in the area and as such the building design is acceptable given the intended use.
- 9.4 It is acknowledged that the applicant is progressing technical matters in respect of drainage on the site with SEPA and Scottish Canals. However, it was considered prudent to allow Members to consider the design aspect while this work is concluded. It is recommended therefore that Members grant permission for the development subject to the satisfactory conclusion of these technical matters.

10 ATTACHMENTS

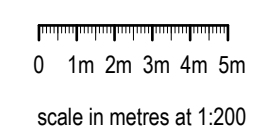
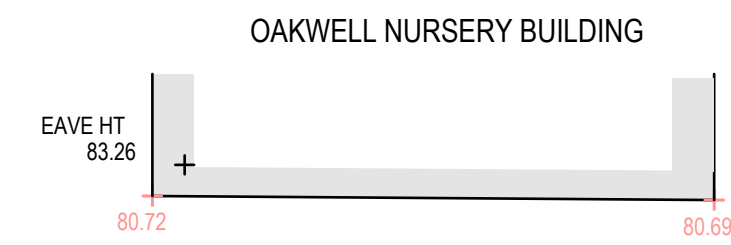
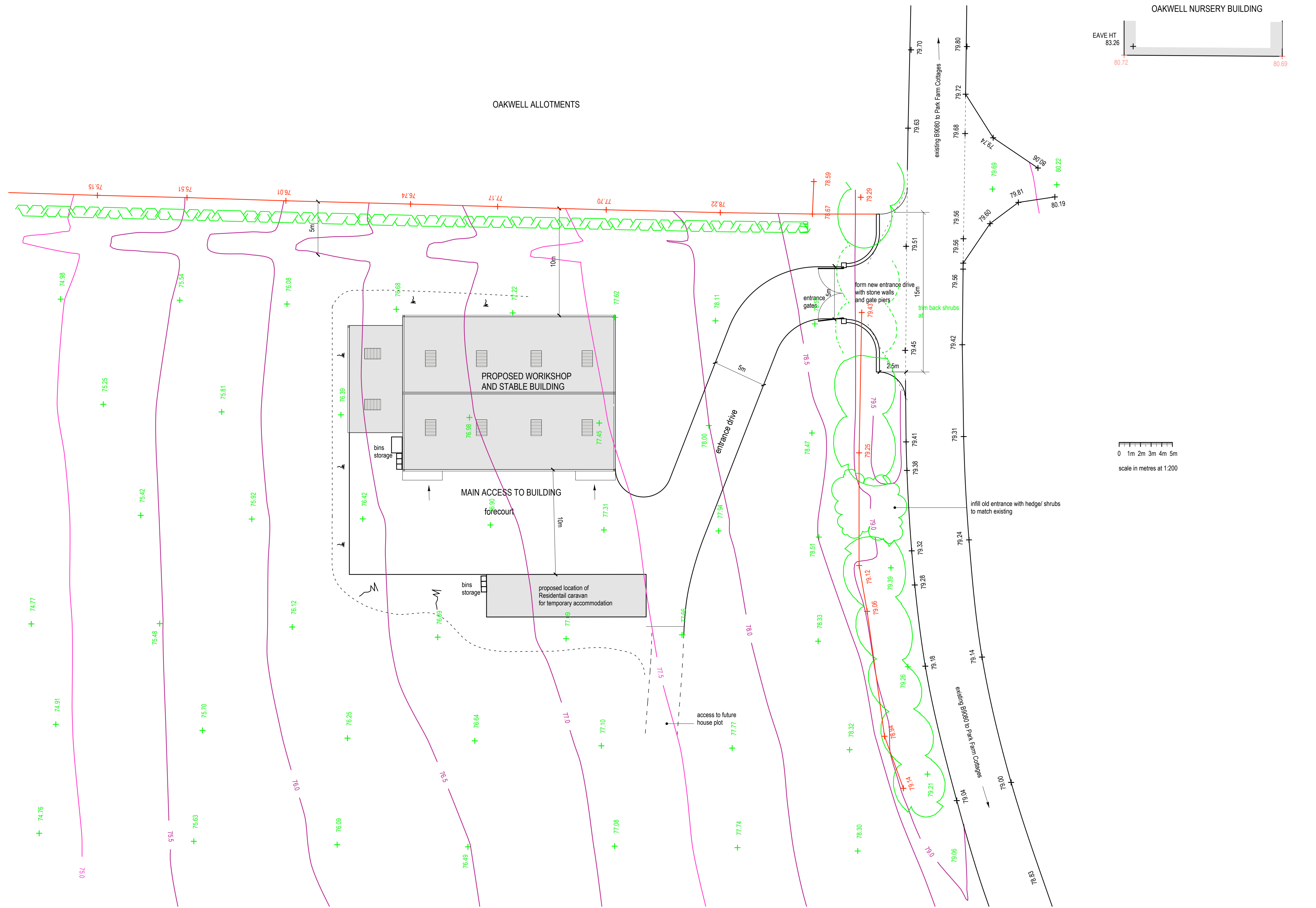
- Location plan
- Aerial
- Site plan
- Original elevations
- Amended elevations
- Floor plan
- Community Council comments
- Draft conditions

Craig McCorriston
Head of Planning, Economic Development & Regeneration

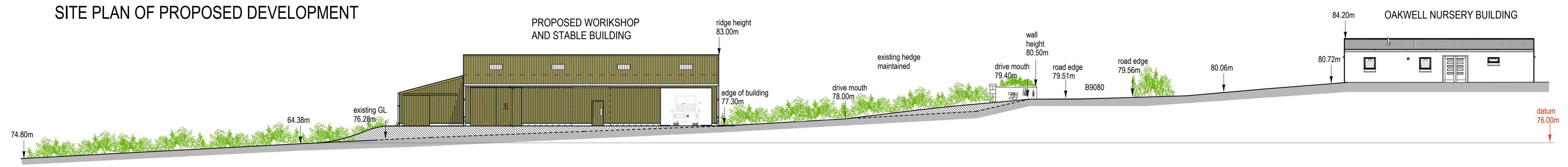
Date: 25 October 2017







SITE PLAN OF PROPOSED DEVELOPMENT



CROSS SECTION (North-South)

number	N38 D01	revision	A
client	D Newall Esq		
job	New Workshop and Stable building for Farrier Business Land west of Oakwell Allotments by Linlithgow West Lothian		
drawing	Design Drawing Site Plan & Elevation		
by	date	revision	letter
pc	10/08/17	Stable repositioned on North Elevation	A
scale	1:200@A1	drawn pc date 11/2016	checked date
POLLOCK HAMMOND LTD ARCHITECT AND CONSERVATION CONSULTANTS GRANGE WEST, LINLITHGOW, WEST Lothian, EH49 7RH tel: 01506 847829 email: mail@pollockhammondarchitects.co.uk www.pollockhammondarchitects.com			
number	N38 D01	revision	A

Material Specification

Roof -
box profile plastisol coated steel sheets with clear profile lights between each bays
with flashings, trims and barge boards all coloured juniper green

Gutters and downpipes-
deepflow upvc colour black

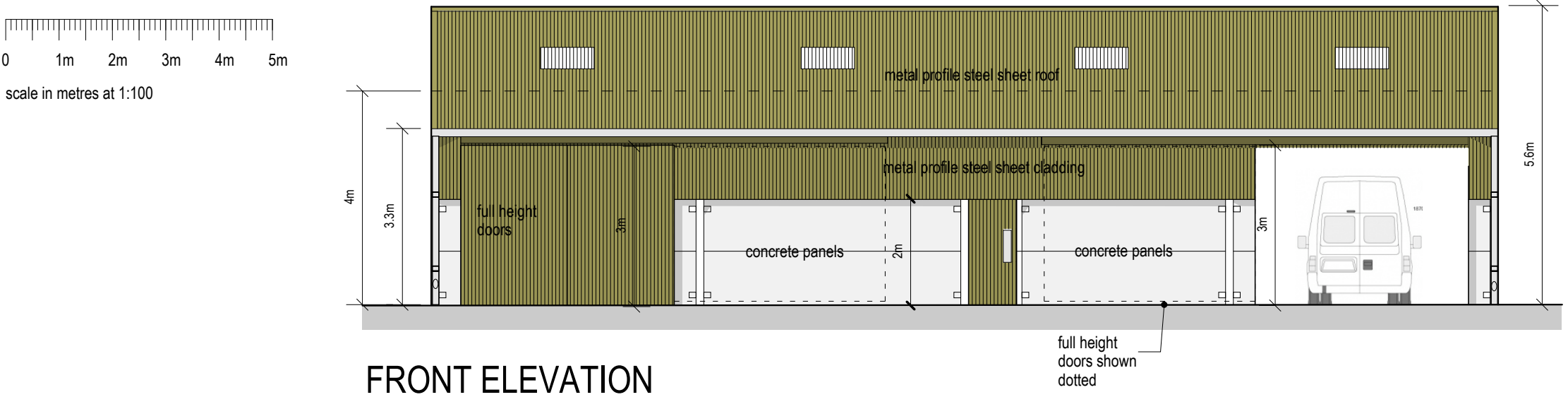
Walls -
prestressed concrete stock wall panels 2m high with box profile plastisol
coated steel sheets coloured juniper green above to eaves level

Doors
steel framed sliding doors and timber pedestrian door finished in juniper
green

D Newall Esq New Workshop and stable building for Farrier Business, Land west of Oakwell allotments, by Linlithgow EH49 Front & Rear Elevations			POLLOCK HAMMOND LTD ARCHITECT AND CONSERVATION CONSULTANTS GRANGE WEST, LINLITHGOW, WEST LoTHIAN, EH49 7RH tel. 01506 847829 email - mail@pollockhammondarchitects.co.uk www.pollockhammondarchitects.com	N36 D03 rev A
1:100@A3	pc	11/16		

rev A 12/16 Doors widened, canopy length increased, stable block reduced
rev B 12/16 full height doors to west elevation shown

INITIAL PROPOSED ELEVATIONS



Material Specification

Roof -
box profile plastisol coated steel sheets with clear profile lights between each bays
with flashings, trims and barge boards all coloured juniper green

Gutters and downpipes-
deepflow upvc colour black

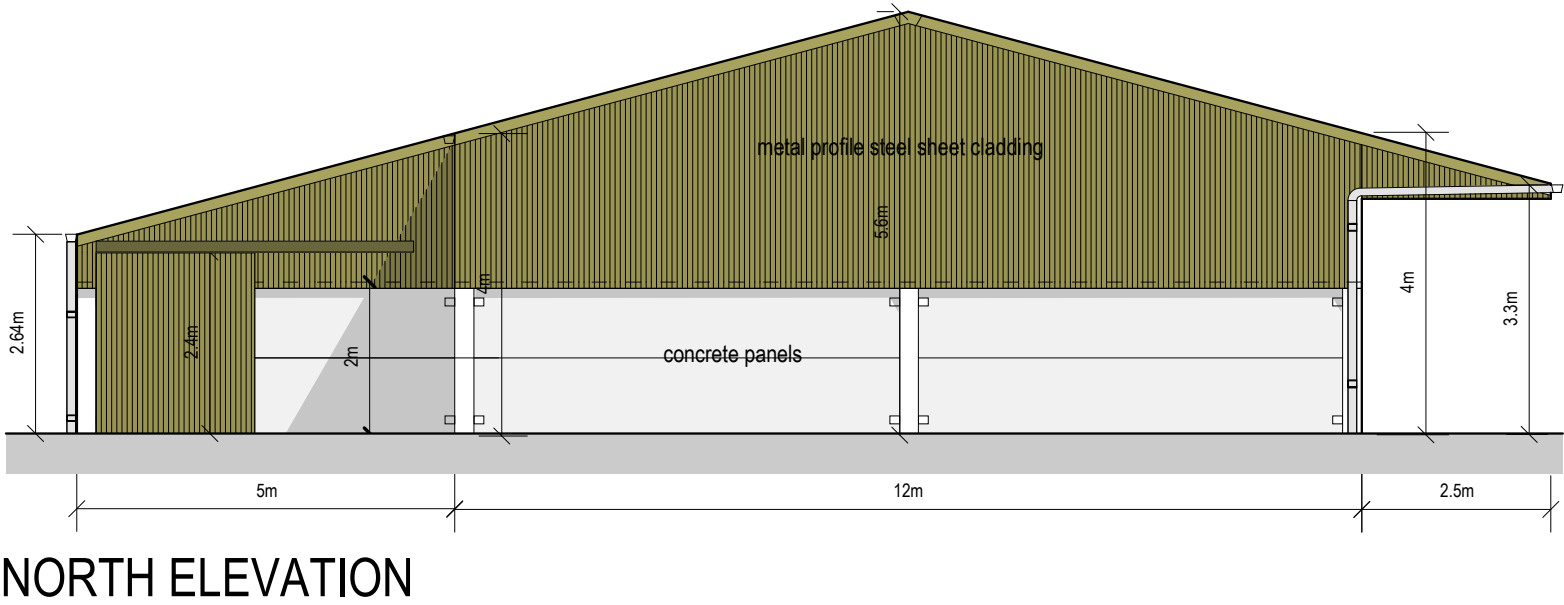
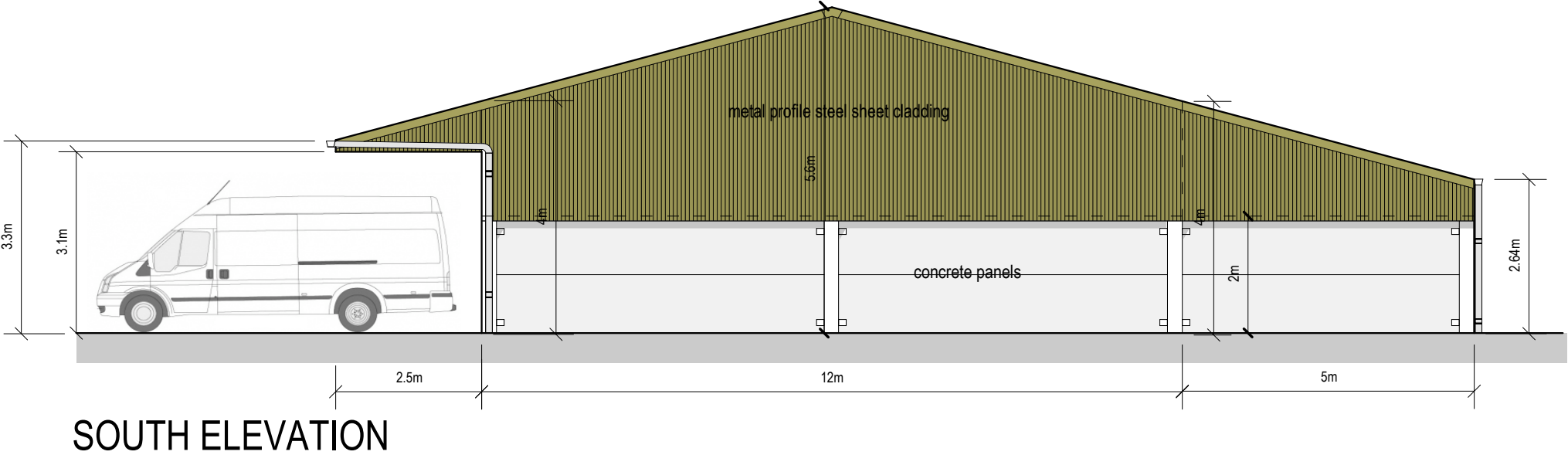
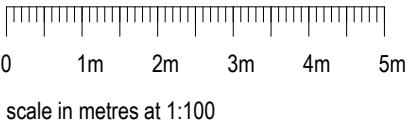
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D Newall Esq New Workshop and stable building for Farrier Business, Land west of Oakwell allotments, by Linlithgow EH49 Side Elevations			POLLOCK HAMMOND LTD ARCHITECT AND CONSERVATION CONSULTANTS GRANGE WEST, LINLITHGOW, WEST LoTHIAN, EH49 7RH tel. 01506 847829 email - mail@pollockhammondarchitects.co.uk www.pollockhammondarchitects.com	N36 D04 rev
1:100@A3	pc	11/16		

rev A 12/16 Doors widened, canopy length increased, stable block reduced

INITIAL PROPOSED ELEVATIONS



Material Specification

Roof -
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with flashings, trims and barge boards all coloured juniper green

Gutters and downpipes-
deepflow upvc colour black

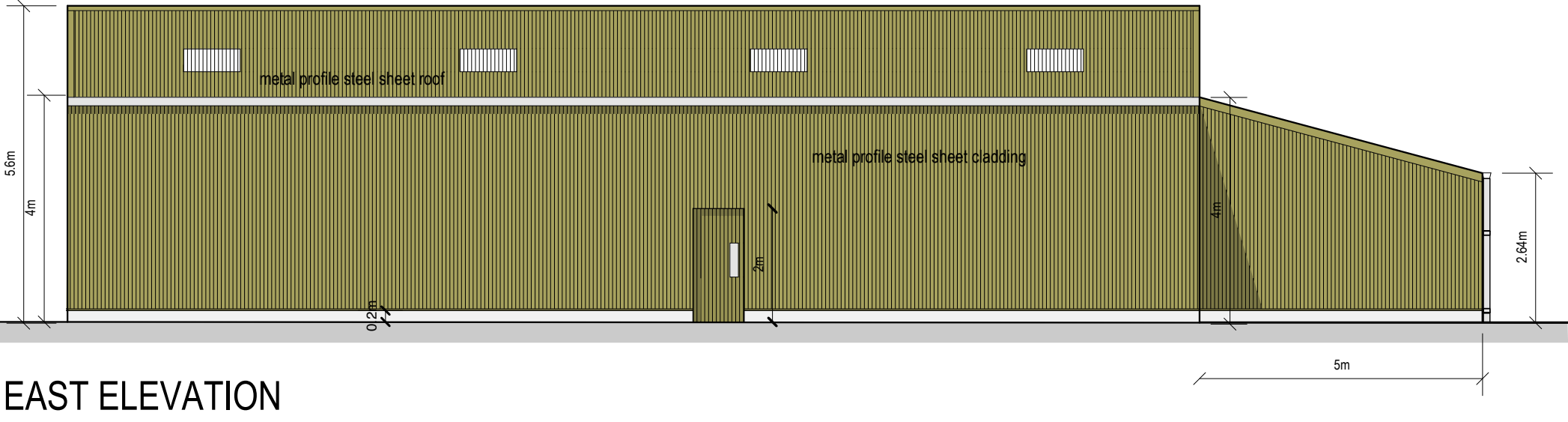
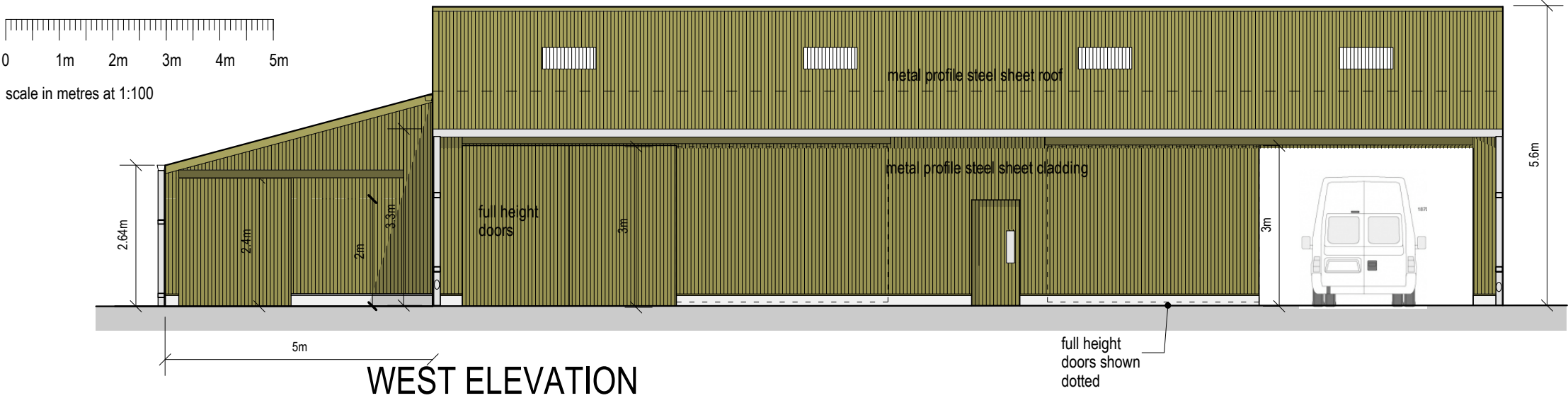
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1:100@A3	pc	11/16		

rev A 12/16 Doors widened, canopy length increased, stable block reduced
rev B 12/16 full height doors to west elevation shown
rev C 07/17 Cladding carried down to 200mm from GL
rev D 08/17 Stables wing repositioned north of building

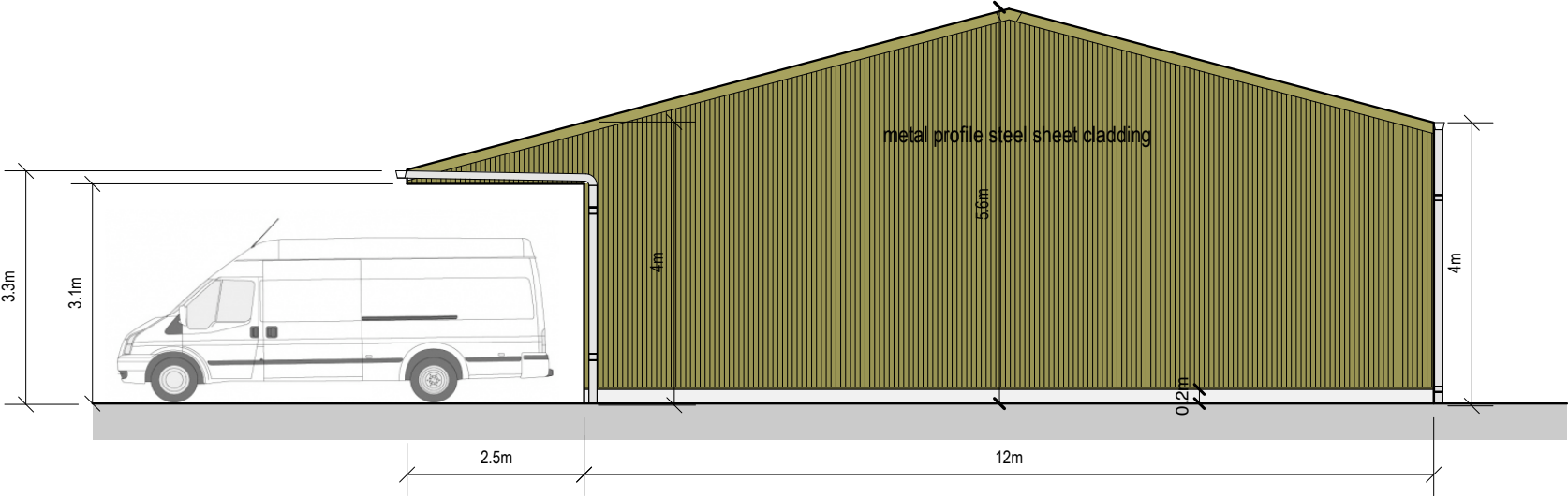
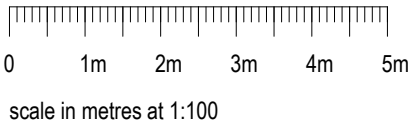
AMENDED ELEVATIONS



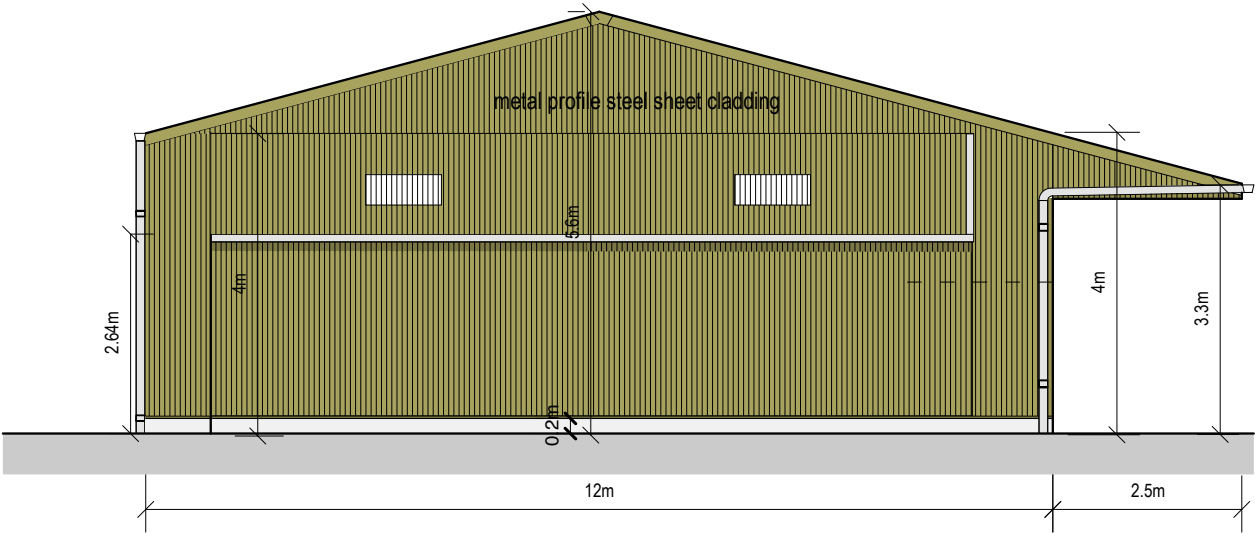
Material Specification Roof - box profile plastisol coated steel sheets with clear profile lights between each bays with flashings, trims and barge boards all coloured juniper green Gutters and downpipes- deepflow upvc colour black Walls - prestressed concrete stock wall panels with box profile plastisol coated steel sheets coloured juniper green from 200mm above GL to eaves level Doors steel framed sliding doors and timber pedestrian door finished in juniper green			D Newall Esq New Workshop and stable building for Farrier Business, Land west of Oakwell allotments, by Linlithgow EH49 Side Elevations		POLLOCK HAMMOND LTD ARCHITECT AND CONSERVATION CONSULTANTS GRANGE WEST, LINLITHGOW, WEST LoTHIAN, EH49 7RH tel. 01506 847829 email - mail@pollockhammondarchitects.co.uk www.pollockhammondarchitects.com	N38 D04 rev C
			1:100@A3	pc	11/16	

rev A 12/16 Doors widened, canopy length increased, stable block reduced
rev B 07/17 Cladding carried down to 200mm from GL
rev C 08/17 Stables wing repositioned north of building

AMENDED ELEVATIONS



SOUTH ELEVATION



NORTH ELEVATION

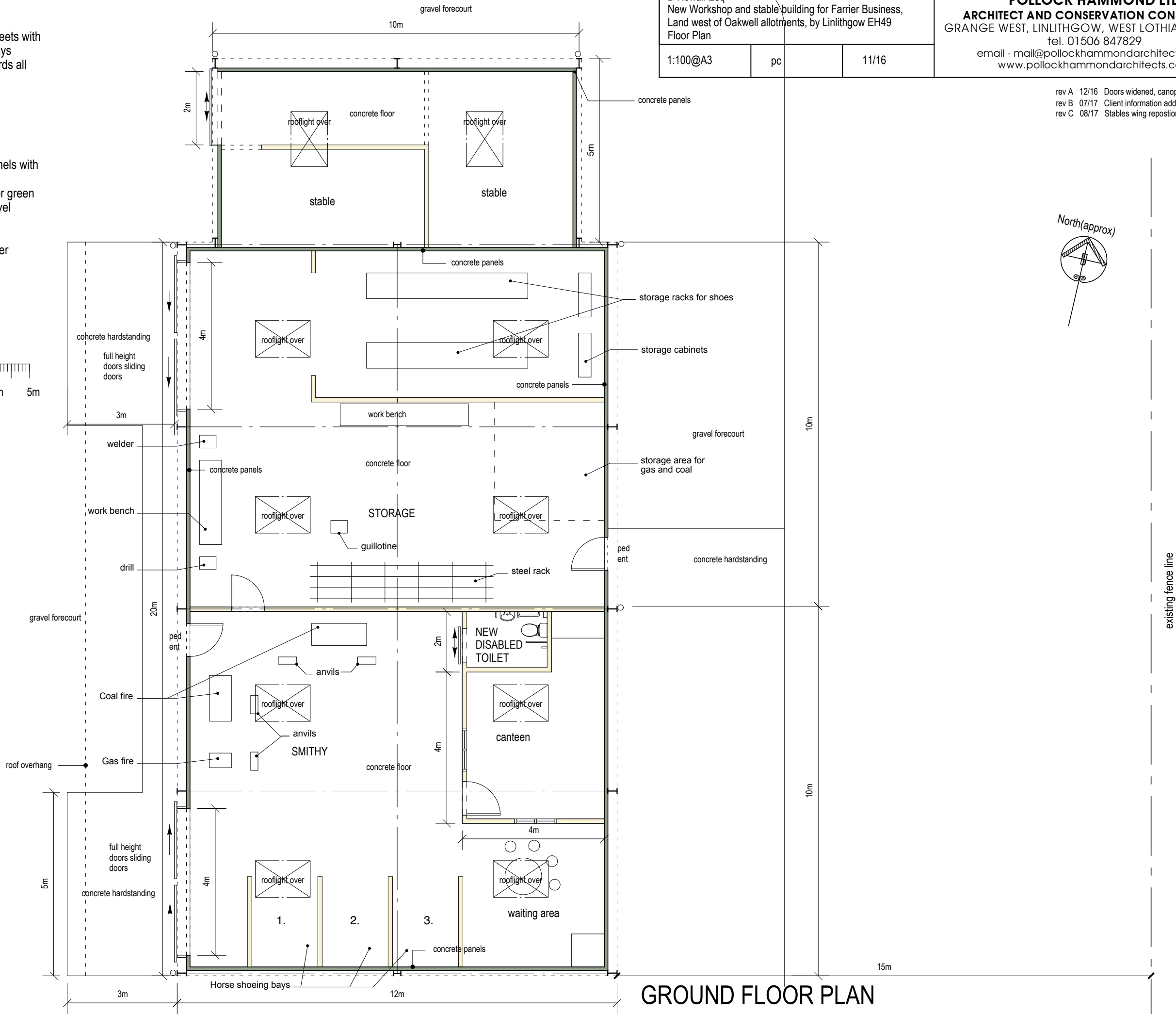
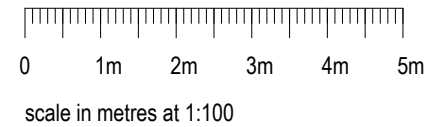
Material Specification

Roof -
box profile plastisol coated steel sheets with
clear profile lights between each bays
with flashings, trims and barge boards all
coloured juniper green

Gutters and downpipes-
deepflow upvc colour black

Walls -
prestressed concrete stock wall panels with
box profile plastisol
coated steel sheets coloured juniper green
from 200mm above GL to eaves level

Doors
steel framed sliding doors and timber
pedestrian door finished in juniper
green



D Newall Esq
New Workshop and stable building for Farrier Business,
Land west of Oakwell allotments, by Linlithgow EH49
Floor Plan

1:100@A3

pc

11/16

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N38
D02

rev
C

rev A 12/16 Doors widened, canopy length increased, stable block reduced
rev B 07/17 Client information added
rev C 08/17 Stables wing repositioned north of building

GROUND FLOOR PLAN

PLANNING APPLICATION 0181/FUL/17

COMMENTS FROM PHILPSTOUN COMMUNITY COUNCIL

20 September 2017

Hello Steven,

Sorry for not getting back to you sooner, again. Philpstoun Community Council had a meeting last Thursday which gave us a chance to discuss the current design for this planning application.

My initial comments, in my last email to you, essentially relate the position that Philpstoun Community Council agreed with. The current scheme is essentially an off the peg agricultural building with little pretension to a design aesthetic. That may be adequate for a AGR planning application, but this is a FUL application and if there is an opportunity for a more considered scheme then Philpstoun Community Council would like to see that. There is an added sensitivity in that the site is next to the canal.

It is disappointing that when the applicant has access to the design expertise at Pollock Hammond, he is not using it. Philpstoun Community Council would like to see further design work on this application before it is granted.

Jonathan Harris

Philpstoun Community Council

31 August 2017

Hello Steven,

Sorry for not getting back to you sooner. I was a bit slow at looking at the email and then I needed some time to think about the new proposal, as I did not know quite what to make of it.

You have said that you have had a discussion with the applicant and his agent. I would like to ask, is this an agreed design or what the applicant thinks will satisfy your concerns?

Your statement, in the email below of the original design, "I agree with your comments that the building proposed has no degree of design", is damning. The original proposal has been tweaked. The cladding extended to cover the concrete slab walls and an extension from the main block moved around to another side. I am struggling to see how these minor adjustments make the new proposal designed.

The strategic move, to have the working buildings (out buildings) and the house have a closer relationship is good, although I think at this stage an idea of how the house might relate to the out buildings and what that dialogue over the courtyard might be, would be useful to the applicant. In other words the applicant would be better to talk to a designer or architect that could relate the two buildings to each other and the wider landscape. Rather than an agricultural shed manufacturer, that seems to be the source of the shed design. Although I note that Pollock Hammond have presented the drawings I do not sense that the scheme is one of their designs. This is not an ARG planning application, but has all the feeling of one.

I repeat, two applications in neighbouring fields, were granted 1112/FUL/08 a stable block, not built; and 0087/FUL/04 dog kennels, built. Both had a notable level of design.

I will email the rest of the community council, to ask for their thoughts before getting back with a final response.

Jonathan Harris

From: jonathan harris
Sent: 12 April 2017 01:23
To: McLaren, Steve
Cc: Philpstoun Community Council; andy gray; KirstySimon; Gillian McLean
Subject: 0181/FUL/17

0181/FUL/17 : Erection of workshop and stables, etc at Park Farm Cottage

Hello Steven

I hope I am still in time to comment on this application.

I note that although it is for a shed it is not an AGR planning application. I assume that farmers building agricultural sheds have historically not been held to the same planning standards that other applicants would have. This is not an AGR application does that mean that a more considered scheme is required. This scheme as it is, shows very little concern for the site and gives no indication how it will relate to the eventual house. This is a surprise given the discussions around the original planning application 0643/P/15 for a Farriers Business.

There have been two applications for similar structures adjacent to the site 1112/FUL/08 a stable block, not built; and 0087/FUL/04 a dog kennel, that was built, but short lived before being converted to a children's nursery. These were not structures straight out of a catalogue but had some consideration to the site and a location in the countryside, close to the canal.

If possible Philpstoun Community Council would like the scheme to be improved and an indication given of how it will relate to the house.

Jonathan Harris

Philpstoun Community Council

Draft Justification and conditions/reasons – 0181/FUL/17

This permission is granted subject to the following conditions:-

1. The development shall be carried out in accordance with the recommendations set out Site Investigation Report, Land West of Oakwell Allotments, Linlithgow, WMA Ltd, July, 2017. The report recommends radon protection measures are installed on proposed (permanent) properties. Prior to any work beginning on site, a detailed Remediation Statement to bring the site to a condition suitable for the intended use by removing unacceptable risks to all relevant and statutory receptors, must be submitted to and approved in writing by the planning authority.

The Remediation Statement must include all works to be undertaken, proposed remediation objectives and Remediation criteria, timetable of works and site management procedures. The Remediation Statement must ensure that the site will not qualify as contaminated land under Part2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development. The approved Remediation Statement must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the agreed remediation. The planning authority must be given two weeks written notification of the commencement of the remediation works. Following completion of the measures identified in the approved Remediation Statement, a Verification Report that demonstrates the effectiveness of the remediation carried out must be prepared. The Verification Report must be submitted to and approved in writing by the planning authority prior to commencement of the new use of the land.

Reason: To identify any contamination present on site and ensure appropriate remediation is carried out.

2. Unless a variation is agreed in writing with the planning authority in consultation with the council's Transportation department, the proposed access shall be a minimum of 5.5m wide and shall be surfaced in a bituminous material for the first 6m. A visibility splay of 2.4m by 100m in each direction shall be maintained and cleared of all vegetation prior to the completion of the workshop and stables.

Reason In the interest of road safety.

3. For the avoidance of doubt, the proposed entrance wall is not approved. The entrance to the site shall comply with Transportation's requirements and any entrance feature shall be in the form of fencing and hedging appropriate for the rural location. These details shall first be submitted for consideration by the planning authority. Once agreed, the entrance treatment shall be implemented prior to the completion of the workshop and stables and to the satisfaction of the planning authority.

Reason In the interest of visual amenity

4. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved

by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason To ensure compliance with West of Scotland Archaeological Service requirements and to ensure protection/recording of potential archaeological finds

5. Prior to the start of construction works, a landscaping plan shall be submitted showing the reinstatement of hedging on the southern boundary and out with the access visibility splays. The landscape plan shall also show hedge planting to the north of the workshop/stable building and temporary caravan site along with details of any fencing to be constructed. Once approved, the landscaping shall be implemented in the first planting season following the completion of the workshop and stable building.

Reason In the interest of visual amenity.

6. Prior to the start of work on site, a colour sample of the material to be used on the workshop and stable building hereby approved shall be submitted for the consideration and written approval of the planning authority. Once approved, the building shall be constructed with this material to the satisfaction of the planning authority.

Reason To integrate the development with the surrounding area, in the interests of visual amenity.

7. Foul and surface water drainage shall be treated and attenuated in accordance with the approved drainage strategy, prepared by WMA and to the satisfaction of SEPA and Scottish Canals.

Reason To ensure foul and surface water is treated and attenuated in accordance with best practice and to ensure drainage from the site does not impact on the environment of the Union Canal.

8. The temporary living accommodation hereby approved shall not be occupied until the approved farrier's workshop has been constructed. The temporary living accommodation shall be sited for a minimum of 18 months prior to the submission of a Matters Specified in Condition or detailed application for a permanent house. If an application for a permanent house, along with a revised business plan, has not been submitted within 24 months of the establishment of the business on site, the temporary living accommodation shall be removed from the site within 1 month and thereafter the site shall be restored to the satisfaction of the planning authority.

Should the business cease trading prior to a permanent house being constructed or permission is refused for a permanent house, again the temporary living accommodation shall be removed within either 1 month of the business ceasing to trade or 1 month from conclusion of any appeal, review or challenge of the council's decision.

Reason To ensure that the developer has an opportunity to establish the business and demonstrate that a permanent house is required on the site prior to the construction of a permanent residence.

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Erection of 6 houses including access roads and associated works at Land at Clarendon House, Linlithgow

2 DETAILS

Reference no.	LIVE/0426/FUL/17	Owner of site	West Lothian Council
Applicant	Craigs Eco Developments Ltd	Ward & local members	Linlithgow Councillor Tom Kerr Councillor Tom Conn Councillor David Tait
Case officer	Matthew Watson	Contact details	01506 283536 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: Objection from Linlithgow and Linlithgow Bridge Community Council

3 RECOMMENDATION

Grant planning permission, subject to conditions and a legal agreement to secure developer contributions.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Planning permission is sought for the erection of six houses within the former grounds of the B listed Clarendon House.
- 4.2 The site is located off the east side of Manse Road, Linlithgow, to the southwest of the main Clarendon House. The site is 1.27 ha in area and is currently covered by several mature trees as well as four mature hedgerows along the southern boundary of the site. The site is located within the Upper Linlithgow and Union Canal Conservation Area.
- 4.3 Five of the six houses are proposed to be sited towards the southern boundary of the site with three driveways providing access to the houses from the existing driveway to Clarendon House. The other house is proposed to be sited towards the northeast boundary of the site with Clarendon House.

- 4.4 Two and a half of the mature hedgerows and seven trees are proposed to be removed as part of the development.
- 4.5 The houses proposed are two storey detached properties with footprints of 285 m² and 265 m² respectively. The walls of the houses are proposed to be finished with smooth white render, aluminium cladding and timber cladding. The roofs are proposed to be finished with Spanish slate. Each house is proposed to have two parking spaces.
- 4.6 The proposal has been revised from the original scheme to:
- move the houses further north away from the southern boundary of the site to address privacy issues;
 - remove the triple garages originally proposed;
 - reduce the mass of the proposed houses;
 - change the materials proposed for the walls at ground floor level from brick to timber to ensure materials fit with the site environment;
 - change the roof materials from aluminium to Spanish slate to incorporate a more traditional material into the proposal; and
 - retain one and a half of the mature hedgerows currently on site.

History

- 4.7 0429/FUL/11: Change of use of part of grounds of vacant building into operational base for environmental campaign including erection of polytunnel and shed, Grant temporary permission, 25/08/2011

Related applications

- 4.8 0780/LBC/14: Amendment to Listed Building Consent 0147/LBC/14 to change the roof finish, wall finish and formation of a flue, Approved, 03/02/2015
- 4.9 0779/FUL/14: Amendment to Planning Permission 0146/FUL/14 to change the roof finish, wall finish and formation of a flue, Granted, 15/12/2014
- 4.10 0147/LBC/14: Listed building consent for the conversion of stable block to form a house, Approved, 08/07/2014
- 4.11 0146/FUL/14: Change of use from stable block to form a house, Granted, 08/07/2014
- 4.12 0059/FUL/14: Change of use from day centre (Class 10) to house (Class 9), Granted, 27/03/2014

5. REPRESENTATIONS

- 5.1 Seven representations were received to the original scheme. Five of these were from members of the public with one of these five received out of time. Other representations were received from Linlithgow and Linlithgow Bridge Community Council and the Linlithgow Civic Trust. All representations objected to the development.

5.2 Following revisions to the scheme, as set out above, all neighbours and objectors were re-notified and a site notice was placed on site.

5.3 The table below sets out the representations to the original scheme.

Comments	Response
<ul style="list-style-type: none"> The proposal is contrary to the existing local plan and proposed LDP as the land is not designated for housing The application is premature in the context of the Proposed LDP No development should take place until there is a comprehensive masterplan for Linlithgow The Community Council opposes the scheme as there is no guidance on the spending of commuted sums for affordable housing in Linlithgow The proposal does not make provision for low cost housing as required by the LDP The south west corner of the site is occupied by existing development granted by the planning authority Traffic congestion and unsuitability of more vehicles crossing the canal bridge Problems caused by heavy construction traffic such as pollution and vibration The design of the access does not meet standards for a public road under the Roads (Scotland) Act and may not meet the requirements of the fire service 	<ul style="list-style-type: none"> The application site is designated as white land in the local plan and is allocated for housing in the Proposed LDP The application is not premature. See the 'Principle of Development' section below where this issue is addressed in detail. The Proposed LDP will provide the spatial strategy for Linlithgow going forward The SPG on Affordable Housing does not set out where commuted sums are spent but this will be allocated in line with the council's housing strategy and priorities, including the council house building project which has already seen development of council houses in Linlithgow The proposal will provide a commuted sum towards affordable housing. As the proposal is for less than 20 units, on-site affordable housing provision is not required Planning permission was granted on a temporary basis for 3 years from 25 August 2011 Transportation has raised no objections to the scheme on grounds of traffic congestion or access over the bridge Time limits will be placed on construction vehicles entering the site and hours of construction via a planning condition Transportation has not objected to the proposal and is satisfied that the internal road layout is acceptable

<ul style="list-style-type: none"> • Lack of turning facilities for vehicles • The materials are not sympathetic to the site environment • The proposed location of Plot 6 is in the original planning brief which states dwellings should be built at the south side of the wall • The triple garages are excessive and look like properties themselves • Removing trees and landscaped areas will affect the environment of the site • Privacy concerns, in particular for Clarendon House and existing houses to the south; the proposed houses should be placed at least 10m further north from the south boundary of the site • Plot 6 compromises the listed building as it is sited close to it • The design and access statement is lacking in detail • Lack of school capacity 	<ul style="list-style-type: none"> • Turning facilities do not need to be provided as any vehicle will be able to turn within each house plot • The materials have been changed to timber cladding at ground floor level to better fit with the wooded environment and slate introduced to incorporate a traditional element to the houses • The location of Plot 6 does not comply with the brief but its siting is acceptable for the reasons set out in the 'Layout and Design' section • It is agreed that the triple garages were excessive. They have now been removed from the proposal. • Tree loss is minimal and will not affect the overall site environment • Plot 5 has been moved further west from the original scheme and all houses are now located more than nine metres from their respective boundaries and will not adversely affect neighbouring privacy • The siting of Plot 6 will not harm the setting of the listed building for the reasons set out in the 'Setting of the Listed Building' section • The detail of the design and access statement is acceptable as part of the application submission • Education Planning is satisfied that with a limit on 2 plots being occupied per academic year that the impact of Linlithgow schools is acceptable.
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5.4 Four further letters of objection were received from original objectors following notification of the amended plans, including one from the neighbours whose original letter was received out of time (these comments are included above). That neighbour indicated that the distances of the houses from the southern boundary will improve privacy and the removal of the triple garages was welcomed. Some comments were also given with regard to site safety during the construction phase. All other objections stand or are reiterated.

6. CONSULTATIONS

This is a summary of the consultations received. The full documents are contained in the application file.

Consultee	Objection?	Comments	Planning Response
West Lothian Council - Education Planning	No	No objections to the application subject to the securing of contributions towards education infrastructure. Due to capacity constraints the build rate is limited to two completions per academic year.	Noted. If planning permission is granted contributions will be sought towards education infrastructure through a legal agreement and a relevant condition can be imposed.
Flood Prevention	No	No objections but states that there are no calculations to support treatment and attenuation volumes. The drainage proposals do not appear to be in accordance with Sewers for Scotland, 3 rd edition.	Noted. Revised drainage proposals and a drainage strategy are being worked up and can be covered via a planning condition.
Contaminated Land Officer	No	No objections to the application, subject to a Phase 1 and Phase 2 site investigation being submitted prior to determination. If remedial works are required these can be attached as a condition.	Noted. This is being produced by the applicant and will need to be assessed before a decision is issued.
Transportation	No	No objections to the application.	Noted.
West of Scotland Archaeology Service	No	No objections. The requirement for an archaeological programme of works should be attached as a condition that requires it to be submitted to and approved prior to works starting on site.	Noted and condition will be attached if members are minded to grant the application.
Scottish Water	No	No objections to the application.	Noted.

7. ASSESSMENT

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

- 7.2 The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Plan (WLLP).
- 7.3 Of material relevance to the application are the West Lothian Local Development Plan – Proposed Plan (Proposed LDP) and the Approved Planning Brief for the site.
- 7.4 The relevant development plan policies are listed below:

Plan	Policy	Assessment	Conform ?
West Lothian Local Plan (WLLP)	HOU 2 Development within settlement boundaries	<p>This policy requires proposals for housing located within settlement boundaries.</p> <p>The proposal is located within the settlement boundary of Linlithgow and complies with all requirement of HOU2 for the reasons below.</p>	Yes
WLLP	HOU 3 Linlithgow and Linlithgow Bridge	<p>This policy requires that infill development in Linlithgow should not cause infrastructure issues or traffic congestions and should make use of vacant sites unsuitable for other uses.</p> <p>The proposal will not cause infrastructure issues or traffic congestion. The site has an approved brief for housing development, through which the suitability for housing has already been established since 2011.</p>	Yes
WLLP	HOU 4 Town cramming	<p>This policy requires development to not be of a cramped form in line with the SPG on Single plot & small scale infill residential development in urban areas.</p> <p>The proposal will not result in a cramped form of development and complies with the relevant sections of the SPG.</p>	Yes
WLLP	HOU 9 Residential and visual amenity	<p>This policy requires the amenity of adjacent, residential occupiers to be protected, as well as the general visual amenity of the area.</p> <p>The proposal will not harm residential amenity and is, in visual terms, acceptable for the reasons below.</p>	Yes

WLLP	HOU 10 Affordable Housing	<p>This policy requires proposals for less than 20 houses and five or more houses to make commuted sum contributions to affordable housing.</p> <p>A commuted sum towards affordable housing will be required to be paid prior to granting planning permission if committee were minded to grant the application.</p>	Yes
WLLP	HER 2 Listed Buildings	<p>This policy requires that the setting of listed buildings is considered where there are proposals in the vicinity of a listed building.</p> <p>The proposal will not harm the setting of the B listed Clarendon House for the reasons in the 'Setting of the Listed Building' section of the report.</p>	Yes
WLLP	HER 19 Conservation areas	<p>This policy requires development proposals to preserve or enhance the character and appearance of conservation areas.</p> <p>The proposal will not harm the character and appearance of this part of the Upper Linlithgow and Union Canal Conservation Area for the reasons set out in the 'Character and Appearance of the Conservation Area' section of the report.</p>	Yes
WLLP	COM 2 Proposals resulting in loss of open space	<p>This policy requires proposals for loss of open space to have an assessment of locational justification, importance of open space to recreation and amenity and disturbance to trees and woodland.</p> <p>The proposal complies with COM2 as there is a locational justification and only small areas of open space are lost.</p>	Yes
WLLP	COM 9A Contributions for cemeteries	<p>This policy requires a contribution to cemetery provision.</p> <p>A contribution would be required to be paid prior to</p>	Yes

		granting planning permission if committee were minded to grant the application.	
West Lothian Local Plan (WLLP)	IMP 2 Denominational secondary provision	<p>The policy requires developer contributions towards denominational secondary school provision</p> <p>A contribution would be required to be paid prior to granting planning permission if committee were minded to grant the application.</p>	Yes
WLLP	IMP 3 Education Constraints	<p>This policy states that in considering proposals for housing development legal agreements will be used to secure appropriate developer contributions.</p> <p>To allow the proposed development to proceed, contributions for non-denominational secondary, non-denominational primary and denominational primary would need to be secured prior to planning permission being granted if committee were minded to grant the application.</p>	Yes
WLLP	IMP 6 SUDS	<p>This policy requires development to comply with current best practice on sustainable urban drainage practices.</p> <p>SUDS can be secured via a planning condition.</p>	Yes
WLLP	IMP 14 Supplementary planning guidance	<p>The following SPG apply:</p> <ul style="list-style-type: none"> • Planning for education • Denominational school infrastructure • Affordable housing • Single plot & small scale infill residential development in urban areas • Flood risk and drainage • Cemetery provision 	Yes
WLLP	IMP 15 Design considerations	<p>Criterion (a) of this policy requires development to be of a high standard of design.</p> <p>The proposed houses are of a</p>	Yes

		high standard of design. See below for detailed assessment.	
West Lothian Local Development Plan – Proposed Plan (LDP)	HOU 1 Allocated Housing Sites	<p>This policy states that allocated housing sites are compliant with the spatial strategy and should be developed unless there is no realistic prospect of the site coming forward in the plan period or alternative use facilitates regeneration or offers significant environmental, economic or community benefits that are considered to outweigh the need to maintain the intended housing use.</p> <p>The proposal is an allocated housing site and therefore complies with policy HOU1.</p>	Yes
LDP	DES 1 Design Principles	<p>This policy requires all development proposals to take account of and be integrated with the local context and built form.</p> <p>The proposal integrates with the local context for the reasons set out in the 'Layout and Design' and 'Character and Appearance of the Conservation Area' sections of the report.</p>	Yes
LDP	ENV 24 Conservation areas	<p>This policy requires development proposals to preserve or enhance the character and appearance of conservation areas.</p> <p>The proposal will not harm the character and appearance of this part of the Upper Linlithgow and Union Canal Conservation Area for the reasons set out in the 'Character and Appearance of the Conservation Area' section of the report.</p>	Yes
LDP	ENV 28 Listed buildings	<p>This policy requires that the setting of listed buildings is considered where there are proposals in the vicinity of a listed building.</p> <p>The proposal will not harm the setting of the B listed Clarendon House. See the</p>	Yes

		'Setting of the Listed Building' section of the report.	
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Principle of Development

- 7.5 Policy HOU2 of the WLLP states housing development is generally acceptable within settlement boundaries where proposals do not adversely impact adjacent uses, cause excessive resource commitment and if the site is not allocated for another use or is of important open space value.
- 7.6 Policy HOU 3 of the WLLP states infill development in Linlithgow and Linlithgow Bridge will not be acceptable where they 'significantly exacerbate problems of infrastructure or traffic congestion or the character of the town.'
- 7.7 The site of the proposed development is designated as white land in the extant WLLP. This would normally mean that the existing use of the site should remain unaltered. In this case, the site has a development brief for housing development and has been designated for housing development in the Proposed LDP as part of the wider allocation for Clarendon House (reference H-LL 7).
- 7.8 The proposed development will not cause excessive resource commitment or exacerbate infrastructure issues through phasing development to a build rate of two units per academic year to ensure that capacity issues do not arise at Linlithgow Academy. Transportation has raised no objections to the proposal and is satisfied that the traffic generated from the houses will not significantly exacerbate any issues of road infrastructure or traffic congestion. The impact on the character of the area is acceptable and is discussed in detail in the 'Character and Appearance of the Conservation Area' section of the report.
- 7.9 In terms of loss of open space, historically the site has been garden ground associated with Clarendon House. This area has been subsequently segregated. The proposal maintains large areas of open space within the site and its locational justification is based on the brief for the site that seeks development for residential accommodation, as well as the allocation for housing development in the Proposed LDP. The loss of open space is acceptable in this instance for these reasons.
- 7.10 With regards to prematurity, an issue that has been raised in representations, Paragraph 34 of Scottish Planning Policy states:
- Where a plan is under review, it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.*
- 7.11 In this instance, the proposed development is for six houses and is allocated for housing development in the Proposed LDP. At six houses the proposal is not a substantial development in the context of allocations for housing development in the Proposed LDP.

There will not be a cumulative effect that would be significant to an extent that would undermine decisions about the 'scale, location or phasing of new developments' given the LDP expects development at this location with the scale being relatively minor.

- 7.12 In summary, the proposed development forms part of an allocation for housing development in the Proposed LDP and will not prejudice the plan making process for the Proposed LDP. The proposed development will not significantly exacerbate infrastructure issues or traffic congestion. The character of Linlithgow will also not be adversely affected. The proposal complies with policies HOU 2, HOU 3 and COM 2 of the WLLP and policy HOU 1 of the Proposed LDP.

Layout & Design

- 7.13 In terms of layout, the Approved Planning Brief for the site specifies that development should be limited to the south of the site with up to six houses. An indicative layout is provided to show how the houses could be laid out. It should be pointed out that this layout is not to scale and does not account for the positioning of trees within the site.
- 7.14 The proposed development does not strictly conform to the layout in the brief with one of the proposed plots located at the north east of the site. However, the practicality of trying to fit six plots within the south of the site is difficult without loss of further trees and hedgerows, which is one of the essential characteristics of the site. The proposal to have three 'driveways' to access the houses is also not strictly in compliance with the brief in terms of layout but this approach again helps to minimise tree loss within the site and maintains its mature landscape setting.
- 7.15 The proposed houses are in compliance with the SPG on Single plot & small scale infill residential development in urban areas in respect of plot ratios and distances to the boundaries of neighbouring residential properties. The removal of the triple garages from the application and reductions in footprint of the houses mean the site is not over-developed and is not 'town cramming'.
- 7.16 The proposed houses use a palette of materials that come together to create a modern, high quality design, which will integrate into the surroundings of the site with materials complementing the mature landscape of the site.
- 7.17 The scale and form of the houses, as amended, is acceptable. The houses are two storeys in height, in line with the brief and their massing has been reduced as part of the revisions to the application. For these reasons, the proposed houses will not harm the character of the area.
- 7.18 In summary, the proposed layout of the development and design of the houses are acceptable. The proposal therefore complies with policies HOU 4, HOU 9 and IMP 15 of the WLLP, policy DES 1 of the Proposed LDP and the SPG on Single plot & small scale infill residential development in urban areas.

Character and Appearance of the Conservation Area

- 7.19 The application site is located within the Upper Linlithgow and Union Canal Conservation Area. The conservation area covers a wide geographic area from the railway line to south of Oatlands Park.
- 7.20 The part of the conservation area that the application site falls within is characterised by stone walls and mature trees along Manse Road. Within the site the character is one of mature trees with mature hedgerows at the southern boundary providing cleared gaps.
- 7.21 The application site seeks to make use of the gaps between the hedgerows at the south boundary of the site by positioning two of the plots between the one and a half retained hedgerows. Although two of the hedgerows will be lost, the retention of some of the existing hedgerows will help to preserve the character and appearance of the conservation area at this location.
- 7.22 The layout of the proposed development seeks to minimise the loss of mature trees. It is proposed to remove seven trees from the site. An arboricultural report has been submitted with the application. The report finds that there are three trees that are in poor condition. Each of these trees is proposed to be removed as part of the development. Four other trees are proposed to be removed and, although these are not in poor condition, their removal is necessary to facilitate the proposed development. In the context of the overall numbers of trees on site, the removal of these trees will not harm the mature landscape of the site and the character and appearance of the conservation area at this location. If any trees or hedging is damaged during construction there will be a requirement for re-planting to take place. This measure can be secured through a planning condition.
- 7.23 As stated above, the materials proposed for the houses will integrate into their surroundings and not harm the character of the area in design terms. As such, the character and appearance of the conservation area at this location will be preserved in this respect.
- 7.24 In summary, the proposal preserves the character and appearance of the conservation area at this location. The proposal therefore complies with policy HER 19 of the WLLP and policy ENV 24 of the Proposed LDP.

Setting of the Listed Building

- 7.25 Plot 5 has been moved to the west from the original scheme and is located 12.93 metres from the boundary with the grounds of Clarendon House. A hedgerow has also been retained to the east of this house. With the distance to the boundary and this screening in place this house will not have an impact on the setting of Clarendon House.
- 7.26 Plot 6 is located within 9.65 metres of the boundary of Clarendon House. This boundary has ample screening in the form of mature trees and shrubs. As such, the siting of this house outwith the southern portion of the application site does not harm the setting of Clarendon House.

- 7.27 In summary, the proposed location of the houses will not harm the setting of Clarendon House. The proposal complies with policy HER 2 of the WLLP and policy ENV 28 of the Proposed LDP.

8. CONCLUSION AND RECOMMENDATION

- 8.1 The proposed development is acceptable in principle and, as amended, has an acceptable layout and design. The character and appearance of the conservation area at this location will be preserved and the setting of the listed building will not be harmed.
- 8.2 Consequently, and in view of the above, it is recommended that planning permission is granted subject to conditions, as listed and that the developer enters into a legal agreement with the council to secure the necessary developer contributions.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft conditions and reasons
- Location Plan
- Aerial
- Revised Site Plan
- House Type 1
- House Type 2
- Representations

Craig McCorriston

Head of Planning, Economic Development and Regeneration

Date: 25 October 2017

Draft conditions and reasons - 0426/FUL/17

1. Before the development hereby permitted commences, full details and samples of the materials to be used as external finishes on all buildings and for all parking and hardstanding areas shall be submitted to and approved by the planning authority and the development shall be carried out strictly using those approved materials.

Reason: To enable full consideration to be given to those details which have yet to be submitted, in the interests of visual and environmental amenity and preserving the character and appearance of the conservation area.

2. Before development begins, details of the height and finishes of all walls, fences and other means of enclosure shall be submitted of the written approval of the planning authority. Once approved, these details shall be implemented prior to occupation of the houses.

Reason: To enable consideration of these details which have yet to be submitted and in the interests of privacy and amenity.

3. All trees, hedges and shrubs within or adjacent to the site, except those whose removal or trimming has been approved by the planning authority, shall be protected from damage during construction work in accordance with section 6 (barriers and ground protection) of BS 5837 Trees in relation to design, demolition and construction - recommendations. Any trees or plants which die or become seriously damaged or diseased during construction shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing with the planning authority.

Reason: In the interests of visual and environmental amenity and preserving the character and appearance of the conservation area.

4. Prior to the occupation of any of the houses a tree management plan that sets out a long term maintenance scheme for the site shall be submitted to and approved in writing by the planning authority.

Reason: To ensure trees on-site are appropriately managed in the long term, in the interests of visual amenity and preserving the character and appearance of the conservation area.

5. Surface water from the development shall be treated and attenuated by a sustainable drainage system (SUDS) in accordance with the Water Assessment & Drainage Assessment Guide (published by SUDS Working Party) and The SUDS Manual C753 (published by CIRIA). The development shall not begin until drainage details and a drainage strategy (also to include proposals for disposal of waste water) has been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Reason: To minimise the cumulative effects of surface water and diffuse pollution on the water environment.

6. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In the interests of safeguarding archaeological heritage.

7. Prior to any work beginning on site a contaminated land site investigation and risk assessment must be completed and a written report submitted to and approved in writing by the planning authority. The site investigation and risk assessment must be undertaken by suitably qualified, experienced and competent persons. The written report of the findings must include:
- (i) A Phase 1 desk study report incorporating an initial conceptual model of the site.
 - (ii) A Phase 2 report incorporating a survey of the extent, scale and nature of contamination, and an updated conceptual model of the site;
 - (iii) An assessment of the potential risks to:
 - human health,
 - property (existing and proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - the water environment,
 - ecological systems,
 - archaeological sites and ancient monuments
 - flora and fauna associated with the new development;
 - (iv) An appraisal of remedial options, and proposal of the preferred options(s).

This must be conducted in accordance with the Environment Agency's Contaminated Land Report 11, Model Procedures for the Management of Land Contamination, CLR11. If it is concluded by the written report that remediation of the site is not required, and this is approved in writing by the planning authority, then Parts 2 and 3 of this Condition can be disregarded.

Part 2

Prior to any work beginning on site, a detailed Remediation Statement to bring the site to a condition suitable for the intended use by removing unacceptable risks to all relevant and statutory receptors, must be submitted to and approved in writing by the planning authority. The Remediation Statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Remediation Statement must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development.

Part 3

The approved Remediation Statement must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the agreed remediation. The planning authority must be given two weeks written notification of the commencement of the remediation works. Following completion of the measures identified in the approved Remediation Statement, a Verification Report that demonstrates the effectiveness of the remediation carried out must be prepared. The Verification Report must be submitted to and approved in writing by the planning authority prior to commencement of the new use of the land.

Reason: To ensure there is no contamination on the site that could pose a risk to the health of future occupiers, in the interests of amenity.

8. The following restrictions shall apply to the construction of the development:

Noise (Construction)

- Any work required to implement this planning permission that is audible within any adjacent noise sensitive receptor or its curtilage shall be carried out only between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on a Saturday and at no time on a Sunday. This includes deliveries and operation of on site vehicles and equipment.

- No generators shall be audible within any residential properties between the hours of 2100 and 0800.

Noise (Vehicles/Plant)

- All site vehicles (other than delivery vehicles) must be fitted with non-tonal broadband reversing alarms.
- Heavy goods vehicles shall not arrive or leave the site except between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on a Saturday. No heavy goods vehicles shall arrive or leave the site on a Sunday.

Vibration (Construction)

- Where piling or other significant vibration works are likely during construction which may be perceptible in other premises, measures must be in place (including hours of operation) to monitor the degree of vibration created and to demonstrate best practice. Prior to any piling or other significant vibration works taking place, a scheme to minimise and monitor vibration affecting sensitive properties shall be submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Site Compound, security, parking and access

- The development shall not begin until the location and dimensions of any site compound and site parking and turning facilities and site security fencing have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

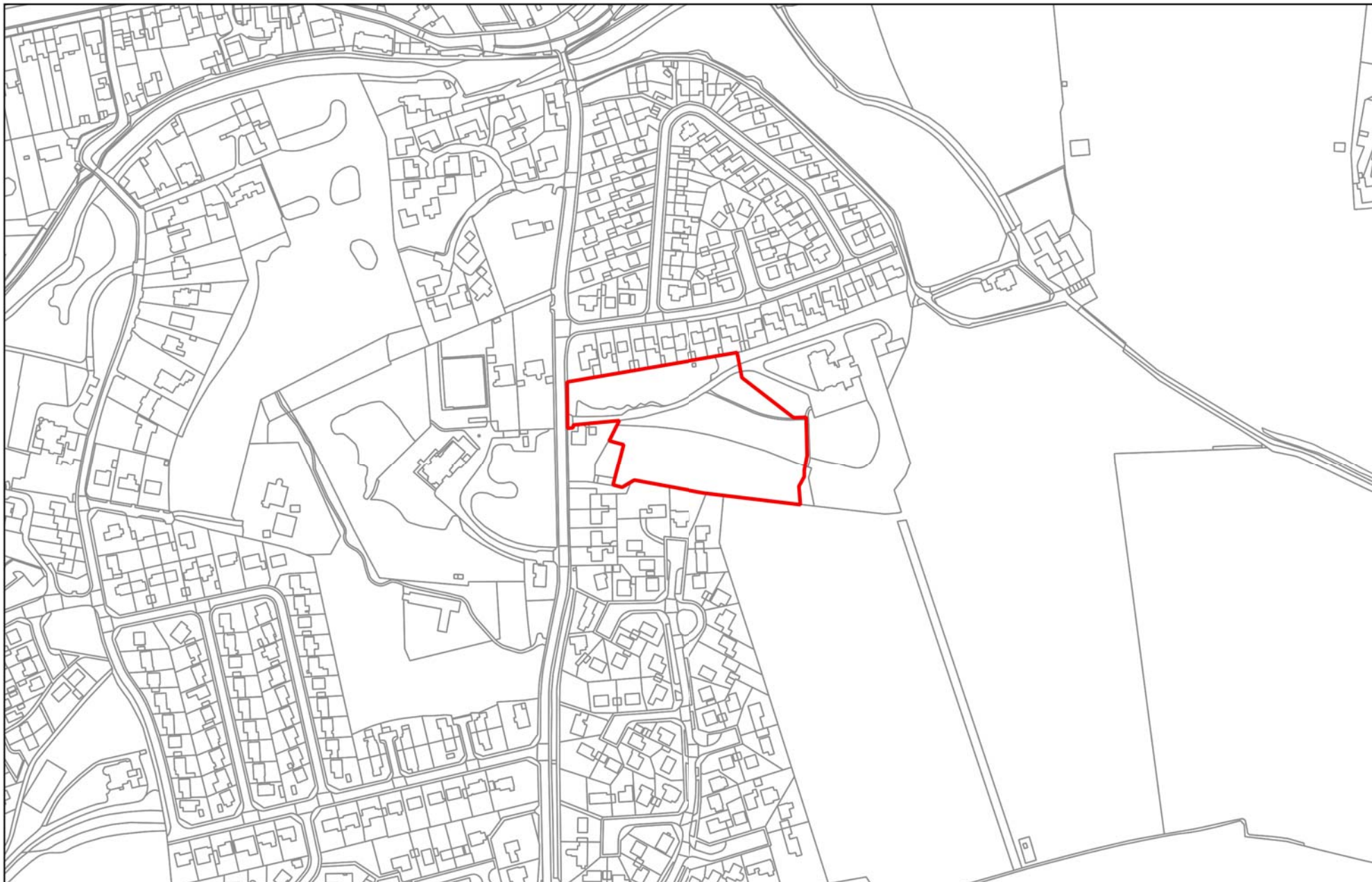
Waste

- Effective facilities for the storage of refuse, building debris and packaging shall be provided on site. The facilities shall be specifically designed to prevent refuse, building debris and packaging from being blown off site. Any debris blown or spilled from the site onto surrounding land shall be cleared on a weekly basis. For the purposes of this condition, it shall be assumed that refuse, debris and packaging on surrounding land has originated from the site if it is of the same or similar character to items used or present on the site.

Access Road and Wheel Cleaning

- All construction vehicles leaving the site shall do so in a manner that does not cause the deposition of mud or other deleterious material on surrounding roads, including the access road to Clarendon House. Such steps shall include the cleaning of the wheels and undercarriage of each vehicle where necessary and the provision of road sweeping equipment. Construction traffic shall not park along or block the access road at any time.

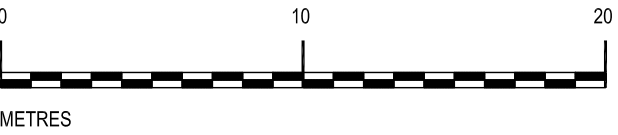
Reason: In the interests of visual and environmental amenity.





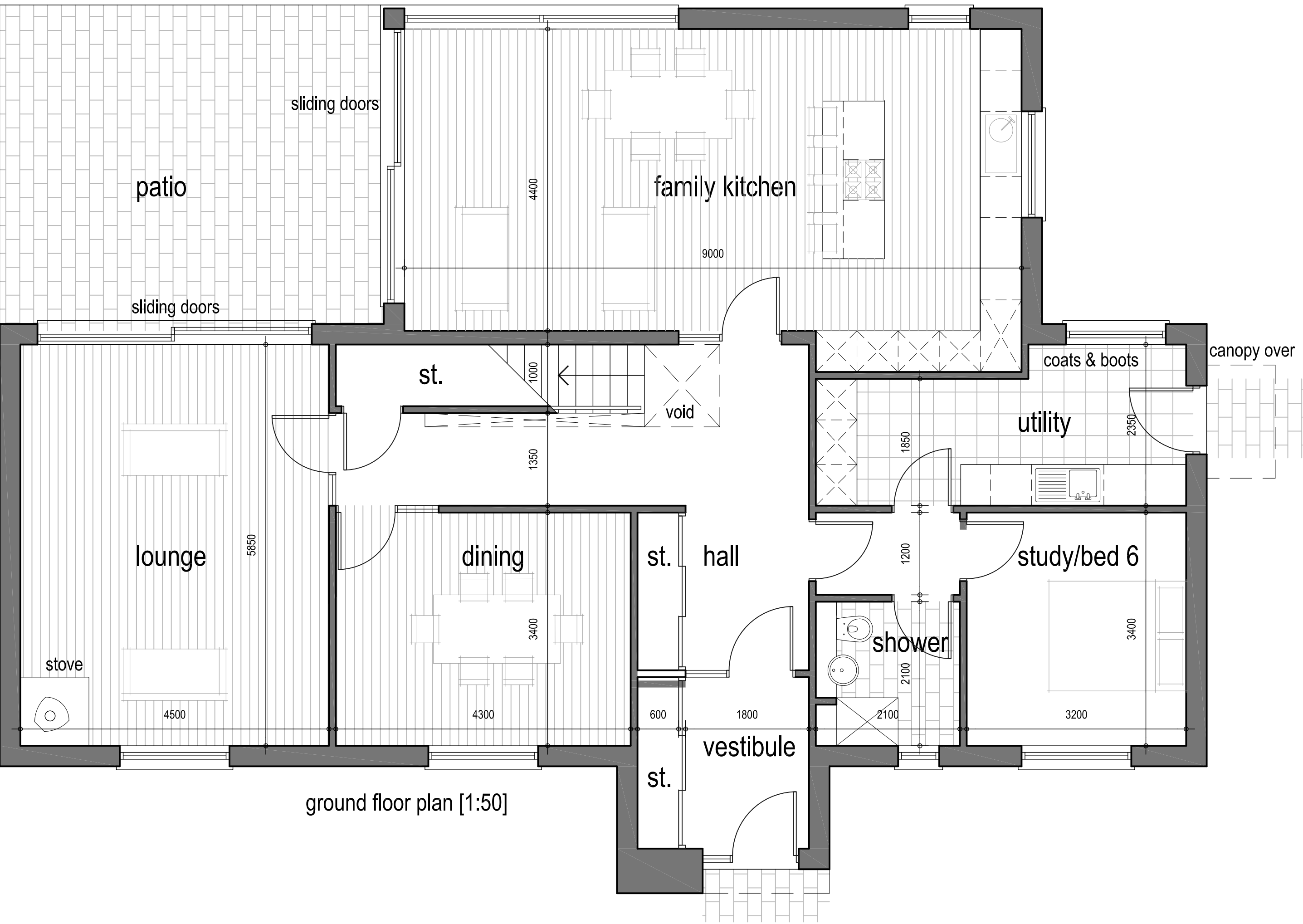


site plan [1:500]



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The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations.
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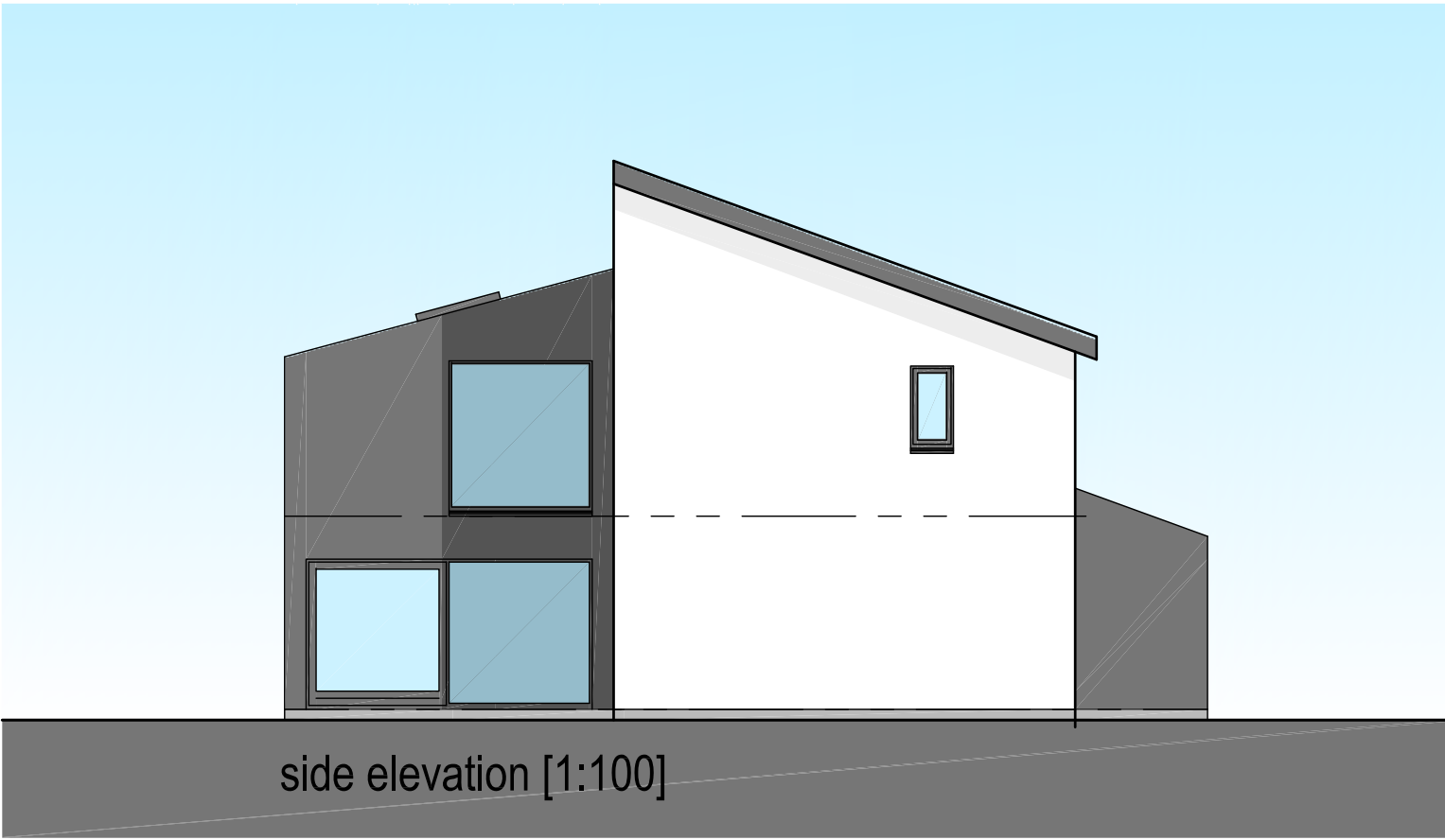
H	ADJUSTMENTS FOLLOWING PLANNING COMMENTS	21/09/17
G	DIMENSIONS TO SITE BOUNDARY ADDED	07/09/17
F	ADJUSTMENTS FOLLOWING PLANNING COMMENTS	07/09/17
E	ADJUSTMENTS FOLLOWING CLIENT COMMENTS	01/09/17
D	ADJUSTMENTS FOLLOWING CLIENT COMMENTS	16/08/17
C	ADJUSTMENTS FOLLOWING CLIENT COMMENTS	16/08/17
B	ADJUSTMENTS FOLLOWING CLIENT MEETING	26/07/17
A	ADJUSTMENTS FOLLOWING TREE SURVEY	11/05/17
status	PLANNING	
drawing	17003 - P02 H	scale 1:500 (A3)
plotted		ref. KW
project	CLARENDON HOUSE LINLITHGOW	
title	SITE PLAN	
	slorach wood architects	
contact	The Station Master's Office, Dalmeny Station, South Queensferry, EH30 9JP. Tel: 0131 319 1260 Email: info@swa.uk.net Website: www.swa.uk.net	



ground floor plan [1:50]



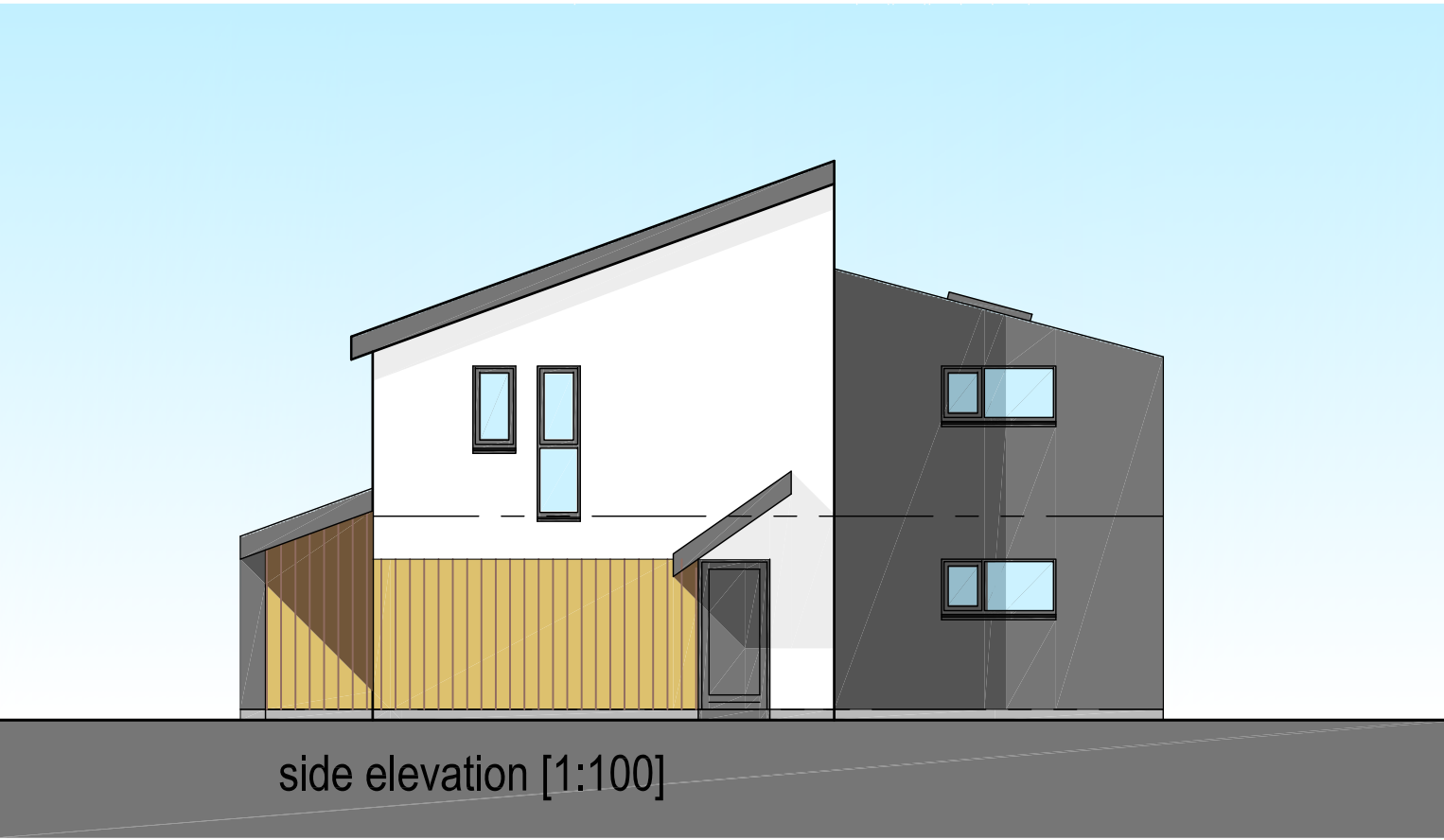
first floor plan [1:50]



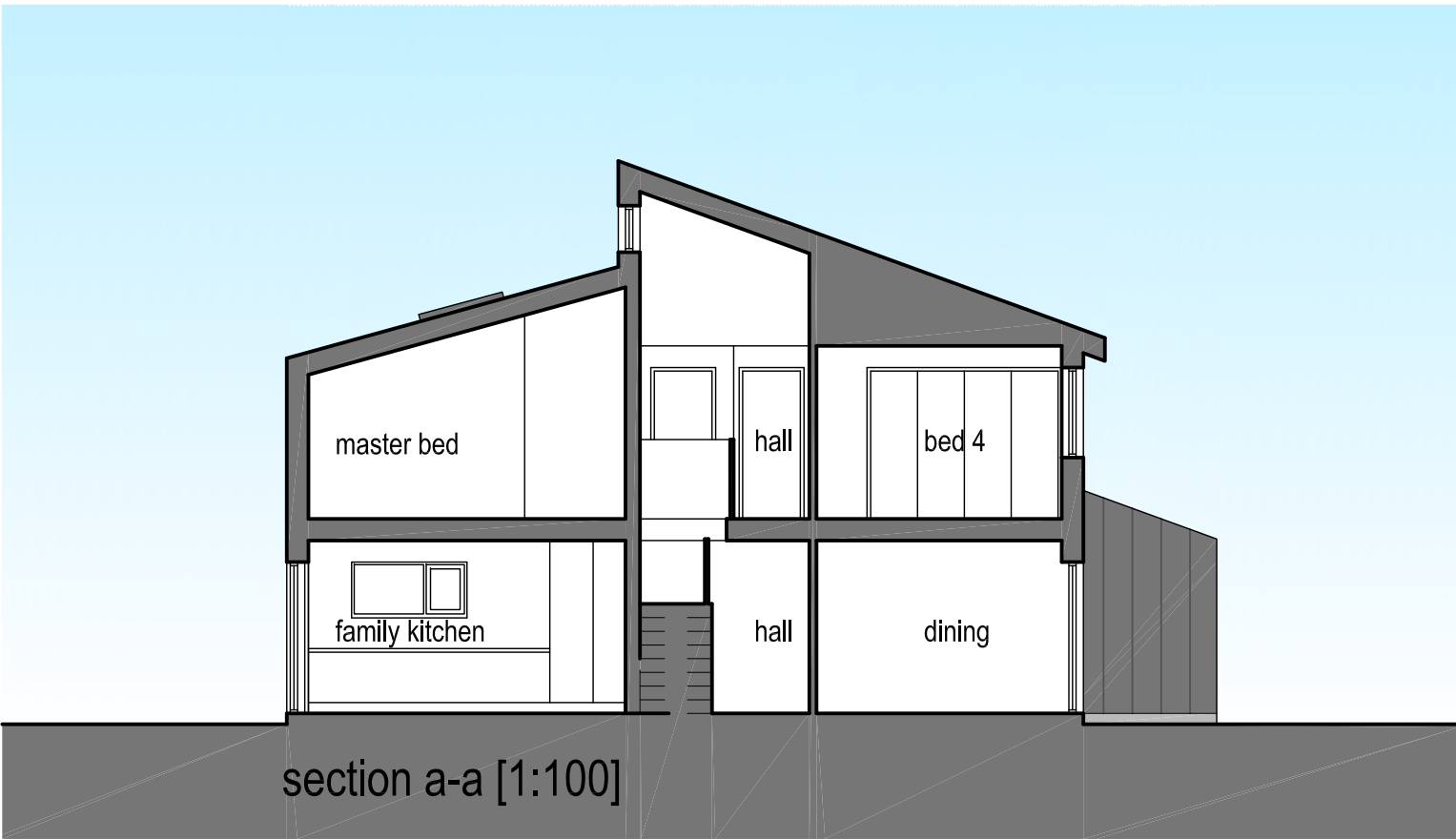
side elevation [1:100]



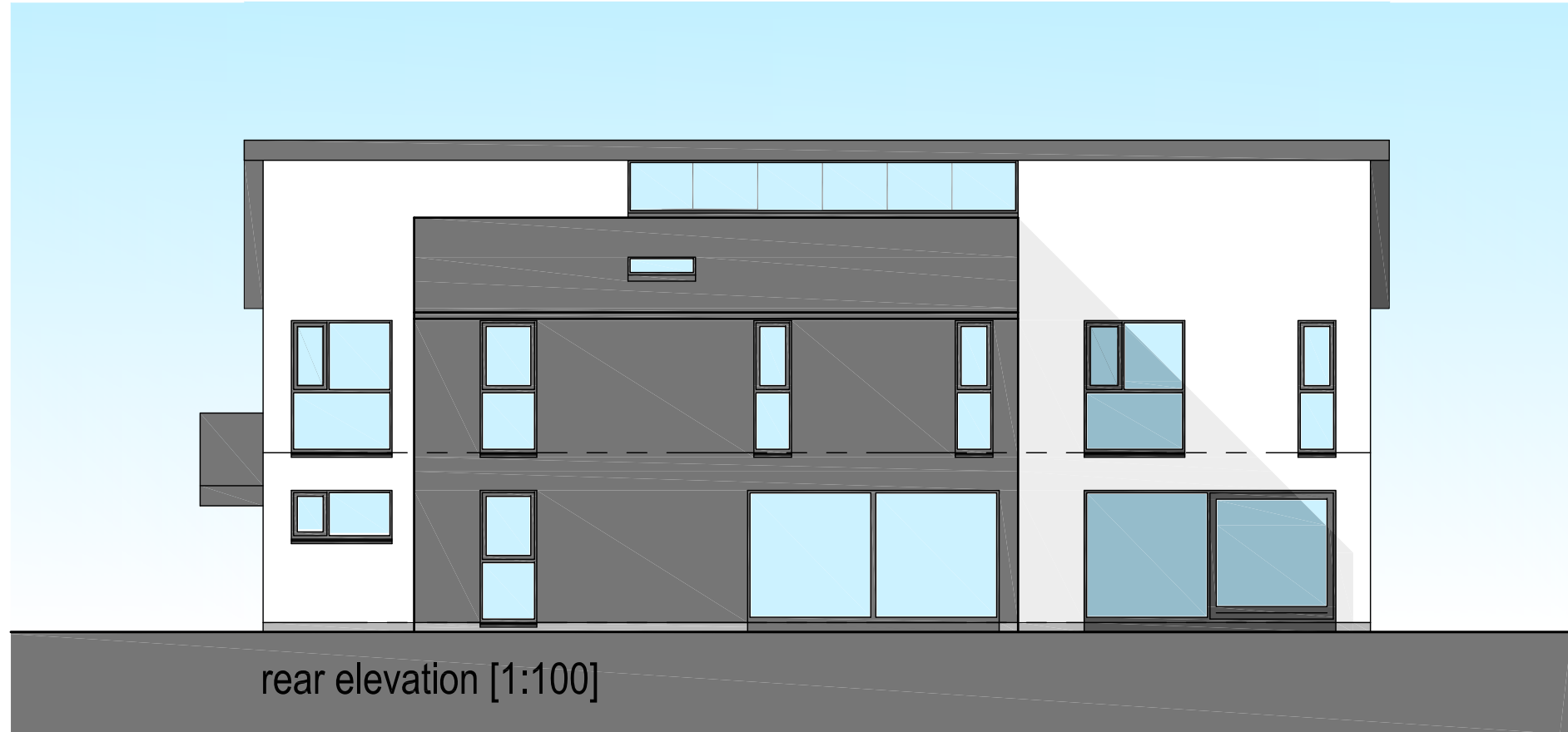
front elevation [1:100]



side elevation [1:100]

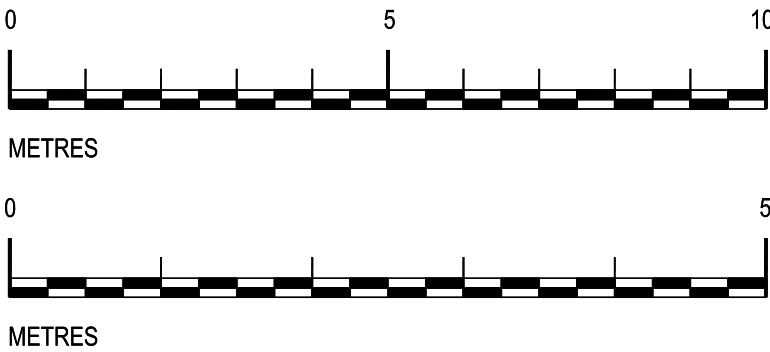


section a-a [1:100]



rear elevation [1:100]

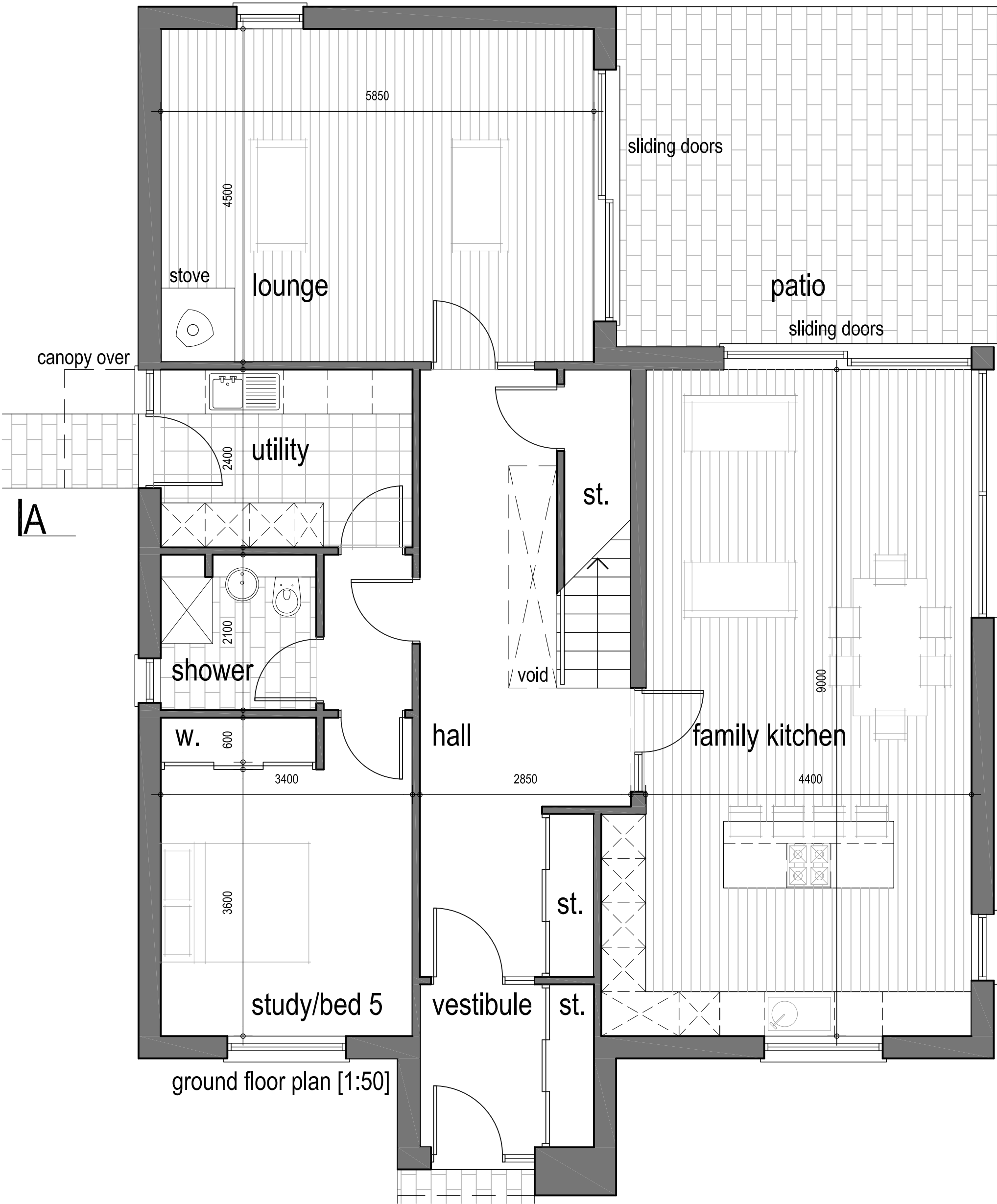
housetype | 1
area | 285m²
bedrooms | 6
render | timber | aluminium cladding | slate



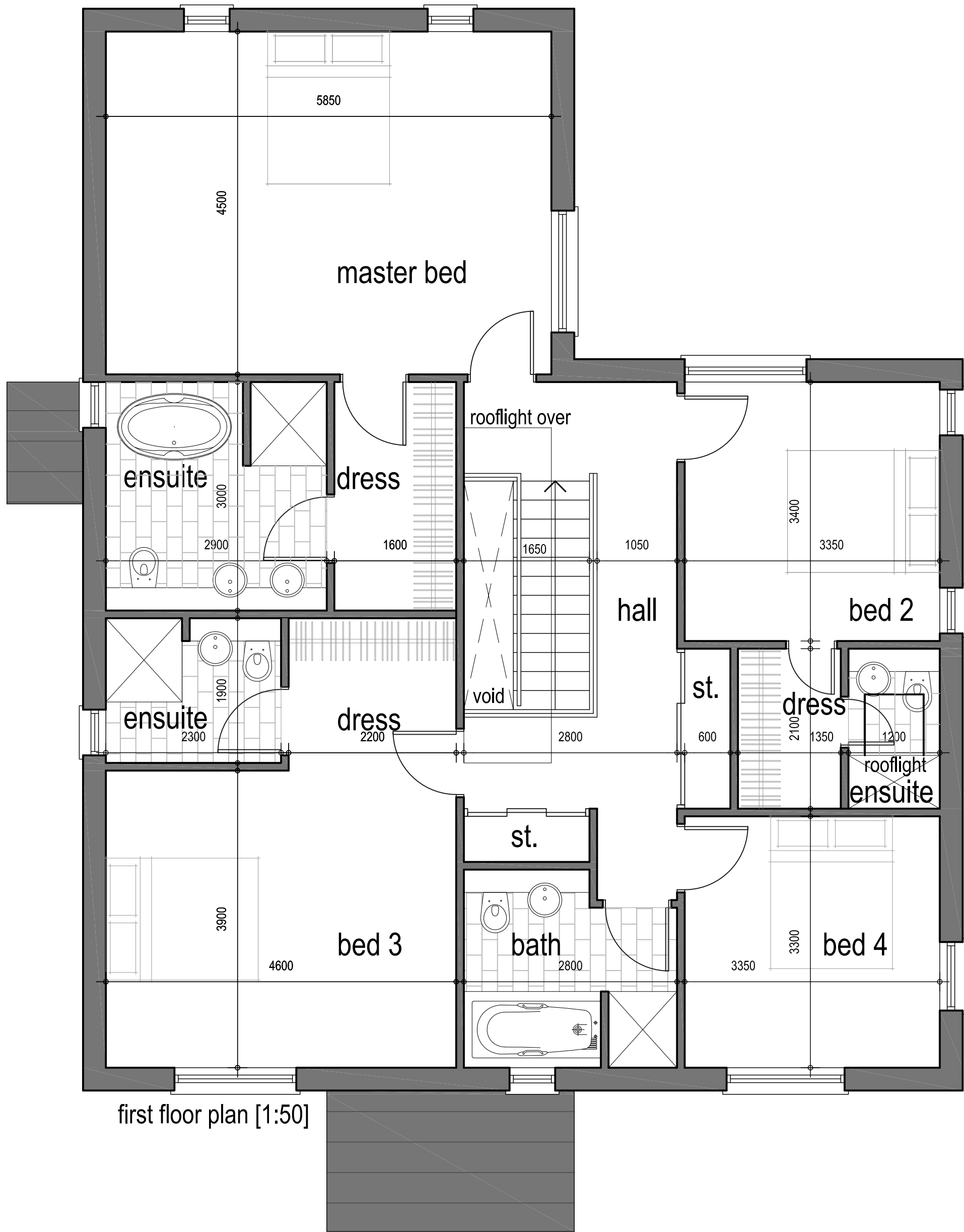
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F	SCALE AND HEIGHT OF HOUSETYPE REDUCED	18/09/17
E	SCALE AND HEIGHT OF HOUSETYPE REDUCED	08/09/17
D	ADJUSTMENTS FOLLOWING CLIENT COMMENTS	16/08/17
C	ADJUSTMENTS FOLLOWING CLIENT MEETING	26/07/17
B	HEIGHTS ADDED TO ELEVATIONS AT PLANNERS REQUEST	01/06/17
A	ELEVATIONS AMENDED	25/05/17
status PLANNING		
drawing	17003 - P03 F	scale VAR [A1]
plotted		ref. KW
project CLARENDON HOUSE LINLITHGOW		
title	HOUSETYPE 1 FLOOR PLANS, ELEVATIONS & SECTION A-A	
slorach wood architects		
contact	The Station Master's Office, Dalmeny Station, South Queensferry, EH30 9JP. Tel: 0131 319 1260 Email: info@swa.uk.net Website: www.swa.uk.net	

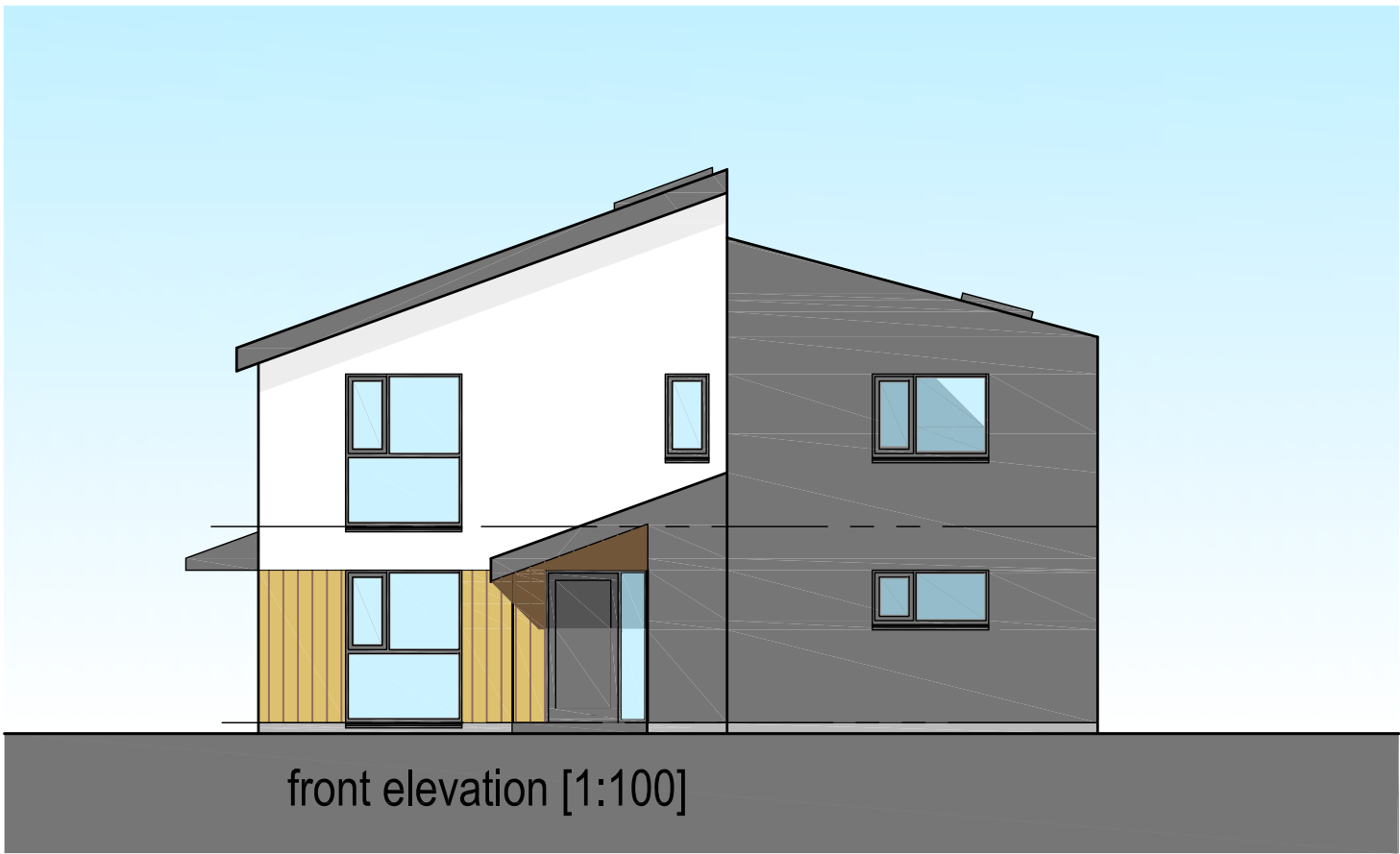
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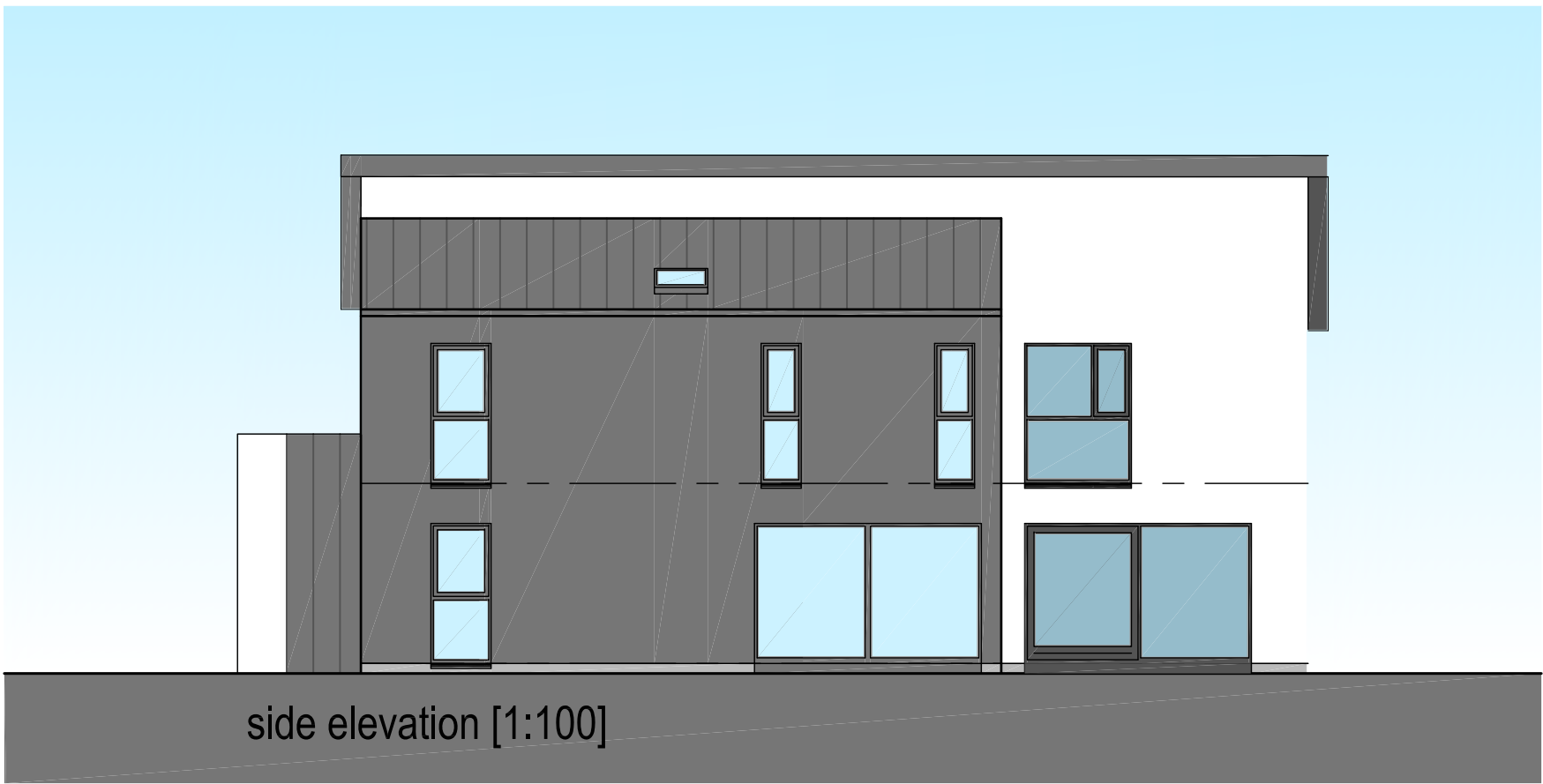
A|



first floor plan [1:50]



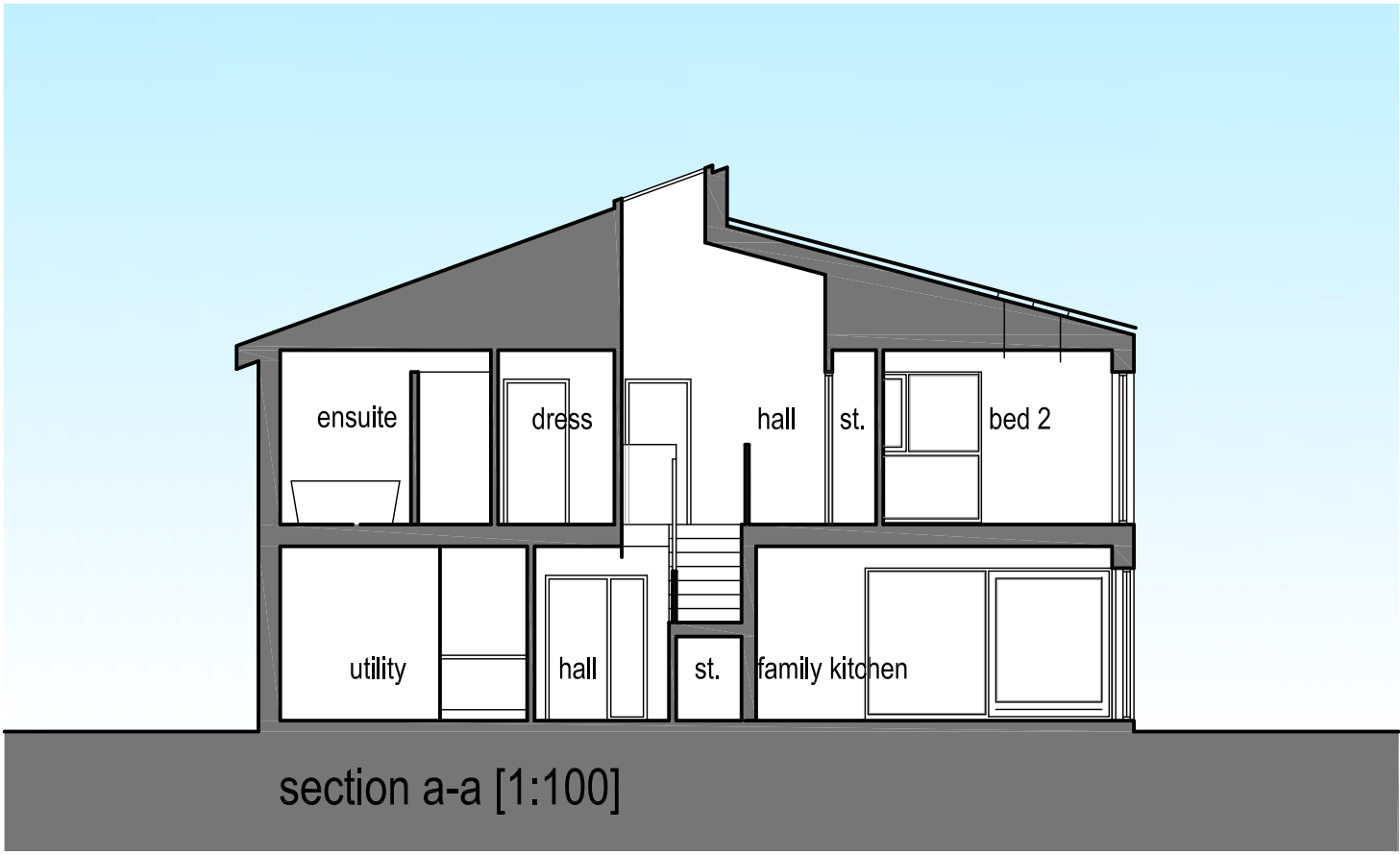
front elevation [1:100]



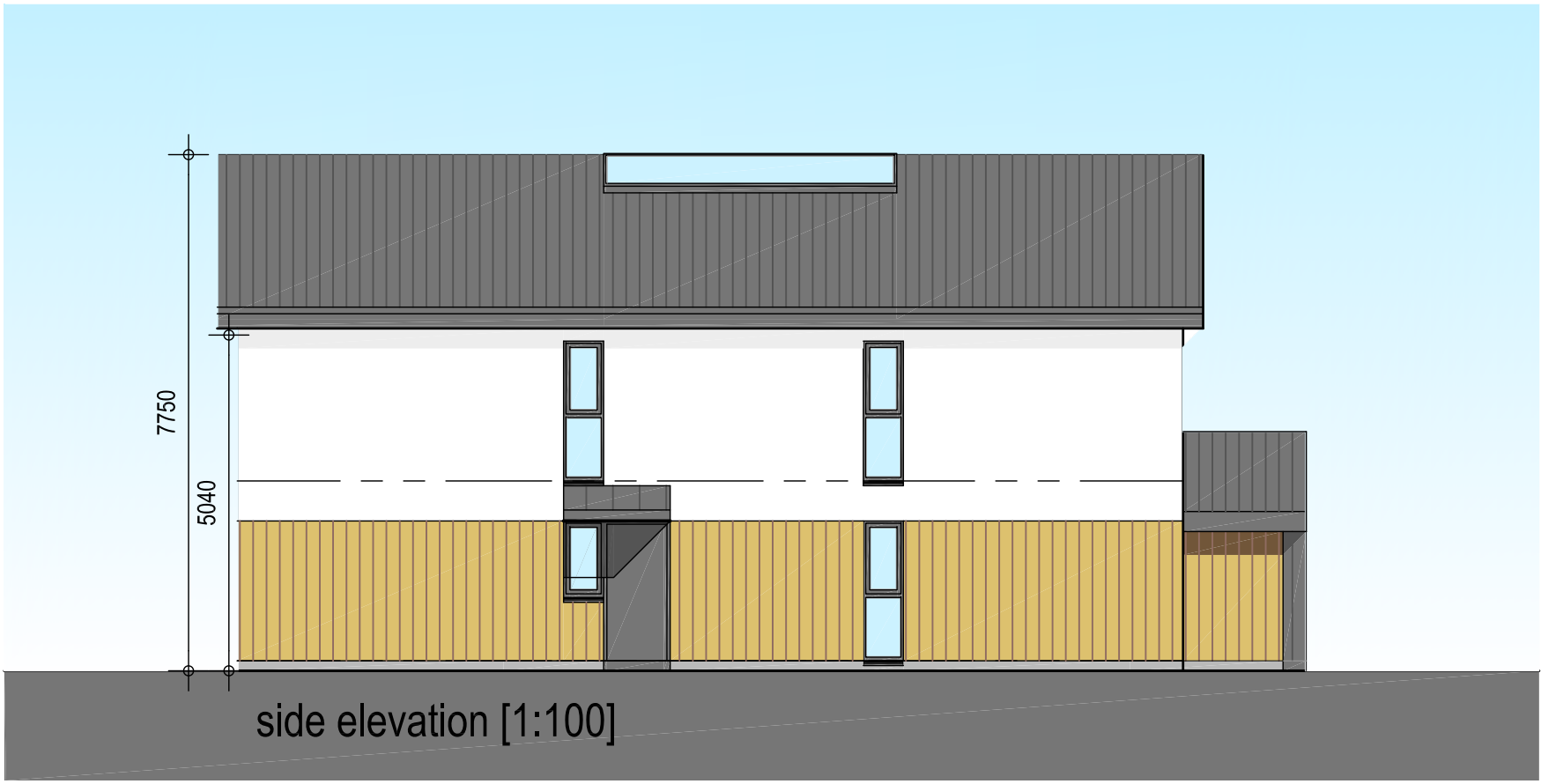
side elevation [1:100]



rear elevation [1:100]



section a-a [1:100]



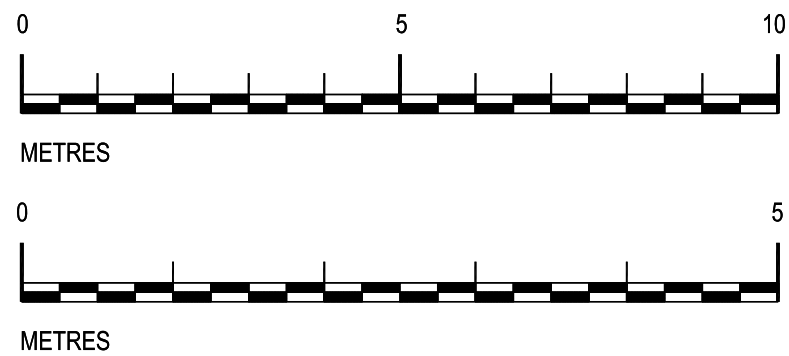
side elevation [1:100]

housetype | 2

area | 265m²

bedrooms | 5

render | timber | aluminium cladding | slate



F	SCALE AND HEIGHT OF HOUSETYPE REDUCED	21/09/17
E	SCALE AND HEIGHT OF HOUSETYPE REDUCED	08/09/17
D	ADJUSTMENTS FOLLOWING CLIENT COMMENTS	16/08/17
C	ADJUSTMENTS FOLLOWING CLIENT MEETING	26/07/17
B	HEIGHTS ADDED TO ELEVATIONS AT PLANNERS REQUEST	01/06/17
A	ELEVATIONS AMENDED	25/05/17
status		PLANNING
drawing	<div>17003 - P04 F</div>	scale VAR [A1]
plotted		ref. KW
project	CLARENDON HOUSE LINLITHGOW	
title	<div>HOUSETYPE 2 FLOOR PLANS, ELEVATION & SECTION A-A</div>	
<div>slorach wood architects</div>		
contact	The Station Master's Office, Dalmeny Station, South Queensferry, EH30 9JP. Tel: 0131 319 1260 Email: info@swa.uk.net Website: www.swa.uk.net	

West Lothian Council
Development Management

3 JUN 2017

Date.....

Ref No.....0426/FUL/17

e-mail

Ref To.....

Ack'd.....Matthew

Replied.....

28, Bailielands
Linlithgow
West Lothian
EH49 7SU
Tel [REDACTED]
Mob [REDACTED]

Date: 11 June 2017

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

Dear Sirs,

**Planning Application 0426/FUL/17 Erection of 6 Houses on land at Clarendon House
Linlithgow**

Linlithgow Civic Trust objects to the above planning application for the following reasons: -

1. The development proposals are contrary to the existing and proposed Local Development Plan because, amongst other things, this land is not designated for housing.
2. The development proposals do not make any provision for low cost housing as required by the Local Development Plan.
3. The development would generate additional pupil demand at Linlithgow Academy which is operating at capacity.
4. The terms of the 'Land Sale', regarding educational constraint, which restricts the rate of development to no more than one residential property being brought onto the market in any one academic year is unacceptable because of the prolonged impact of the construction process on the neighbouring residential area.
5. The development would be contrary to the interests of road safety in that additional pedestrian and vehicular traffic would use the sub-standard Manse Road canal bridge.
6. The design of the access would not meet the design standards for a 'public road' as required by the Roads (Scotland) Act for this size of development. Of particular concern is the lack of turning facilities for service and commercial vehicles and inadequate geometry of the access onto Manse Road because of the significantly sub-standard sight distances and narrow carriage width, which would not permit two vehicles to pass.
7. The south west corner of the site, as shown by the site boundary plan, is occupied by existing development with planning permission granted by the Planning Authority.
8. The location of the attenuation lagoon, as shown on the plans, is not acceptable because of the sloping topography of the ground.

Yours sincerely,

[REDACTED]
David Timperley
Planning Spokesperson Linlithgow Civic Trust



Linlithgow & Linlithgow Bridge Community Council

Please reply to:

Dr John Kelly
Planning Secretary
8 Pilgrims Hill
Linlithgow
EH49 7LN

19th June 2017

For the attention of:
Mr Matthew Watson, Planning Officer
Development Management,
West Lothian Council,
Livingston, EH54 6FF.

Dear Mr Watson,

**Application Number 0043/FUL/16 Erection of 6 houses with triple garages including access roads and associated works; land at Clarendon House
Submission by Linlithgow and Linlithgow Bridge Community Council**

The following comments are given in the context of the Community Council's role as statutory consultee and are those comments discussed by email with members of the Community Council.

The Community Council objects to the proposed development for the following reasons:

- The application does not comply with the requirements of the 2009 Local Development Plan and is premature in the context of the current proposed Local Development Plan.
- The Linlithgow Community has made very clear that it wishes to see no further housing development in Linlithgow ahead of a comprehensive Masterplan for the whole town. We would respectfully remind you that in its reply to the Community Council's comments on the proposed Local Development Plan, West Lothian Council stated "*The Council recognises the need for a "joined up" approach to managing new development in Linlithgow and explicitly promotes the practice of master-planning*". Until there is masterplan any housing development, large or small, cannot be understood in the context of the development and infrastructure plan for the whole town. Further, West Lothian Council stated "*Any release of sites would follow a sequential approach as set out in the MIR and could only proceed once secondary school capacity is available and all other constraints such as air quality*

considerations have been overcome. It is therefore unlikely that land would be released before 2019 given current education constraints or unless developments are for retirement or limited to one bedroom accommodation where there is no impact on the education estate". It is clear that the Design Statement accompanying the application takes no account of these policy decisions.

- The application design and access statement does not address infrastructure at all. There is no attempt to address the mitigation of current infrastructure problems within Linlithgow and Manse Road in particular. Further it is unclear whether the road layout will meet the requirements of the fire service as described in the Policy Statement for Scotland "Designing Streets".
- We note that Scottish Government Planning Guidance states "*The design of a proposed development and its relationship to its surroundings may be a material consideration. Where a design or design and access statement is required, the information within the statement may be material and in such cases must be taken into account by the planning authority when considering the proposed development.*" We contend that the design and access statement is lacking in significant details.
- The Community Council opposes this application on the basis that there is currently no guidance on the spending of commuted sums on affordable housing in Linlithgow which is a priority 1 area for social housing. Until such time as there is a policy there should be no development which generates commuted sums. The Community Council is mindful of the fact that no commuted sum generated by development in Linlithgow has ever been spent in Linlithgow.

Yours faithfully,

John R Kelly
Planning Secretary
Linlithgow and Linlithgow Bridge Community Council

■ Oatlands Park
Linlithgow
EH49 6AS
04 July 2017

West Lothian Council
Development Management
West Lothian Civic Centre
Howden Road
Livingston EH54 6FF

Dear Sirs

PLANNING APPLICATION 0426/FUL/17

OBJECTIONS FROM DR DAVID DIXON AND MRS ANN DIXON ■ OATLANDS PARK, LINLITHGOW

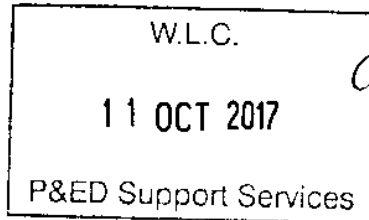
We regret that we have been unable before now to comment on the proposal for development of land at Clarendon House, Linlithgow.

We believe that, in its consideration of the proposed development, West Lothian Council (WLC) should protect the amenity – including minimising detriment from noise and from loss of privacy – of residents of houses in the vicinity of the development site. In particular, we note that the plan dated 31 May 2017 proposes that the houses on plots 1 and 2 be placed considerably closer to the boundary hedge to the south of such plots than are the existing houses at 67 and 56 Oatlands Park. We believe it much more in keeping with the area that the proposed houses be placed at least 10 metres farther to the north than is shown on the site plan of 31 May.

We believe also that, both in its consideration of the development proposal and in the longer term, WLC should seek to reduce as far as practicable foreseeable hazards to pedestrians including children and to vehicle occupants from vehicles on Manse Road. There is an existing hazard at the canal bridge because of drivers' restricted views of pedestrians and of vehicles on the other side of the bridge. The proposed development increases the hazard – both during and after construction – from that existing previously.

Yours faithfully

David NS Dixon
Ann Dixon



■ Oatlands Park
Linlithgow
EH49 6AS
10 October 2017

West Lothian Council
Development Management
West Lothian Civic Centre
Howden Road
Livingston EH54 6FF

Dear Sirs

PLANNING APPLICATION 0426/FUL/17

COMMENT FROM DR DAVID DIXON AND MRS ANN DIXON ■ OATLANDS PARK, LINLITHGOW

We note that the revised site plan enclosed with your letter of 22 September locates the houses proposed for plots 1 and 2 farther to the north than indicated on the earlier plan. The relocations from those of the earlier plan will somewhat reduce the detriment from noise and from loss of privacy – both during construction and thereafter – to existing residents of houses in the vicinity of the development site.

We believe also that West Lothian Council - both in its current consideration of the development proposal and in its continuing overview of traffic management – should seek to reduce as far as practicable foreseeable hazards from vehicles on Manse Road and on the canal bridge to pedestrians including children and to occupants of other vehicles. There is an existing hazard at the canal bridge because of drivers' restricted views of pedestrians and of vehicles on the other side of the bridge. The proposed development increases the hazard – both during and after construction – from that existing previously.

Yours faithfully

David NS Dixon
Ann Dixon

■ Clarendon Road

LINLITHGOW

■

■

email: ■

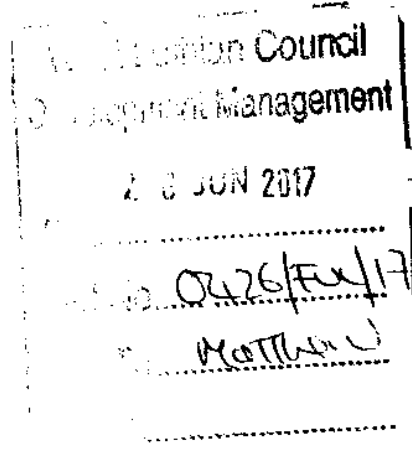
22 June 2017

West Lothian Council

Development Management

West Lothian Civic Centre

LIVINGSTON EH54 6FF



Dear Sirs

Land at Clarendon House, Linlithgow

We have received the papers in connection with the proposed development at Clarendon and have been given the opportunity to comment – for which, thanks.

While we have no great objection to the erection of houses *per se*, it seems illogical for the Council to consider this application in view of its stated policy to restrict development because of the constraints of places at Linlithgow Academy. Why state a claim publicly and then propose something in direct opposition? Also, why is West Lothian the organisation selling the land in the first place, yet also the organisation which will decide on whether or not to give planning permission?

The provision of houses with triple garages means that there will be some 18 cars going to and from these houses over the Canal Bridge – this accounts only for vehicles belonging to the house owners, but presumably they will have visitors also arriving by car and causing yet more traffic on a road not designed for that purpose. The Canal Bridge is barely coping with the traffic at present and there are regular altercations between drivers approaching the bridge from different directions. Cars coming up Manse Road have priority over those coming down, but drivers cannot always see vehicles approaching in the other direction. Some years ago the bridge was altered to allow only one vehicle at a time, but it is doubtful if this has improved the situation.


There is also the question of construction traffic before the houses are even constructed. The Canal Bridge is not capable of taking a lot of heavy lorries; there are already many instances of heavy vehicles being unable to cross and damaging the bridge.

It would surely be more sensible to bring heavy traffic up Preston Road and then along Riccarton Drive, both of which roads are wide enough to cope. Even if doing that, there are still problems for heavy construction traffic in that the entry to Clarendon Estate is narrow and extremely difficult with the number of parked cars always in Manse Road. The wall surrounding the gateposts is beautiful and any suggestion that the entry road should be widened would destroy the whole amenity of the area.

So far, we have concentrated on conditions in the immediate vicinity of Clarendon House and Estate, but the addition of further vehicles will have repercussions throughout the Royal Burgh. We assume that many West Lothian Councillors do not live in Linlithgow and therefore do not experience the frustration – and indeed danger – of driving through the crowded High Street. As well as private vehicles, we have buses (both scheduled services and tourist coaches), heavy lorries delivering to the various shops, pubs and restaurants – all vying for the space on the High Street. There is also an acute planning problem which has never been tackled and more vehicles will only serve to make the position worse.

Before considering any further housing development in Linlithgow, West Lothian Council should take urgent steps to solve the problem of traffic congestion in the High Street, and also the vexed question of parking.

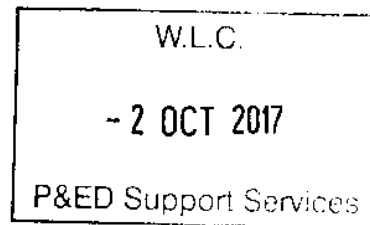
Yours sincerely

 Lawson Lawson

PS: while we have no objections to this letter being available online, we are not entirely happy, in these days of Data Protection, at the idea of our private address being available to the millions who surf the web. Is it not possible to put 'name and address supplied'? Many thanks.

██████████ Clarendon Road

LINLITHGOW



28 September 2017

West Lothian Council

Development Management

West Lothian Civic Centre

LIVINGSTON EH54 6FF

Dear Sirs

Land at Clarendon House, Linlithgow

Thank you for your Letter of 22 September, but no thanks for the completely useless map attached!

Our objections to the proposed development remain as those given in our letter to you of 22 June, mainly concerning access problems and the unsuitability of more vehicles using the already hazardous Canal Bridge. We have to cross the Canal Bridge almost every day and it is a miracle there has not been a serious accident. There have been many cases of damage to the bridge caused by heavy lorries and any increase of this should be avoided at all costs.

We have had a further look online at the planning application and feel that the design of the proposed houses is completely inappropriate both to the site and to the Royal Burgh of Linlithgow in general. The houses bear no resemblance to any others in the town and should be completely re-designed.

Yours sincerely

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Watson, Matthew

To: Planning
Subject: RE: Objection comments to Erection of 6no. houses with triple garages to Clarendon house land Ref: LIVE/0426/FUL/17

From: David Goudie [[mailto:](#) [REDACTED]]
Sent: 28 June 2017 14:05
To: Planning
Cc: Kay Armstrong [REDACTED]
Subject: Objection comments to Erection of 6no. houses with triple garages to Clarendon house land Ref: LIVE/0426/FUL/17

To whom it may concern,

Please see below objections to components of the planning application issued for the erection of 6 new houses in the clarendon house land.

Comments are made on behalf of myself and my wife (Kay Armstrong) whom reside in the Clarendon Lodge property at the access into the site.

- We are concerned about the amount of traffic which would be generated by the new housing. The exit junction in front of our house is tight.
- The 6 houses and garages are in very close proximity to one and other, it looks very cramped.
- Building 6 houses over an extended period of time will have a prolonged negative impact on the area causing noise pollution, vibration and traffic issues.
- With commercial vehicles accessing the road off Manse Road, this is in close proximity to our house and garage, we are concerned about potential damage/ impact to our property, and children's safety due to traffic.
- We are concerned that the development by removing tree's and landscaped areas will affect the environment of the site. The site falls into Linlithgow's conservation area and we wish it to remain as green as possible.
- We feel triple garages are excessive and not 'eco-friendly' as the developer by name implies. The double story, triple garages with 6 windows looks more like a properties themselves?

We appreciate your consideration of our comments and would be happy to be contacted for any further discussions.

Kind Regards
David

David Goudie
Construction Manager

MULTIPLEX

Multiplex Construction Europe Ltd
[REDACTED]

Dear Sirs

Planning Application 0426/FUL/17 Erection of 6 Houses on land at Clarendon House, Linlithgow

We, the owners of [REDACTED] Manse Rd, Linlithgow object to the above planning application for the following reasons:

Planning Brief – Site Layout

Planning application – Site Layout

1. The style and size of the proposed houses do not match the planning brief. The materials being used in close proximity of a listed building are not in keeping. The planning brief states “This should be of a high-quality design and protecting of the listed building and its setting”. We understand it is personal opinion but the design of the houses do not compliment the listed house and its grounds nor are they in keeping with neighbouring housing developments. We note that the developers propose to use aluminium sheeting and aluminium roofing, however, the planning brief recommends the use of natural slate and cast-iron guttering which we believe would be more in keeping with the site.

2. We note that the developers propose the use of aluminium sheet roofing and cladding. We are concerned about the noise pollution this will cause.

3. There is no provision for street lighting in the planning application. We note that this was required in terms of the planning brief.

4. Access from Manse Road does not suit a further 6 houses without traffic management being looked at i.e. Double yellow lines painted which gives 10 yards either side of the junction. Safety concerns have been raised with West Lothian Council Roads Department, the Police and MP's regarding this on many occasions over the last three years.

5. We are concerned regarding the current lack of turning facilities for the site which could cause the access road to be blocked whilst deliveries to the site are made. We are also concerned about site traffic creating noise pollution to our property.

6. No reference has been given to the timeframe or constraints of the site in the planning application. Are we to assume that the time frame is one house per school year as per the planning brief?

7. Why is tree tag number 1099 not referenced as a Category A tree along with the other beech trees of similar size. Also tree tag 1090 Sycamore is not listed as A or B where as an adjacent sycamore tree of the same height is listed as Category B. Tree tag number 1112 Sycamore has not been listed as A or B. It looks as if these trees have been de-categorized to allow an access drive to plot 6.

8. Why are 1109, 1097, 1098, 1101, 1065, 1067, 1069, 1088 not listed as Category A or B. It seems as if these trees are being decategorized to allow for them being removed to make way for development.

9. We would be concerned with the removal of any mature trees/hedge. As the site is located within a conservation area we believe that all mature trees should be protected.

10. We are concerned that the increase in traffic could have an impact on our property, large commercial vehicles passing on a regular basis could cause damage the stonework through vibrations. Also, our drive is off the main access road. Care would need to be taken not to damage our cars.

We would propose that if planning is granted then the planning permission is granted subject to the following conditions:

1. Works are only carried out during restricted hours and that noise kept to a minimum as we have a young family and work from home.
2. The access road and passing place must be kept clear at all times to allow access to our drive, Clarendon House and Clarendon Stables.
3. Safety fencing must be put in place around the site in the interest of safety. As advised above we have a young family.
4. A turning area must be created within the site for all deliveries to be dropped off, leaving the access road clear.
5. The access road must be kept clear of mud, building debris etc at all times and any damage to the access road must be repaired by the developer to a reasonable standard within a reasonable time.

Yours sincerely

David Goudie and Kay Armstrong

Clarendon House
[REDACTED] Manse Road, Linlithgow, [REDACTED]
Tel: [REDACTED] Email: [REDACTED]

West Lothian Council
Development Management/Planning Department
Civic Centre
Howden South Road
Livingston
EH54 6FF

Dear Sirs

Planning Application 0426/FUL/17 Erection of 6 Houses on land at Clarendon House, Linlithgow

We, the owners of Clarendon House, Linlithgow **object** to the above planning application for the following reasons:

1. Plot six is placed on land that was deemed as amenity land (shown as “retain and manage planting” on the plan) on the planning brief. The planning brief had houses located on the upper level of the site only. Whilst we appreciate that this was only a brief, if the ground where plot six on the proposed plan is allowed for housing this will impact our privacy. There are numerous windows for the dwelling house on Plot 6 which will overlook the front of our house, main living accommodation plus our private gardens. The planning brief states “The new development should be designed to retain and enhance the special interest, character and setting of the listed building.” Having plot six so close comprises the listed building but also privacy for the occupants.
2. The location of the garage for Plot 6 is located where three large bushes currently lie. The bushes are well established and we note the site is located within a conservation area. The removal of these buses would affect our privacy and the shelter they currently provide to our property.
3. Our main garden is located over two levels and our garden area adjacent to Plot 5 is at a higher level to the ground upon which plot 5 would be erected. This would mean that our privacy and use of our garden would be materially prejudiced by the extremely close proximity of Plot 5 to our boundary. We note that the planning brief suggests that the properties be located further away from our boundary. This plot would also have windows that overlook Clarendon House again affecting our privacy. Plot 5 would also be very visible from any of the south facing windows of Clarendon House.

[illegible]

site plan [1:500]

KEY:

plot 1
house type | 1

plot 2
house type | 1

plot 3
house type | 2

plot 4
house type | 2

plot 5
house type | 1

plot 6
house type | 2

17003 - PQ2 A
CLARENCE HOUSE
(LAW FIRM)

slorach wood architects

- 60 -

with neighbouring housing developments. We note that the developers propose to use aluminium sheeting and aluminium roofing, however, the planning brief recommends the use of natural slate and cast-iron guttering which we believe would be more in keeping with the site.

5. In terms of the proposed plan our main garden area will be overlooked by windows from the proposed houses which will have a detrimental effect on our privacy and compromise the use of our garden.
6. We note that the developers propose the use of aluminium sheet roofing and cladding. We are concerned about the noise pollution this will cause.
7. There is no provision for street lighting in the planning application. We note that this was required in terms of the planning brief.
8. Our gas services run under the proposed Suds. This may inhibit this area being used or may cause damage to existing infrastructure and issues with future maintenance of our services.
9. Access from Manse Road does not suit a further 6 houses without traffic management being looked at i.e. Double yellow lines painted which gives 10 yards either side of the junction. Safety concerns have been raised with West Lothian Council Roads Department, the Police and MP's regarding this on many occasions over the last three years. Cars park in close proximity to this junction which restrict its visibility and there have already been a number of near collisions. If the development goes ahead without traffic management being put in place, the increase in traffic flow would make a collision inevitable.
10. We note that the developers propose to erect double storey triple garages with a room located above the garage. We are concerned that future inhabitants of the property may seek to convert the garages into separate dwellings, granny flats, or holiday accommodation. Whilst we understand that this would likely require a planning application, we are concerned that if this was subsequently granted then there would be additional footfall and the site would be overdeveloped.
11. We are concerned regarding the current lack of turning facilities for the site which could cause the access road to be blocked whilst deliveries to the site are made. If the access road is blocked this would restrict vehicular access to our property for ourselves, deliveries and emergency vehicles during the development but would also make pedestrian access dangerous with a young family. As there are currently no turning facilities this would mean that delivery lorries would need to reverse out onto Manse Road which would be extremely dangerous given the limited visibility due to parked vehicles located on Manse Road.
12. No reference has been given to the timeframe or constraints of the site in the planning application. Are we to assume that the time frame is one house per school year as per the planning brief?
13. One entrance as per the planning brief would be much more manageable from a traffic point of view.
14. The size of the houses plus the detached two-level triple garage are not in keeping with surrounding developments. The size of the house will simply over power the site.

The sheer size of the houses are not in keeping with the listed building or surrounding area

15. Porous access road goes against the design brief and the existing road structure. With regards to this we would have concerns that it would cause uncontrolled excess water that could undermine the existing tarmac access road to which the maintenance costs are shared between all.
16. Planning brief states garage parking is not to be taken into account with regards to parking spaces. Currently the planning application is allowing for no driveway parking as it is stating 18 spaces which would all be garage parking if each house is allowed to have a triple garage. The planning brief also state that 1.5 spaces should be allowed per house hold not 3.
17. Why is tree tag number 1099 not referenced as a Category A tree along with the other beech trees of similar size. Also tree tag 1090 Sycamore is not listed as A or B where as an adjacent sycamore tree of the same height is listed as Category B. Tree tag number 1112 Sycamore has not been listed as A or B. It looks as if these trees have been decategorized to allow an access drive to plot 6.
18. Why are 1109, 1097, 1098, 1101, 1065, 1067, 1069, 1088 not listed as Category A or B. It seems as if these trees are being decategorized to allow for them being removed to make way for development.
19. We would be concerned with the removal of any mature trees/hedge which are providing both privacy and protection from the prevailing westerly wind. As you will be aware most of the weather/wind received in West Lothian is a westerly wind. Over the last 200 years the mature gardens have provided a great amount of protection to the main house and the stables. As the site is located within a conservation area we believe that all mature trees should be protected.

We would propose that if planning is granted then the planning permission is granted subject to the following conditions:

1. Works are only carried out during restricted hours and that noise kept to a minimum as we have a young family.
2. The access road and passing place must be kept clear at all times to allow access to Clarendon House and Clarendon Stables.
3. Safety fencing must be put in place around the site in the interest of safety. As advised above we have a young family.
4. A turning area must be created within the site for all deliveries to be dropped off, leaving the access road clear.
5. The access road must be kept clear of mud, building debris etc at all times and any damage to the access road must be repaired by the developer to a reasonable standard within a reasonable time.

6. Hedging or fencing must be erected by the developers to ensure privacy. The hedging or fencing must be in keeping with the age and character of our property and must not encroach upon our land.

Yours sincerely

Ross Park and Laura Hay
Clarendon House, Linlithgow

Re Revised Plans

Matthew/Wendy,

We still have the concerns that we previously stated in our correspondence dated 28th June, which I have attached again for reference.

The site location plan received by post was not for this planning application.

The site plan has changed which now puts a larger house on plot six which is in close proximity of a grade B listed property. The orientation has now also changed so that all the living spaces/large glazed areas now look directly on to Clarendon House. In our previous correspondence we raised that the planning brief was to have all dwelling houses to the raised/south side of the site. This has not been addressed with these revised plans. We hope that the council will not grant any dwellings on the lower land (i.e plot six) which would have a detrimental effect on the privacy of the occupants of Clarendon House.

We can see that the Development Management & Transportation Planning Manager for Roads & Transportation (Jim Stewart) has no objects to the planning. We would ask that the junction to Manse Road is double yellow lined as it will now be a junction to a housing development. We have raised our safety concerns about this junction multiple times with senior management at West Lothian council. MPs and the police. I am concerned to see no comments from the Roads and Transportation Department regarding the restricted access from Manse Road.

With regards to Scottish Water we would expect that the a new supply is taken from Manse Road as the existing water supply to the site is at capacity.

With regards to education, it was previously stated that only one dwelling could be completed each school year due to the demand for school places. This now seems to have been eased to allow two dwellings per year. I don't see where the capacity is for school places as these dwellings will be mainly aimed at the family market and all schools are over capacity with the exception of Low port which has 2 spare places. I cannot see how this can justify a relaxation on the restriction of one new dwelling per school year.

All other concerns in the attached still remain, however, we do note that the developers have removed the triple garages which previously caused us concern.

Regards

Ross Park & Laura Hay

Watson, Matthew

Subject: RE: Ref. No: Comments re planning ref.LIVE/0426/FUL/17

From: [REDACTED]
Sent: 28 June 2017 22:06
To: Planning
Subject: Ref. No: Comments re planning ref.LIVE/0426/FUL/17

To whom it may concern,
Please see comments below in reference to planning application Ref. No: LIVE/0426/FUL/17.

First, the original planning brief issued July 2013 stated that any materials used in the construction of new dwellings were to be of traditional materials (slate, stone roughcast etc) not the proposed aluminum roof, facing brick and bright smooth render. We feel that the proposed choice of materials are not sympathetic to the site environment and are too sharp and harsh for the surrounding properties.

Second, the proposed location on plot 6 is as again not in the original planning brief, which stated that any new dwellings should be built on the south side of the wall, therefor shielded behind existing woodland.

Finally, I was under the assumption that a neighbour notification should have been issued with this application, and as yet we have had no notification.

Please take these points into consideration when deliberating the outcome of this proposal.

Regards,

Craig & Sharon Hitchcock

Clarendon Stables.

West Lothian Council - Data Labels:

OFFICIAL - Sensitive: Contains Personal or Business Sensitive Information for authorised personnel only

OFFICIAL: Contains information for council staff only

PUBLIC: All information has been approved for public disclosure

NON-COUNCIL BUSINESS: Contains no business related or sensitive information

Link to **Information Handling Procedure:** <http://www.westlothian.gov.uk/media/1597/Information-Handling-Procedure/pdf/infohandling1.pdf>

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DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Application for decking to the rear of 42 Northfield Cottages, West Calder, EH55 8EE
(retrospective)

2 DETAILS

Reference no.	0663/H/17	Owner of site	Mrs Stacey Aitken
Applicant	Mrs Stacey Aitken	Ward & local members	East Livingston and East Calder Councillor Cathy Muldoon Councillor Pauline Clark Councillor David Dodds
Case officer	Tiwaah Antwi	Contact details	Phone: 01506 281110 Tiwaah.antwi@westlothian.gov.uk

Reason for referral to Development Management Committee:

Application referred by Councillor Cathy Muldoon.

3 RECOMMENDATION

Grant Planning Permission.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Retrospective planning permission is sought for decking to the rear of an end-terrace house at 42 Northfield Cottages. This application excludes the 1.8 metre fence erected around the rear boundary which has also been erected, but which constitutes permitted development.
- 4.2 The decking is 3 metres in length, 5.8 metres wide and 1 metre above the ground. It has a 1.1 metres high handrail, giving a total height of 2.1 metres of the structure. The wooden finish matches the existing fence around the rear garden ground and will not be visible from the street, thus, will not impact on the overall appearance of the property. The material used is considered to be complimentary to both the house and the wider area.

- 4.3 The application site and neighbouring properties have existing 1.8 metre high boundary fences which would screen a significant section of the raised deck. The decking will therefore be largely unseen by the adjoining neighbours.
- 4.4 The height of the deck's platform, gives rise to issues of overlooking, so a condition is proposed requiring a 1.8m screen to be erected on either side of the deck in the interests of privacy and amenity of neighbouring residents.

5. PLANNING POLICY

Plan	Policy	Assessment	Conform?
West Lothian Local Plan	<p>Policy HOU 9 Residential 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 impact on amenity to a significant degree will not be supported.</p>	<p>The proposal will not be detrimental to residential and visual amenity.</p> <p>The raised deck will not be visible from the front elevation of the property and any potential impact will be to the rear, hence, there will be no visual impact to neighbouring residents.</p> <p>Due to the 2.1 meters height of the decking a condition requiring screening to both sides of the decking will be attached to the decision to avoid overlooking of neighbouring properties. Therefore, the proposal will not have a significant detrimental impact on the amenity currently enjoyed by neighboring residents.</p>	Yes

Also, of relevance is the Council's House Extension and Alteration Design Guide 2015 which the proposal complies with.

6. REPRESENTATIONS

There have been three letters of representations received, two of which have been outlined below and one of which is non-material, thus, cannot be taken into account.

Comments	Response
Fence (Overshadowing)	The objection relates to the existing 1.8 metre boundary fence which constitutes permitted development and so does not form part of the application.
Privacy	The issue of privacy has been taken into consideration throughout the application process. This has been assessed and an agreement has been reached with the applicant to resolve the issue with a condition as expressed in the assessment below.

7. ASSESSMENT

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 In assessing the application, the impact of the proposed development on neighbouring residents and its degree of accordance with the House Extension and Alteration Design Guide, require to be assessed.
- 7.3 The proposal will not be detrimental to residential and visual amenity. The proposal will not significantly alter the overall appearance of the property, especially from the front elevation. The proposed extension will be visible from the rear of the property however, due to the layout of the terraced houses and the existing boundary fences between the properties, the proposed raised deck will not be highly visible to neighbouring residents. Therefore, the decking will not have a detrimental or overbearing impact on the visual or residential amenity of the surrounding area. The proposal conforms to policy HOU 9 of the West Lothian Local Plan which seeks to protect residential amenity and the Council's House Extension and Alteration Design Guide 2015 supplementary guidance states that materials should match that of the existing property.
- 7.4 The Council's supplementary guide also states that residents are entitled to a degree of privacy within their own gardens. The proposed development looks out to a neighbouring property's window, 10.2 meters from the West boundary of the site, which has given rise to privacy issues. However, should the height of the decking be reduced to 0.5 meters, where the issue of privacy would not be resolved, the decking would be classed as Permitted Development. It is therefore considered that a condition on the decision notice would be better placed requiring that an all year round opaque plant screening of 1.8 metre high from the platform of the decking is erected on both sides of the decking. The applicant has agreed to this condition which would then be subject to the Council's approval of the plant/screening materials.

8. CONCLUSION AND RECOMMENDATION

- 8.1 Whilst the extension does have a minor impact on the visual appearance to the rear elevation of the property, the alterations will not be detrimental to the appearance of the existing house. The application will not be detrimental to the visual or residential amenity enjoyed by the residents of the neighboring properties subject to the attached draft condition and complies with policy HOU 9 of the West Lothian Local Plan and the Council's House Extension and Alteration Design Guide 2015.
- 8.2 Consequently, and in view of the above, it is recommended that planning permission is granted.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions
- Location Plan
- Aerial Plan
- Proposed Elevations
- Member referral form
- Objections

Craig McCorriston
Head of Planning, Economic Development and Regeneration

Date: 25/10/2017

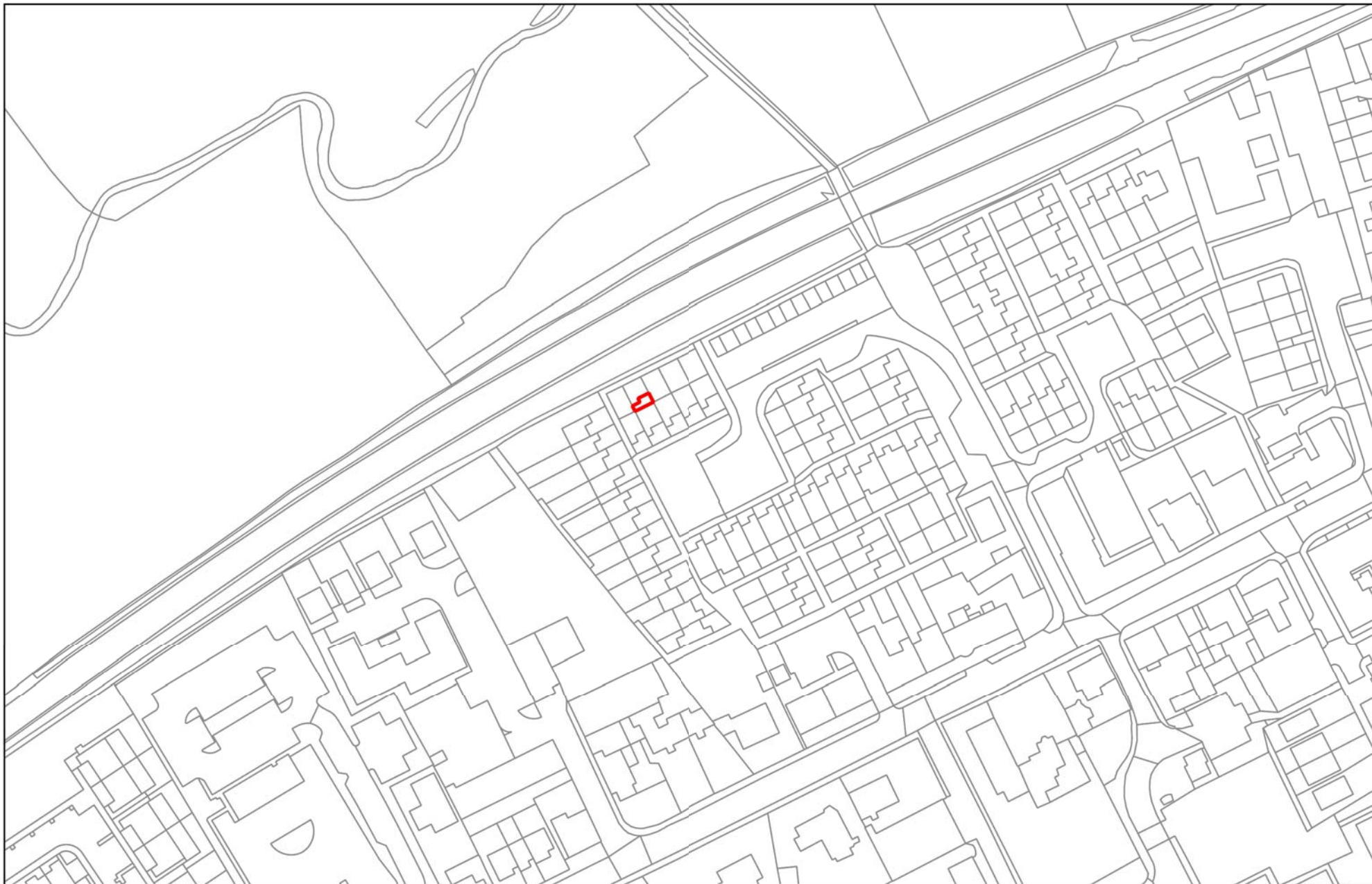
Our Ref: 0663/H/17
Direct Dial No:
Email: tiwaah.antwi@westlothian.gov.uk
16 October 2017

Tel: 01506 280000

Draft Justification and conditions/reasons

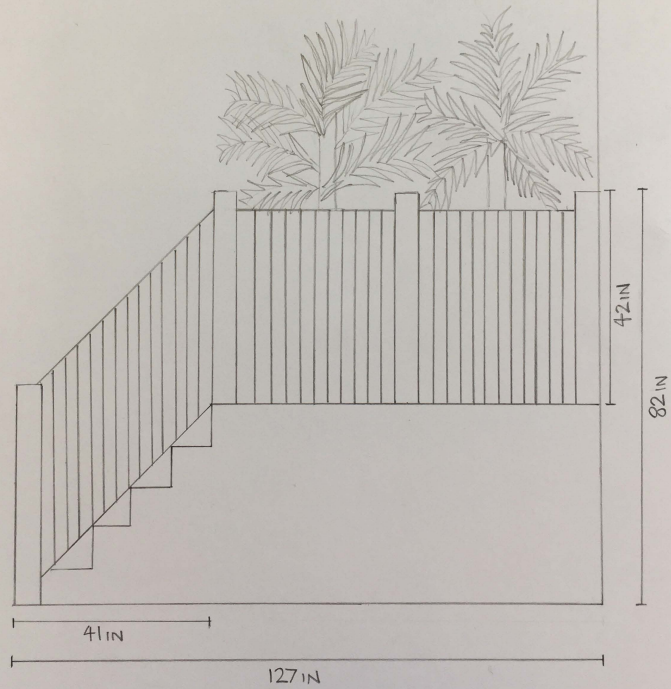
- (1) A 1.8m high all year opaque plant screening shall be erected along the two side edges of the raised decking (as shown on the approved plan - Proposed side elevation).
- (2) Details of the materials used shall be submitted for the written approval of the Development Management Manager within a fortnight of approval.

Reason: In the interests of privacy and amenity of neighbouring residents.

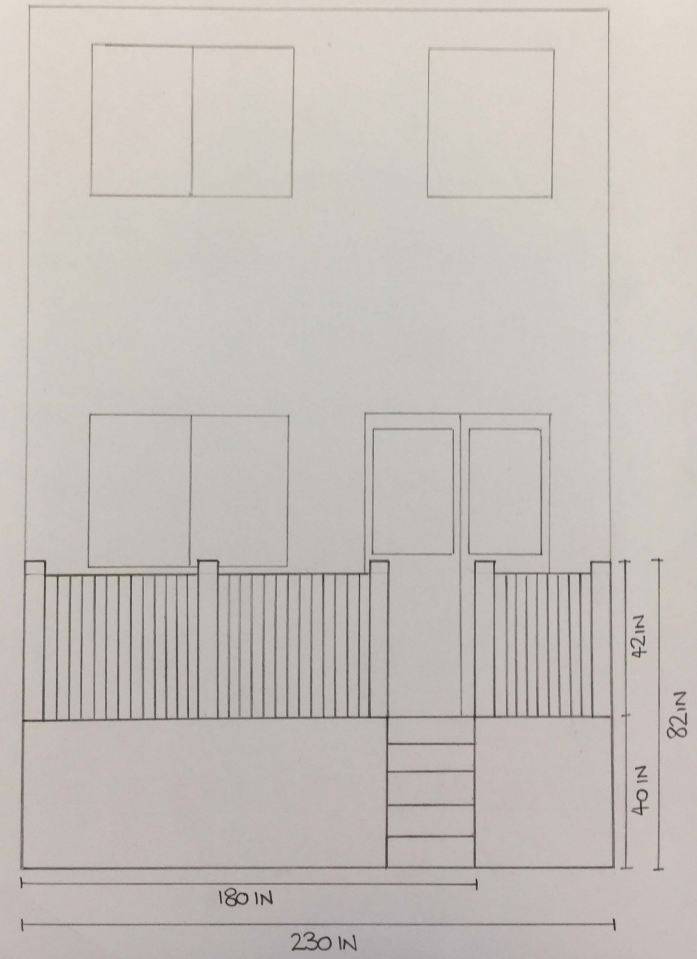


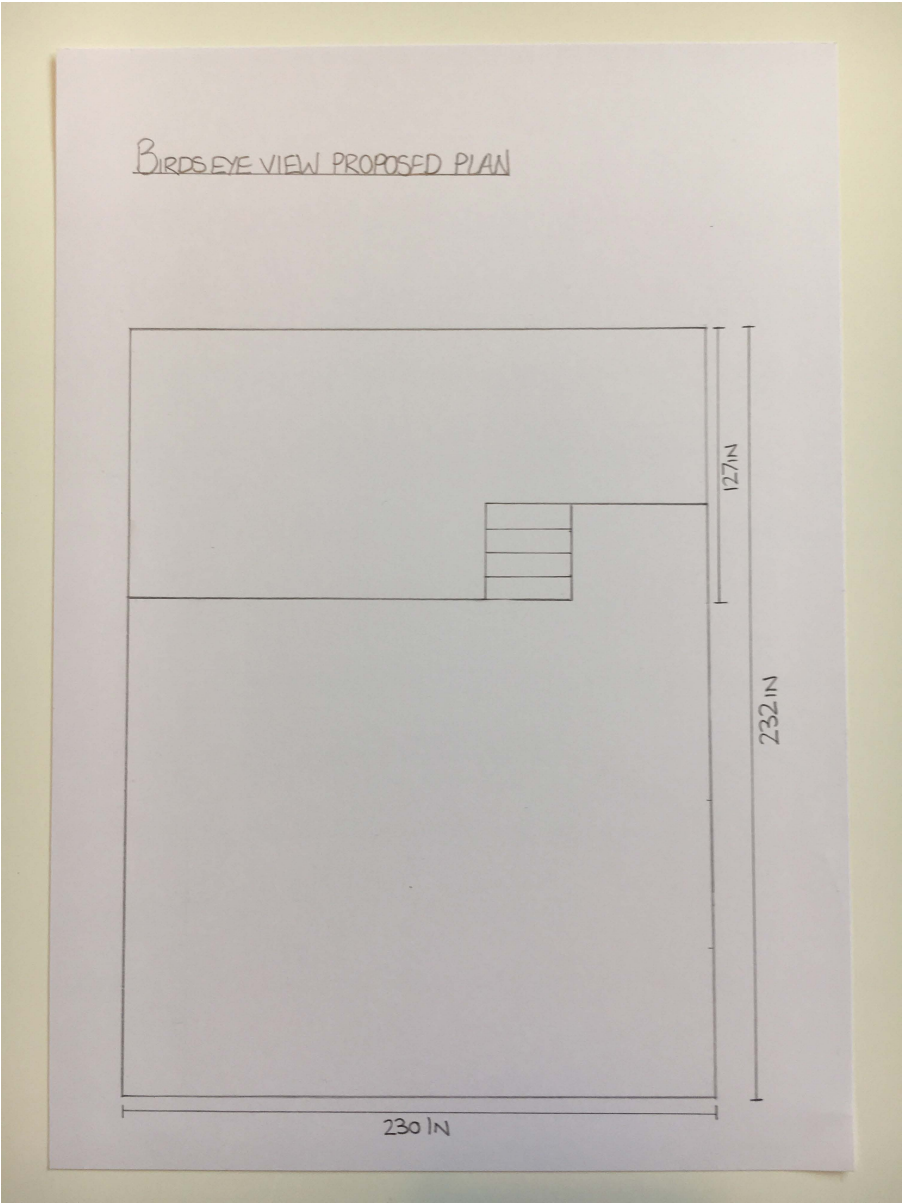


PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION





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West Lothian Council

Planning Services
Development Management Committee

☒ LOCAL MEMBER REFERRAL REQUEST ☒

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days.

The planning application details are available for inspection on the council's web site at <http://planning.westlothian.gov.uk/WAM133/searchsubmit/performanceOption.do?action=search>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
Application Reference Number 0663/H/17	Applicant Request <input type="checkbox"/>
Site Address 42 Northfield Cottages, West Calder	Constituent Request ✓
Title of Application Erection of decking (in retrospect)	Other (please specify) <input type="checkbox"/>
Member's Name Cllr Cathy Muldoon	
Date 18 September 2017	

Comments for Planning Application 0663/H/17

Application Summary

Application Number: 0663/H/17

Address: 42 Northfield Cottages West Calder West Lothian EH55 8EE

Proposal: Erection of decking (in retrospect)

Case Officer: Tiwaah Antwi

Customer Details

Name: Ms Jane McNab

Address: 41 Northfield Cottages West Calder

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My neighbours at 42 Northfield Cottages have erected decking, I had no idea they were planning to do this. If I had been informed prior to this happening, I would have raised some concerns with them regarding the height of the construction.

I have lived here for nearly 5 years and get on well with all my neighbours.

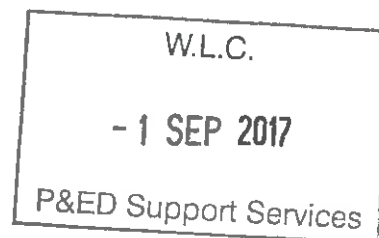
My house is an end of terrace property as is theirs. The front of my house looks onto their back garden (I say looks onto but as there is a 6 foot fence between us, I can't see into their garden at all). In fact we both had privacy. The position of our houses are slightly different from each other as mine sits lower than theirs.

Now, however after their decking has been completed, I feel that I have no privacy left due to the decking being at the same height as their kitchen door step. Whenever anyone is standing on the decking they can look down and into my living room.

Having looked into the regulations it would seem that this construction is well above and exceeding the 30 cm which does not require planning permission.

Finally this could all have been avoided if we were all made aware of their plans.

Mr A Oxley
43 Northfield Cottages
West Calder
West Lothian
EH558EE
24/08/17



Tiwaah Antwi

To Whom it may Concern,

Concerning application 0663/H/17.

After living with this 6 foot fence at number 42, Northfield Cottages taking sunlight from a third of our back garden in the afternoon, that was put up even though we had said it was too high and a 4 foot fence would be more polite. This is just prior to the decking going up. They went ahead saying they wanted privacy. When we voiced our objections which were we used to sit on the path area in the summer so not to spoil the grass with constant use. We were told we had other places to sit than the path meaning the grassed area. When we said we shouldn't have to alter what we do to accommodate you, we were told the fence is going up. We now cannot sit in the path area as it is in shade.

Now they have put decking up, without consultation with neighbours. We knew decking was going up but not the height or width. It was mentioned in passing. So we thought it would just be standard decking. Not over 3 foot in the air. Now as soon as someone goes onto the decking ourselves and other neighbours lose all their privacy from either the back garden or the living room. Also if someone stands at the front of the decking, furthest from the house, you can see straight into our bathroom, so if you are showering they can see everything.

If the decking was lower and narrower I would have no objections.

They now have privacy in their garden but we and other neighbours have lost all our privacy.

This is now causing bad feeling with the neighbours as we have all lived here quite a while and they have only moved here in the last few years and to do this in this way shows they have no consideration for others. This is the feeling after speaking to other neighbours who came to my door after receiving letters, thinking we had objected. Number 42 have said because the decking has been objected to they have been stabbed in the back. This is not the case, we all have rights to live without the stress of this situation.

This could all have been sorted if they had been up front with us all to start with and listened and acted on our concerns.

Yours sincerely,

Mr A C Oxley

Development Management

List of Delegated Decisions - 22nd September 2017

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0576/FUL/17	Recommendation:	Grant Conditional Permission
Proposal:	Change of use from bank (class 2) to cafe / restaurant (class 3) with hot food take away facility (sui generis) and erection of extract flue		
Address:	6 George Place, Bathgate, West Lothian, EH48 1NP, (Grid Ref: 297491,668729)		
Applicant:		Type:	Local Application
Ward:	Bathgate	Case Officer:	David Allan

Summary of Representations

One objection:

- over provision of food premises in town centre
- impacts to residential amenity from access and parking

Reason for Recommendation

Proposal is for change of use to allow conversion of the former Clydesdale Bank within Bathgate Town Centre to form a new cafe/restaurant with take-away provision. There are a number of existing food premises within the vicinity of the application site and as such the proposed use is considered appropriate to the location.

The re-use of this building is welcomed as it retains in use a prominent building of architectural merit. Externally, there are limited alterations proposed and these are predominantly concerned with making good redundant features associated with the building's use as a bank, such as ATM and night safe voids. A new flue is proposed to the rear elevation which given its scale, location, and the existence of two other small flues is not considered to have any adverse visual impact.

Other Considerations: the applicant has been advised that a separate application for advertisement consent will be required for the installation or siting of signage associated with the use.

Ref. No.:	0636/H/17	Recommendation:	Grant Conditional Permission
Proposal:	Extension to house		
Address:	2 Blackfaulds Drive,Fauldhouse, Bathgate, West Lothian, EH47 9AT (Grid Ref: 293304,660553)		
Applicant:	Mr Gregg Dellar	Type:	Local Application
Ward:	Fauldhouse And The Breich Valley	Case Officer:	Tiwaah Antwi
<p><u>Summary of Representations</u></p> <p>One objection</p> <ul style="list-style-type: none"> - Materials - Size of extension - Drainage issues 			
<p><u>Reason for Recommendation</u></p> <p>The proposal is for a single storey extension, containing three bedrooms, to a bungalow</p> <p>The proposed extension is of an acceptable scale and will be established at the side of the existing house where it is visible from the street. The proposed extension will not overshadow or overbear the existing property or any neighbouring property.</p> <p>The proposal will not be detrimental to the appearance of the property or the overall street scene.</p> <p>The extension features doors and windows to the side, front and rear of the property looking directly onto the applicant's own garden ground and the street. The side window which looks out to the gable wall of the neighbouring property which has a bathroom window with obscured glazing, thus, will not result in privacy issues. The extension features concrete roof tiles, timber cladding UPVC and rainwater goods, all to match the existing dwelling house.</p> <p>Issues over drainage are considered by Building Standards at Building Warrant stage.</p>			

Ref. No.:	0637/H/17	Recommendation:	Grant Conditional Permission
Proposal:	Erection of a canopy		
Address:	49 Jubilee Avenue, Deans, Livingston, West Lothian, EH54 8EP (Grid Ref: 302550,668825)		
Applicant:	Ms Dorota Olubiec	Type:	Local Application
Ward:	Livingston North	Case Officer:	Tiwaah Antwi
<u>Summary of Representations</u> One objection - Noise - Application is retrospective			
<u>Reason for Recommendation</u> Retrospective planning permission is sought for a lean-to canopy which has been erected at the rear of the property where it is visible from the cul-de-sac/ residential car park. The proposed canopy extends across the whole width of the house and two metres from the rear wall of the house. It does not give rise to overshadowing to the neighbouring properties due to the transparent material used for the roof. The canopy features timber pillars to match the existing fence, and the low decking on which it stands. An objection has been received regarding noise generated by members of the applicant's household who stand under the decking. It is considered that any noise generated by occupants of the household using their garden is a Police or Environmental Health matter rather than a planning matter. The proposal will not be detrimental to residential and visual amenity, or to the appearance of the existing house and the overall street scene, so it is recommended that planning permission is granted.			

Development Management

List of Delegated Decisions - 28th September 2017

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	LIVE/0410/H/17	Recommendation:	Refuse Permission
Proposal:	Formation of dormers (Grid Ref: 308010, 675013)		
Address:	59 Church View, Winchburgh, Broxburn, EH52 6SZ,, , , (Grid Ref: ,)		
Applicant:	S Monaghan	Type:	Local Application
Ward:	Broxburn, Uphall And Winchburgh	Case Officer:	Tiwaah Antwi
<u>Summary of Representations</u>			
There has been one representation in support of the application.			
<u>Reason for Recommendation</u>			
<p>The extension is proposed to form two dormers at the front (enclosing a balcony) and rear of the property (to enclose the internal stair to the attic level room). Although the proposed dormers will not give rise to overshadowing or privacy issues, they will over dominate the roof and be overbearing to the property itself and the wider area. The proposal is therefore considered to be visually detrimental to the existing house, the wider area and would set a precedent for future developments within the area, making it difficult to resist other such applications. The proposed extension would be highly visible from both the front and side streets.</p> <p>The scale, design and difference in roof heights of the two dormers mean that the proposals do not comply with policy HOU9 of the West Lothian Local Plan or the Council's House Extension and Alteration Design Guide 2015 for the erection of dormers.</p> <p>The proposal does not comply with policy HOU9 of the West Lothian Local Plan (WLLP), DES1 of the LDP and the Council's House Extension and Alteration Design Guide 2015 and is considered to be detrimental to the building itself and the amenity of the surrounding area and set precedence to the new area.</p> <p>Refusal is therefore recommended.</p>			

Development Management

List of Delegated Decisions - 6th October 2017

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	LIVE/0186/FUL/17	Recommendation:	Grant Planning Permission
Proposal:	Erection of 16 houses with associated works (Grid Ref: 296779, 662040)		
Address:	Bents Farm, 20 Cannop Crescent, Stoneyburn, EH47 8EF		
Applicant:		Type:	Local Application
Ward:	Fauldhouse And The Breich Valley	Case Officer:	Tony Irving
<u>Summary of Representations</u> The proposal would be unjustified development in the countryside by creating 16 houses on the site of the former farm steading. There would be adverse impacts on habitats and species. There would be adverse roads safety impacts. The proposal would harm the amenity of the area.			
<u>Reason for Recommendation</u> The proposal is for the redevelopment of the former steading at Bents Farm. The site is no longer in use and the buildings are derelict. This brownfield site is considered to be visually intrusive and does not positively contribute to the village environment. The proposal will make beneficial use of the land and housing is entirely compatible with surrounding development. It is recommended that permission be granted subject to final layout and design revisions and securing developer contributions.			

Proposed Enforcement Actions - 28/09/2017

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control & location	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
0163/16	Ms M Macdonald	8 Broomyknowe Drive Deans Livingston, EH54 8BY	Livingston North	Serve Enforcement Notice	Owner has erected 1.8 m fence to front of property. No response to previous correspondence Steps to comply: <ul style="list-style-type: none"> • remove fence or reduce height to no more than one metre; or • Submit a planning application
0114/17	Mr Sowaidan	8 Longford Farm Crofts Addiewell West Calder West Lothian EH55 8FD	Fauldhouse & The Breich Valley	Take No Action	Brown cladding has been installed to cover the exterior of the garage, whilst this is not in accordance with the approved plans it is considered that this alternative material is not causing any significant harm to visual or residential amenity of the area.