DATA LABEL: Public

Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

5 April 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 12 April 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

Public Session

4. Confirm Draft Minutes of Meeting of Development Management Committee held on Wednesday 18 January 2017 (herewith).

Public Items for Decision

5. Application No.0003/A/17 - Erection of non-illuminated fascia signs at 205-207 High Street, Linlithgow (herewith)

6. Application No.0052/FUL/17 - Extension to building (in retrospect) at Queens View, 3b Parkhead Holdings, Parkhead Road, Linlithgow

7. Application No.0083/H/17 - Extension to house at 41 Sibbald View,

Armadale (herewith)

8. Application No.0091/FUL/17 - Change of use of industrial unit to gym (class 11) to allow sale of sports goods (in retrospect) at 1a Burnhouse Industrial Estate, Whitburn (herewith)

9. Application No.0101/P/17 - Planning permission in principle for 3 houses at land at Bridgehouse Cottages, Bridgehouse, Armadale (herewith)

10. Application No.0106/FUL/17 - Erection of 2 houses at Bridgecastle Cottages, Bridgehouse, Armadale (herewith)

11. Application No.0725/MSC/16 - Application for matters specified in conditions (0487/P/10) for a residential development of 221 houses and land set aside for affordable housing at land at Limefields, Brucefield, Livingston (herewith)

12. Application No.0795/FUL/16 - Erection of thermal treatment plant and extension to materials sorting/recycling building with associated plant and facilities at the Levenseat Waste Mangement site by Forth (herewith)

13. Application No.0159/FUL/17 - Temporary operation of plant for recycling concrete (three year period) at land near Selms Farm, Kirknewton (herewith)

Public Items for Information

14. Consider list of delegated decisions on planning applications and enforcement actions from 3 February to 31 March 2017 (herewith).

15. Appeals -

    (a) Application No.0528/FUL/16 - Erection of a house with associated access, driveway and detached garage at Whauphill House, Hermand Estates, West Calder - Appeal submitted following refusal of planning permission was dismissed

    (b) Application No.0680/FUL/16 - Erection of a house with office accommodation (class 4) at Burnhead B7015 - A706 to Cannop Crescent, Stoneyburn - Appeal following refusal of planning permission submitted,

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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 18 JANUARY 2017.

Present – Councillors Alexander Davidson (Chair), Tom Kerr, Stuart Borrowman, Lawrence Fitzpatrick, Greg McCarra and David Tait

Apologies – Councillor William Boyle, Harry Cartmill and Barry Robertson

1. DECLARATIONS OF INTEREST

1) Agenda Item 5 (App No.0129/EXC/16 and Agenda Item 6 App No.0472/P/16) – Councillor Fitzpatrick declared a non-financial interest in that he was a council appointed member of the West of Scotland Archaeology Service who were a statutory consultee on the applications but would participate in the items of business; and

2) Agenda Item 6 (App No.0472/P/16 and Agenda Item 7 App No.0607/FUL/16) – Councillor Borrowman declared a non-financial interest in that he had been approached by the applicants for both applications and that one of them had also attended an Armadale Community Council meeting which he was also at, but as he had not formed an opinion on either application he would participate in the items of business.

2. ORDER OF BUSINESS

The Clerk and Legal Adviser took the opportunity to remind committee that following a recent review of the council's Standing Orders for the Regulation of Meetings all votes at the meeting would be conducted by a Roll Call Vote and that any member moving a position which did not attract a seconder would have their dissent to the decision automatically recorded in the Minute.

3. MINUTE

The committee confirmed the Minute of its meeting held on 14 December 2016. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.0472/P/16

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 :-

Application No.	Proposal	Recommendation
0472/FUL/16	Planning permission in principle for a 2.7ha	Refuse planning permission

residential development at Armadale Greyhound and Sports Stadium, Bathgate Road, Armadale

The committee then heard from the applicant's agent Mr Bill Kerr speak in support of the application.

The Chair also advised committee that officers from Education Services and Transportation Services were available to answer questions from committee members.

Motion

To approve the terms of the report and refuse planning permission

- Moved by the Chair and seconded by Councillor Kerr

Amendment

To continue the application for at least two cycles to allow for more information to be gathered in relation to school capacity and demand and to allow planning officers to liaise with the applicant on how they could assist with school capacity constraints.

- Moved by Councillor Borrowman and seconded by Councillor McCarra

Roll Call Vote

Motion	Amendment
Lawrence Fitzpatrick	Stuart Borrowman
Alex Davidson	Greg McCarra
Tom Kerr	David Tait

Decision

Following a roll call vote for which the motion and amendment received three votes each the Chair used his casting vote in favour of the motion and it was agreed accordingly.

5. APPLICATION NO.0129/EXC/16

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

Application No.	Proposal	Recommendation

0129/EXC/16	Consultation on formation of a wind farm consisting of 17 turbines of maximum height 132m to blade tip (1 turbine in West Lothian and 16 in South Lanarkshire) with associated infrastructure at Heathland, Forth	That the Scottish Government was informed that the council raised no objection to the Heathland Wind Farm application subject to appropriate planning conditions to regulate the development secure restoration

Decision

To approve the terms of the report and agreed that the Scottish Government was informed that the council raised no objection to the Heathland Wind Farm application subject to appropriate conditions to regulate the development and secure restoration.

6. APPLICATION NO.0607/FUL/16

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 :-

Application No.	Proposal	Recommendation
0607/FUL/16	Erection of 4 (1 bedroom) flats with associated works at 51-53 West Main Street, Armadale	Grant planning permission subject to conditions and the securing of developer contributions

Decision

To approve the terms of the report and grant planning permission subject to the securing of development contributions and conditions, including clarification that condition no.5 was to include the installation of a gate to the eastern side of the development.

7. APPLICATION NO.0637/FUL/16

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 :-

Application No.	Proposal	Recommendation
0637/FUL/16	Demolition of poultry sheds and erection of four houses at	Grant planning permission subject to conditions and the

	Hartwood Road, West Calder	securing of the relevant developer contributions

Decision

To approve the terms of the report and grant planning permission subject to conditions and the securing of developer contributions

8. LIST OF 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 9 to 30 December 2016 was submitted for the information of the committee.

Decision

To note the list of delegated decisions

9. ACTION TAKEN IN TERMS OF STANDING ORDER 31 (URGENT BUSINESS)

The committee noted the action taken in terms of Standing Order 31 (urgent business) to approve the submission of a response to Planning Appeal PPA-400-2073 which concerned the formation of an energy storage unit at Lookabootye Farm, by Broxburn.

West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Erection of one non-illuminated fascia sign at 205-207 High Street, Linlithgow, EH49 7EN

2 DETAILS

Reference no.	**0003/A/17**	**Owner of site**	-
Applicant	Ms Dorothy Watt	**Ward & local members**	**Linlithgow** Cllr T. Conn Cllr T. Kerr Cllr D. Tait
Case officer	Matthew Watson	**Contact details**	matthew.watson@westlothian.gov.uk / 01506 283536

Reason for referral to Development Management Committee: Referred by Councillor Tait

3 RECOMMENDATION

Refuse advertisement consent.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

4.1 The application seeks advertisement consent for a non-illuminated fascia sign.

4.2 The sign proposed is 5.52 m wide, 0.45 m high and projects 0.45 m from the existing shopfront. The lettering proposed is 0.4 m high. The material proposed for the fascia signage is stainless steel.

4.3 The originally submitted proposal was for a larger timber facia board with painted lettering. During negotiations it was agreed with the applicant that the advertisement would be applied lettering to the existing shopfront. The applicant subsequently decided to take forward a stainless steel fascia sign with amendments which reduced the height of the fascia sign and its lettering to the dimensions set out above.

4.4 The application site is located within the Linlithgow Palace and High Street Conservation Area, as set out in the West Lothian Local Plan.

5. PLANNING POLICY ASSESSMENT

5.1 Under the Town and Country (Control of Advertisements) (Scotland) Regulations 1984 applications for advertisement consent are required to be assessed in terms of the impacts on visual amenity and public safety.

5.2 The development plan is not used to assess the application but its policies can be used to help the planning authority come to a conclusion on the impact on visual amenity and public safety.

5.3 The development plan policies that are of relevance are listed below and interpreted. However, for the reason set out in the above paragraph are not assessed for conformity:

Plan	Policy	Assessment
West Lothian Local Plan	HOU 9 Residential and visual amenity	This policy requires development proposals to be assessed in terms of their impact on residential and visual amenity. The length, depth and choice of material for the fascia sign will have a negative impact on visual amenity.
West Lothian Local Plan	IMP14 Supplementary planning guidance	The following SPG apply: • Advertisement Control in Linlithgow Palace & High Street, Mid Calder and Torphichen conservation areas
West Lothian Local Development Plan – Proposed Plan	DES 1 Design Principles	This policy requires development proposals to ensure there is no adverse impact on the streetscape in terms of external materials or amenity. The choice of material plus the length and depth of the proposed sign will have an adverse impact on the streetscene.

6. REPRESENTATIONS

No representations were received.

7. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
Transportation	No	No objections to the application.	Noted.

8. ASSESSMENT

Visual amenity

8.1 In this instance, the starting point for assessing visual amenity is that the application site is located within a conservation area. The impact the proposed advertisement has on the character and appearance of the conservation area at this location will determine the impact on visual amenity.

8.2 Paragraph 5 of Advertisement Control in Linlithgow Palace & High Street, Mid Calder and Torphichen conservation areas (1998) states fascia should take the form of:

- *Solid timber panels, fixed directly to the building which the wording is hand painted; or*
- *Solid timber panels fixed directly to the building to which the individual letters are applied by the means of spacers*
- *Individual lettering painted on or fixed by means of spacers directly to the face of the building*

8.3 The fascia sign is proposed to be constructed with stainless steel. This material does not comply with the guidance set out in Advertisement Control in Linlithgow Palace & High Street, Mid Calder and Torphichen conservation areas. In general, traditional materials are promoted within conservation areas that preserve and enhance the character and appearance of the conservation area. The use of stainless steel neither preserves nor enhances the character and appearance of the Linlithgow Palace & High Street at this location.

8.4 The proposed advertisement will protrude out from the existing shopfront through the use of a spacing rod and standoff fixings. The extent of this protrusion will result in the proposed advertisement appearing as out of character within the street scene and does not preserve and enhance the character and appearance of the conservation area at this location.

8.5 The proposed signage runs the whole length of the shop fascia. This is considered to be excessive and the length of fascia proposed exacerbates the issue of the excessive protrusion of the advertisement and will further add to the proposed advertisement appearing out of character within the street scene.

8.6 For the reasons set out above, the proposed advertisement will have a detrimental impact on the character and appearance of the conservation area at this location. It thus follows that the proposed advertisement will have an adverse impact on visual amenity.

Public safety

8.7 Transportation has raised no objections to the application on the grounds that the transport impact of the proposed advertisement would cause public safety issues.

9. CONCLUSION AND RECOMMENDATION

9.1 The proposed advertisement will have an adverse impact on visual amenity due to its length, depth and materials and will have a corresponding detrimental impact on the character and appearance of the Linlithgow Palace and High Street Conservation Area at this location.

9.2 In view of the above, it is recommended that advertisement consent is refused.

10. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Member referral form
- Fascia Section
- Fascia Sign
- Fascia Visual
- Photos
- Draft reason for refusal

Craig McCorriston
Head of Planning, Economic Development and Regeneration **Date**: 12 April 2017

West Lothian Council

APPLICATION 0003/A/17 - 205-207 High Street, Linlithgow

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West Lothian Council

Planning Services
Development Management Committee

☒ LOCAL MEMBER REFERRAL REQUEST ☒

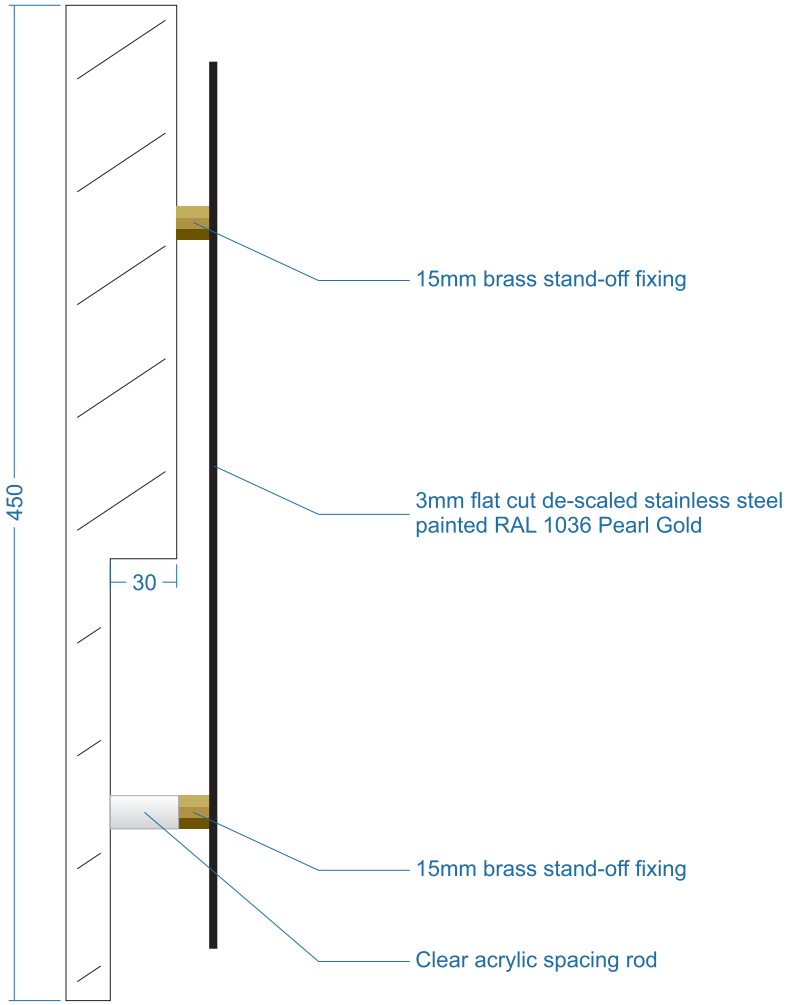
Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days.

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

Application Details	Reason For Referral Request (please tick ✓)
Application Reference Number 0003/A/17	**Applicant Request** ☑
Site Address 205-207 HIGH STREET LINLITHGOW EH49 7EN	**Constituent Request** ☐
Title of Application Advertisement Consent - Erection of non-illuminated fascial sign.	**Other (please specify)** ☐
Member's Name Cllr DAVID TAIT	
Date 03/03/2017	

ARTWORK PROOF				
	Client	Qworth	Job No	
	File name	Linlithgow High Street Facia	Designer	Andrew Ritchie
	Date	28/02/2017		

CLIENT APPROVAL		
	Signed	
	Print Name	
	Date	



Please check the artwork thoroughly, including any sizes, colours and spelling (including company contact details). We cannot be held responsible for any artwork errors once the job has been approved.

Please tick Spelling ☐ Addresses ☐ Phone Numbers ☐ Dimensions ☐

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Whilst every effort is made to match your corporate colour scheme, if you are in any doubt about the colour matching please request to view our colour samples.

Artwork prepared by: Signs Express (Falkirk) www.signsexpress.co.uk/falkirk

ARTWORK PROOF				
	Client	Qworth	Job No	
	File name	Linlithgow High Street Facia	Designer	Andrew Ritchie
	Date	28/02/2017		

CLIENT APPROVAL		
	Signed	
	Print Name	
	Date	

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SIGNS EXPRESS

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SIGNS EXPRESS

205-207 High Street - 0003/A/17

Draft reason for refusal – 0003/A/17

The proposed fascia sign, by virtue of its length, depth and choice of material, will have a detrimental impact on the character and appearance of the Linlithgow Palace and High Street Conservation Area and a corresponding adverse impact on the overall visual amenity of the area.

West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Extension to storage building (in retrospect) at Queens View Bed and Breakfast, 3b Parkhead Holdings, Parkhead Road, Linlithgow

2 DETAILS

Reference no.	0052/FUL/17	**Owner of site**	Mrs C Cairns
Applicant	Mr Steven Cairns	**Ward & local members**	**Linlithgow** Cllr T Conn Cllr T Kerr Cllr D Tait
Case officer	Steven McLaren	**Contact details**	01506 282404 steve.mclaren@westlothian.gov.uk

Reason for referral to Development Management Committee: Called to committee by Cllr Kerr

3 RECOMMENDATION

Grant retrospective planning permission, subject to conditions.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

4.1 Retrospective planning permission is sought for the increase in height and stone cladding of a former agricultural building which lies on the north boundary of the Queen's View site and fronts Parkhead Road. The building is being used to house a biomass boiler, storage of biomass material and general storage on two levels. It has been increased in height by approximately 1.2m and has been clad on three elevations with stone to match the main building and has had two roller garage doors installed, which are not shown on the submitted drawings.

4.2 The applicant's justification for the increase in height relates to the need to provide additional storage for the biomass material. There has, however, been no technical information supplied in relation to the operation of the boiler to support this requirement.

4.3 Planning permission in principle was granted by the Development Management Committee, contrary to officer recommendation, for the construction of a house to be used as a bed and breakfast facility on 27 June 2012 (Ref: 0610/P/11) and the subsequent detailed application (Ref: 0606/MSC/12) was granted under delegated powers on 1 November 2012.

4.4 The site is within the Airngath Hill area of great landscape value (AGLV). The AGLV forms an attractive backdrop to Linlithgow and the open aspect is essential to the character and setting of the town. The site is visible from many places including the Palace, the Loch, the canal towpath and other points within the Linlithgow conservation areas. However, the outbuilding lies to the north of the main building and is screened from view from these key vantage points. The bed and breakfast facility was considered to be acceptable in this location and the outbuilding as altered does not result in any additional significant impact on the AGLV.

4.5 The planning history is set out in the table below.

Reference	Description	Decision	Date
P421/1986	Permission in principle for a house & garage	Refused	26 Aug 86
P364/1988	Permission in principle for a house & garage	Refused	13 Aug 88
P470/1990	Outline permission for the erection of a house and stables	Refused	31 July 90
0383/FUL/10	Demolition of sheds and erection of a house	Withdrawn	24 August 10
0660/P/10	Planning permission in principle for demolition of two sheds and erection of a single storey house	Withdrawn	17 September 10
0610/P/11	Planning permission in principle for the erection of a house to be used as a bed and breakfast facility (Class 7) (amended site area)	Granted (contrary to officer recommendati on)	27 June 2012
0606/MSC/12	Approval of matters relating to planning permission 0610/P/11 for the erection of a house to be used as a bed and breakfast facility (Class 7)	Granted	1 November 2012

4.6 The applicant was requested to cease work on the alterations on a number of occasions and informed that a planning application should be submitted for consideration before carrying out any further works. However, the applicant chose to continue working on the building to its existing condition. A Planning Contravention Notice was served to the applicant on 14 September 2016 and following compliance with that notice, a 28 day temporary stop notice was issued on 21 November 2016.

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 (proposed plan) is also a material consideration.

5.2 The following development plan policies are relevant:

Plan	Policy	Assessment	Conform
West Lothian Local Plan (WLLP)	ENV19 - areas of great landscape value	Within the six AGLVs shown on the proposals map there is a presumption against development which would undermine the landscape and visual qualities for which the areas were designated. The building as altered lies within the site of the B&B facility which was previously approved by the Development Management Committee. Given the existing nature of the site, the altered building does not undermine the visual qualities of the AGLV or the historic setting of Linlithgow.	Yes

Plan	Policy	Assessment	Conform
WLLP	ENV31 - development in the countryside	Proposals for new build development in the countryside will not normally be approved. This is an alteration to an existing building within an approved development site rather than a new standalone building in the countryside. The building as altered does not impact on the amenity of the area to a significant degree.	Yes
WLLP	HER24 - Linlithgow Palace and peel	There is a presumption against development which would have an adverse effect on the amenity, outlook, character or setting of the Palace and Peel. This policy aims to protect the rural setting of Linlithgow from unnecessary development. The development lies to the north of the existing approved B&B facility and is screened from Linlithgow Palace and Peel by the main building. The building as altered does not result in any significant detrimental impact on the character of the Palace and Peel.	Yes
WLLP	HOU9 – Residential and visual amenity	Proposals will be assessed against the need to protect the residential and visual amenity of existing residents. Developments shown to adversely impact on amenity to a significant degree will not be supported. Whilst the building is taller, its location on the site has not been altered and it has been clad on three sides using stone cladding to match the main building. The change in the quality of the finish from a profiled metal/breeze block shed to a stone clad building is an improvement. The building when seen from the public road does not impact adversely on the visual amenity of neighbouring properties to a significant degree.	Yes
West Lothian Local Development Plan (proposed plan) (WLLDP)	DES1 – Design principles	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 environment and be high quality in their design. Development proposals which are poorly designed will not be supported. The local context changed from farm land to a site developed with a house to operate as a bed and breakfast facility following the approval of planning applications 0610/P/11 and 0606/MSC/12. The former agricultural nature of the building then became out of context with the developed site. Although larger, the building has no significant adverse impact on the area and the stone cladding brings the finish of the building to a higher quality to match that of the main building.	Yes
WLLDP	EMP8 - Tourism	New, or expanded tourism-related development, will be supported where it is capable of strengthening the appeal and attraction of West Lothian to a wide range of visitors, thereby contributing to the greater West	Yes

Plan	Policy	Assessment	Conform
		Lothian economy. The outbuilding in its former condition detracted from the approved use of the site as a bed and breakfast facility. In order to enhance the site for visitors, an upgrading of the appearance of the building is beneficial.	
WLLDP	ENV1 – Landscape character and special landscape areas	Development will not be permitted where it may significantly and adversely affect local landscape character. Within Special Landscape Areas (SLAs) there is a presumption against development which would undermine the landscape and visual qualities for which the areas were designated. Development proposals which are likely to have a significant landscape impact must be accompanied by a landscape and visual impact assessment demonstrating that, with appropriate mitigation, a satisfactory landscape fit can be achieved. The development of the site and the potential impact on the SLA was given consideration during the determination of the permission in principle. The development of the site as a whole was not considered to significantly impact on the landscape character. The modifications to an existing building on the site does not result in any further substantial or significant impact on this area.	Yes

6 REPRESENTATIONS

6.1 The application was advertised in the local press and the period for receipt of representations has expired. Three letters of representation have been received including correspondence from DM Hall on behalf of residents within the Parkhead Holding area. Details of these individuals has not been provided.

Comments	Response
The original building was a stable block in an agricultural setting. How can it change to being offices and boiler room?	The building lies within the application site boundary of the bed and breakfast facility. The permission to develop the site brought the outbuilding within the planning unit of the bed and breakfast and as such it became an ancillary outbuilding. To use the building for ancillary uses such as general storage does not require a separate planning permission.
Increase in height is unnecessary. Height has been sufficient for 2 and a half years.	It is acknowledged that there has been no specific technical information supplied by the applicant to justify the increase in the height but a statement has been submitted by the applicant's agent which advises that 'the existing storage building has been converted internally to hold appropriate material for the biomass heating system that has been installed for the bed and breakfast business'.
Concern the building will change to an office/house.	The application under consideration is for the external changes. Any potential future use of the building will have to be given due consideration if and when that time occurs. A condition can be applied to the current building requiring it to remain as general storage and for the housing of the boiler and biomass

	only.
Continued work on the building after being told to stop.	The applicant was advised on a number of occasions to stop all work on the building until such times as a planning application had been submitted and determined. A temporary stop notice was also issued. It is both regretful and disappointing that the applicant chose to ignore these instructions from the council.
Impact on sightlines and road safety implications.	Transportation has raised no objections. While the building may be higher, it is no closer to the road.
The building has been clad in stone to match the bed and breakfast/house but this was to be wet dash render.	Condition 6 of planning permission 0606/MSC/12 states that the main building shall be finished in wet dash render unless otherwise agreed with the planning authority. It was previously agreed with the developer in accordance with the requirements of this condition, that the use of stone was acceptable.
Application deficient due to inaccurate description of proposals.	The description was amended to include 'in retrospect' in the title. The submission itself was not deficient.
Applicant fully intends to extend the building further.	It is noted that the stone cladding has been carried out on three sides and the metal cladding remains exposed on the east gable. It does give the impression that there is an intention to extend the building further. A condition can be used which requires the cladding to be completed within a limited timescale and that no other extension or alterations are carried out without first submitting an application for consideration.
The building was previously an adequate size with no need to increase the height.	It is noted that no technical justification for the increase in height has been given, though an explanation for the extension has been given.
The boundary wall is significantly higher than on the planning permission.	The boundary wall and other works will be the subject of a separate application.
Historic Scotland was not consulted on this development.	Historic Environment Scotland is a statutory consultee and should be consulted where a development 'may affect a historic garden or design landscape' or which might affect the amenities of a royal palace or park. The council's decision to grant the bed and breakfast development was on the basis that development in this area would not significantly adversely affect the character of the AGLV or the setting of Linlithgow Palace and park. The building as altered is a small alteration to the overall scale of the development and does not result in an adverse impact on the area and as such there was no need to consult with Historic Environment Scotland.
No assessment provided on the impact on the Airngath Hill AGLV.	The building as altered is a small alteration to the overall scale of the development and does not result in an adverse impact on the 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
Transportation	No objections to this application.	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

8.2 Policy ENV19 of the WLLP aims to protect Airngarth Hill AGLV from development which would undermine its landscape and visual qualities. The impact of development on this site was considered by the council at its Development Management Committee in June 2012 and was considered acceptable. The increase in height and stone cladding of an existing building within the same site does not alter that original assessment. The development, whilst carried out without the benefit of planning permission, when assessed within the context of the overall development of the site, is acceptable in terms of this policy.

8.3 ENV31 of the WLLP states that new build development in the countryside is not normally approved. This is an alteration to an existing building within an approved development site. The building as altered is therefore acceptable in terms of this policy.

8.4 HER24 of the WLLP presumes against development which would have an adverse effect on the amenity, outlook, character or setting of the Palace and Peel. The building is located to the north of the main bed and breakfast building and as such is screened from the Palace and Peel. The building as altered does not impact adversely on the Palace or Peel.

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

8.5 The WLLDP(proposed plan) is with the Scottish Government's Planning and Environmental Appeals Division (DPEA) for examination. The WLLDP(proposed plan) is a material consideration.

8.6 Policy DES1 seeks to ensure that any development is designed to a high standard and takes into account the local context, ensuring that the development has no significant adverse impacts on the local community and where possible include measures to enhance the environment. The site has been developed with a bed and breakfast facility where the building has been clad in natural sand stone. The cladding of the outbuilding in the same material significantly improves the quality of the finish of the building and brings it in line with the main building. The development in this respect accords with this policy.

8.7 The bed and breakfast was granted on the basis that it would help encourage visitors to Linlithgow and West Lothian as a whole and would be a welcome addition to the districts tourist trade. The building in its original form was a poor quality agricultural shed of profiled steel sheeting and breezeblock. Improving the quality of the building at the entrance to the business should assist in the marketing of the business and the take up of accommodation. The development in this respect accords with policy EM8.

8.8 Policy ENV1 seeks to resist development where it may significantly and adversely affect the local landscape. Taking the history of the site into consideration and the development as a whole, there is no additional significant impact on the Special Landscape Area as defined in the WLLDP. The development accords with this policy

8.9 Although the application is for development in retrospect, taking into account the previous permission to develop the site as a whole and the scale and finish of the main building, the 1.2m height increase to the former agricultural building and its cladding with stone does not harm the environment or the visual amenity of the area.

9 CONCLUSION AND RECOMMENDATION

9.1 There is a long history to this site dating back to 1986 when permission to develop a house was refused. The principle to develop the site as a bed and breakfast facility and tourist attraction was granted by the Development management Committee in June 2012 and the detailed permission granted in November 2012.

9.2 The developer has seen fit to carry out both these current and other works not approved by the detailed planning permission and has not implemented other details such as landscaping.

9.3 Whilst it is frustrating and disappointing for the council and neighbours that the applicant has carried out works at this site without the benefit of planning permission and continued to work on the building after being told on a number of occasions to stop work, these are not material planning reasons to seek a refusal of this permission.

9.4 Externally, the building is clearly larger than in its original state however, the use of stone cladding improves the quality of the finish and brings it in keeping with the finish of the main building. In this respect the building has been improved. It is no closer to the road which fronts the site and Transportation has not objected on road safety grounds.

9.5 Given there has been no technical reason why the building had to be increased in height, it would perhaps have been better to increase the length of the building and clad it in stone, thus reducing the overall massing. It is of note that the stonework has not been completed and the eastern gable remains unfinished. This does point to the possibility at least that the applicant has not finished with alterations and this gives an opportunity for the building to be extended in length without having to remove any stonework The building as assessed however does not result in any significant additional impact on the character of the area.

9.6 Recommendation therefore is to grant retrospective permission but to condition that within two months of the date of the decision that the eastern gable is clad in stone to match the remainder of the building and that the building shall only be used for the housing of the biomass boiler, the biomass material and as a general storage building for gardening and maintenance equipment for the upkeep of the buildings and grounds in connection with the operation of the bed and breakfast.

10 ATTACHMENTS

- Location plan
- Local member referral form
- Covering letter
- Letters of representation

- Submitted plans
- Photographs

Craig McCorriston
Head of Planning, Economic Development & Regeneration **Date: 12 April 2017**

West Lothian Council

APPLICATION 0052/FUL/17 - Parkhead Holdings , Linlithgow , EH49 7RF

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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/performOption.do?action=search

Application Details	**Reason For Referral Request** (please tick ✓)
Application Reference Number **……0052/FUL/17……** **Site Address** **Queen's View, 3b Parkhead Holdings, Linlithgow EH49 7RF** **……** **Title of Application** **Extension to Storage Building (in retrospect** **……** **Member's Name** **Cllr ……Tom Kerr……** **Date** **……10 March 2017……**	**Applicant Request……** ❑ **Constituent Request……** ✓ **Other (please specify)……** ❑

West Lothian Council
Building Standards

Date 14 DEC 2016
Ref No.
Ref To.
Actd
Dstd

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

13-12-2016

FTAO Steven McLaren

Dear Steven,

Queens View, 3b Parkhead Holdings, Parkhead Road, Linlithgow

Please find enclosed the relevant planning application forms, plans and planning fee for an application to extend the existing storage building at the above site.

As you are aware we have had discussions regarding this development which unfortunately the applicant commenced prior to obtaining planning consent. He apologises for this but he has explained to me that he understood he had the necessary consent but I established that this was only part of his building warrant and not a planning permission.

The existing storage building has been converted internally to hold appropriate material for the biomas heating system that has been installed for this bed and breakfast business. I am sure you will recognise the use of this more sustainable form of heating. However, the capacity of the existing building was inadequate for the requirements of the heating system and the simplest solution was to add some additional space by raising the roof by approximately 1.2 metres. At the same time the external finishes of the building have been significantly enhanced. The existing building had a more agricultural style with profile aluminium cladding etc. The applicant has now clad the building in stone to complement the adjacent house.

The storage building is located in a position which has no adverse impact on any adjacent residential property. In fact the proposal will significantly enhance the overall amenity of the property with a storage building in keeping with the architectural integrity of the area.

I am available as always to attend any meetings with you to discuss any issues you consider relevant.

Yours sincerely,

[redacted]

Alastair Bell

33 Miller Park, Polmont, Falkirk, FK2 0UJ

The Granary
3A Parkhead Holdings
LINLITHGOW
West Lothian
EH49 7RF

7 February 2017

West Lothian Council
Development Management
13 FEB 2017
Date.....
Ref No. 0052/FUL/17
Ref To Steve McClaren
Ack'd.....
Replied.....

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

Dear Sir/Madam

EXTENSION TO STORAGE BUILDING – QUEENS VIEW, 3B PARKHEAD HOLDINGS, LINLITHGOW
PLANNING REF. LIVE/0052/FUL/17

I totally object to the above planning application on the basis that the building has now blocked the vision of the road to the right as I am leaving my property which could cause an accident as the road can be quite busy at times. Why do they need a two storey building for bio mass when clearly there was sufficient space for the bio mass material in the existing building since they moved into the house in September 2014 with the bio mass boiler in place and operational? Is this building going to be used for something else, for example an office building? Is that why it is now two storey and not for bio mass only? Are they planning for the future?

When I look at the internet the print is blurred so could you please advise if the application is to extend only in height – which has already been completed in July 2016 without consent and is it also for to extend in length to the east of the property as work has already commenced? Again both without planning consent.

Has the applicant/owner applied for change of use for the building, if not, why not? If indeed they have, I have not been notified as a neighbour. I was also not notified about this planning application as my garden is adjacent to this property.

Yours faithfully

[redacted]

ALEX ANDERSON

Parkhead Farmhouse
3 Parkhead Holdings
LINLITHGOW
West Lothian
EH49 7RF

West Lothian Council
Development Management
13 FEB 2017
Date.....
Ref No. 0052/FUL/17
Ref To Steve McLaren
Ack'd.....
Replied.....

8 February 2017

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

Dear Sir/Madam

EXTENSION TO STORAGE BUILDING – QUEENS VIEW, 3B PARKHEAD HOLDINGS, LINLITHGOW
PLANNING REF. LIVE/0052/FUL/17

I wish to object to the above planning permission on the following grounds:

1. The original building was a stable block in an agricultural setting. How can it change to being offices and boiler room?
2. Fail to see why this size and height of building is required for a boiler as it seems to have been sufficient for the last 2 ½ years. This is just another ploy to eventually be used as an office/house.
3. This is the project that you were informed about in July 2016 and the Council in turn advised them to stop all work until they applied for and passed retrospective planning – but no – they continued to finish off the stone cladding and partitioning to make rooms inside – all this for a boiler room!!!?
4. When I am driving round from my house my vision is significantly blocked with the height of this building and the boundary wall (which is significantly higher than the original planning permission) and is a danger as I am unable to see the vehicles approaching from the right. This is a hazard on a road which can be busy.
5. The applicant stated that they have finished this building in stone cladding to match the house but in the original planning permission the "bed and breakfast/house" was to be wet dash rendered.

Yours faithfully

[redacted]

GAIL ANDERSON

From: douglas simpson [mailto:[redacted]]
Sent: 10 February 2017 18:01
To: Planning
Subject: Planning Objection 0052/FUL/17

Dear Sir/Madam

I am writing to object to the this further extension at Queens View, 3B Parkhead Holdings, Parkhead Road, Linlithgow.

Planning application reference; 0052/FUL/17

I am of the belief that the storage that exist at this time is suitable and adequate for purpose and therefore requires no addition extension to existing building. The House has been occupied for some considerable time now with no apparent requirement for this extended storage facility to date.

If this is retrospective planning for the already heightened building, then the wording should reflect that the building is not to be extended or changed in future.

Regards

Douglas Simpson

5 Parkhead Holdings
Linlithgow
EH49 7RF

Mobile;[redacted]

From:	James Reilly MRTPI
To:	McLaren, Steve
Cc:	Customer Service
Subject:	Planning application reference LIVE/0052/FUL/17
Date:	10 February 2017 17:17:28
Attachments:	imageab3330.PNG image59bff3.PNG imagedc1182.PNG image016218.PNG

Dear Mr McLaren

Planning Application reference LIVE/0052/FUL/17 – Queens View, 3b Parkhead Holdings, Parkhead Road, Linlithgow – Objection

With reference to the above planning application DM Hall Planning and Development has been instructed with regards to the above planning application, and also in regard to the on-going blatant breaches of planning permission which West Lothian Council have not, in our opinion, appropriately or sufficiently addressed.

We are aware that there has been at least one objection submitted to this application and yet, as of this afternoon, there is no record of it on the West Lothian Planning Portal?

We wish to **object** to this planning application in the strongest possible terms on the grounds that it is our view that the application submitted is deficit for the following reasons:-

1) The Description of Proposal on the application form – "please describe the proposal including any change of use:

   "Extension to storage building – raising the roof by approximately 1.2m"

Having reviewed the previous planning applications and approvals relating to Queens View 3 B Parkhead Holdings, it is noted that Planning Permission reference 0606/MSC/12 shows what is referred to as 'an existing outbuilding being retained'. We are not aware of at any point what was effectively an agricultural shed – green profile metal cladding walls and roof - being granted a Change of Use to be used as storage. If planning permission for Change of Use does exist can you please confirm details?

We are also concerned that the use of the work 'extension' in respect of this current 'retrospective application' as it is clear from undertaking a visit to the site that the applicant fully intends to further extend the storage building, in addition to this unauthorised extension to the height.

In our opinion the out building, as this building was previously referred to, was of an adequate size to provide storage and also house a bio mass boiler, and therefore there was no requirement to heighted it.

If planning permission for Change of Use was granted can you please advise what Use Class this storage falls under i.e. Class 4/5 or 6?

2) On the application form it asks 'has the works already been started or completed?' which was answer yes. The date started was given as Summer 2016 and Date Completed as 'not completed'.

We are not satisfied that this answer is correct as it is our understanding that the works was completed prior to the application being submitted. We therefore consider that the application is not accurate and therefore materially deficit.

We therefore ask that you investigate this further.

Additionally we are also very concerned that West Lothian Council do not appear to have consulted Historic Scotland on this application. It is noted from the Development Management Committee Report for the Planning Application for Planning Permission in Principle for the construction of a house to be used as a bed and breakfast facility (Class 7) at Parkhead Holdings – reference 0610/P/11, that the applicant **"has failed to provide an assessment of the impact of the proposed development on the setting of the Palace, Peel and Royal Park and also the Linlithgow Palace and High Street Conservation Area**."

Given that the applicant has raised the roof by approximately 1.2 m, which is considerable, we would have expected West Lothian Council to be asking for this.

Can you please let us know why you haven't, yet, asked for this.

Do you intend to let the applicant away with this again!?

Also, given that the application is located within an AGLV and that **"the site occupies a prominent location on a ridge within the Airngath Hill AGLV"**, we would expect that West Lothian Council would have required such an assessment.

Can you please tell us why you haven't?

3) In addition to the wall which has been erected higher than permitted, the additional height of this storage unit has implications for road safety. Has the Council consulted with colleagues in Transportation Services to get their view on this?

We also consider that the application should have been advertised and referred to as a retrospective planning application given the work was completed.

We look forward to hearing from you to acknowledge this objection and also in response to questions.

Regards

James

James Reilly MA (Hons) MRTPI
Head of Planning Consultancy
DM Hall/Baird Lumsden
Edinburgh
Tel: 0131 477 6001
Mobile: 07786 260 212
Website: www.bairdlumsden.co.uk

Please note our new address: 17 Corstorphine Road, EDINBURGH. EH12 6DD

DM HALL chartered surveyors

BAIRD LUMSDEN

DM HALL CHARTERED SURVEYORS

James Reilly MRTPI

T: 01314776001 **M:** 07786260212
E: james.reilly@dmhall.co.uk
17 Corstorphine Road Edinburgh EH12 6DD

http://www.bairdlumsden.co.uk

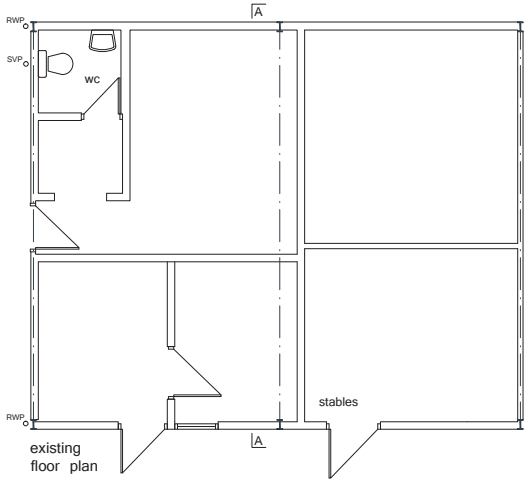
Commercial property at DM Hall

WE ARE MACMILLAN. CANCER SUPPORT

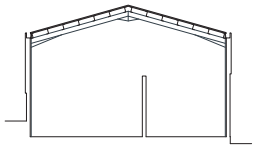
Alzheimer Scotland Action on Dementia

DM Hall is pleased to be raising money for Macmillan Cancer Support and Alzheimer Scotland.

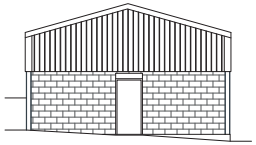
DM Hall LLP is a Limited Liability Partnership registered in Scotland with Registration number SO301144 Registered office: 17 Corstorphine Road, Edinburgh, EH12 6DD. A



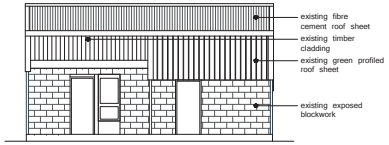
existing
floor plan



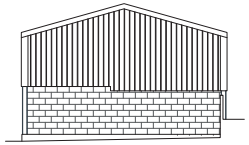
existing section AA



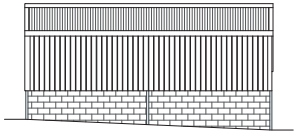
existing side elevation



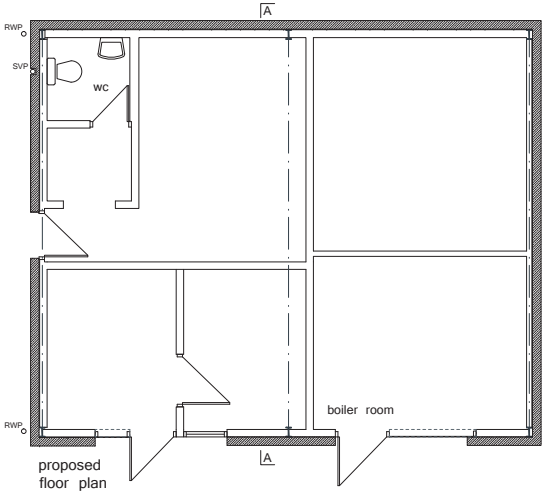
existing front elevation



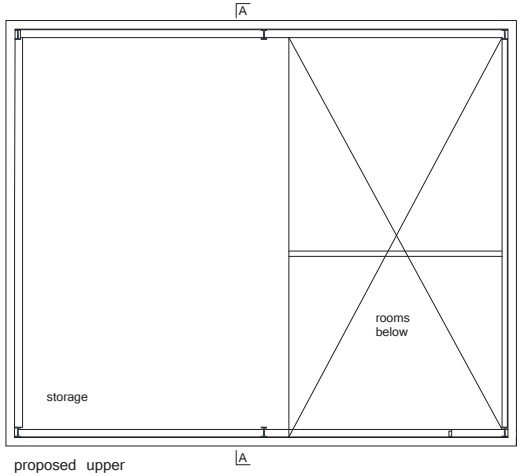
existing side elevation



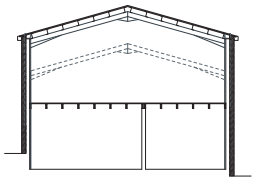
existing rear elevation



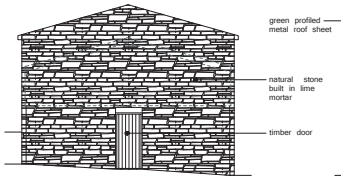
proposed
floor plan



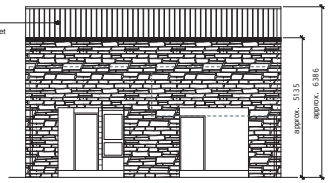
proposed upper
floor plan



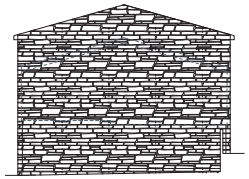
proposed section AA



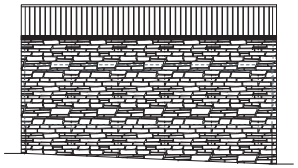
proposed side elevation



proposed front elevation



proposed side elevation



proposed rear elevation

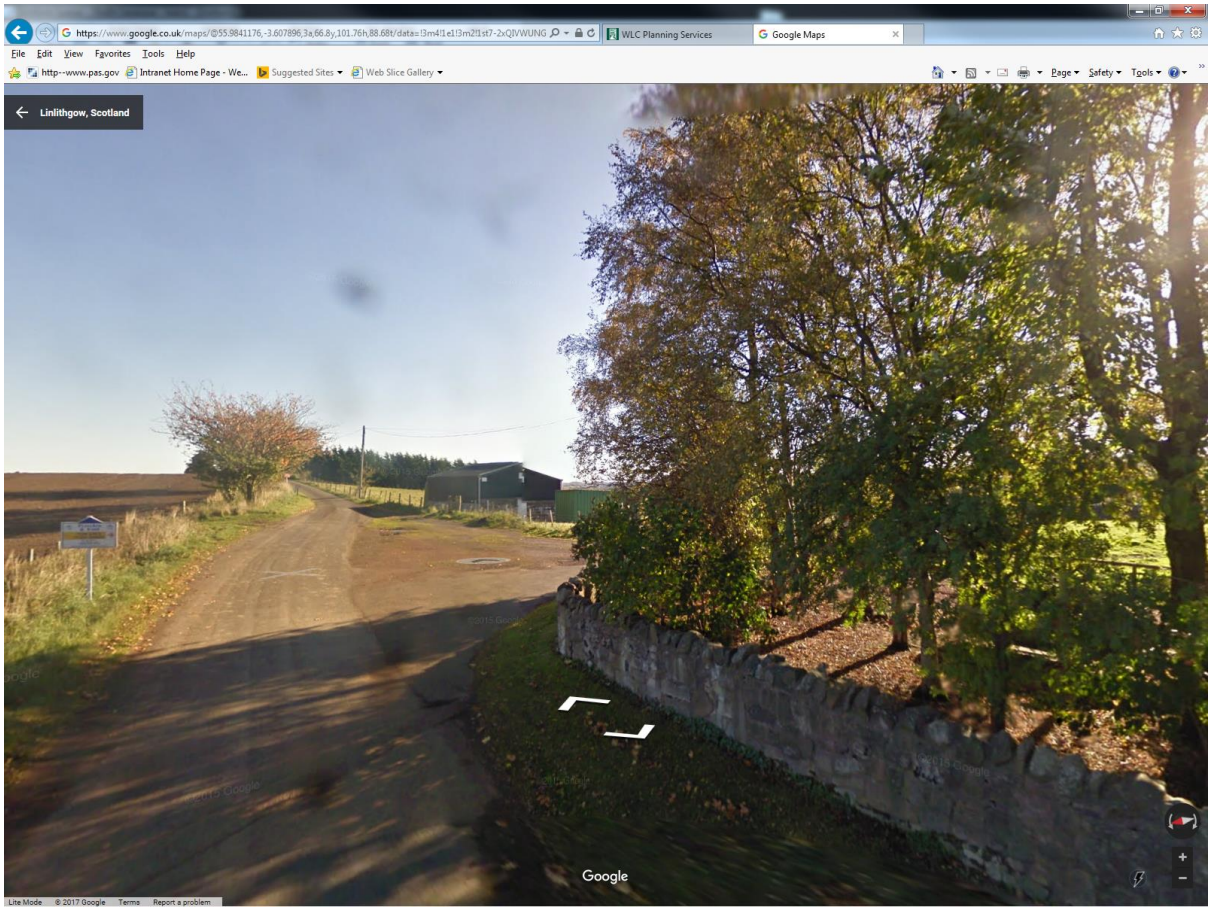
REVISIONS
A - 25.01.2017 - Height of existing building adjusted

JOB TITLE
EXISTING AND PROPOSED
PLANS AND ELEVATION

PROPOSED ALTERATIONS TO
8 PARKHEAD HOLDINGS
LINLITHGOW
WEST LOTHIAN

Scale 1:50, 1:100 25th January 2017
Drawing Number JWAC 02/83/2016

John Watson Architectural Consultant Ltd.
11 Market Street
Midcalder
West Lothian
EH53 0AL
Phone 01506 885928
E-mail johnwatson@jwac.wanadoo.co.uk


Linlithgow, Scotland
Google

Linlithgow, Scotland
Google

Site Visit Photographs 1 March 2017

0052/FUL/17 – Extension to storage building (in retrospect) at Queen's View B&B, Linlithgow

DRAFT DECISION - APPLICATION 0052/FUL/17

1 Within 2 months of the date of this decision notice, the east gable of the outbuilding shall be clad in stone to match the remainder of the outbuilding, to the satisfaction of the planning authority.

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

2 The altered building hereby approved shall be used only for housing the biomass boiler, biomass material and as a general storage building for gardening and maintenance equipment for the upkeep of the buildings and grounds in connection with the operation of the bed and breakfast.

Reason *To define the terms of the use.*

West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Two storey extension to the rear elevation at 41 Sibbald View, Armadale, EH48 2TG

2 DETAILS

Reference no.	0083/H/17	**Owner of site**	Mr and Mrs Middleton
Applicant	Mr and Mrs Donnelly	**Ward & local members**	**Armadale** Councillor Stuart Borrowman Councillor Jim Dixon Councillor Sarah King
Case officer	Arabella Stewart-Leslie	**Contact details**	01506 281581 Arabella.leslie@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Stuart Borrowman

3 RECOMMENDATION

Refuse planning permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

4.1 Planning permission is sought for the erection of a 2 storey rear extension to a two storey detached property. The house currently has three bedrooms, lounge and kitchen. The application site is surrounded by two storey detached properties.

4.2 The proposed extension to the rear of the property will create larger ground floor accommodation to allow for a play room and on the first floor a fourth bedroom with en-suite bathroom. The extension would have a width of 7 metres, depth of 3.6 and 2.5 metres on the first floor with an overall height of 7.4 metres.

4.3 Following negotiations with the agent and the withdrawal of the previous application, the proposals were redesigned to protect residential and visual amenity. There has been a significant reduction since the original proposal and the design is more sympathetic However the overshadowing calculations demonstrate overshadowing and loss of daylight on the garden ground of the neighbouring property, 47 Sibbald View. Any overshadowing is likely to affect the immediate garden ground rather than overcast the property.

5. PLANNING POLICY

Plan	Policy	Assessment	Conform ?
West Lothian Local Plan	Policy HOU 9 Residential Amenity	Residential amenity for the residents of the neighbouring houses would be adversely affected by overshadowing of their garden.	No

Also of relevance is the council's House Extension and Alteration Design Guide 2015 which states that the bulk of shadow created by an extension should be kept within the applicants own garden ground.

6. REPRESENTATIONS

One letter of representation has been received and is summarised below.

Comments	Response
Overshadowing	There would be additional overshadowing as a result of the extension due the properties location within the sun path. 45 Sibbald View is currently overshadowed by the existing property, however 47 has not been affected before and a shadow would be cast onto their immediate garden ground by the proposed extension.

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 design of the building has been amended by stepping back the first floor extension and altering the pitch of the roof however there is potential that the extension will have an overshadowing impact on the neighbouring garden. In view of this, as the amended design will continue to have a detrimental impact on the amenity enjoyed by the residents of neighbouring properties, it would be contrary to the requirements of policy HOU 9 of the West Lothian Local Plan.

7.4 The House Extension and Alteration Design Guide requires, as a general principle, that extensions should be of a scale that do not significantly overshadow the neighbouring properties and states that any overshadowing should be confined to the applicant's own garden. The attached shadow diagrams show that this would not be the case here, and that the majority of the additional overshadowing would be on the neighbouring garden.

8. CONCLUSION AND RECOMMENDATION

8.1 There are fundamental issues concerning overshadowing which would arise from the proposed extension and it is considered that the development would have a negative impact on neighbouring garden. The proposal would therefore be detrimental to the amenity enjoyed by the residents of the neighbouring properties, and conflicts with the Council's House Extension and Alteration Design Guide 2015 and policy HOU 9 of the West Lothian Local Plan.

8.2 Consequently, and in view of the above, it is recommended that planning permission is refused.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Elevation and Floor Plans
- Overshadowing Diagrams (WLC)
- One Letter of Representation
- Member Referral Form
- Reasons for Refusal

Craig McCorriston
Head of Planning, Economic Development and Regeneration **Date**: 12th April 2017

West Lothian Council

Development Management

WEEKLY LIST OF APPLICATIONS RECEIVED

☒ LOCAL MEMBER REQUEST FORM ☒

Weekly List for the week commencing
27th March 2017

Members wishing further information on any of the applications in the attached Weekly List of Planning Applications or wishing any application to be referred for determination to the Development Management Committee are asked to complete and return this form to Craig McCorriston, Head of Planning, Economic Development and Regeneration as soon as possible and no later than:

17th April 2017

PLEASE NOTE:
The planning application details will also be available for inspection within the Planning & Building Standards web site by clicking on the link below.
https://planning.westlothian.gov.uk/online-applications/search.do?action=advanced
We are trying to encourage people to use the web site as much as possible so you may wish to inspect the application online rather than make a request for a paper copy.

Action Required (please tick ✓)	Application Number
☐ Contact me to discuss these proposals	.....0083/H/ 17 .....
☐ Send me copies of the plans and supporting information relative to this application	Member BORROWMAN.....
x☐ Refer this application to the Development Control Sub-Committee	Signed .....
☐ Other (please specify)	Dated .....5 APRIL 2017.....

My reasons for this action are:

CONSTITUENT REQUEST

West Lothian Council

APPLICATION 0083/H/17- 41 Sibbald View , Armadale, EH48 2TG

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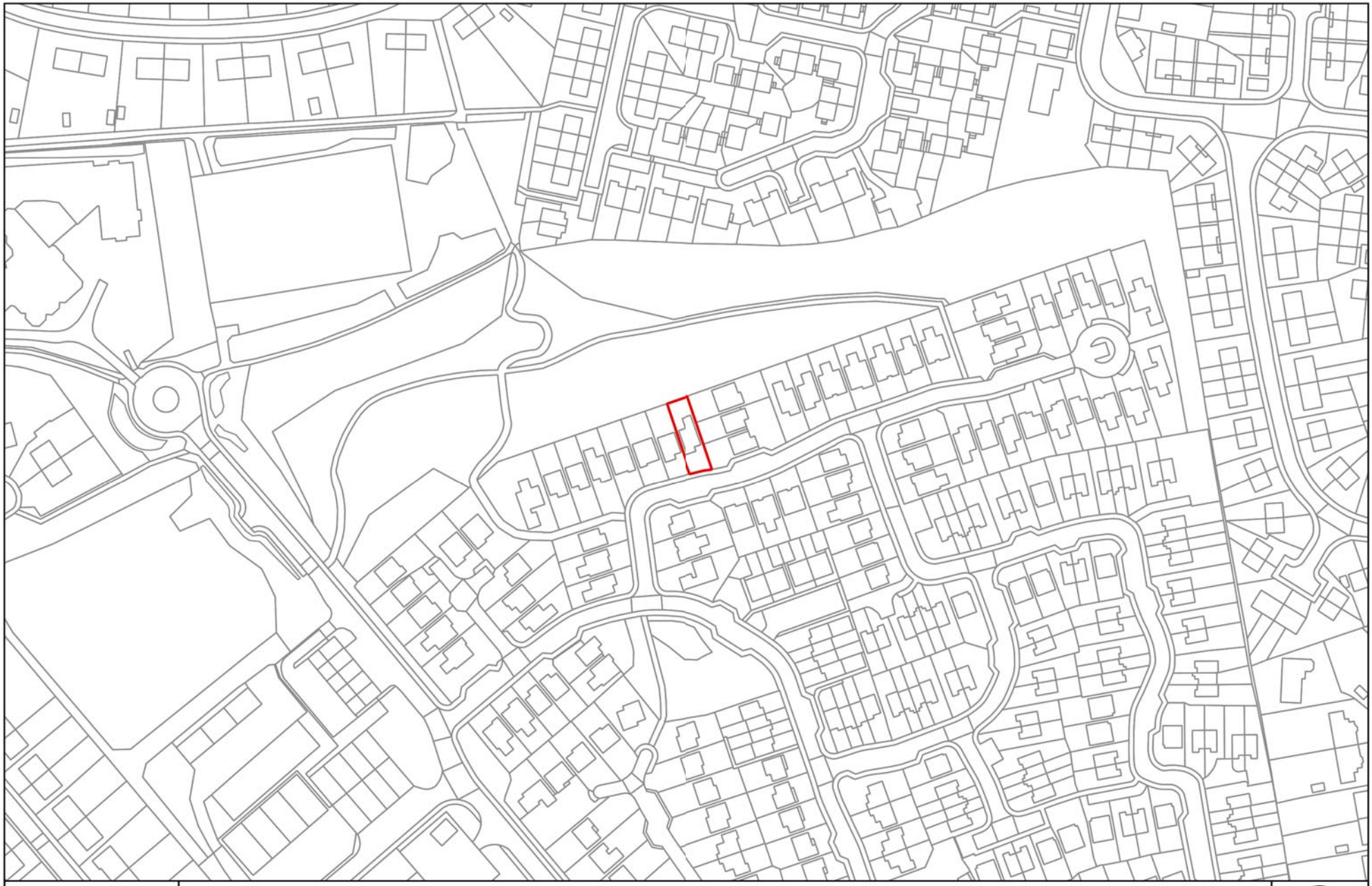

West Lothian Council

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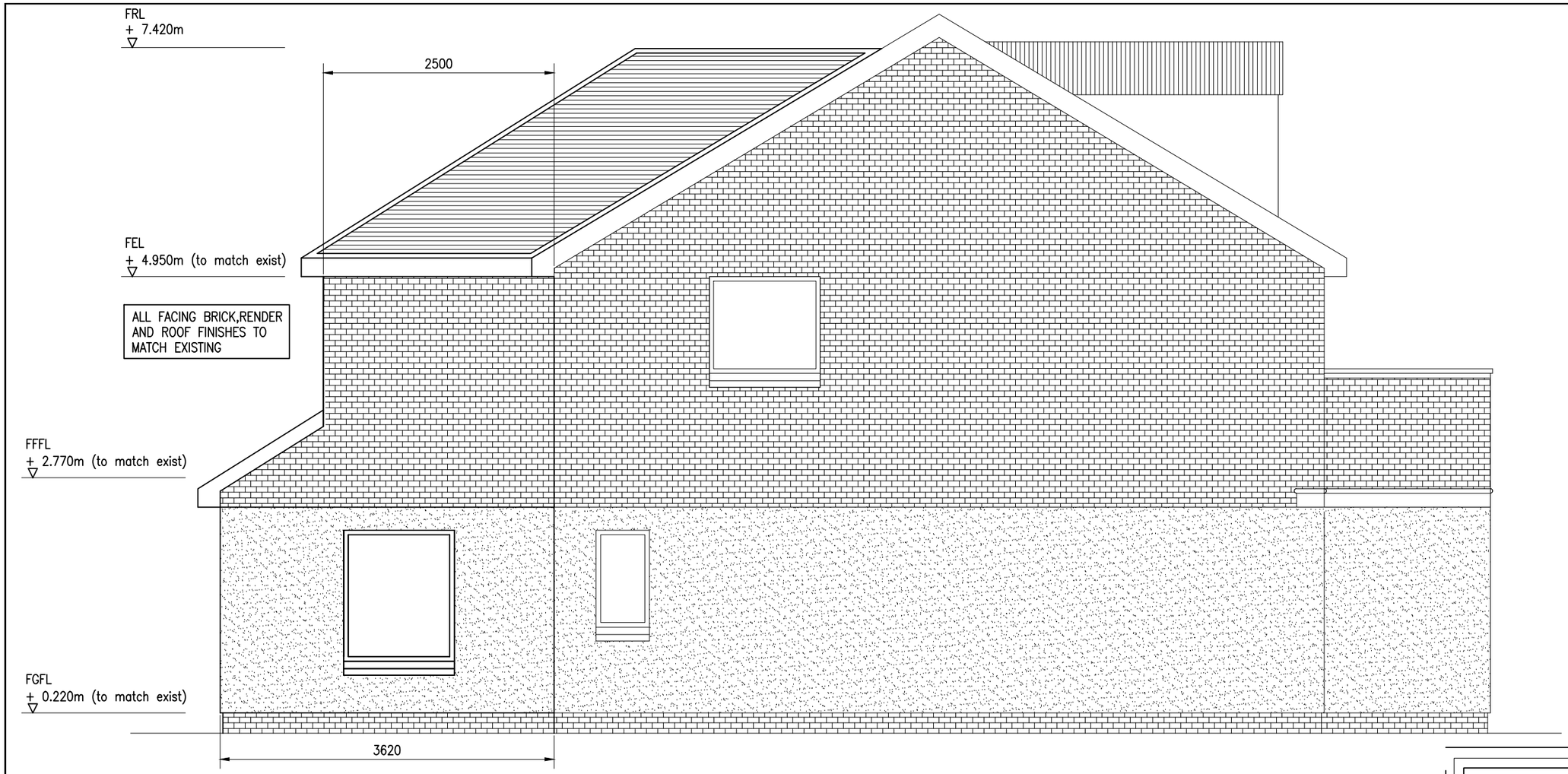


Proposed Side Elevation
1:50

DO NOT SCALE THIS DRAWING. IF IN DOUBT ASK

PLANNING

REV.	DATE	DESCRIPTION	BY	CHECKED
C	07.01.16	Revised to planning condition	KC	
B	21.11.16	Roof changed to hip end	KC	.
A	30.09.16	Revised to show eaves and ridge level	KC	ICB

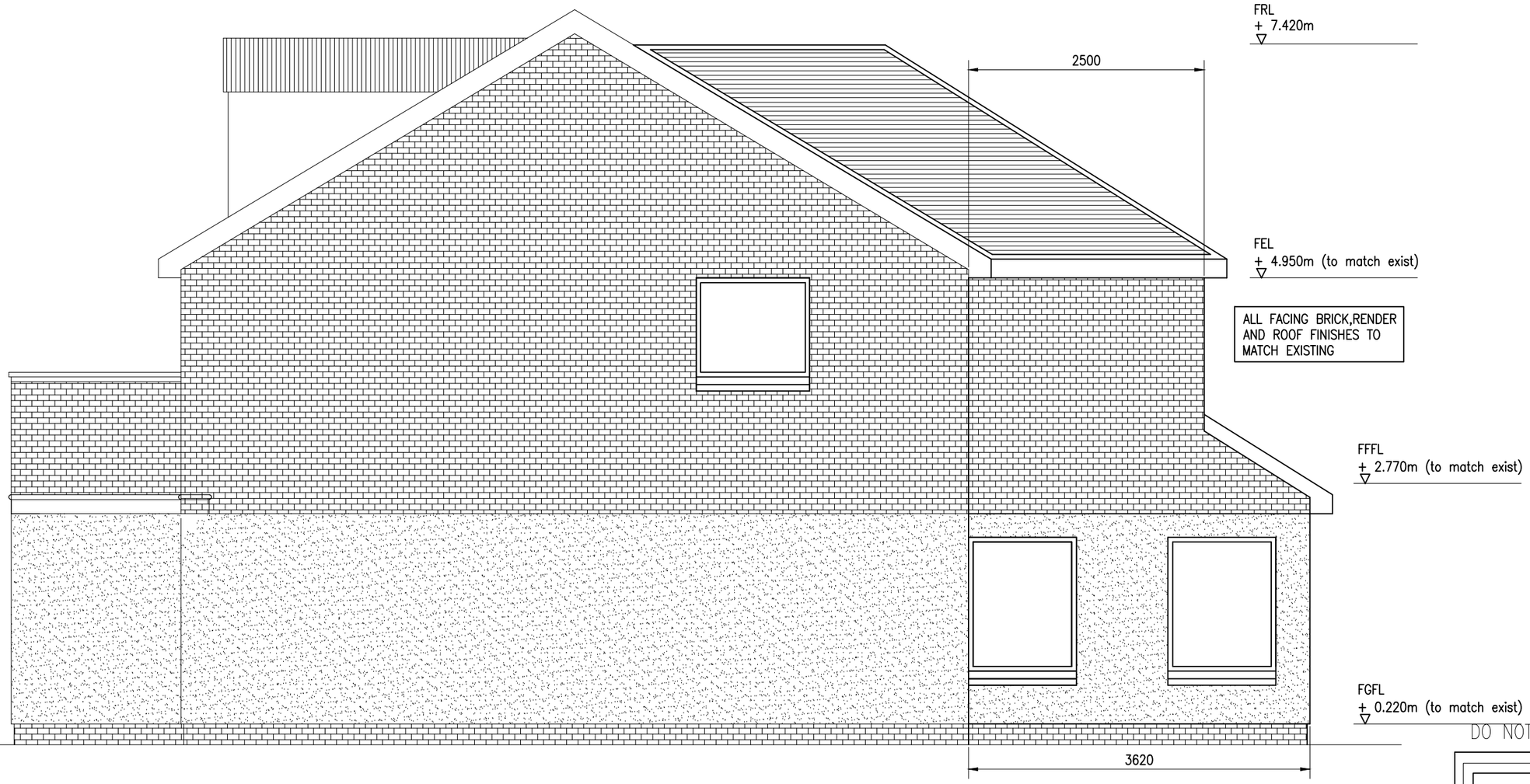
balfour engineering consultancy
Suite 2016 Mile End Building
Abbymill Business Centre
12 Seedhill Road
Paisley
PA1 1JS
Phone: 0141 848 9708
Fax: 0141 842 1098
e-mail: info@balfourengineering.co.uk

PROJECT Domestic Extension
CLIENT Mr & Mrs C Donnelly
LOCATION 41 Sibbalds View, Armadale, Bathgate

SCALE	DATE	JOB No.
As noted @ A3	12.09.16	****

DRAWN BY	CHECKED BY
KC	ICB

DRG. TITLE	DRG. No	REV.
Proposed Side Elevation	13	C



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Proposed Side Elevation
1:50

PLANNING

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KC	ICB

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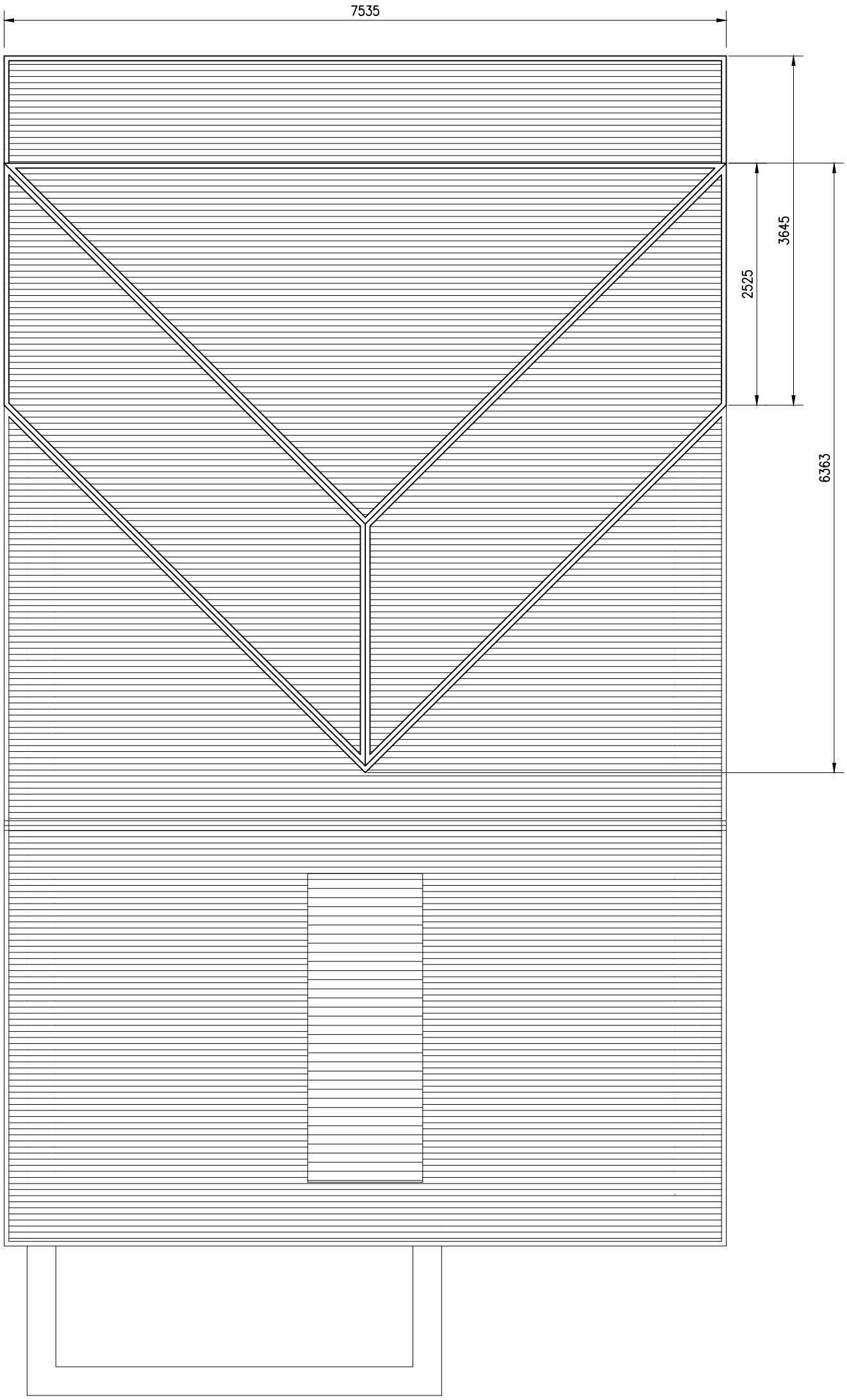

Proposed Roof Layout
1:50

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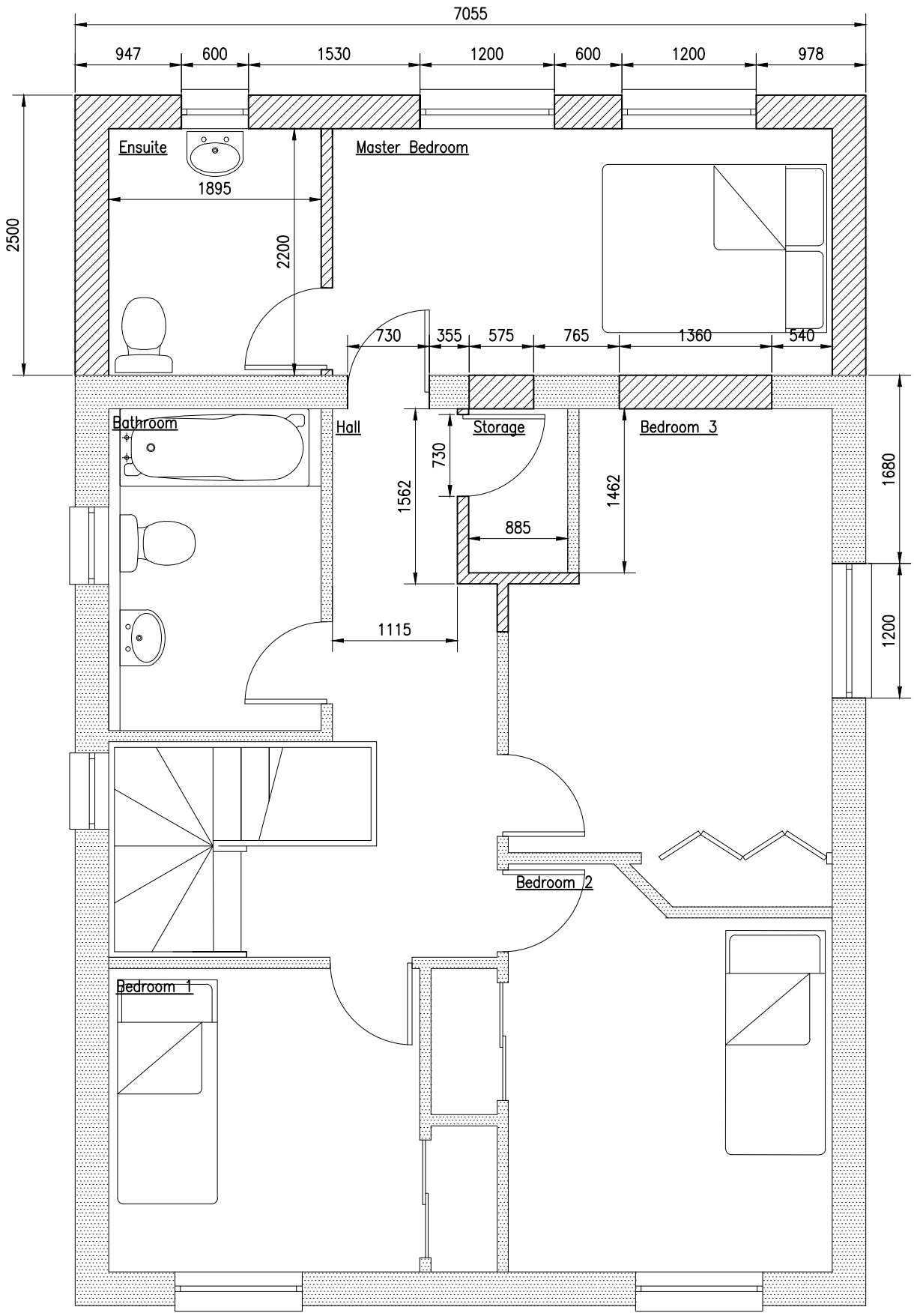
DRG. TITLE	DRG. No	REV.
Proposed Roof Layout	10	B



Proposed First Floor Layout
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PLANNING

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A	07.01.16	Revised to planning condition	KC	

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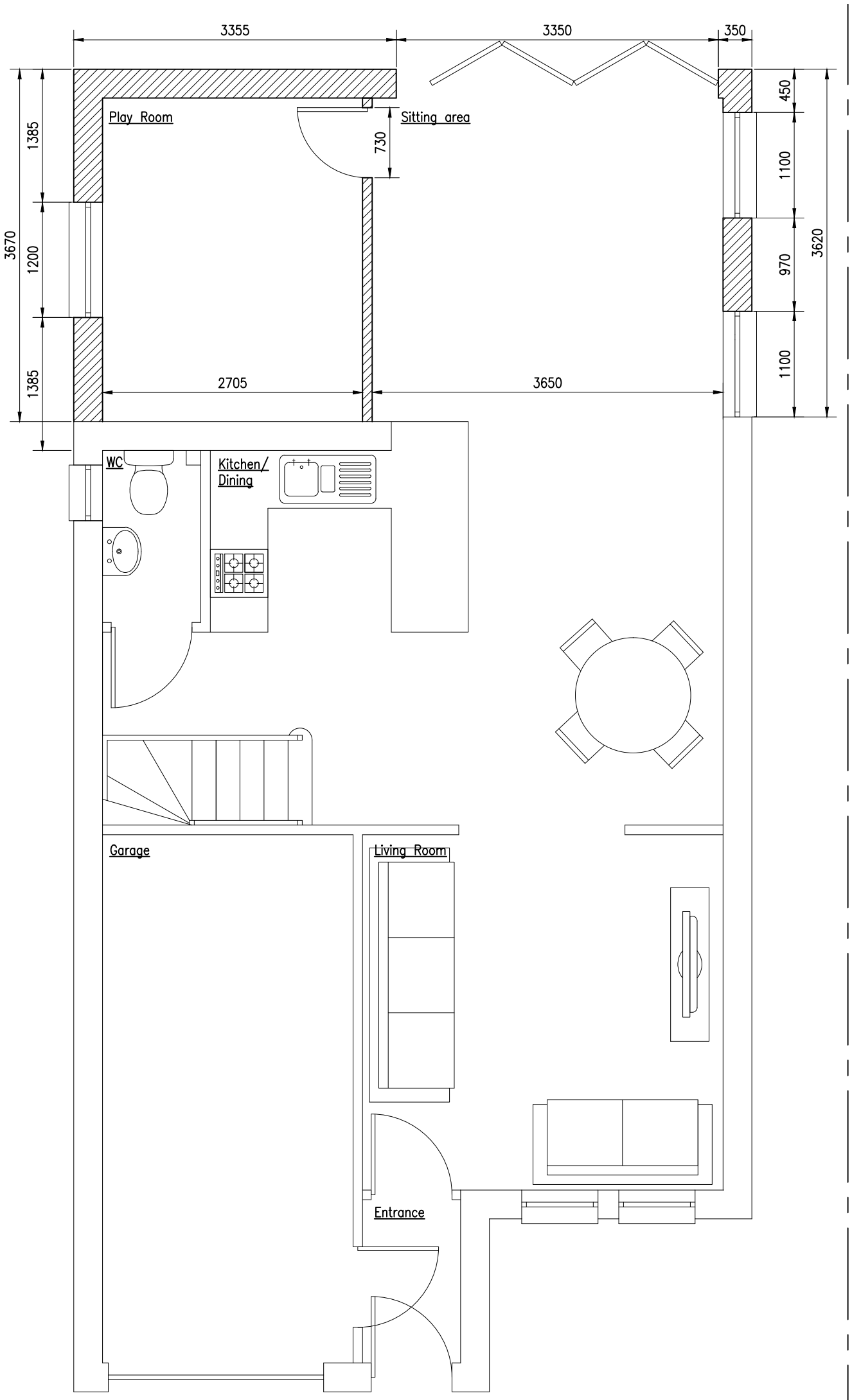

Proposed Ground Floor Layout
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PLANNING

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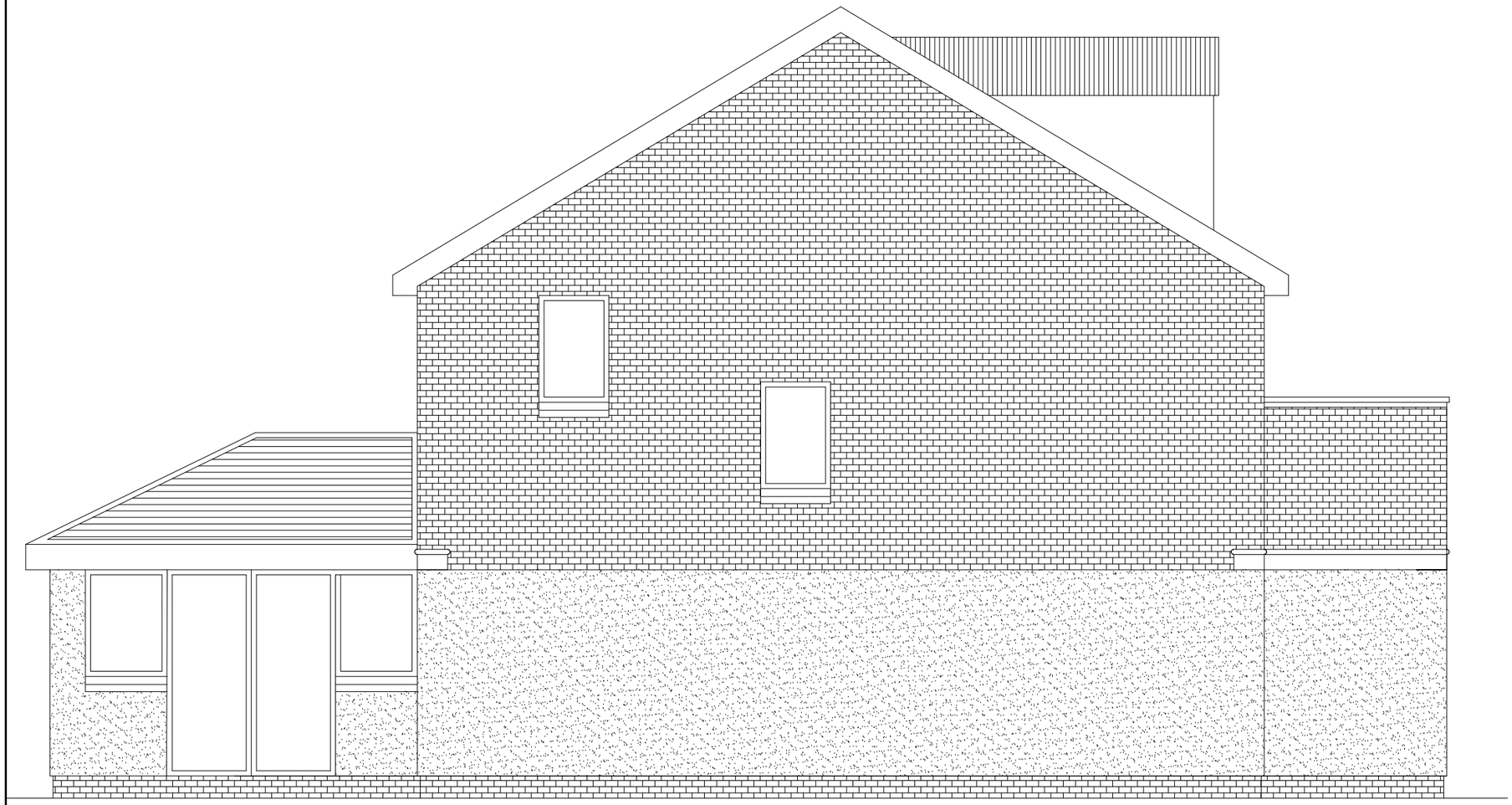
DRG. TITLE	DRG. No	REV.
Proposed Ground Floor Layout	08	–



Existing Side Elevation
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PLANNING

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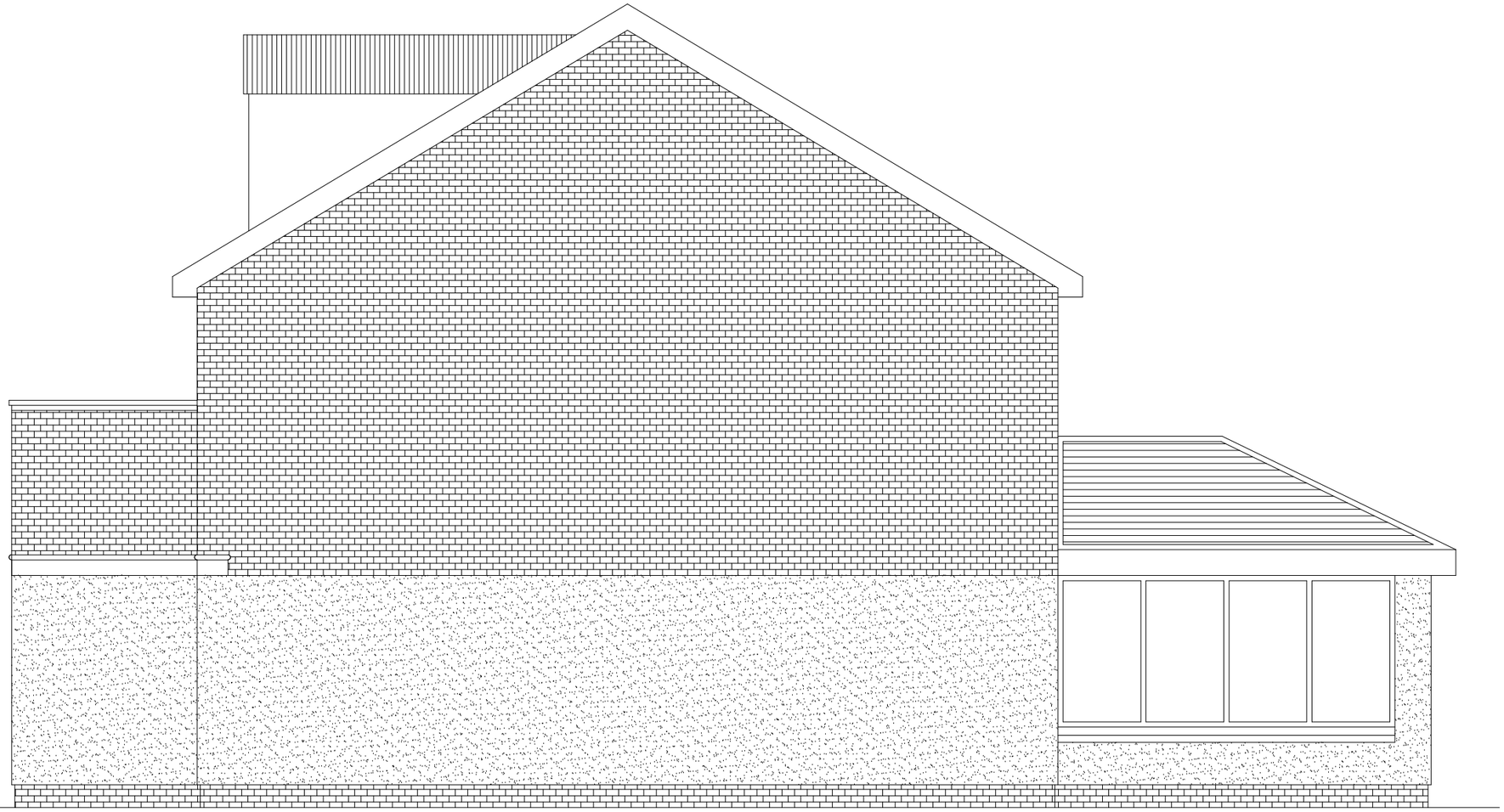
Existing Side Elevation	07	–



Existing Side Elevation
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KC	ICB

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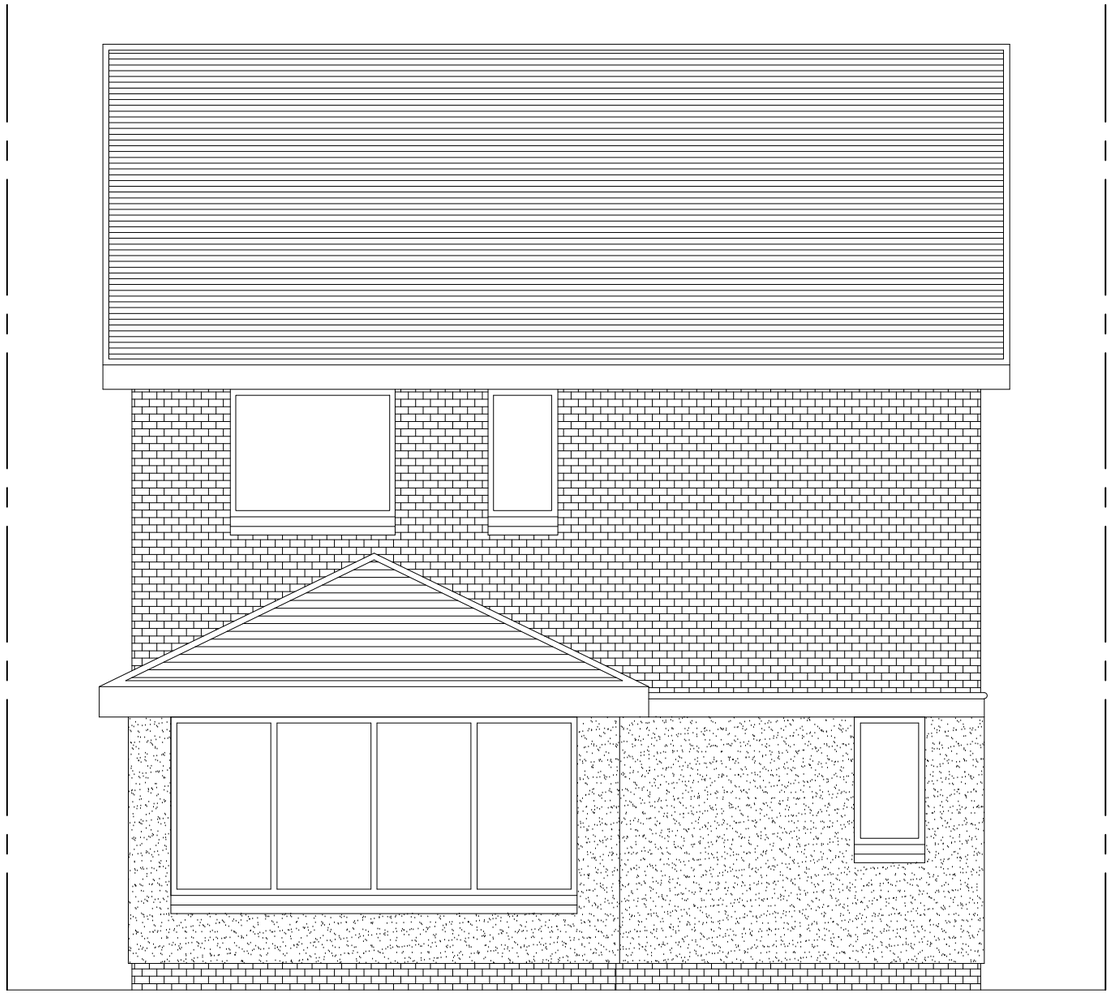
Existing Side Elevation	06	–



Existing Rear Elevation
1:50

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PLANNING

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PA1 1JS

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PROJECT Domestic Extension

CLIENT Mr & Mrs C Donnelly

LOCATION 41 Sibbalds View, Armadale, Bathgate

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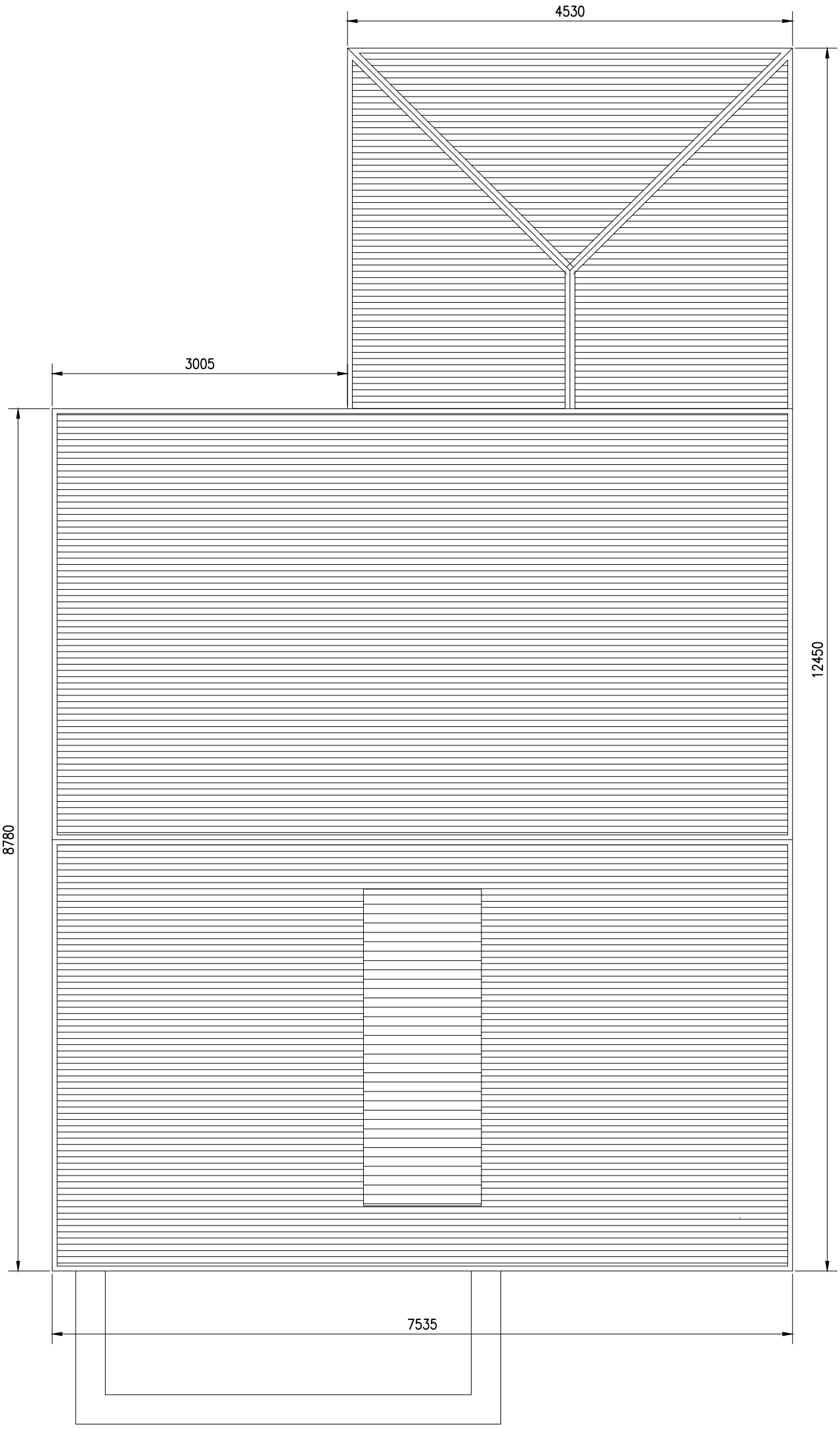
KC	ICB

DRG. TITLE	DRG. No	REV.
Existing Rear Elevation	05	–



Existing Roof Layout
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PLANNING

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PROJECT Domestic Extension
CLIENT Mr & Mrs C Donnelly
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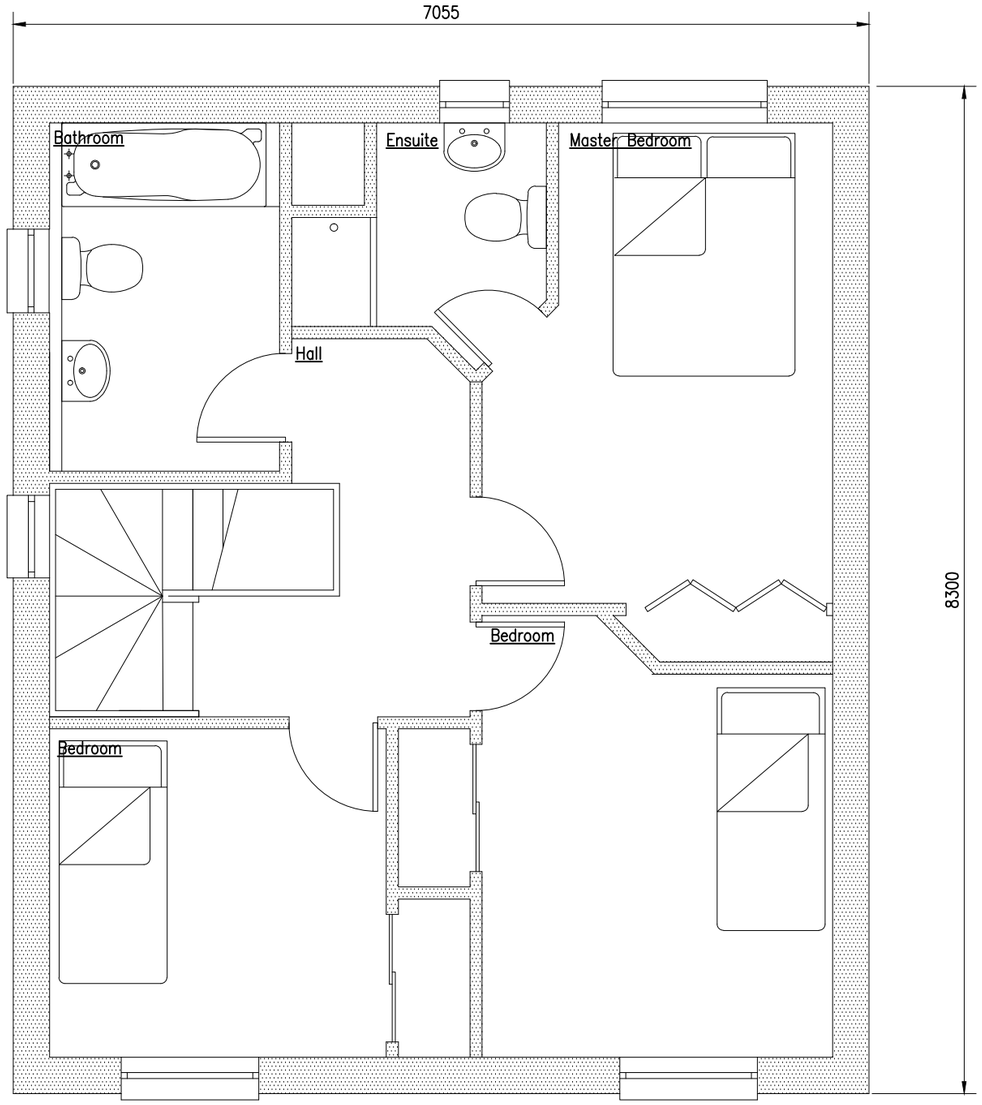
Existing Roof Layout	04	–



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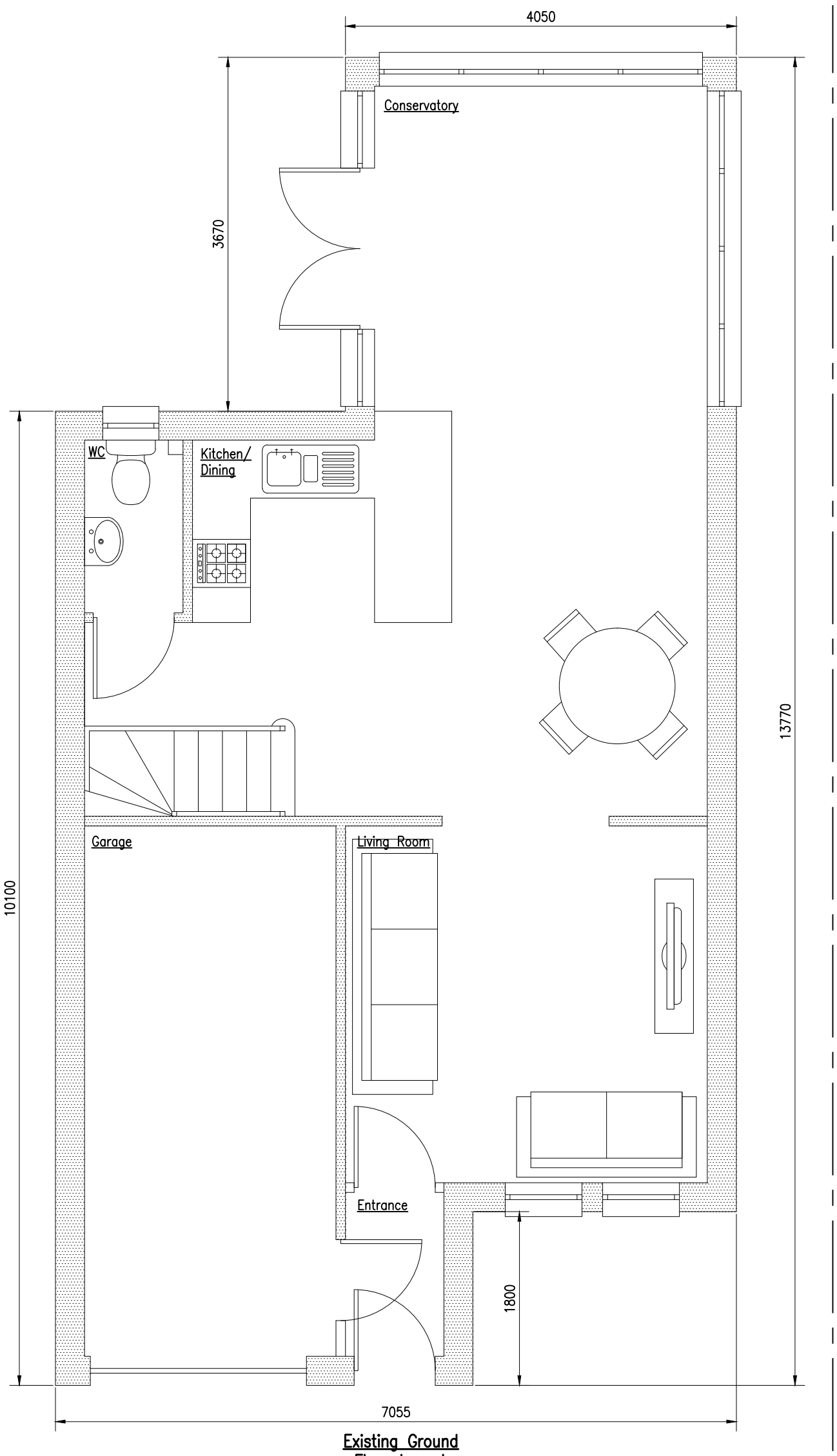
Existing First Floor Layout	03	–



Existing Ground Floor Layout
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DRG. TITLE	DRG. No	REV.
Existing Ground Floor Layout	02	–

Comments for Planning Application LIVE/0083/H/17

Application Summary
Application Number: LIVE/0083/H/17
Address: 41 Sibbald View, Armadale, EH48 2TG
Proposal: Extension to house(Grid Ref: 294174, 668287)
Case Officer: Arabella Stewart-Leslie

Customer Details
Name: Mrs Carol McDade
Address: 47 Sbbald view Armadale

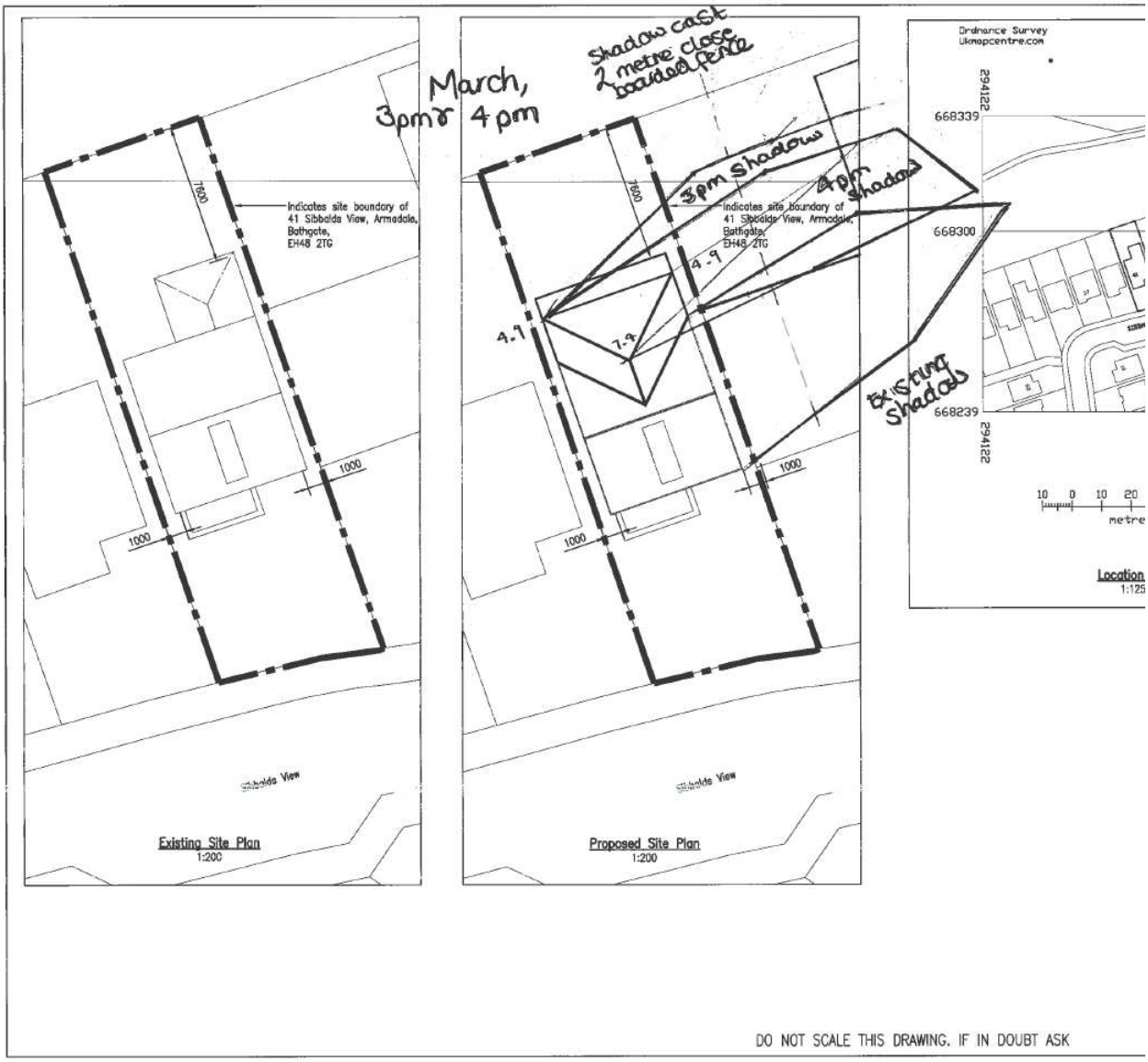
Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Regarding the said property 41 Sibbald view, I have just received the new application to the extension at this property, and my views are still the same as the last application submitted as there does not seem much change. As the new 2 storey extension will block all the sun on my Decking area and I will not get any sun till late afternoon. I am all in favour of people improving their properties, but not when it means, I will be the loser here. Why can't they just go into the loft like everybody else, these house were built with this in mind.

DRAFT DECISION - APPLICATION 0083/H/17

1 The proposal will be detrimental to residential and visual amenity due to the scale of the extension. The alterations will cast an unacceptable level of overshadowing on neighbouring garden ground.

The proposal is contrary to:

HOU9 (residential and visual amenity) of the West Lothian Local Plan;
House Extension and Alteration Design Guide 2015 (householder supplementary guidance)


March,
3pm & 4pm
Shadow cast 2 metre close boarded fence
3pm shadow
4pm shadow
Existing shadow
7600
Indicates site boundary of 41 Sibbalds View, Armadale, Bathgate, EH48 2TG
4.1
7.9
4.9
1000
Sibbalds View
Existing Site Plan
1:200
Proposed Site Plan
1:200
Ordnance Survey
Ukmapcentre.com
294122
668339
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10 0 10 20
metre
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West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Change of use of industrial unit to gym (class 11) (in retrospect) at 1A Burnhouse Industrial Estate, Whitburn, EH47 0LQ

2 DETAILS

Reference no.	0091/FUL/17	**Owner of site**	Mr Wayne Young
Applicant	Miss Kirsty Paul Muscle Asylum Gym	**Ward & local members**	**Whitburn and Blackburn** Councillor Jim Dickson Councillor Mary Dickson Councillor George Paul Councillor Barry Robertson
Case officer	Arabella Stewart-Leslie	**Contact details**	01506 281581 Arabella.leslie@westlothian.gov.uk

Reason for referral to Development Management Committee: Objection from Whitburn & District Community Council and contrary to Development Plan.

3 RECOMMENDATION

Grant Planning Permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

4.1 Planning permission is sought for the change of use from an industrial unit to gym (class 11) (in retrospect). The application site is surrounded predominantly by industrial units however within the area there are mixed uses (dance studio, material arts studio and veterinary clinic).

4.2 The proposal will not see a significant material change to external appearance of the building or area with limited advertisement.

4.3 Following negotiations with the agent over the proposal the shop (Class 1) which was also applied for with the application has been removed. The sale of goods on site will be ancillary to the gym use of the building (products to only be sold to gym members and not general public) and therefore a Class 1 use is not required.

5. PLANNING POLICY

Plan	Policy	Assessment	Conform ?
West Lothian Local Plan	Policy EM6 Development on Existing Employment Sites	Planning permission for uses other than use classes 4, 5 and 6 within the areas shown on the proposals map, and on other established sites, will not be granted unless there is a clear demonstration of the direct benefits to those working in that employment area and where: a. the retention of the site or premises for use classes 4, 5, and 6 had been explored without success; b. the use would not restrict the range of uses which can be carried out by businesses and industry on nearby sites; and c. the proposed use would cause no traffic, amenity or environmental problems.	No
West Lothian Local Development Plan – Proposed Plan	Policy EMP 1 Safeguarding and Developing Existing Employment Land	The council is supportive of sustainable economic growth and regeneration. Existing employment land (and premises) for Class 4 business, Class 5 general industry and/or Class 6 storage and distribution uses which is identified in chapter 6 and shown on the proposals map are safeguarded for employment generating uses and will be protected from otherwise inappropriate development which would compromise their quality, accessibility or marketability as business locations. The expansion, conversion or re-development of land and premises within these areas will be supported, as will proposals for new development embracing the same use classes, i.e. 4, 5 and 6, subject to the following criteria being satisfied: a. the proposal would be compatible with neighbouring land uses; b. the proposal would not have a detrimental impact on the amenity of the area; c. the transport implications of the proposal are capable of being effectively managed; and d. any infrastructure deficiencies or requirements are capable of being satisfactorily remedied. Proposals must also conform to the site specific requirements detailed in Appendix 1 and demonstrate that they meet the other relevant requirements of this *Local Development Plan*. Proposals for non-business/non-industrial uses on allocated employment sites will only be supported in circumstances where	No

		the following criteria can be satisfied: e. it has been satisfactorily demonstrated that there is no net detriment to the overall supply of employment land; f. it can be satisfactorily demonstrated that there is no reasonable or realistic demand for the retention of the existing premises or sites for use classes 4, 5 and 6. Prospective developers will be required to evidence their attempts to secure a continued employment-generating use and in particular that they have actively marketed the premises or site over a sustained period; g. the proposal would not restrict the range of uses which can lawfully be carried out by businesses and industry on nearby sites; h. the development of the site would not serve to fragment a larger industrial area or disrupt links between industrial users in that area; i. the proposal would have no unacceptable traffic, amenity or environmental impact and the site is accessible, or can be made accessible by public transport and footway connections to the surrounding area; j. proposals are ancillary to, or complement the overall employment use, and can be satisfactorily demonstrated to directly benefit those working in that employment area. Proposals to introduce retail uses into these areas will not be supported. However, proposals for ancillary factory shop outlets may be permitted in circumstances where the following criteria can be satisfied: k. the premises must be physically linked to the manufacturing facility; l. it has been satisfactorily demonstrated that the retail use is clearly ancillary to the main manufacturing operation and is of a scale that is designed solely to support the existing business; m. goods sold are manufactured or substantially finished on the premises; n. the scale of the outlet will not affect the vitality or viability of existing town centres and complies with Policy TCR 1; and o. the proposals are satisfactory in terms of parking, access and traffic generation. Proposals which do not satisfy these conditions will be determined against normal retail criteria set out in the Town Centres and	

		Retailing section of the Plan.	

6. REPRESENTATIONS

One letter of representation has been received and is summarised below.

Comments	Response - Agreed
The Community Council wish to object to this because retail would be more appropriate on the Main Street which is the town shopping area.	Agreed. The retail element of the proposal has now been removed due to concern from internal consultees. Granting a Class 1 use would allow unrestricted sales to the public which is not appropriate for the location on an industrial estate. The sale of protein powers etc. will be be ancillary to the main function of the gym, products will be purchased on a small scale by gym members only and not generally members of the public. As such, permission for Class 1 is not required. The community council were contacted to clarify their position on the use of the industrial unit as a gym but made no comment.

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 Policy EM6 of the Development Plan and EMP1 of the Proposed Local Development plan state that information should be provided by the applicant as proof that the property was marketed for its allocated use for suitable period of time before a change of use to another class is supported. The applicant has been contacted for this information however they were unable to provide information for the marketing or the period of vacancy of the unit. For this reason the application is contrary to those criteria of Policy EM6 and EMP1 which seeks to protect established areas of employment.

7.3 However, in general the proposal complies with the remaining criteria in the relevant policy. The proposal will not be significantly detrimental to the overall area and there are existing consents granted for a dance studio, material arts studio and veterinary clinic within the industrial estate. Additionally, any retail use will be ancillary only.

8. CONCLUSION AND RECOMMENDATION

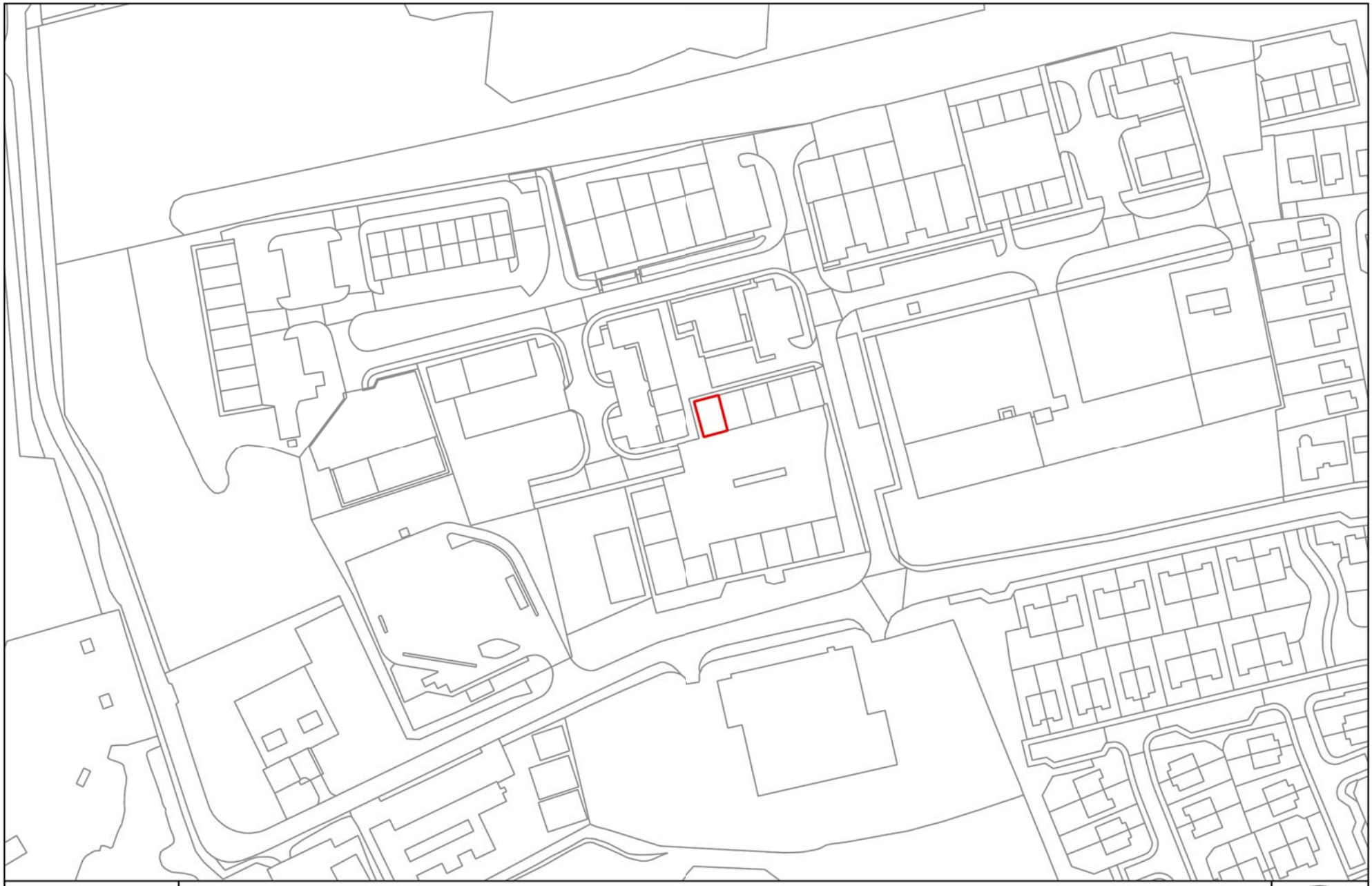
8.1 There are issues concerning the marketing of the property for a suitable industrial use and for this reason is contrary to council policy however the change of use to a gym is an acceptable change and won’t greatly alter the industrial area due to there being mixed uses within the area.

8.2 In view of the above, it is recommended that planning permission is granted as an acceptable departure from the development plan.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Elevation, Floor Plans and Signage
- One Letter of Representation
- Draft Conditions

Craig McCorriston
Head of Planning, Economic Development and Regeneration **Date**: 12th April 2017



West Lothian Council

APPLICATION 0091/FUL/17- 1A Burnhouse Industrial Estate, Whitburn

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West Lothian Council

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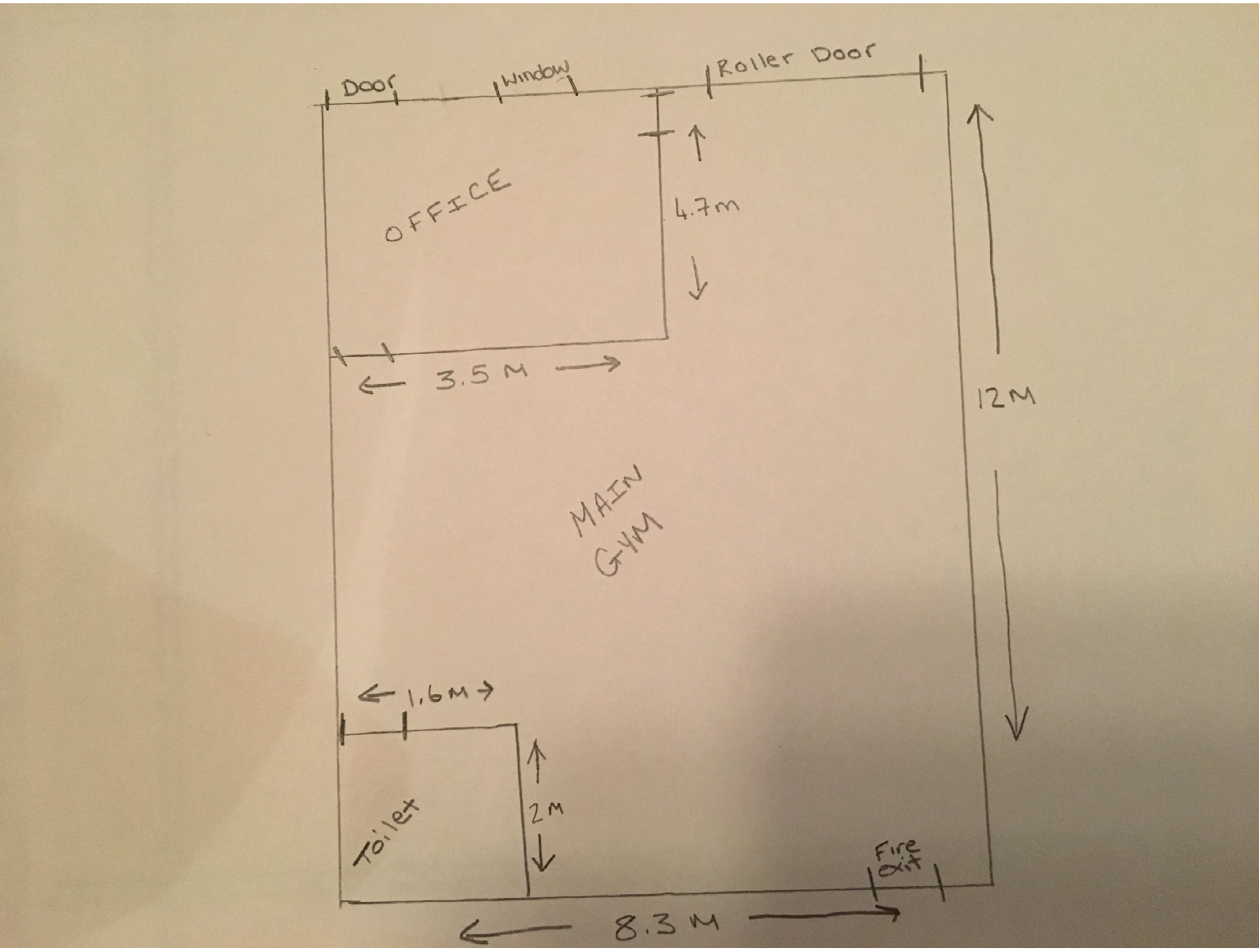
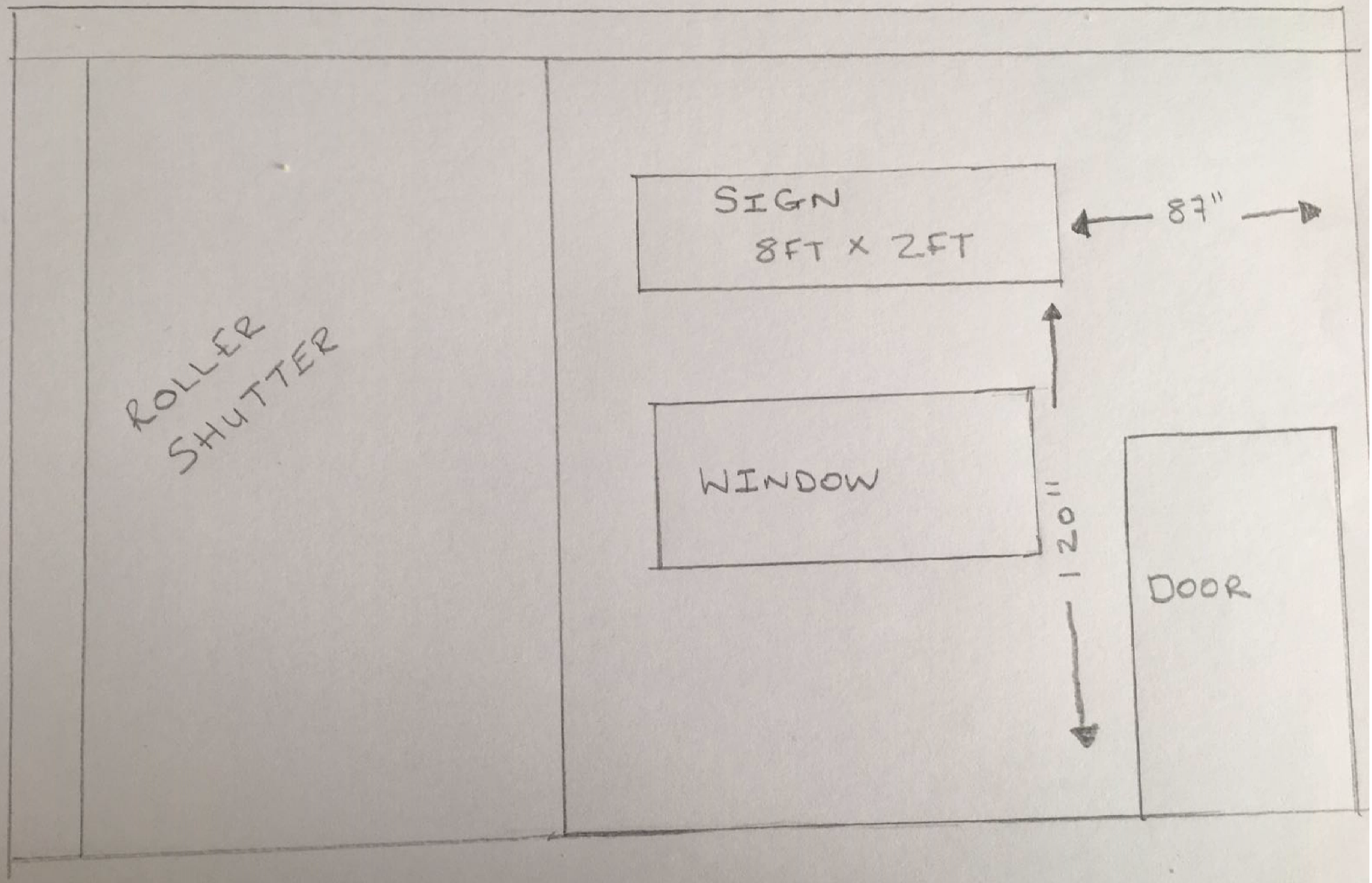

Door
Window
Roller Door
OFFICE
4.7m
3.5 M
12M
MAIN
GYM
1.6M
Toilet
2M
Fire
exit
8.3 M


SIGN
8FT X 2FT
87"
ROLLER SHUTTER
WINDOW
20"
DOOR

Whitburn & District Community Council

Chairperson: Tracy Johnston, 29 Gleneagles Court, Whitburn EH47 8GP Tel:01501 743233 Email: tracy.johnston@talktalk.net
Secretary: Jim Swan, 44 Gareloch Way, Whitburn EH47 0RR Tel 01501 743140 Email: jswan07@btinternet.com

Note:
(The Community Councils are non-party political organisations whose purpose is to be the voice of the local people)

Craig McCorriston
Head of Planning, Economic Development and. Regeneration
Civic Centre
Howden South road
Livingston
EH54 6FF

17th February 217

Dear Craig,

I refer to LIVE/0091/FUL

UNIT 17 1a Burnhouse Change of use to Gym and Retail.

The Community Council wish to object to this because of there is a better requirement to utilise areas for retail would be more appropriate on the Main Street which is the town shopping area.
I look forward to your early reply.

Yours sincerely

Jim Swan

Secretary

DRAFT DECISION - APPLICATION 00□1/FUL/17

1 The sale of goods on the premises shall be ancillary to the main use of the unit as a gym.

□eason *To ensure that retail use would not become a dominant use within an industrial area, in the interest of protecting the operations of adjacent occupiers.*

West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development & Regeneration

1 DESCRIPTION AND LOCATION

1.1 Planning permission in principle for the erection of 3 houses in Bridgehouse.

2 DETAILS

Reference no.	0101/P/17	Owner of site	Morgan Simants
Applicant	Morgan Simants	Ward & local members	Armadale and Blackridge Stuart Borrowman Jim Dixon Sarah King
Case officer	Mahlon Fautua	Contact details	01506 282426 mahlon.fautua@westlothian.gov.uk

Reason for referral to committee: Objection from Westfield & Bridgehouse Community Council

3 RECOMMENDATION

3.1 Grant planning permission in principle subject to conditions and the securing of the relevant developer contributions.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

4.1 Planning permission in principle is sought for the erection of three houses on vacant ground in Bridgehouse.

4.2 The application site is located on the western side of the road (C10 - C14 TO U9) approximately 30 metres from the central junction opposite at its closet point.

4.3 The site has a linear shape with a road frontage boundary of about 150 metres. Approximately half of the length of the site has a depth of 12 metres with the southern part of the site having a depth of about 22 metres.

4.4 The site is currently vacant and overgrown.

4.5 The applicant has submitted an indicative layout of the site showing three potential houses on the larger half of the site.

Planning History

4.6 1017/P/05 – Outline Planning Permission for Residential Development. Refusal – 25 November 2005. Appeal dismissed 22 August 2006.

4.7 0233/02 - Outline Planning Permission Erection of 4 houses. Refused by Development Control Special Sub-Committee – 4 June 2002.

5 REPRESENTATIONS

5.1 The application was subject of statutory publicity and 15 objections were received including an objection from the Westfield & Bridgehouse Community Council.

5.2 The representations are summarised below. The full representations are attached to this report.

Comments	Response
There have been no houses on this land for over sixty years.	Noted and addressed further below.
The road in this section is susceptible to very bad flooding.	Noted and addressed further below.
Damage to the road.	Noted.
Road safety and road capacity.	Noted and addressed further below.
Septic tanks	Noted.
The size and amount of houses on this small piece of ground	Noted and addressed further below.
Damage to trees	Noted.
Wildlife concerns including impact on bats and badgers	Noted. Any development on the site would need to comply with the relevant legislation.
This land has never had any houses on it.	Noted, however historic records indicate housing existed on the site as confirmed by the consultation response from West of Scotland Archaeology Service.
The proposal to build 3 x 4 bedroom houses in this site does not constitute an infill development as there is no discernible gap to be filled in this location and therefore would not be an appropriate location for an extension to the hamlet.	Noted and addressed further below
This site is in the countryside and the proposed development is not related to agriculture and is therefore non-essential.	Noted and addressed further below.
This is not a 'visually intrusive brownfield site' as it has already returned to woodland.	Noted and assessed further below.
The residents have strongly opposed previous planning applications and	Noted.

will continue to do so in order to preserve the character of the village.	
The breeding of poultry on adjacent sites will create noise nuisance for residents	Noted.
The owner has allowed the site to get into the condition that it is today.	Noted.
There is limited school capacity	Noted, however WLC Education Planning have advised that there is currently no capacity problems with respect to this proposal.

6 CONSULTATIONS

6.1 The consultations are summarised below. The full consultations are contained in the application file.

Consultee	Objection	Comments	Planning Response
WLC Roads & Transportation	No	Subject to conditions relating to footway improvements and access safety.	Noted. If permission in principle is granted, then conditions should be attached for this to be submitted with any subsequent application or at detailed design stage.
WLC Education Planning	No	No educational capacity concerns subject to the necessary developer contributions.	Noted. Should permission in principle be granted, then the relevant contributions should be secured prior to the development being occupied or prior to the submission of any subsequent application.
WLC Flood Prevention Officer	No	The site is subject to and adjacent to areas of land which are at risk of surface water flooding. A basic flood risk assessment should be carried out considering this flood risk and make recommendations for any mitigation measures required to address the flood risk. A condition should be applied to the consent requiring that a drainage assessment be submitted with any detailed application detailing the drainage strategy. The strategy should clearly outline both the foul and surface water	Noted. If permission is granted, then a condition(s) should be attached for a basic flood risk assessment and drainage assessment to be submitted with any subsequent application.

Consultee	Objection	Comments	Planning Response
		proposals and the surface water system should incorporate sustainable drainage measures to treat and attenuate surface water run-off prior to discharge to an approved outlet.	
WLC Contaminated Land Officer	No	A Phase 1 site investigation report is required.	Noted. If permission is granted, then a condition should be attached for this to be submitted with any subsequent application.
West of Scotland Archaeology Service	No	Does not consider the proposal to raise an issue of such a magnitude as would justify the refusal of planning consent on archaeological grounds alone, it is clear that it would have a direct impact an element of the wider historical environment of the area. Recommends a condition to allow for an appropriate programme of archaeological work to be tied into any development works.	Noted. If permission is granted, then a condition should be attached for this to be submitted with any subsequent application.

7 PLANNING POLICY 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 of the Strategic Development Plan for Edinburgh and South East Scotland (SESplan) and the West Lothian Local Plan (WLLP).

7.3 The West Lothian Local Development Plan - Proposed Plan (LDP) has been published and the public consultation period finished at the end of November 2015. The Council has approved the LDP and it was submitted to the Scottish Ministers for examination in October 2016. The LDP examination commenced in January 2017. This is also a material consideration, however due to the LDP being early in the examination phase, more weight should be given to the current WLLP at the time of this assessment.

Plan	Policy	Assessment	Conform
West Lothian Local Plan	ENV31 - Development in the Countryside Proposals for new build development in the countryside	There is no formal settlement boundary for Bridgehouse and as such the site has to be considered as being within the countryside. Taking into account the exceptions to be satisfied for	No

Plan	Policy	Assessment	Conform
	will not normally be approved, unless the listed exceptions to this policy are satisfied.	development in the countryside, it is considered that the proposed development does not meet any of the exceptions in this policy. However, it is considered that there are material considerations that are of significant weight to make an exception in which the principle of residential development is acceptable on this site. There is an identifiable and cohesive built pattern in Bridghouse, where it is developed in a linear form and alongside the road which is typical of the historic mining villages. There is history of development on the site as evidenced by the existing boundary treatment which will contain development tight to the road. The site is directly linked to the central nucleus and appropriately designed housing on the site with tight road frontage would not compromise the built form of Bridgehouse. For the above reasons, the principle of development for up to three houses is considered to be acceptable. Given the site has a strong landscaped boundary, development of this site will not set a precedent. Furthermore, given the natural screen, development would be unobtrusive on the visual landscape of the countryside and vice versa.	
West Lothian Local Plan	IMP 3 – Education Where appropriate in considering proposals for housing development, planning conditions and/or legal agreements will be required to: a) secure the provision of new schools or extensions, and associated community, facilities, from developers where this is directly attributable to serving their	The proposal does not raise any educational capacity concerns. Nonetheless, developer contributions would be necessary to be secured for each unit in line with SPG should permission be granted. Contributions would be necessary for: • RC Primary in Armadale • ND Secondary in Linlithgow • RC Secondary	Yes, subject to the relevant contributions

Plan	Policy	Assessment	Conform
	proposed housing development; and/or b) phase development , to manage demand on school places. Where education constraints cannot be overcome there will be a presumption against housing development.		
West Lothian Local Plan	TRAN 7 - Pedestrians and cyclists Encourages walking and cycling through the provision of safe and attractive pedestrian facilities.	The site is within 30 metres of the centre in Bridgehouse, with the main part of the site around 100 metres away. The application has been assessed by council's Roads and Transportation unit and recommends that a footway is constructed along the frontage of the site and that visibility splays are satisfied. The detail would be required to be submitted with any subsequent or detailed application.	Yes
West Lothian Local Plan	IMP 14 – Supplementary Planning Guidance (SPG) *New Development in the Countryside*	Paragraph 5.1 (Infill Development) of the SPG states that hamlets and even some small clusters of houses in rural locations can accommodate some modest development without damage to their character or to the countryside. With respect to the proposed development, while it does not entirely meet the SPG criteria for infill development, the development of the site is not considered to be sporadically sited or would result in an unacceptable expansion of the existing housing at Bridgehouse. Appropriately designed housing on the site would not compromise the clearly identifiable nucleus.	No

The West Lothian Local Development Plan Proposed Plan is a material consideration. The relevant LDP policies reflect those in the existing local plan.

Other planning policy documents of relevance are

- Scottish Planning Policy (SPP)
- Creating Places

- Designing Streets
- Planning Advice Notes (PAN):
  PAN 33 *Development of Contaminated Land*
  PAN 61 *Planning and Sustainable Urban Drainage Systems*
  PAN 77 *Designing Safer Places*
  PAN 78 *Inclusive Design*
  PAN 79 *Water and Drainage*
  PAN 2/2011 *Planning and Archaeology*

9 SUMMARY AND CONCLUSIONS

9.1 The proposed development does not meet the terms of policy ENV 31 of the local plan which is the principle relevant policy in this instance.

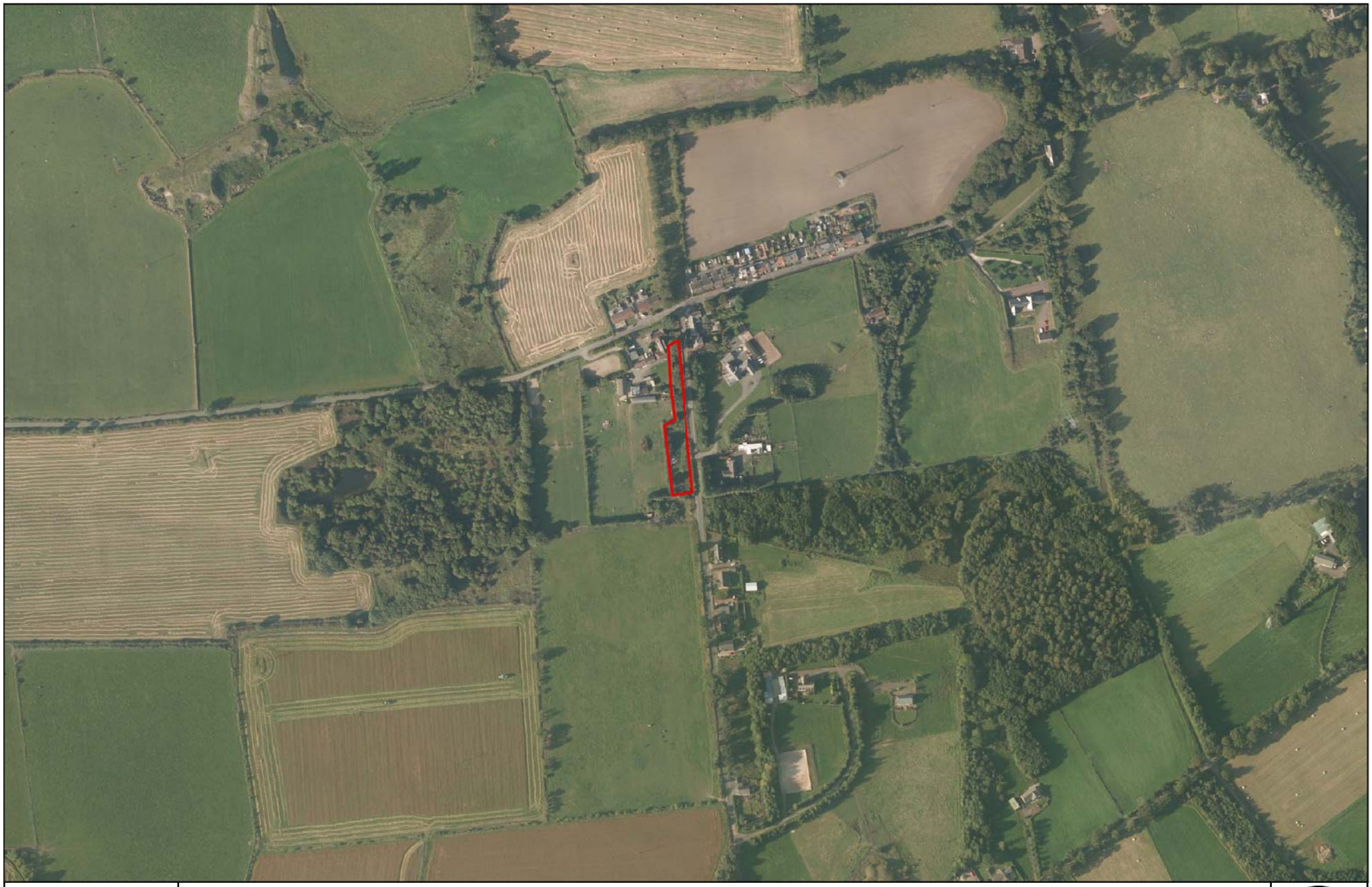
9.2 However, taking into account the above assessment, there are material considerations of sufficient weight to enable an exception to be made in this case. The proposed development would have no significant impact on the existing built form of Bridgehouse. The strong landscaped boundary of the site reduces potential for further unjustified development.

9.3 It is therefore recommended that planning permission in principle is granted subject to conditions and the securing of the relevant developer contributions.

10 ATTACHMENTS

- Aerial and Location plan
- Indicative layout plan
- Representations
- Draft conditions and reasons

Craig McCorriston
Head of Planning, Economic Development & Regeneration **Date**: **12 April 2017**



West Lothian Council

APPLICATION 0101/P/17 - Land at Bridgecastle Cottages, Bridgehouse

75 0 75 m

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West Lothian Council

APPLICATION 0101/P/17 - Land at Bridgecastle Cottages, Bridgehouse

75 0 75 m

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LAND REGISTER OF SCOTLAND	Officer's ID / Date	TITLE NUMBER
	9995 5/3/2009	**WLN12249**
N	ORDNANCE SURVEY NATIONAL GRID REFERENCE	140m
	NS9370 NS9371	Survey Scale 1/2500

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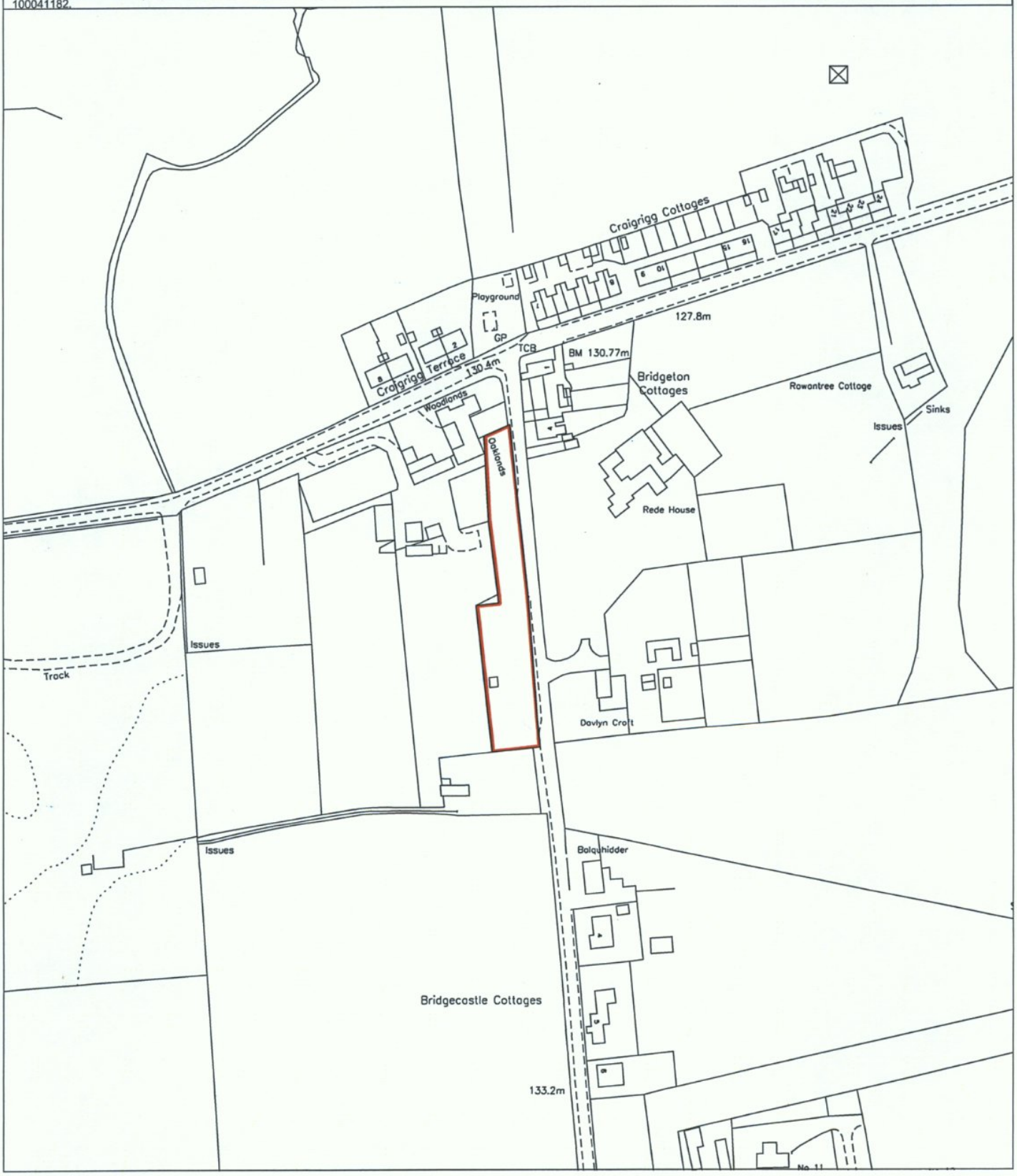

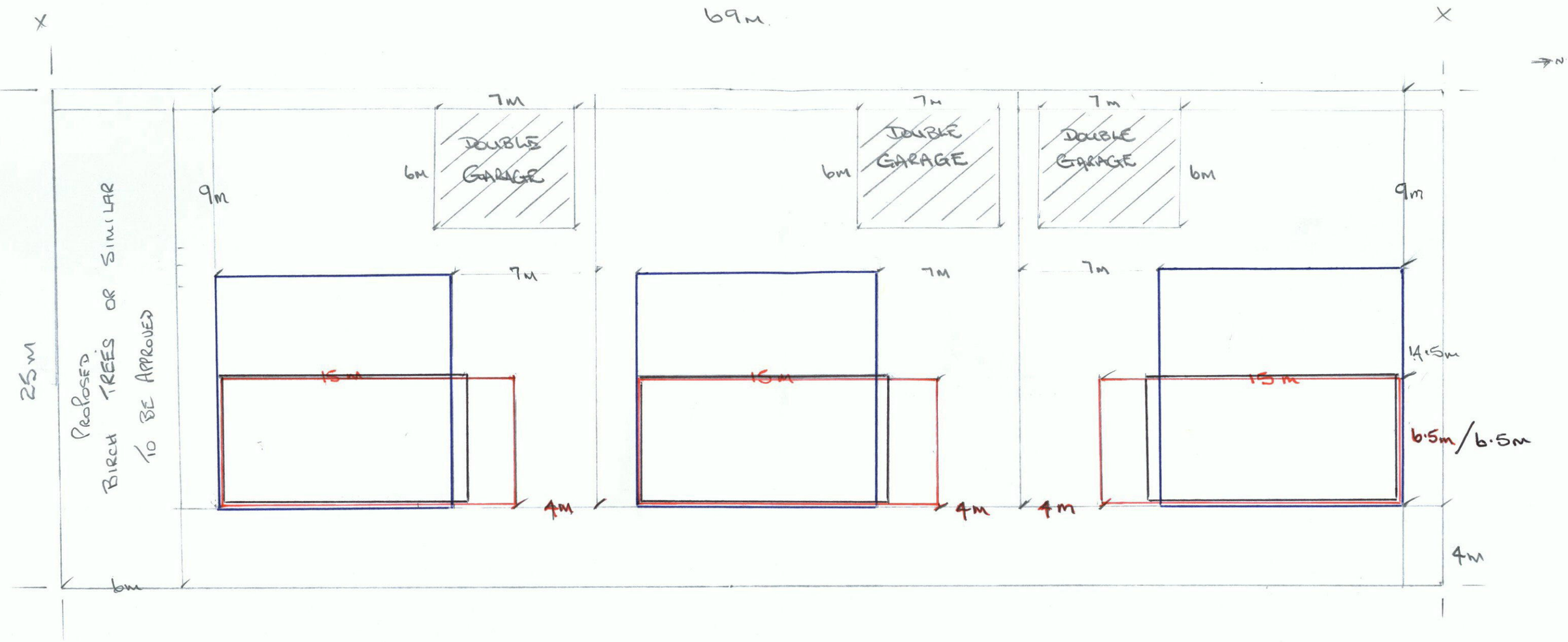

INDICATIVE HOUSE STYLE.

SCALPAY 1½ STOREY 12 x 12 4 BED

TORVAIG BUNGALOW 15 x 6.5 4 BED

NAVIDALE BUNGALOW 12.5 x 6.5 3 BED

SCALE 1:200

Fautua, Mahlon

From: CivicCentreAdminIdoxScanning
Subject: FW: Comments for Planning Application LIVE/0101/P/17

From: cc@westfieldandbridgehouse.o
Sent: 27 March 2017 21:48
To: Fautua, Mahlon
Cc: cc@westfieldandbridgehouse.o
Subject: Re: Comments for Planning Application LIVE/0101/P/17 - [OFFICIAL]

Errata - "DRAFT" should have been removed from the heading, as amended below.
Thanks,
Dave

On 27/03/2017 21:44, Westfield & Bridgehouse Community Council wrote:
Hi Mahlon,

Please find formal comment below, following discussion at the meeting last Thursday.

Thanks and regards,
Dave

WBCC Response to Application 0101/P/17

Westfield & Bridgehouse Community Council would like to object to this application and request its refusal on the following grounds:

1. West Lothian Council (WLC) has previously refused similar application on this site (0233/FUL/02) due to failure to satisfy planning policy and guidance and a desire not to set a precedent. Specific mention is made of the neglected state of the site not being a justification for its development.

2. Current planning policy and guidance remains generally opposed to development in the countryside. Since the previous application, the local development plan has involved to include a settlement boundary for Bridgehouse (Map5-Villages). The application site is outwith this envelope and hence should be classed as "development in the countryside".

3. The application does not fall into the potentially exempted categories of development for agricultural use or infill development. Neither has anything significant changed with respect to the site itself or local roads, traffic and amenities, that would suggest reason for deviation from the previous decision or current policy guidance.

4. There is significant local opposition to the application, given the number of separate objections present on the case-file*, and no submissions of support. The arguments regarding drainage, sewerage, access, traffic, etc. seem justified with respect to wider planning policies.

With respect to specific aspects of the application:

a) The Applicant's primary argument regarding previous history of the site should be discounted as it is not supported by local plan or supplementary planning guidance, which are the primary determining factors. There also appears to be reasonable local knowledge regarding the living history of the site which disputes some claims made in the application.

b) The Applicant's reference to permission having been granted (but not yet enacted) on nearby land opposite and to the east should be discounted due to the following: This site was granted permission on Appeal (PPA-400-2035), following refusal by West Lothian Council for being outwith relevant planning policies and guidance. The Appeal's Notification of Intent (29th August 2013), clearly indicates that the argument for this site must be considered "unique and not set a precedent for similar proposals elsewhere" (Item10, page 3).

c) The application site can not accurately be described as 'infill' and would instead constitute an extension to the existing housing layout - which is against planning policy and guidance for this location.

Thank you for your consideration of these comments.

*Please also note that various documents on the online planning case file are 'broken' and cannot be viewed. We understand that these have been reported to WLC by at least one other respondent.

(end)

--
David Lee
Secretary
Westfield & Bridgehouse Community Council

On 28/02/2017 22:34, Westfield & Bridgehouse Community Council wrote:
Hi Mahlon,
Noted, thank you.
Regards,
Dave

On 28/02/2017 09:50, Fautua, Mahlon wrote:
DATA LABEL: OFFICIAL

Dear Mr Lee,

I note your holding objection. While the notification period closes on Thursday 2/3/17, I agree to wait for your formal comments after your meeting of the 23rd March.

Regards,

Mahlon Fautua
Planning Officer
Development Management
Planning, Economic Development & Regeneration

West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston

EH54 6FF

Tel: 01506 282426

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Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Mr David Lee
Address: Southbank Main Street Westfield

Comment Details
Commenter Type: Other
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Westfield & Bridgehouse Community Council would like to submit a holding objection on this application, to allow for discussion with local residents, who have contacted us to express their initial concern over this application.
Our next public meeting is the 23rd March, but please advise if you require further submission before then.
I look forward to receiving your acknowledgement of this objection.
Thanks and regards,
David Lee
Secretary
Westfield & Bridgehouse Community Council

From: Planning
To: Fautua, Mahlon
Subject: FW: Planning Permission in principle for 3 houses (Grid Ref 293573, 670841 - [OFFICIAL]
Date: 21 February 2017 10:17:47

DATA LABEL: OFFICIAL

Shannon Fairley
Information Assistant
West Lothian Council
Howden South
Livingston
EH54 6FF
01506283383
Shannon.fairley@westlothian.gov.uk

From: sharon@sharonhay.com [mailto[redacted]]
Sent: 19 February 2017 19:15
To: Planning
Subject: RE: Planning Permission in principle for 3 houses (Grid Ref 293573, 670841

19 February 2017

Dear Mahlon Fautau

Re Planning Permission in principle for 3 houses (Grid Ref 293573, 670841)

For your information all documents except the planning permission document are "unavailable" on the West Lothian Council website. I did however receive a letter on 18 February with a drawing of the proposed area for development, although the position of the houses were not on the plan.

I wish to object to the above planning permission in principle for 3 x 4-bedroom, 2 car properties for the reasons below:

1. There have been no houses on this land for over sixty years, the wording in the planning permission application suggests there were properties on site until very recently.

2. Environmental issues:
- The road in this section is susceptible to very bad flooding. There have been numerous attempts to resolve this however we still have flooding here.
- There are several very old trees which may require felling to accommodate this proposal.
- There are bats in the area which I believe are protected.

3. Infrastructure
- Damage to the road. There is a very narrow road into leading into Bridgehouse and I believe the road could not withstand the heavy traffic involved in building works.

- Road safety. Three houses with two cars each plus visitors' cars would increase traffic on this stretch of road. There is no footpath. There are many walkers, dog walkers and horse riders who would be at increased risk of accidents with more cars on the roads.
- Septic tanks - all houses in the village have septic tanks with 'soak aways'. From my understanding the planning application states none are required. Where would the sewage go?
- I believe there is not the infrastructure to cope with more houses, more traffic and all that this entails.

I would be happy to support the building of one property but certainly not three.

Yours sincerely

Sharon Hay

[redacted]

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Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Mrs karen christie
Address: 8 craigrigg cottages bridgehouse West Lothian

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I am concerned regarding the extremely narrow roads that cannot cope with heavy traffic ie lorries therefore walkers ,dog walker and horse rider safety. The environment there is severe flooding in this area and surrounding fields. Sewage and drainage concerns where this fits in. The size and amount of houses on this small piece of ground . Wildlife concerns the trees house bats that only live in established trees. There has not been any houses on this ground in over 60 years.

Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Mrs Lorraine Cicalese
Address: 4 Craigrigg terrace Bridgehouse, Westfield

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:This land has never had any houses on it.
The Torry Raws were not on this land. They were located at the old coal yard.
My father in law owned this land until the late 60's ? 1968.
My husband is an original resident of the village having been born and raised here and never in his 60 years has this land had dwellings on it.
The rubble and debris on the site is from my father in laws old brick hen house and rubble and landscape gardening material that the owner has been dumping over the years.
We all have septic tanks or soak aways so we're is the sewerage going ?
The road is narrow and has no pavement . The road is too narrow for the bus to pass a car.
Added heavy lorries digging and bringing building material will cause severe problems to cars and pedestrians alike. The road just isn't up to more traffic.
It seems a deliberate act of neglect by the owner to let this land overgrow and spill onto the road. It is unbelievable that the land has been allowed to get into the state it is.
There are a few sites in the village that people are just watching and waiting to see what happens before they too apply for planning permission to build houses.
Westfield had permission for hundreds of houses. Further permission in Bridgehouse is just building for profit.

Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Mrs Sharon Adams
Address: 6 Bridgecastle Cottage Bridgehouse Bathgate

Comment Details
Commenter Type: Other
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I would like to object to this application under policy number ENV31 - Development in the countryside. the proposal to build 3 x 4 bedroom houses in this site does not constitute an infill development as there is no discernible gap to be filled in this location and therefore would not be an appropriate location for an extension to the hamlet. This policy is designed to enable the preservation of rural communities such as Brigehouse.

Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Mrs Paula Smith
Address: 11 Woodbank Crofts Westfield Bathgate

Comment Details
Commenter Type: Other
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I have been unable to open some of the documents on the website as a message states "error" when I try to open the "reports".

I wish to object to the planning application in principle for 3, 4 bedroom properties. Reasons as follows:

1. There are a number of old trees in the area to be developed and the trees would require to be removed to enable building to take place and it is believed that bats (a protected species) nest in the trees. This action does not comply with information contained within the Council's SPG.

2. Although I have not viewed a design plan of the 3 properties to be built, I believe that 3 detached houses to be built on the land to be developed are excessive. The SPG at para 5.13 states "the special character of the area must not be compromised in relation to house size to plot ratio comparable to adjoining properties in the built up frontage". By building 3 properties in such a small area of land will diminish the rural look and feel of the properties (also contrary to the Council's LDP)

3. I also have concerns about the drainage and sewage in respect of the 3 properties. As far as I am aware all properties in that area have septic tanks and soakaways and as such I am at a loss as to how the properties will connect to the public drainage system. The area where the properties are planned is also affected by flooding and additional properties will only make the flooding worse.

4. The evidence of properties having existed on this land appears to be sketchy, but perhaps there are photographs or maps of the properties on the application website that I am unable to open?

5. The area proposed to be developed is very overgrown, a bit of an eyesore and the owner should really tidy it up. However, I would have no objection to one house of a "countryside" design and build being built on the land as long as the drainage and environmental issues (i.e. trees and bats) were satisfactory resolved and it followed the Council's LDP and SPG.

Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Mrs ANN GOWANS
Address: 1 BRIDGETON COTTAGES BRIDGEHOUSE BY WESTFIELD BATHGATE

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:1. The supporting documentation is flawed and I question the accuracy of the drawing 'site outlined in red circle' map undated. Having spoken to members of the family who owned the land prior to Mr Simmants, as well as elderly neighbours who have resided in the village for over 60 years (and whose relatives grew up in the village) it is clear that there was only one 'Torry Raw' and this was located on the adjacent site, with the Row running perpendicular to the road, as shown in the second drawing.
2. This site is out with the settlement area defined by the LDP and should not be considered as 'infill'. The site opposite was granted permission on appeal, on the strict condition that it should not be regarded as a future precedent.
3. This site is in the countryside and the proposed development is not related to agriculture and is therefore non-essential.
4. This is not a 'visually intrusive brownfield site' as it has already returned to woodland. The owner has been deliberately dumping rubble here over many years from his landscaping business.

5. This is not 'replacement of an existing house' - the only ruin on this site is that of an old brick chicken shed.
6. There remains a flooding risk at two points on this section of the road and the site itself continues to flood, I have photographs of this from as recent as last week. Flooding is likely to increase if this development is allowed.
7. I am concerned about the treatment of sewage waste as the proposal does not include a septic tank. There is no public system to connect to in this area.
8. Three detached 4 bedroom houses with space for 2 cars each is over-development of this site, not to mention the additional space needed for 9 refuse bins.
9. Visitor parking is likely to be on the road, which is already too narrow for traffic when the bus is trying to pass.

10. I have reservations about vehicle access to and from the site for the reasons stated at points 8 and 9 above.
11. Granting permission would set an undesirable precedent for other similar development in the countryside and encourage other landowners to allow rural sites to become derelict and unsightly in order to improve their prospects of obtaining planning permission for housing. Residents in the area have worked extremely hard over many years to retain and restore the character of this village which is appreciated by all who live and visit this unique part of West Lothian.

Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Mr John Robertson
Address: 8 Craigrigg Terrace Westfield Bathgate

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:1) I believe 3 four bedroom houses is overdevelopment of this site. The plot ratio of garden ground to house size will be insufficient for four bedroom family homes.
2) The garden areas will also be insufficient for effective foul and surface water soakaways. Any drainage would require to outfall away from site, and, as there is no mains drainage, any outfall would require to pass through adjoining properties requiring wayleaves and permissions etc. Assuming an outfall can be achieved to a watercourse, all eventually run into the Barbauchlaw Burn which is probably already polluted via all existing septic tanks in the village of various ages and efficiencies.
3) The road at this site is little more than a single track, with no official passing places. It is also part of the local bus route. Additional traffic during and after construction is only likely to increase the risk of this becoming an accident area.

Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Mr Brian Michaels
Address: 6 Craigrigg Terrace Bridgehouse Bathgate

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I object to building these houses in a small, rural, hamlet that does not have the infrastructure to support them. Their driveways would come onto a single track road, with no passing places, that is not adequate for the traffic already using it.

Comments for Planning Application LIVE/0101/P/17

Application Summary
Application Number: LIVE/0101/P/17
Address: Land at Bridgehouse Cottages, Bridgehouse
Proposal: Planning permission in principle for 3 houses (Grid Ref: 293573, 670841)
Case Officer: Mahlon Fautua

Customer Details
Name: Ms Gail Topping
Address: 4 Bridgecastle Cottage Bridgehouse Westfield

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Unfortunately I have been unable to view all supporting documentation due to "errors" on the council's website, but object for the following reasons:-

The proposed area of development has never had any residential buildings on it in living memory. The application states that there were houses known locally as "the Torry Rows" but a number of residents who have lived in the village for almost their entire lives dispute this and have claimed that the applicant is incorrect, with "the Torry Rows" being on adjacent land. The rubble on this land is not from a previous residential dwelling but was an old hen-house.

2) The applicant has systematically been utilising the land as a dumping ground for waste generated by his landscaping business. It would be unfair if this level of neglect is summarily rewarded with the granting of permission to proceed with development.

3) There would need to be an environmental impact study conducted as there are known to be bats and badgers (both protected species) in the immediate vicinity of this land. In particular the bats are probably roosting in the established trees that occupy and surround the proposed development.

4) The only possible entrance to the site is a very narrow road which is the route that the only available public transport takes through the village. Deliveries of building materials and the operation of plant machinery would negatively impact on this route.

5) The access and egress of cars from this development, if granted permission to proceed, would significantly increase the volume of traffic on this roadway which, as stated in point 4, is very narrow and not sufficient to cope with this anticipated increase. This would pose further risk to

pedestrians, horse-riders and other road users.

6) This roadway regularly floods, which would only become worse if this application is approved.

7) The development proposes connection to the main sewerage - there is no mains sewerage within the village, so the initial application is evidently flawed and poorly researched.

8) The site is very small to contain three 4-bedroom detached houses and would be detrimental to the special character of the area. No other detached houses within Bridgehouse village are as close to each other as this proposed development.

9) The village of Bridgehouse is a very unique locale with a number of landowners wishing to develop within its vicinity. The residents have strongly opposed previous planning applications and will continue to do so in order to preserve the character of the village. Granting permission for these houses to be built will inevitably lead to further applications from other landowners.

10) There are a number of high-volume residential developments in the immediate towns (Armadale, Westfield and Bathgate) that will provide sufficient dwellings in accordance with West Lothian Council's local development plan (LDP). Bridgehouse is outweigh the settlement area defined by the LDP.

From: Planning
To: Fautua, Mahlon
Subject: FW: Planning application 0101/P/17 - [OFFICIAL]
Date: 07 March 2017 15:41:27

DATA LABEL: OFFICIAL

Shannon Fairley
Information Assistant
West Lothian Council
Howden South
Livingston
EH54 6FF
01506283383
Shannon.fairley@westlothian.gov.uk

From: Margaret French [mailto[redacted]]
Sent: 07 March 2017 09:51
To: Planning
Subject: Planning application 0101/P/17

I would like to object to this planning at bridgehouse, there is a protected badgers lair also traffic on our road is bad enough
Regards
Margaret French

Sent from Yahoo Mail on Android

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West Lothian Council
Development Management
- 6 MAR 2017
Date.....
Ref No. 0101/FUL/17
Ref To.....Mahlon
Ack'd.....

MR D RIDLEY
DAULYN CROFT
[redacted]

DEAR SIR/MADAM.

3-3-17

I STRONGLY OBJECT TO PLANNING NO 0101/R/17 LAND AT BRIDGEHOUSE FOR 3 HOUSES.

1 THIS PROPOSAL FOR 3 HOUSES WILL IMPACT THE AREA / VILLAGE. EXTRA TRAFFIC / PARKING AS THERE ARE NO FOOTPATH HERE. VERY NARROW ROAD. AND IS PRONE TO FLOODING. AND IT WILL EFFECT MY PROPERTY AT THESE HOUSES OVERLOOK MY HOUSE

2 THEY WILL NEED 3 SEPTIC TANKS OR 1 LARGE ONE AS THERE IS NO WORK FOR AN OUTLET FOR TANKS.

3 THE IMPACT ON THE ENVIROMENT WILL BE HIGH THIS LAND HAS SOME VERY OLD TREES WHITCH I BELIEVE HOLD BAT ROOSTS.

4 I KEEP AND BREED POULTRY IN EXCESS OF 150 OF WHITCH 10 TO 20 ARE COCKERELS I THINK THE NOISE OF BIRDS. WILL BE A PROBLEM FOR HOUSES AS CLOSE AS THIS PROPOSAL.
AT THE MOMENT THERE IS NO PROBLEM WITH MY NEIBOURS. ?

[redacted]
DAULYN CROFT

West Lothian Council
Development Management
- 6 MAR 2017
Date 01.04.17
Ref No. Mahlon
Ack'd
Replied

PAUL MULLEN
[redacted]

3/3/17

MORE PLANNING IN BRIDGEHOUSE

OUR ROAD OUR WATER PRESSURE
OUR VILLAGE
IVE BEEN LUCKY TO STAY HERE FOR
20 YEARS IN RECENT YEAR NEW
CROFTS NEAR GOWANBANK SORRY
BUT MONEY DOES TALK THESE PEOPLE
FLY THROUGH THE VILLAGE IN HIGH
PERFORMANCE CARS NOT CARING
ABOUT THE LOCALS DO YOU
CARE
THE GUY WHO HAS MADE THE
PLANNING APPLICATION HAS BEEN
ASKED FOR YEARS TO KEEP IT
CLEAN HE DOESNT THE ROAD
IS NOT SUITABLE FOR 3 HOUSES

THATS JUST MONEY BEEN MADE
ALSO THE BACKWORKS MORE
HOUSES THERE IS A POND FULL
OF FISH WHICH ALLOWS PEOPLE
FROM WESTFIELD ARMADALE A
FREE DAY OUT FISHING PICNICS
WITH THERE CHILDREN WE HAVE
WALKERS FROM ALL OVER
WEST LOTHIAN HAVE YOU EVER
VISITED OUR SMALL VILLAGE
MAYBE YOU SHOULD TAKE THE
TIME TO DO SO WE HAVE
ALL THE NEW HOMES BEEN
BUILT IN WESTFIELD THEY WILL
CUT THROUGH OUR VILLAGE
TO GET TO ARMADALE AGAIN
SIR DO YOU CARE I DONT
THINK SO

AM NOT SORRY ABOUT MY WRITING
ARE YOU SORRY FOR KILLING A VILLAGE
ANSWER NO

Fautua, Mahlon

From: CivicCentreAdminIdoxScanning
Subject: FW: Live/0101/p/17

-----Original Message-----
From: Tania Burns [
Sent: 15 March 2017 16:54
To: Fautua, Mahlon
Cc: Nigel Burns
Subject: Live/0101/p/17

Hi Mahlon

As per telephone conversation we are unable to comment via planning portal so are emailing our comments re. above planning in principe application.

We object to the proposal to erect 3 in no. of 4 bed homes within the strip of land which bounds our property as set out in this application. We do not have details of the size or position proposed for the houses but our concerns would be as follows:
- we feel that shoe-horning 3 family homes into the space available would be overdevelopment of the land, particularly when you consider each plot would require adequate garden space and parking space. The close proximity of three detached houses would not be within the keeping of the country/rural feel of the area.
- concern over potential damage to tree roots of trees along our boundary with this land
- we have had planning permission agreed subject to the finalisation of a sec 75 for a house close to this boundary within our garden area, and feel that we would suffer greatly as a result of loss of privacy, noise disruption and potential overshadowing if consent was given to build on this land at any point. Beyond our garden area we own further agricultural land which is also along the boundary of the proposed site where horses are turned out daily. Noise impact during construction and particularly upon inhabitation would be a concern with regards to our livestock. Noise, overshadowing and loss of privacy would also be of great to us for our existing home and garden
- access to and from the development could only be gained via what is little more than a single track road which is arguably already overburdened. This would cause concerns over road safety, particularly as it is frequently used by walkers, horse riders and cyclists. Also we cannot see how adequately parking for additional visitors to the proposed new houses could be provided within the scope of the site; therefore we would assume they would overspill onto this single track road
- there are no pavements along this stretch of road and again no space to add them in our opinion -the application implies that connections for the new properties would be made into main sewerage drains. However none exist in the area. Furthermore the soil within this area is dense clay based soil making any sort of drainage challenging, even if incorporating septic tanks with soakaways
- the area suffers from severe flooding already which would surely only be worsened by such overdevelopment. Our field directly next to this strip of land spends most of the year under water, with depths up to 70cm in areas which we feel is a direct result of the waste material currently being piled u/dumped by the applicant on the proposed site as it is restricting natural drainage.
- proposed site is a haven for wildlife. We have seen firsthand bats, a woodpecker and badgers inhabiting the proposed site along with many other species
- proposed site has several established trees which would need to be brought down to allow building on this land (environmental impact issue on basis of loss of trees and natural habitats for wildlife)
- the local catchment primary school, Westfield Primary, is currently on or close to capacity with an already rising number of pupils.

We would very much appreciate you taking into account our comments as noted here when considering the application lodged by Mr Simmants as we don't feel the proposals are suited to the site in question due to the impact on its surroundings.

Kind regards
Mr & Mrs burns
[redacted]

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DRAFT DECISION - APPLICATION 0101/P/17

The securing of the relevant developer contributions for:

- RC Primary in Armadale
- ND Secondary in Linlithgow
- RC Secondary
- Cemetery provision

CONDITIONS

1 The total number of residential units authorised by this permission shall not exceed three (3).

Reason *To prevent over development of the site and to ensure that there is no detrimental impact on education capacity.*

2 No work shall begin until the written approval of the planning authority has been given for the undernoted matters, and the development shall be carried out in accordance with that approval. The submissions shall be in the form of a detailed layout (including landscaping and car parking) and shall include detailed plans, sections and elevations of the buildings and all other structures.

Approval of Matters:

a) Plans, sections and elevations of all buildings & structures indicating the type and colour of all external materials.

b) Hard and soft landscaping details including the location of all proposed new trees, hedges and shrubs; a schedule of plants to comprise species, plant size and proposed number/density; a programme of implementation and subsequent maintenance.

c) Design and configuration of private and communal garden areas.

d) Existing and proposed ground levels and proposed finished floor levels.

e) Surface water and drainage arrangements including a SUDS strategy to treat and attenuate surface water.

f) A Phase 1 contaminated land site investigation report and remediation strategy to ensure the site is suitable for residential use.

g) A basic flood risk assessment which shall include any mitigation measures to address flood risk.

h) the implementation of a programme of archaeological works in accordance with a written scheme of investigation

i) Details of a 2-metre footway shall be provided along the frontage of the development site.

Reason *To enable the council as planning authority approve these details.*

3 The details of the matters specified in condition 2 of this permission relating to A Phase 1 contaminated land site investigation report shall meet the following requirements:

<u>Part 1</u>

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 shall 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 development.

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

4 The details of the matters specified in condition 2 of this permission relating to

surface water and drainage arrangements shall meet the following requirements:

a) The flow of surface water from the new buildings and hardstanding areas shall be treated to meet the requirements of the Scottish Environment Protection Agency (SEPA) and in accordance with the CIRIA SUDS Manual C753 prior to discharge to an approved outlet.
b)The flow of surface water from the site shall be attenuated.
c) The critical post-development flow shall be attenuated to meet greenfield run-off characteristics. Calculations should be provided showing how the greenfield run-off figures have been achieved.

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

West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Erection of 2 houses at Bridgecastle Cottages, Bridgehouse, Armadale.

2 DETAILS

Reference no.	0106/FUL/17	**Owner of site**	Mr Agnew
Applicant	Mr Agnew	**Ward & local members**	**Armadale and Blackridge** Councillor Stuart Borrowman Councillor Jim Dixon Councillor Sarah King
Case officer	Matthew Watson	**Contact details**	01506 283536 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: Recommended grant of planning permission contrary to the development plan

3 RECOMMENDATION

Grant planning permission, subject to conditions and securing developer contributions

4. DETAILS OF THE PROPOSAL AND BACKGROUND

4.1 Planning permission is sought for the erection of two houses.

4.2 The site in question lies within the countryside and is a rectangular shaped field that was formerly garden ground of South Bridgecastle Cottage, which bounds the site to the south. To the north of the site is a row of four detached houses and to the east the site is bounded by a woodland tree belt that forms part of the Woodbank lowland crofting development. To the west on the opposite side of the road is land is agricultural use.

4.3 The site is 0.32 hectares in area with a roadside frontage of 110 metres. This roadside frontage contains a row of mature trees. The site slopes steeply from north to south.

4.4 The application proposes the division of the plot into two and the erection of a detached house with garage on each plot.

4.5 The house proposed on the northern plot is a part one and a half, part two and a half storey house with the inclusion of a basement level. A roof conversion with three front facing dormers is also proposed.

4.6 The house proposed on the southern plot is a one and a half storey house with a roof conversion that includes three front facing dormers.

4.7 Both houses are proposed to be finished with a combination of dry dash white render and timber cladding. Concrete rooftiles are proposed for the roof finishes.

History

4.8 0151/FUL/13: Erection of 2 houses, Refused and appeal upheld, 17 March 2014 – this planning permission has now lapsed.

4.9 1152/P/04: Outline planning permission for 0.36 ha residential development, Refused, 15 November 2004

5. REPRESENTATIONS

Ten letters of representation have been received and are summarised below.

Comments	Response
The plot sizes, footprint and design of the houses is not in character with the surrounding area	The design of the houses takes a traditional form with modern materials. This is considered acceptable for the reasons set out in the 'Layout & Design' section of the report below.
Increased traffic and heavy goods vehicles during construction will have a detrimental effect on road conditions.	This is not a material planning consideration.
Road safety concerns due to increased number of vehicles coming onto a road used by walkers	Transportation has raised no objections to the application regarding pedestrian safety.
Concerns over flooding and drainage with the existing culvert already flooding	Flood prevention has been consulted on the application and is satisfied that the proposal is acceptable in respect of flooding and drainage.
Concern over the siting of the sewage treatment plant and foul drainage arrangements.	The sewage treatment plant will be set back from the road behind two mature trees and will not be highly visible. A condition is proposed to be attached regarding foul drainage.
Allowing this development will open the door to similar applications.	Precedent is not a material planning consideration and every application is assessed on its own merits.

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.	Noted. If planning permission is granted contributions will be sought towards education infrastructure through a legal agreement.
Flood Prevention	No	No objections to the application.	Noted.
Contaminated Land Officer	No	No objections to the application subject to addition of a condition covering a Phase 1, Phase 2 and remediation statement.	Noted. If planning permission is granted this condition will be attached.
Transportation	No	No objections to the application subject to conditions covering the construction of a footway at the development frontage, materials for the access to each house and gate opening methods.	Noted. If planning permission is granted these conditions will be attached.
Westfield & Bridgehouse Community Council	Yes	Equivalent conditions should be imposed from the previous permission The more recent SPG "Planning for Nature: Development Management and Wildlife (2015)" be explicitly conditioned, fresh site surveys carried out and appropriate actions and design changes made if required. A SUDS condition should be added and the design agreed and approved by neighbours. The designs should be altered to make houses smaller or appear smaller as visual impact is amplified due to the sloping nature of the site. The north-west façade of Plot 2 is out of character with the surrounding area. This elevation should be broken up with a mix of materials, the façade buried or the	Equivalent conditions are proposed. An advisory note on protected species is proposed to be added. A SUDS condition is proposed but the design is agreed with the planning authority as a condition stating agreement with neighbours would not meet the six tests of conditions. The design of the houses is considered acceptable for the reasons set out in the 'Layout & Design' section below. The design of the houses is considered acceptable for the reasons set out in the 'Layout & Design' section below.

		houses re-sited.	
		White render and timber cladding are used extensively and are not common materials to the area. More sparing use of cladding would make the properties look more natural.	Materials proposed are considered acceptable for the reasons set out in the 'Layout & Design' section below.
		The reference to Rowantree Cottage as local precedent is not well founded.	The application has been assessed on its own merits.
		No mention is made of fuel source type and storage provision.	Noted. It is not a requirement for this to be set out.

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 comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Plan

7.3 The relevant development plan policies are listed below:

Plan	Policy	Assessment	Conform ?
West Lothian Local Plan	ENV 31 Development in the countryside	This policy requires development in the countryside to have an appropriate justification. This proposal is not considered to be infill development and would not meet the requirements of policy ENV 31. See assessment below.	No
West Lothian Local Plan	ENV 33 Design of development in the countryside	This policy requires new development in the countryside to meet location, layout and design criteria. The proposal meets the requirements of this policy except for criterion (c) as the proposal would be ribbon development on the edge of a settlement.	Partially
West Lothian Local	ENV 11 & 14	This policy states woodland	Yes

Plan	Woodland and trees	and trees of amenity value are to be protected, as well as new woodland and tree planting being supported. Subject to conditions, the trees proposed to be retained should not be adversely impacted upon in terms of their health and amenity value.	
West Lothian Local Plan	HOU 9 Residential and visual amenity	This policy requires the amenity of adjacent, residential occupiers to be protected. No harm will be caused to the amenity of neighbouring residents through loss of privacy, loss of daylight and overshadowing.	Yes
West Lothian Local Plan	COM 9A Contributions for cemeteries	This policy requires financial contributions towards cemetery provision A contribution would be required to be paid prior to granting planning permission.	Yes
West Lothian Local Plan	IMP 2 Denominational secondary provision	The policy requires developer contributions towards denominational secondary school provision A contribution would be required to be paid prior to granting planning permission.	Yes
West Lothian Local Plan	IMP 3 Education Constraints	This policy states there is a presumption against housing development where education constraints cannot be overcome due to a lack of funding but provides the use of legal agreements to secure appropriate developer contributions. 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.	Yes
West Lothian Local Plan	IMP 6 SUDS	This policy requires development to comply with current best practice on	Yes

		sustainable urban drainage practices. SUDS will be secured via a planning condition.	
West Lothian Local Plan	IMP 14 Supplementary planning guidance	The following SPG apply: • New development in the countryside • Flood risk and drainage • Planning for education • Denominational school infrastructure • Planning for Nature: Development Management and Wildlife	Partially
West Lothian Local Plan	IMP 15 Design considerations	Criterion (a) of this policy requires development to be of a high standard of design. The proposed houses are considered to be of a high standard design. See below for detailed assessment.	Yes

Principle of Development

7.4 The application site is located in the countryside and outside a settlement boundary. Policy ENV 31 and the SPG on New development in the countryside set out the policy exemption that permit new housing in the countryside.

7.5 The applicant considers the proposal to be infill development that is positioned between two residential plots.

7.6 The SPG defines infill development as sensitive development within small groups of houses or minor extensions to groups, including single plots width gaps between existing houses in an otherwise built-up residential frontage. Five criteria are required to be satisfied:

- *The building group must consist primarily of houses forming a clearly identifiable nucleus with strong visual cohesion and sense of place;*
- *There is not a definitive size for a gap. This will be considered in relation to the character of the surrounding houses, in particular the size of both the house and garden curtilage and frontage;*
- *An extension to a building group will not normally be acceptable except in those rare circumstances where the actual layout of the existing group of houses allows the infill of a small area up to a natural boundary for example, one which does not result in significant enlargement of the area covered by the group of houses;*

- *Infill housing should be well related in scale and siting to existing development. It should respect the principles of good design, such as responding to local distinctiveness (including building traditions or materials) without ruling out equivalent materials that are not local;*
- *If the existing character of the area is one with wide frontages containing side gardens as opposed to rear gardens, then infill housing will not be considered appropriate if it means the loss of gardens as it would result in a material change in the character of the area.*

7.7 In respect of the first criteria, the main nucleus of Bridgecastle is at the junction of two roads, one running north to south and the other east to west. The application site is located to the south of the junction along the road running north to south with a road frontage of 110 metres. This length of road frontage is not considered to be of a single plot width gap in a built up residential frontage. The application is also not viewed as being within the main nucleus of the village. Therefore, the proposal is not considered to comply with Policy ENV 31 as it would not fall within the definition of infill development.

7.8 However, the appeal decision of application 0151/FUL/13 is of significant weight as a material consideration in determining this application.

7.9 The reporter concluded that, given the appeal site had historically been in use as garden ground to South Bridgecastle Cottage and, as such, *'residential in character and use'*, as well as being of a *'very similar'* plot depth to surrounding plots along the north to south road, the previous application constituted a *'minor extension to the group'* of houses. It therefore fell within the definition of infill development in this respect.

7.10 For the reason above, the non-compliance with Policy ENV 31 is outweighed by the material consideration of the appeal decision. The principle of development is therefore considered to be acceptable in this instance.

Layout and Design

7.11 The proposed layout divides the site into two plots. The houses are set back from the road and are roughly in line with surrounding residential properties to create a continuation of the prevailing building line.

7.12 The scale of the proposed houses has increased since the previous application in terms of footprint, floorspace and height. This increase in scale is not considered to harm the character of the area given that the proposed houses are not unduly larger than surrounding residential properties in terms of footprint and height. The proposed house at the northern plot has basement accommodation that increases the scale of the house but this under-building is necessary given the level change from north to south through the site. The dormers proposed for each house are of a traditional form that integrate with the appearance of the house and do not dominate the front roofplane of each house.

7.13 The materials proposed for the houses will come together to create a design that is of a traditional form but using modern materials.

7.14 Details of the proposed double garages have not been submitted with the application and will need to be submitted through a planning condition.

7.15 The removal of one tree is considered acceptable in visual terms with the retention of other mature trees along the road frontage and the planting of four additional trees. A condition is proposed to be attached if planning permission is granted to ensure that existing trees are protected during construction and requiring re-planting if damaged, dead or diseased within five years of the application being granted planning permission.

7.16 For the reasons above, the proposal is considered to be of a high quality of design and complies with Policy HOU 9 and criterion (a) of Policy IMP 15 of the West Lothian Local Plan.

Drainage

7.16 The application proposes the diversion of an existing septic tank at South Bridgecastle Cottage. Foul water will be taken to a sewage treatment plant at the north of the site to be treated. Surface water will be drained using permeable paving and will be taken towards an existing culvert. Flood prevention has raised no objections to these arrangements and the application is thus considered acceptable in relation to flooding and drainage.

7.17 Sustainable urban drainage systems will be covered by condition.

8. CONCLUSION AND RECOMMENDATION

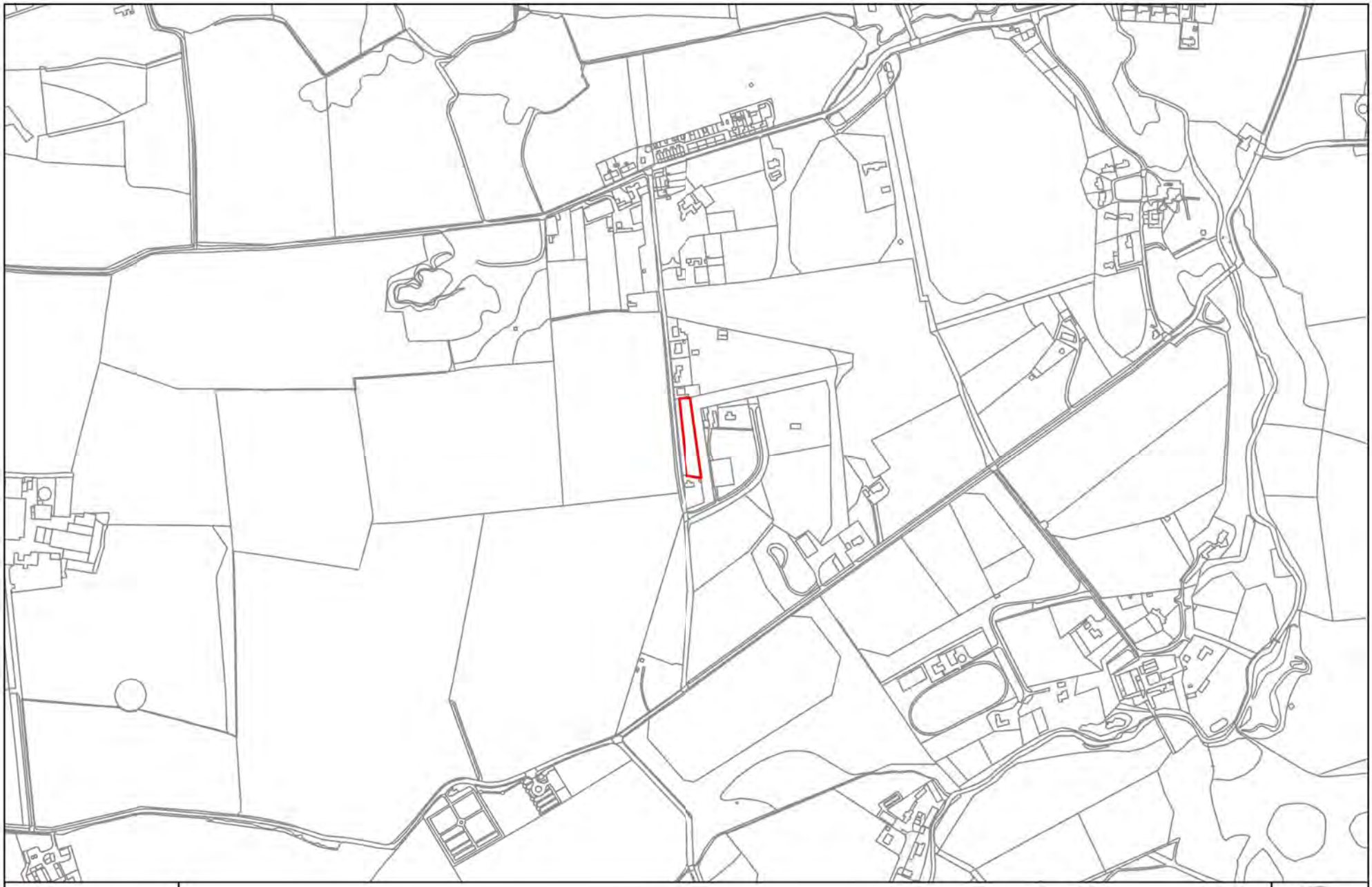
8.1 The proposal does not meet the criteria of policy ENV 31 and the SPG on New development in the countryside in terms of being an infill site of single plot width. However, the appeal decision to the previous application outweighs this non-compliance with the development plan.

8.2 Consequently, and in view of the above, it is recommended that planning permission is granted subject to conditions and securing developer contributions.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Proposed Full Site Plan
- Floor Plans – Plot 1 & Plot 2
- Elevations – Plot 1 & Plot 2
- Design Statement
- Representations
- Draft conditions and reasons

Craig McCorriston
Head of Planning, Economic Development and Regeneration **Date: 12 April 2017**



West Lothian Council

APPLICATION 0106/FUL/17 - Bridgecastle Cottages, Bridgehouse

75 0 75 m

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West Lothian Council

APPLICATION 0106/FUL/17 - Bridgecastle Cottages, Bridgehouse

75 0 75 m

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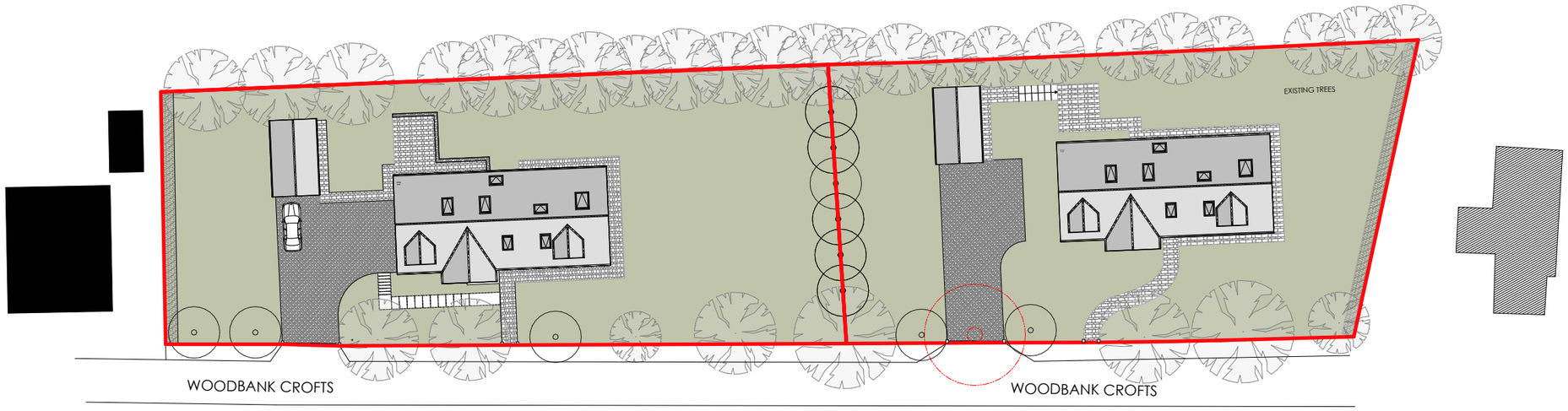

DRAWING TITLE

Proposed Full Site Plan

JOB TITLE

Residential Development, Bridgecastle
for
Mr Ross Agnew

Jewitt and Wilkie
architects

38 New City Road
Glasgow - G4 9JT
0141 352 6929

info@jawarchitects.co.uk
www.jawarchitects.co.uk

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SCALE: 1:500	DATE:
DRAWN BY:	CHECKED BY:
DRAWING NO:	REV:

3247/P/200

WEST ELEVATION

DRAWING TITLE

West Elevation- PLOT 1

JOB TITLE

Residential Development, Bridgecastle
for
Mr Ross Agnew

Jewitt and Wilkie
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DRAWING NO: REV:

3247/P/501

EAST ELEVATION

5 0 5 10metres

DRAWING TITLE

East Elevation- PLOT 1

JOB TITLE

Residential Development, Bridgecastle
for
Mr Ross Agnew

Jewitt and Wilkie
architects

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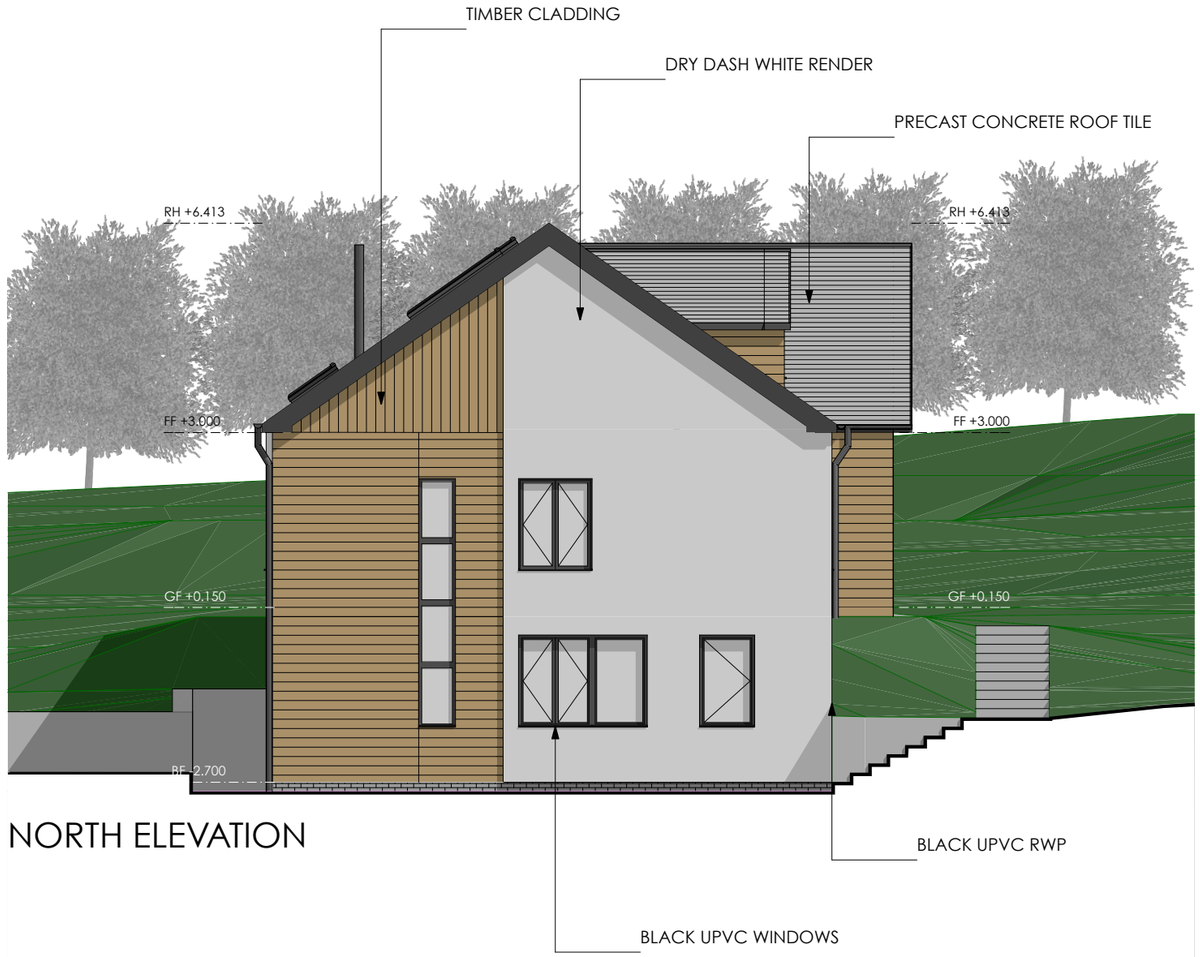
3247/P/502

SOUTH ELEVATION



NORTH ELEVATION

DRAWING TITLE

North & South Elevation- PLOT 1

JOB TITLE

Residential Development, Bridgecastle
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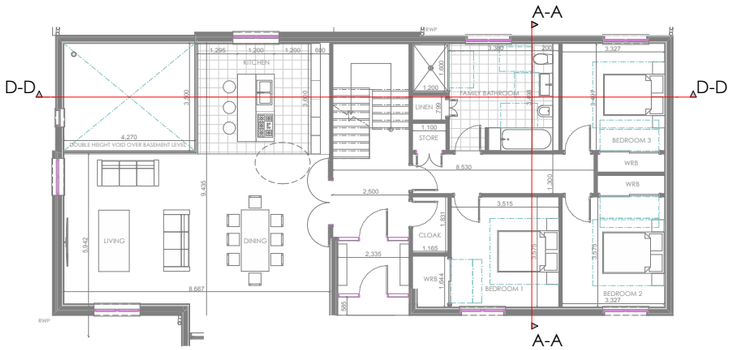
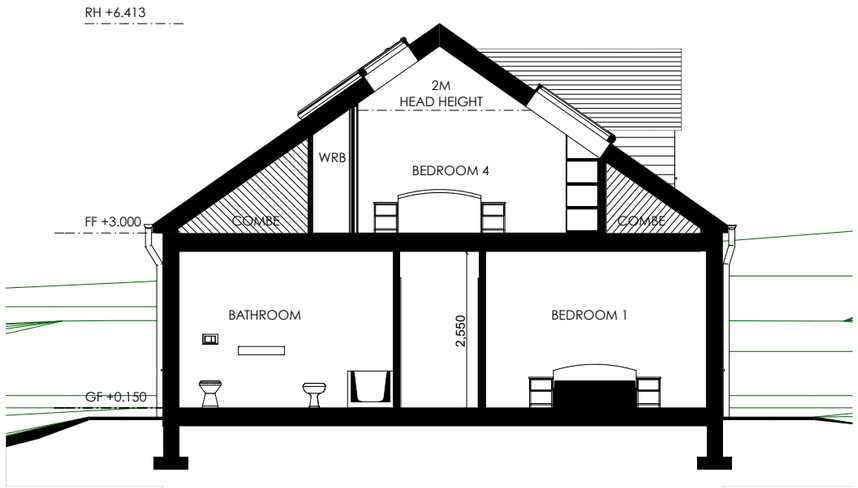
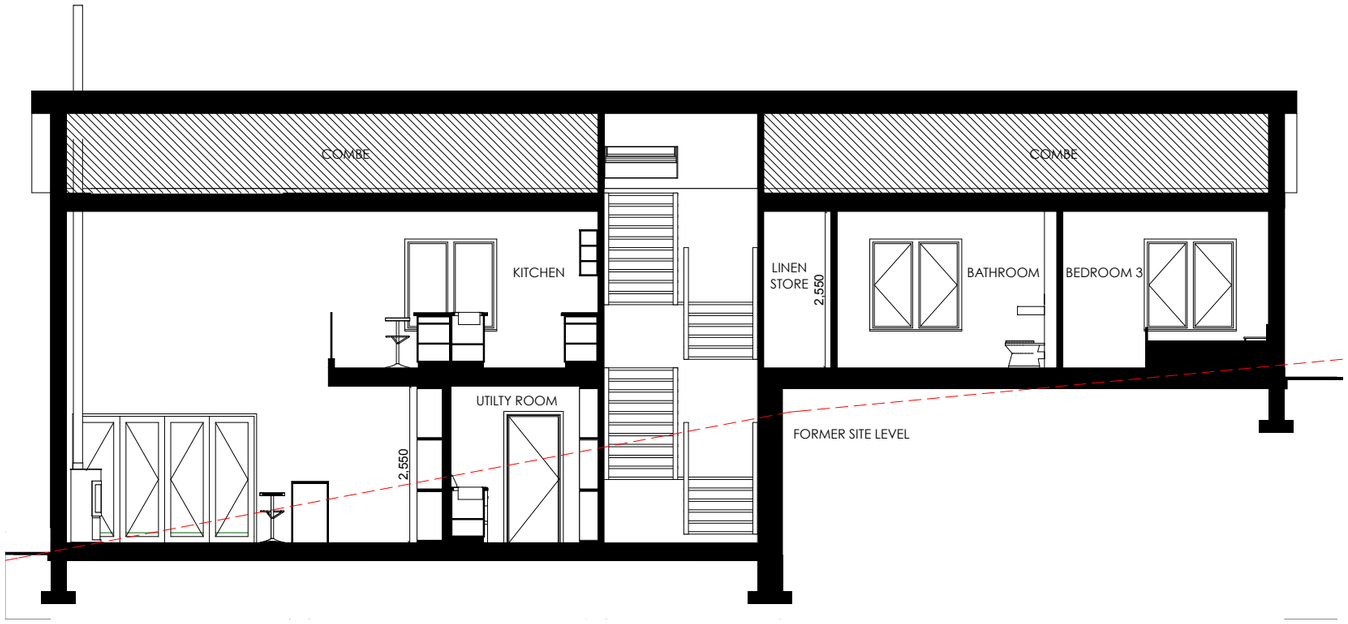




SECTION A-A AS PROPOSED



SECTION D-D AS PROPOSED

DRAWING TITLE

Proposed Sections- PLOT 1

JOB TITLE

Residential Development, Bridgecastle
for
Mr Ross Agnew

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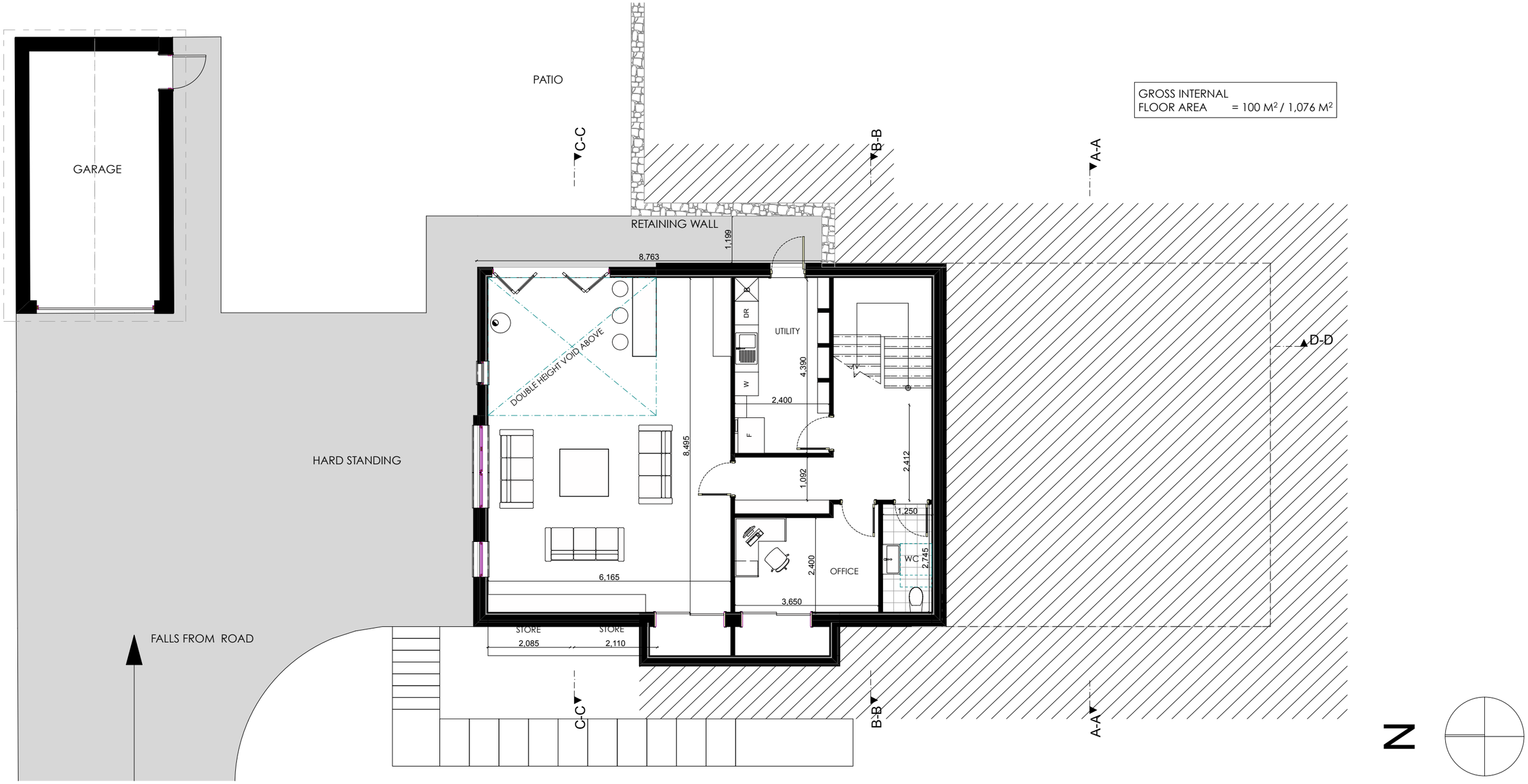

PROPOSED BASEMENT PLAN - PLOT 1

5 0 5 10metres

DRAWING TITLE

Basement Floor Plan- PLOT 1

JOB TITLE

Residential Development, Bridgecastle
for
Mr Ross Agnew

Jewitt and Wilkie architects

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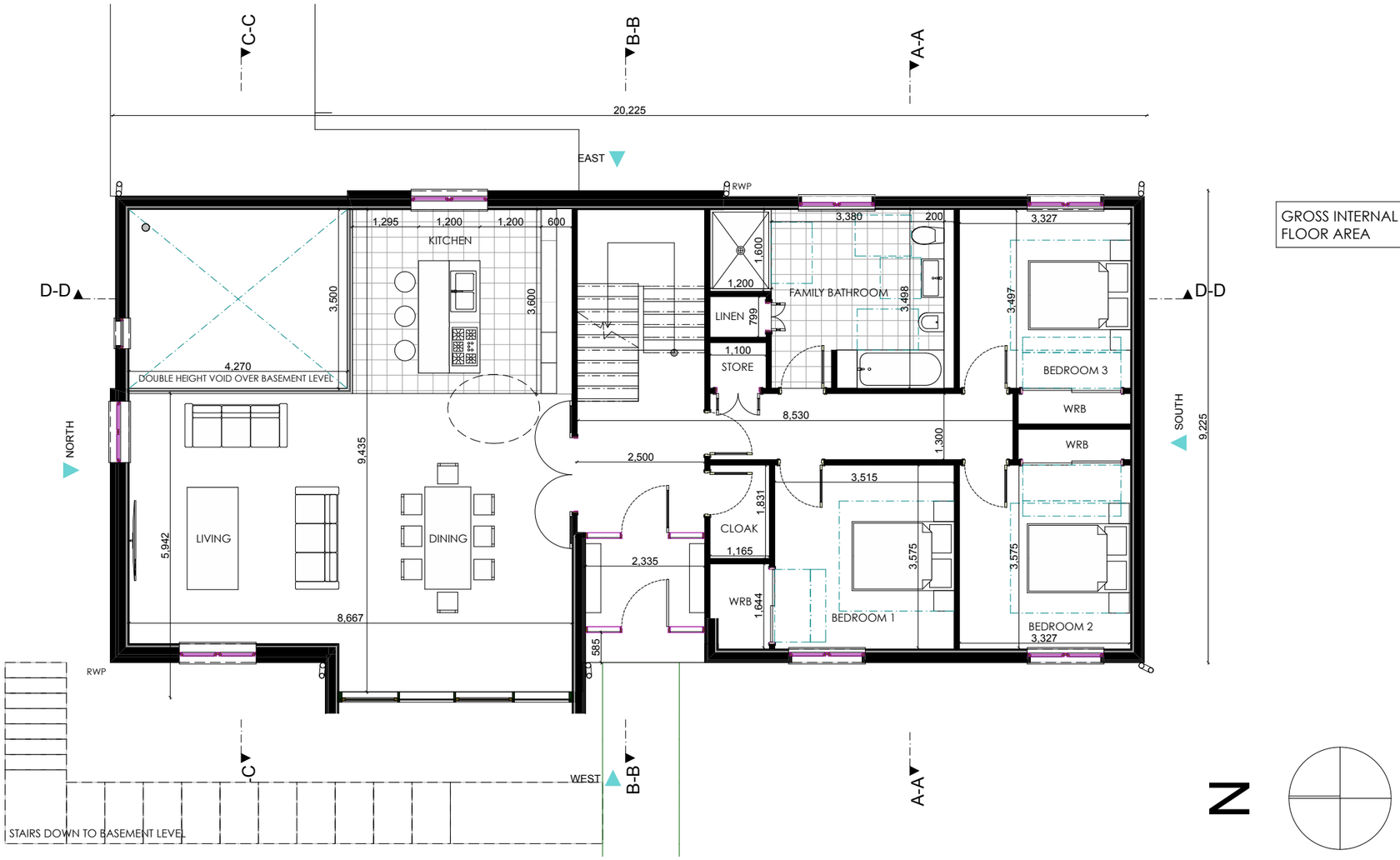
3247/P/300



GROSS INTERNAL
FLOOR AREA = 151 M² / 1,625 M²

PROPOSED GROUND FLOOR PLAN- PLOT 1

5 0 5 10metres

DRAWING TITLE

Ground Floor Plan- PLOT 1

JOB TITLE

Residential Development, Bridgecastle
for
Mr Ross Agnew

Jewitt and Wilkie architects

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DRAWN BY: MD CHECKED BY: JJ
DRAWING NO: REV:

3247/P/301

GROSS INTERNAL
FLOOR AREA = 100 M² / 1,076 M²

N

PROPOSED FIRST FLOOR PLAN- PLOT 1

5 0 5 10metres

DRAWING TITLE

First Floor Plan- PLOT 1

JOB TITLE

Residential Development, Bridgecastle
for
Mr Ross Agnew

Jewitt and Wilkie architects

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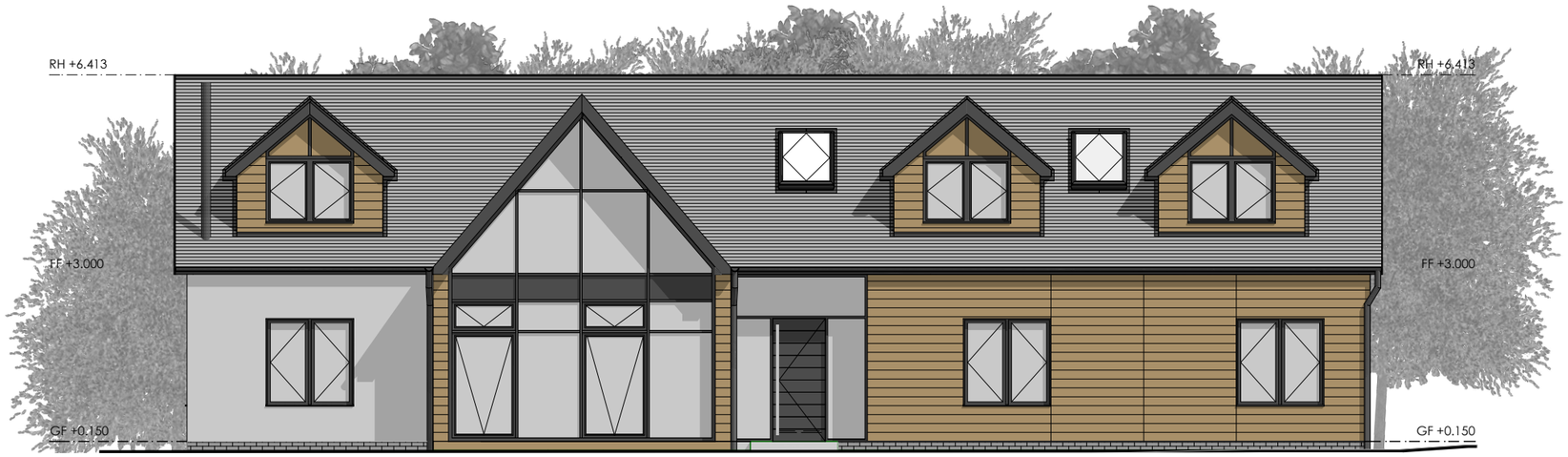
3247/P/302



WEST ELEVATION

5 0 5 10metres

DRAWING TITLE

West Elevation- PLOT 2

JOB TITLE

Residential Development, Bridgecastle
for
Mr Mark Agnew

Jewitt and Wilkie architects

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DRAWING NO: REV:

3247/P/504

EAST ELEVATION

DRAWING TITLE

East Elevation- PLOT 2

JOB TITLE

Residential Development, Bridgecastle
for
Mr Mark Agnew

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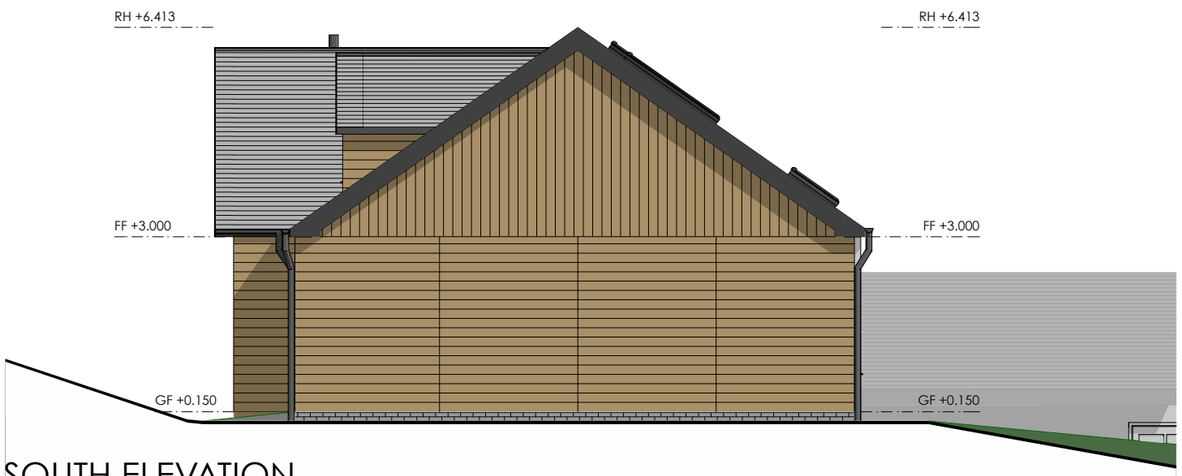

SOUTH ELEVATION

NORTH ELEVATION

DRAWING TITLE

North & South Elevation- PLOT 2

JOB TITLE

Residential Development, Bridgecastle
for
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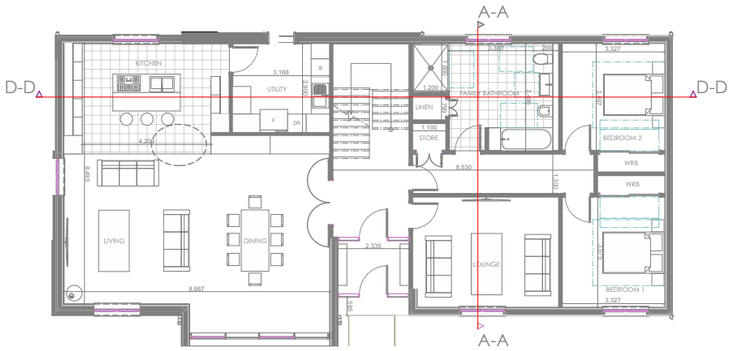

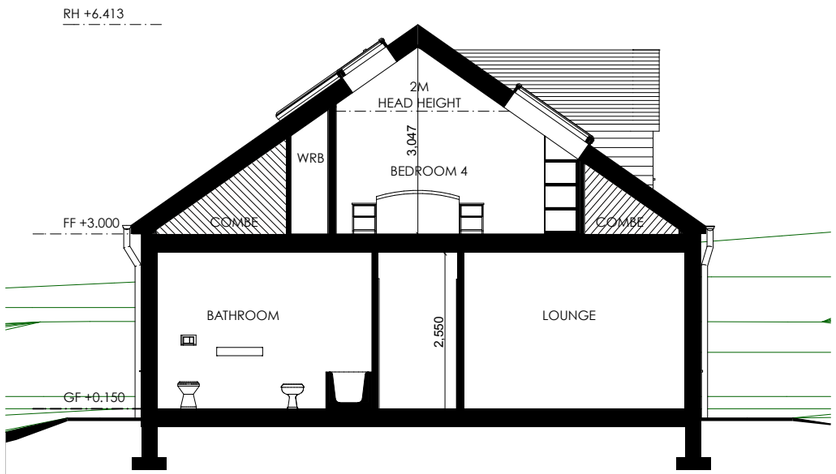

SECTION A-A AS PROPOSED

SECTION D-D AS PROPOSED

5 0 5 10metres

DRAWING TITLE

Proposed Sections- PLOT 2

JOB TITLE

Residential Development, Bridgecastle
for
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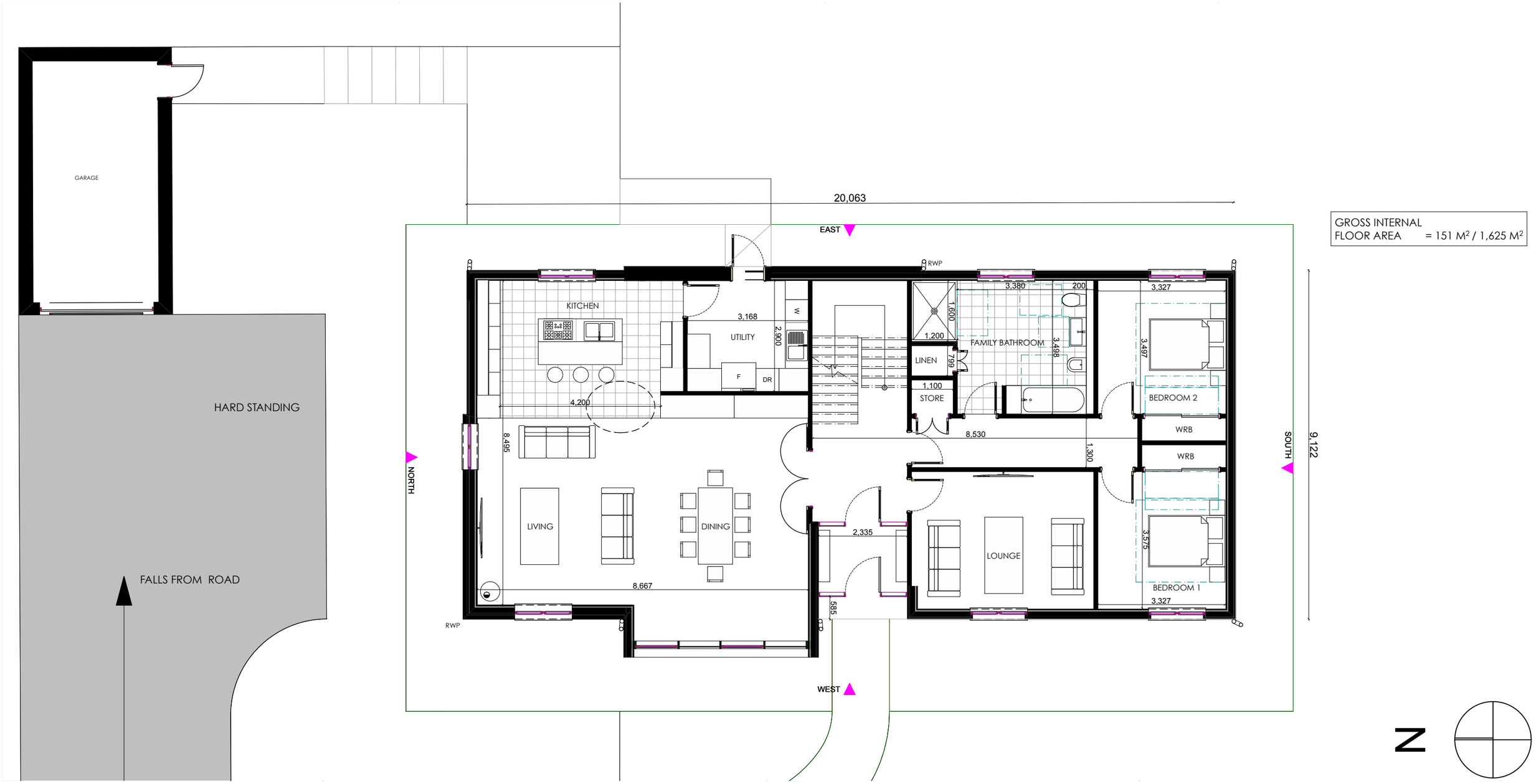
3247/P/401



GROSS INTERNAL
FLOOR AREA = 151 M² / 1,625 M²

PROPOSED GROUND FLOOR PLAN- PLOT 2

5 0 5 10metres

DRAWING TITLE

Ground Floor Plan- PLOT 2

JOB TITLE

Residential Development, Bridgecastle
for
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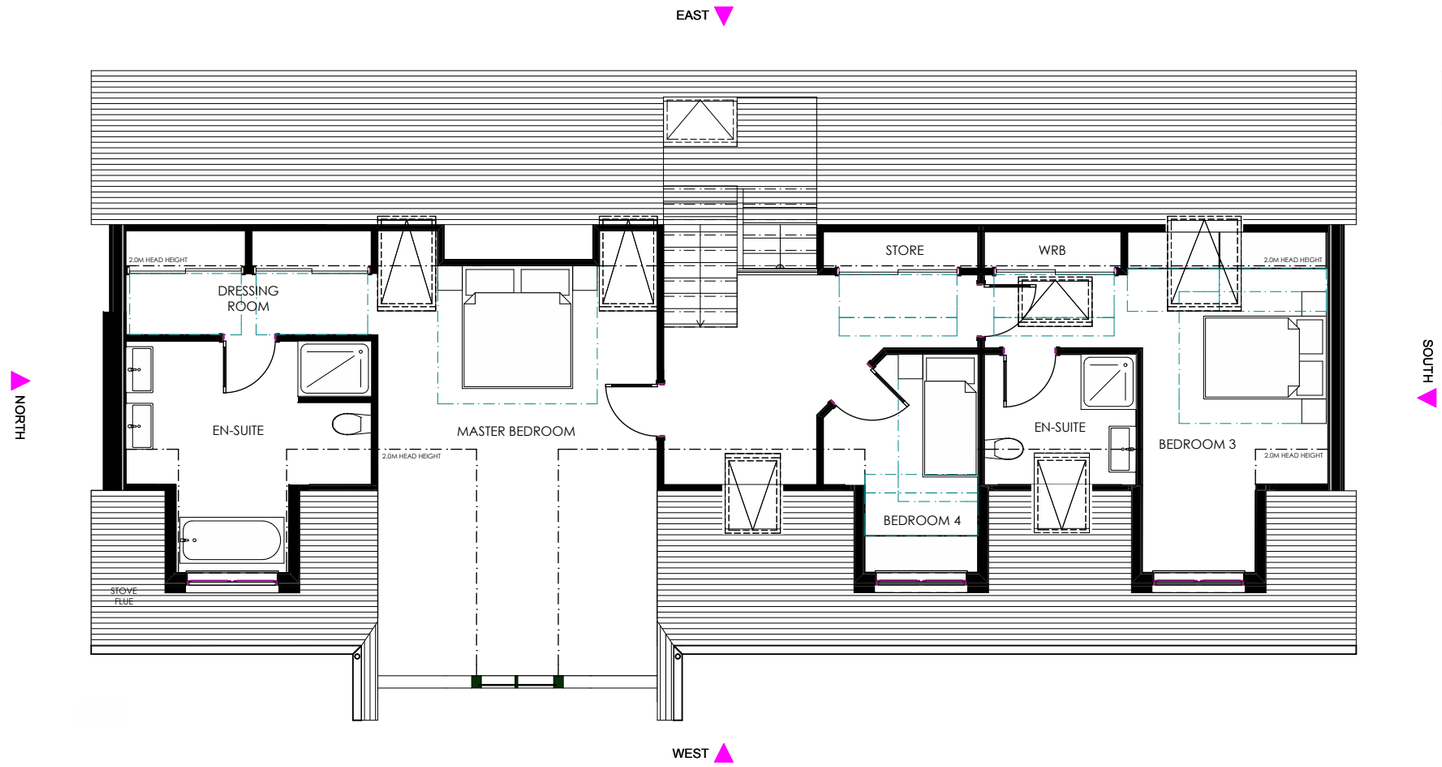

GROSS INTERNAL
FLOOR AREA = 100 M² / 1,076 M²

N

PROPOSED FIRST FLOOR PLAN- PLOT 2

5 0 5 10metres

DRAWING TITLE

First Floor Plan- PLOT 2

JOB TITLE

Residential Development, Bridgecastle
for
Mr Mark Agnew

Jewitt and Wilkie architects

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DRAWING NO: REV:

3247/P/305

DESIGN STATEMENT TO SUPPORT THE DETAILED PLANNING APPLICATION OF 2No. INDEPENDENT RESIDENTIAL PROPERTIES.

at Bridgehouse, ARMADALE, BATHGATE
for R. AGNEW

Jewitt and Wilkie architects

CONTENTS:

1.0 Background Information
1.1 Planning History
1.2 Development Details
1.3 Policy Context and Planning Assessment

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2.4 Local Amenities
2.6 Access & Connectivity

3.0 Site Area & Appraisals
3.1 Site Photographs
3.2 Movement
3.3 Topography
3.4 Identity/Built Form

5.0 Design Approach
5.1 Project Mission Statement/Design Principles.
5.2 Places Development Criteria/Site Layout
5.3 Plot 1 Drawings
5.4 Plot 2 Drawings

6.0 Closing Statements
6.1 Vision

Applicant

Mr R. Agnew

Agent

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Engineer

Mcgregor Macmahon Consulting Engineers
2 Castle Court, Dunfermline KY11 8PB
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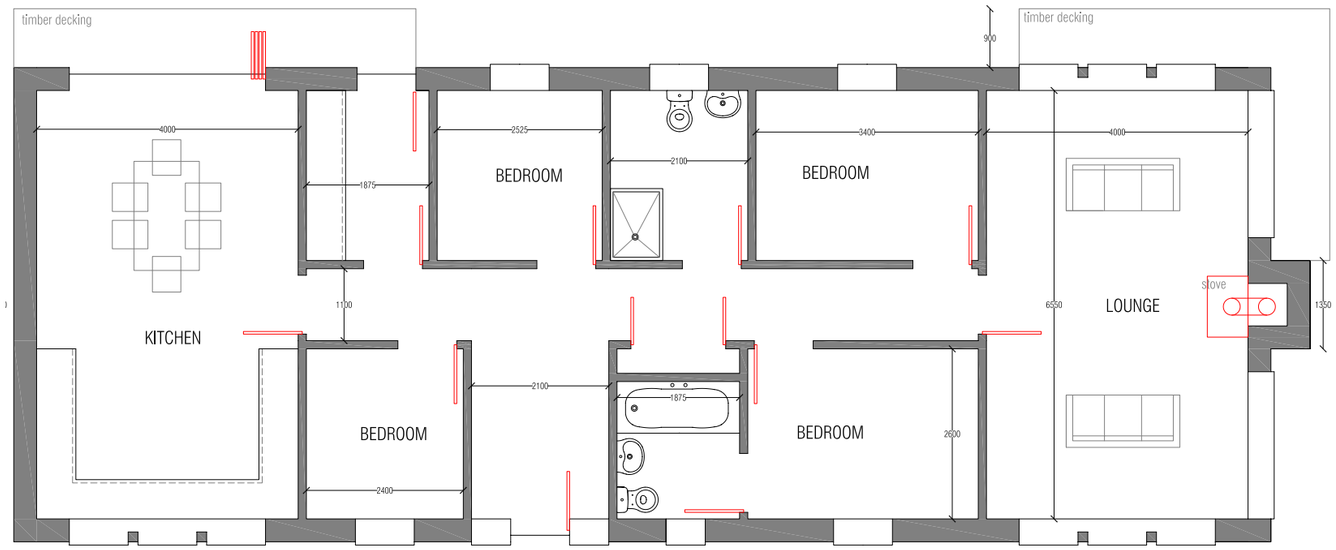


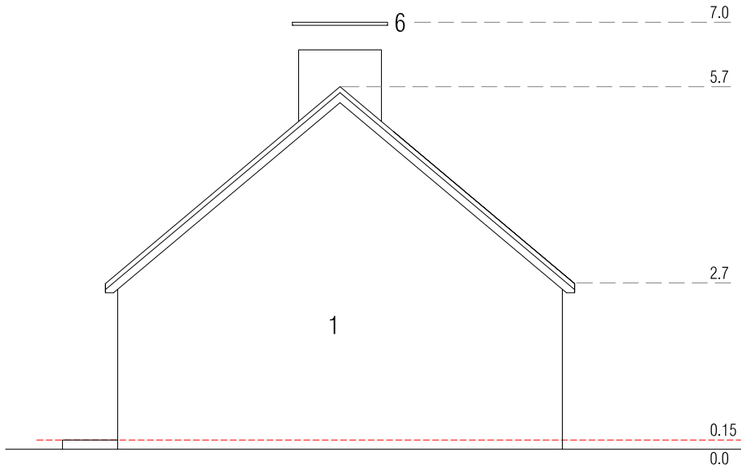
GROUND FLOOR PLAN

1.0 BACKGROUND INFORMATION

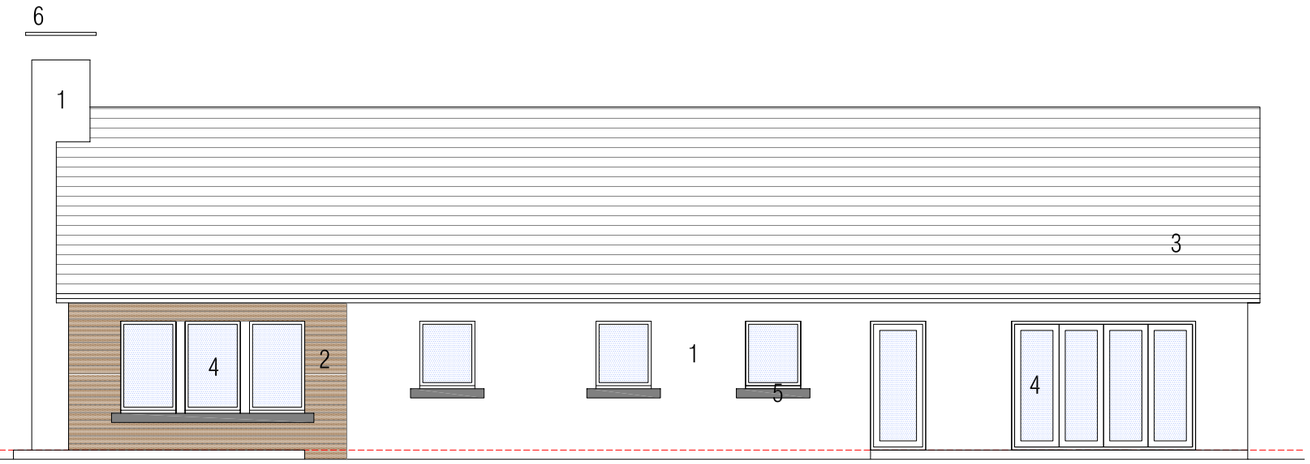
1.1 PLANNING HISTORY

An original application was submitted and refused. A subsequent appeal was lodged and full planning was granted for 2.No detached houses with detached garages in 2012. The details of the approved design are as follows: Plan/ Sections/ Elevations.

On inspection of the plans of the houses, it was observed that room relationships and spaces had not been maximized, whilst the opportunity of using the roof void had not been explored fully.
Through a combination of using the site slope, re-adjusting the building depth, roof geometry and internal layout the resultant designs were seen to be more efficient and appropriate to the setting.



NORTH ELEVATION



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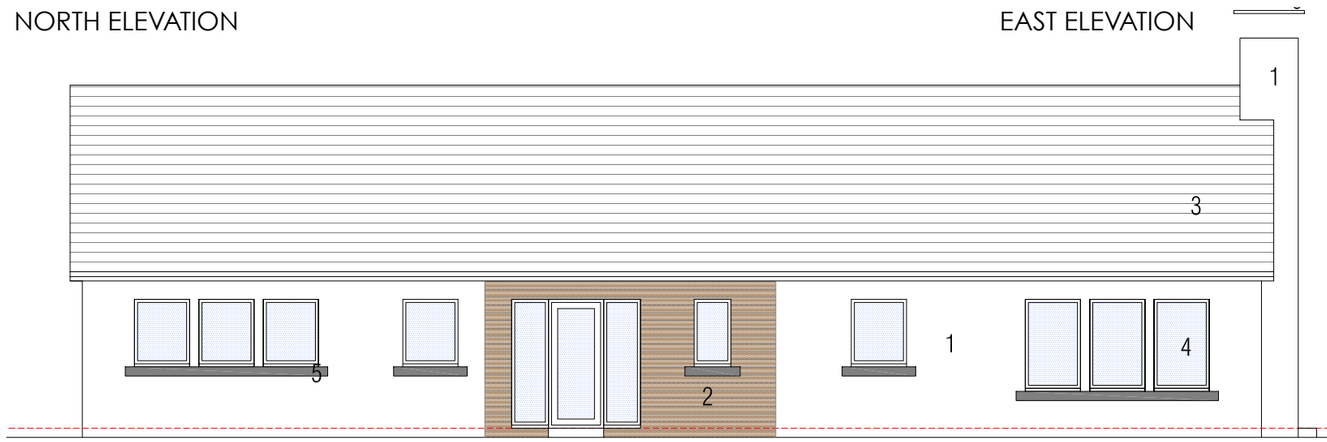
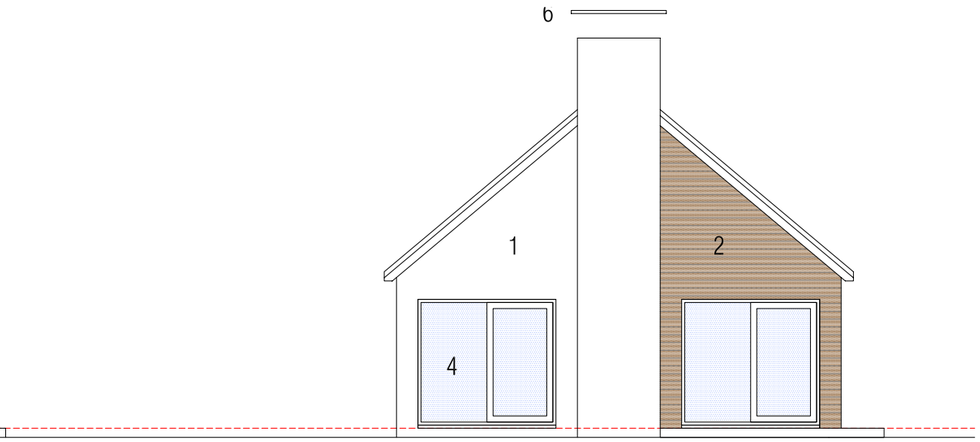
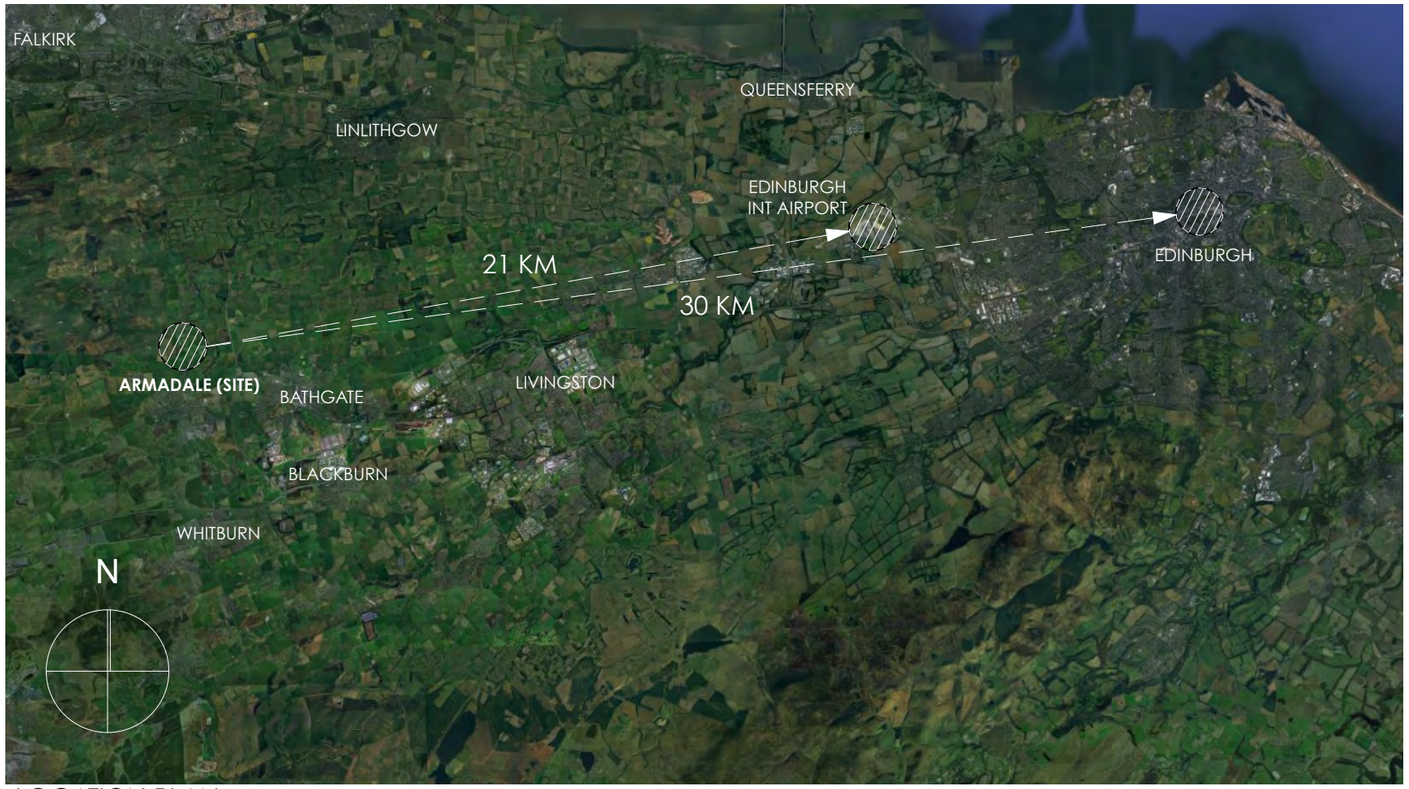


WEST ELEVATION



SOUTH ELEVATION



LOCATION PLAN

CONTEXTUAL PLAN

PLANNING POLICY BACKGROUND

The following proposal is is to be scrutinised under the Strategic Development Plan for Edinburgh and South East Scotland (Sep 2016) and the West Lothian Development Plan (Oct 2015)

Strategic Development Plan for Edinburgh and South East Scotland

Whilst forming part of the approved development plan, the provisions of the Strategic Development Plan are not considered to raise any matters, which are of significant materiality to the determination of this application and as such, its provisions are not considered further within the terms of this Statement.

West Lothian Council Local Development Plan

Whilst forming part of the approved development plan, the provisions of the Strategic Development Plan are not considered to raise any matters, which are of significant materiality to the determination of this application and as such, its provisions are not considered further within the terms of this Statement.

In terms of the adopted plan, Proposals Map 4: The site does not fall within a settlement boundary or green belt.

Paragraph 5.6 of the Plan advises that:

"The requirement to provide for the development needs also requires to be balanced against the desire to maintain and protect West Lothian's natural and historic assets. Development should seek to improve quality of life, respond to climate change and have regard to the need for high quality design, energy efficiency and the sustainable use of resources."

Addressing paragraph 5.6 of the Plan:

The scheme responds to improving the quality of life through high-quality design and an efficient use of sustainable materials. The design provides a contemporary and modern rural home which is considerate of the local setting and broader context.

Policy DES1: Design Principles states that:

"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."

Addressing Policy DES1:

The design process has been very considerate in the understanding of the surrounding context. Utilising the natural slope on the site and following the local precedents within the area provided a strong scheme that does not provide adverse impact on the landscape or the cultural aesthetic within the area. A balance of infrastructure and massing were key within the design and creating a form that follows the streetscape.

1.2 POLICY CONTEXT AND PLANNING ASSESSMENT

The application site lies within the municipal boundary of West Lothian Council to which the provisions of the adopted West Lothian Local Development Plan (LDP) apply. The LDP was adopted by the Council in October 2015 and it, along with its associated Supplementary guidance, provides the policy basis against which the acceptability of the proposed development requires to be assessed.

Paragraph 5.37 of the Plan advises that:

"In order to provide adequate land to meet future housing requirements and needs, having regard to housing projections and the Scottish Government's policy of providing a generous supply of land for housing, the key objectives for the LDP are to:

- direct growth to places where it will support sustainable development goals, community regeneration, and maintain and enhance the character and identity of towns and villages."

Addressing paragraph 5.37 of the Plan:

The 2No. Houses which are proposed will enhance the area and provide regeneration to the local community. With the existing context looking rather aged, these new builds will improve the character of the surroundings through excellent design and modern use of traditional materials.

Supplementary Planning Guidance (SPG)

Under INFILL DEVELOPMENT, paragraph 5.1 states that:

"Hamlets and even some small clusters of houses in rural locations can accommodate some modest development without damage to their character or to the countryside and some new housing can help to economically sustain such communities by providing the basis for maintaining local services."

Under INFILL DEVELOPMENT, paragraph 5.4 states that:

"National Planning Guidance does however recognise that there are occasions where the infilling of small gaps within a cohesive group of houses maybe acceptable."

Addressing paragraph 5.1 & 5.4 of the SPG:

This scheme is to be considered strongly as an infill development. It is positioned in between residential plots and will be a great addition to the 'completion' of the full streetscape whilst abiding by the aesthetic and spatial planning. This will also improve the area's economic viability.

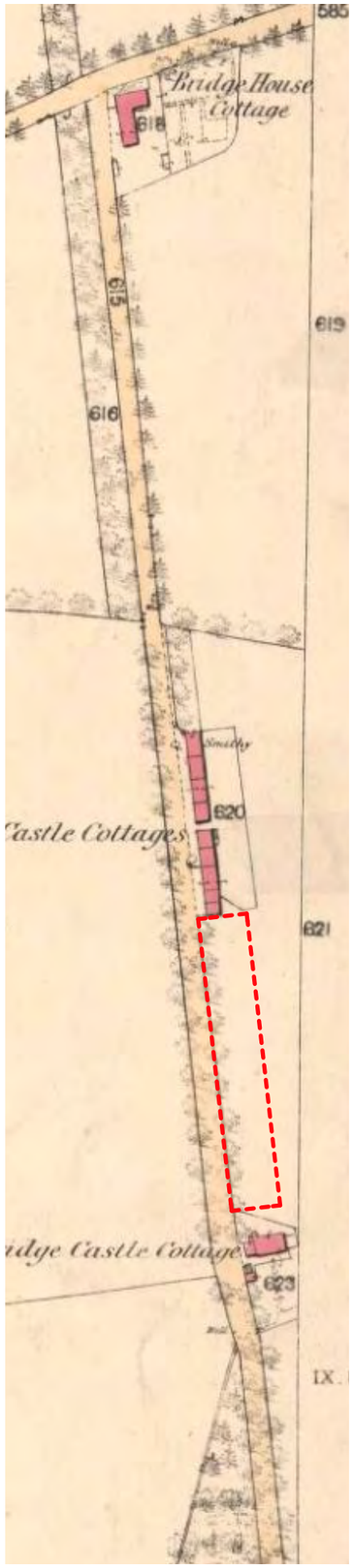
2.1 SITE & LOCATION

The site is located to the north of Armadale on a connecting road to the B8028.

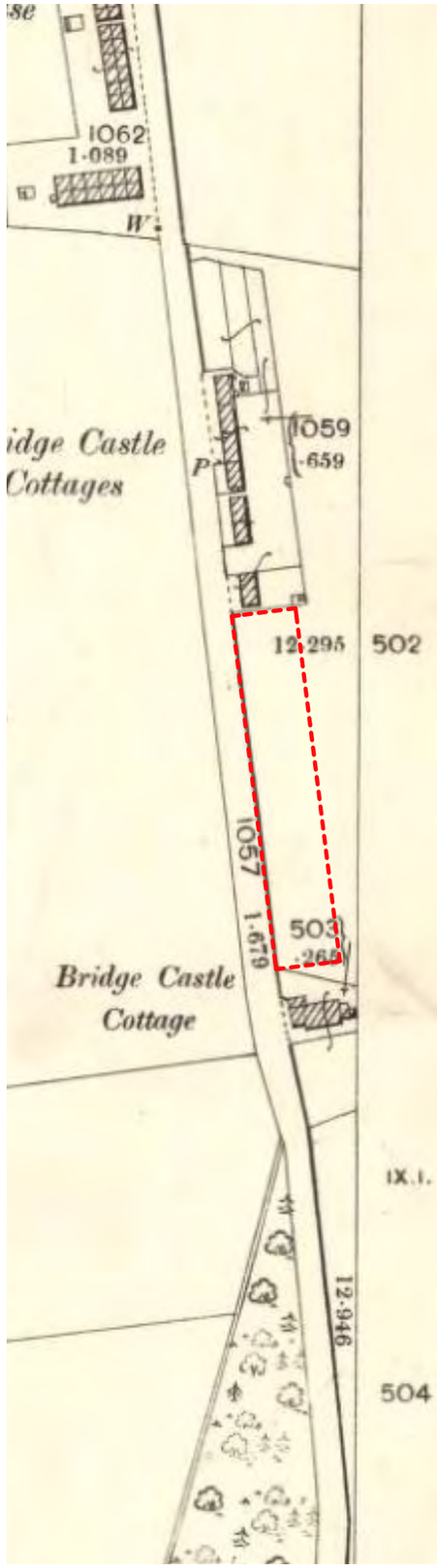
TOTAL SITE AREA: 3,151 sqm / 33,917 sqft

2.2 HISTORICAL CONTEXT

A review of the National Archives has shown map references to the site, where neighbouring plots have existed since 1854.



1854



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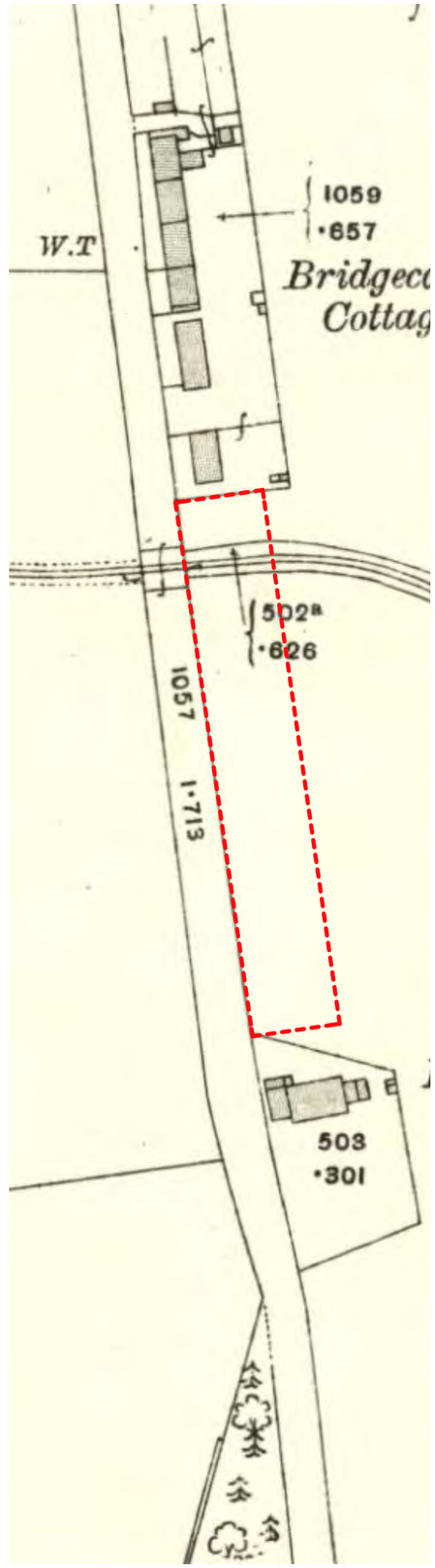

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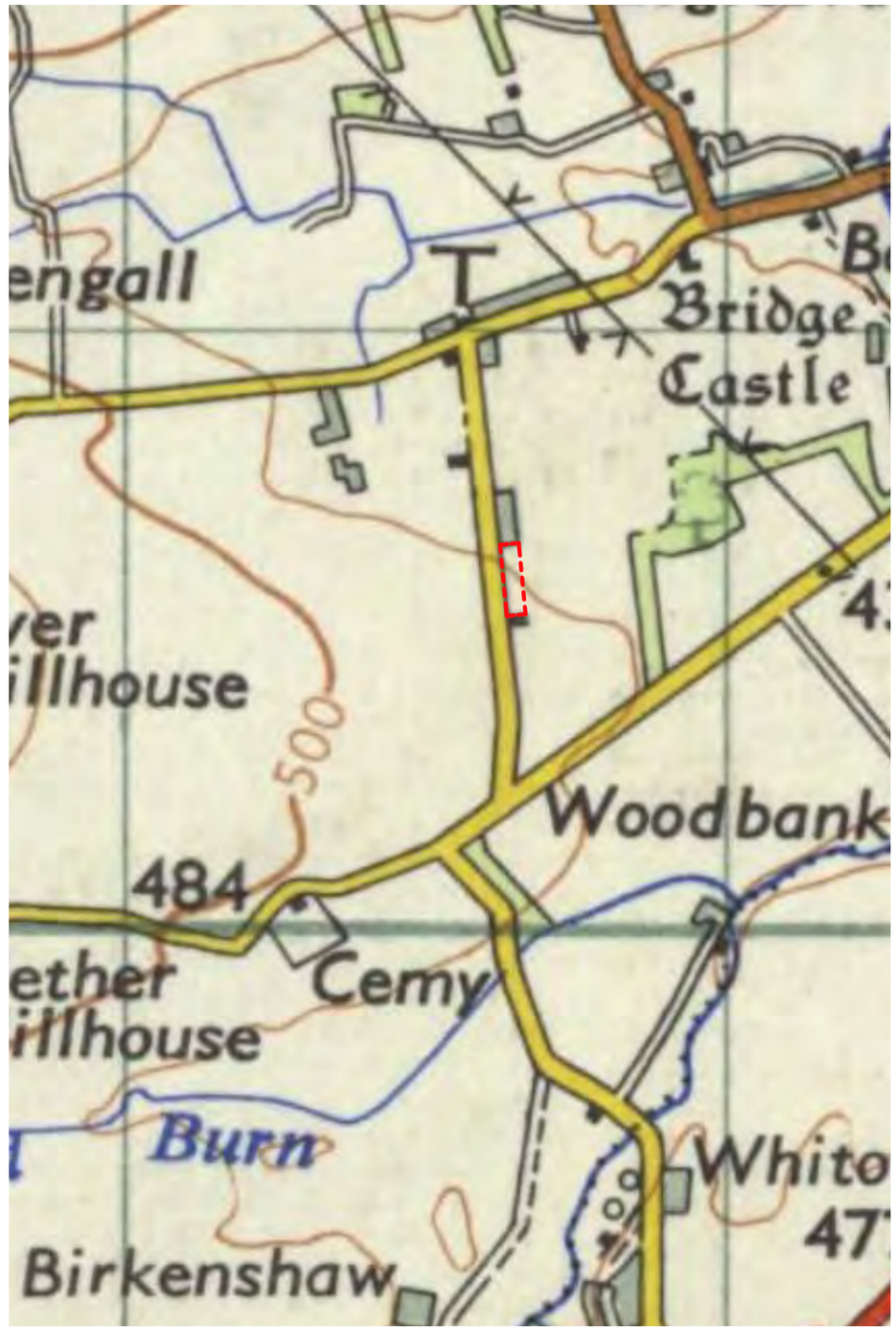


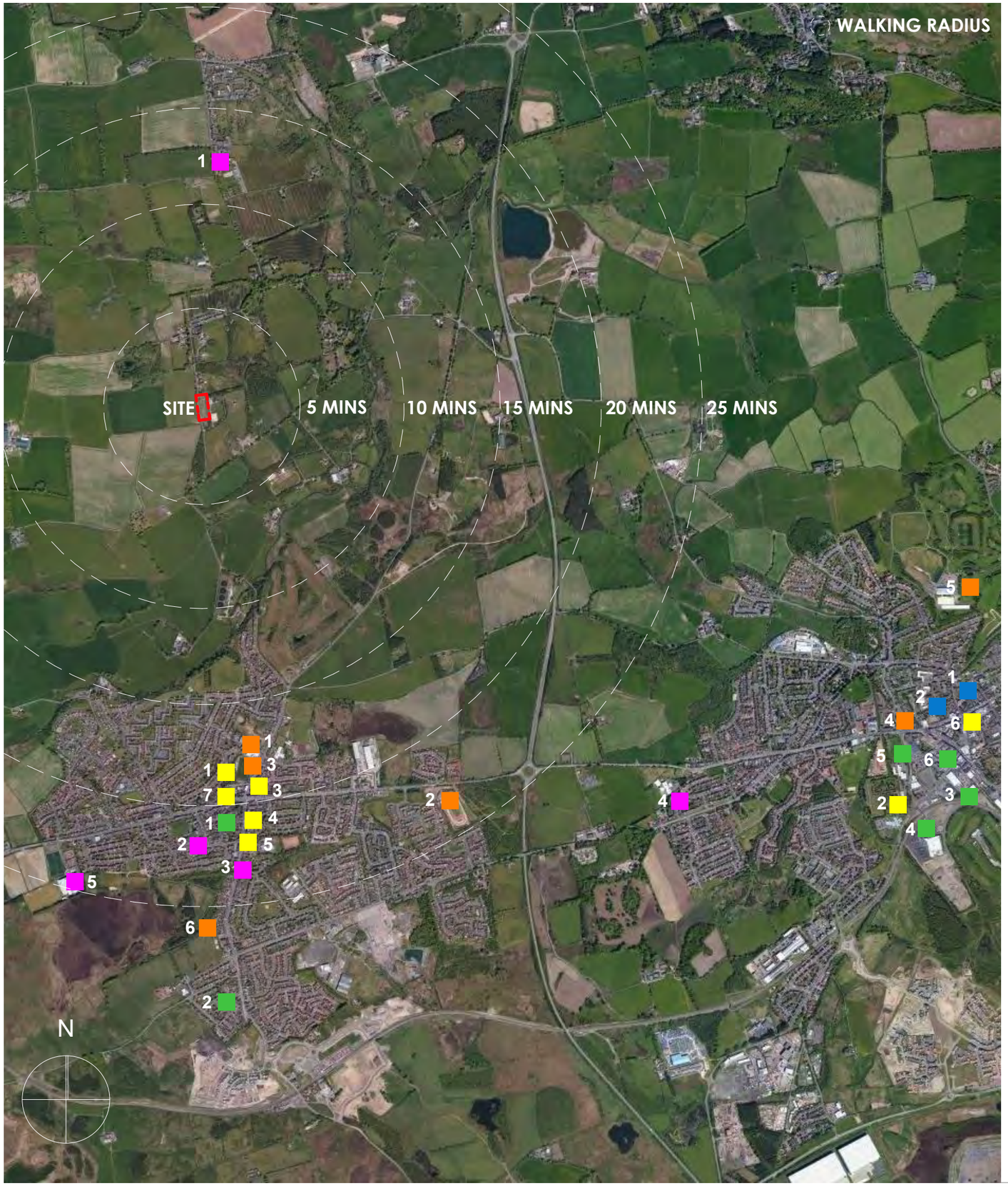
1961

2.3 SITE DESCRIPTION/GENERAL CHARACTER

The site is a long strip of land in between neighbouring cottages with agricultural land to the east. The cottages around the site are examples of typical vernacular architecture within the Scottish countryside and some have had extensions and renovations of a modern, contemporary nature. The road and farm side boundary of the site has tree lines creating good levels of privacy.
There are views to the west that allow natural sunlight throughout the day. The site slopes south to north unevenly over a level difference of 6m.

VIEWS TO THE WEST FROM ROAD

VIEW OF SITE FROM ROAD



2.4 LOCAL AMENITIES

EDUCATION

1 Westfield Primary School
2 Armadale Primary School
3 St Anthony RC Primary School
4 Windyknowle Primary School
5 Armadale Academy (Secondary School)

RELIGION

1 Bathgate High Parish Church of Scotland
2 St Mary & St Columbus Church of Scotland

HEALTH

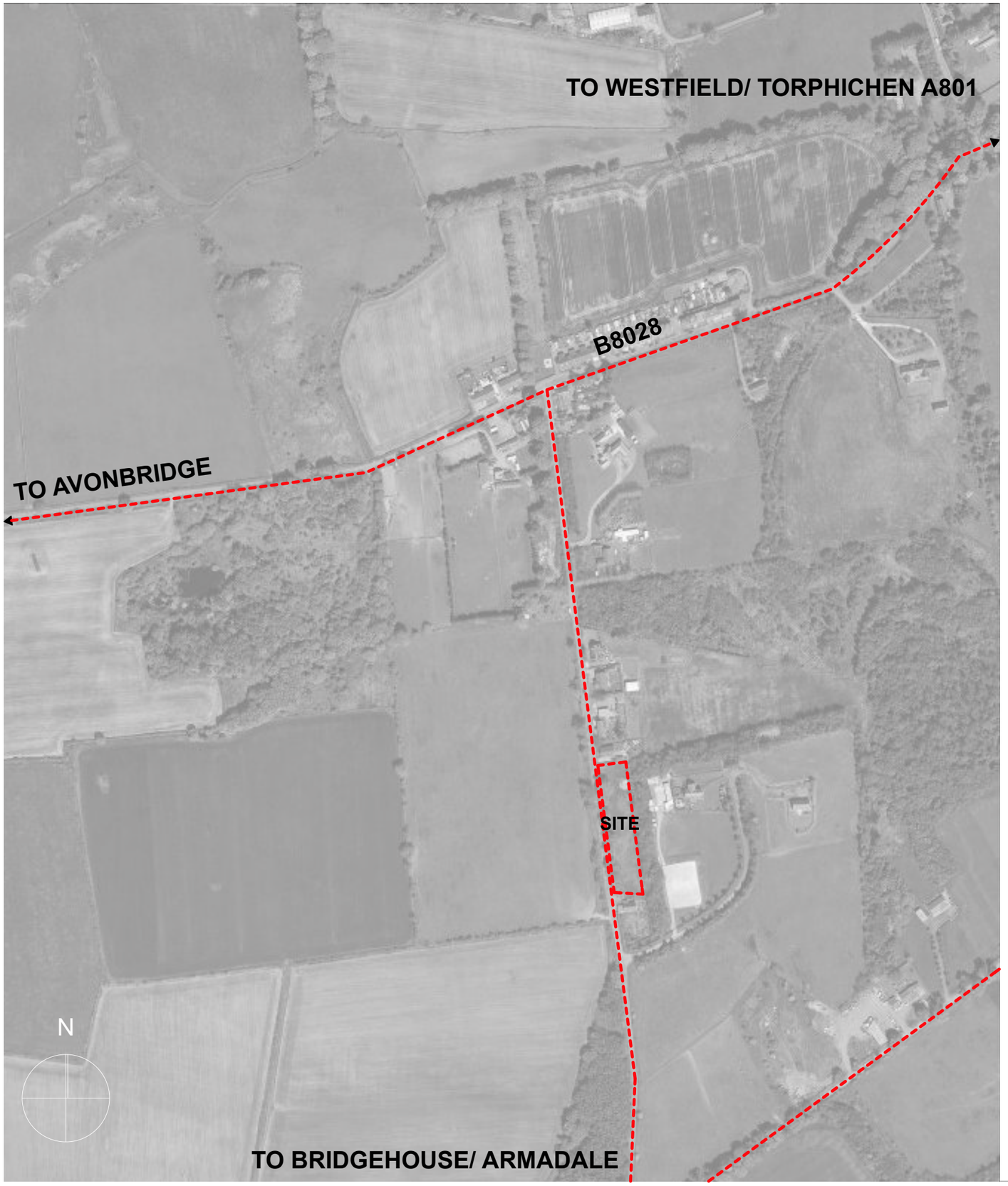
1 Armadale Medical Group Practice
2 Bathgate Medical Practice
3 Ochilview Dental and Oral Surgery
4 Smiles Plus Dental Care
5 CM Opticians
6 Boots Opticians
7 Lloyds Pharmacy

COMMERCIAL

1 Nisa Local Newsagents
2 Londis Newsagents
3 Lidl Supermarket
4 Morrisons Supermarket
5 Aldi Supermarket
6 Farmfoods Supermarket

COMMUNITY/ LEISURE

1 Armadale Library & Community Centre
2 Edinburgh Monarchs Speedway
3 Xcite Armadale (Fitness Centre)
4 The Regal Community Theatre
5 Balbardie Playpark
6 Armadale Bowling Club



2.5 ACCESS & CONNECTIVITY

The site road connects to the B8028 which runs up northwards towards Westfield and east connecting to the A801 which runs north and south through West Lothian.

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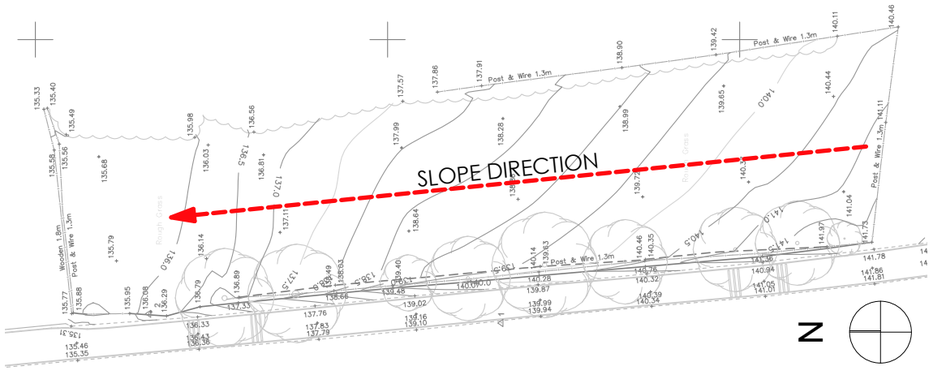
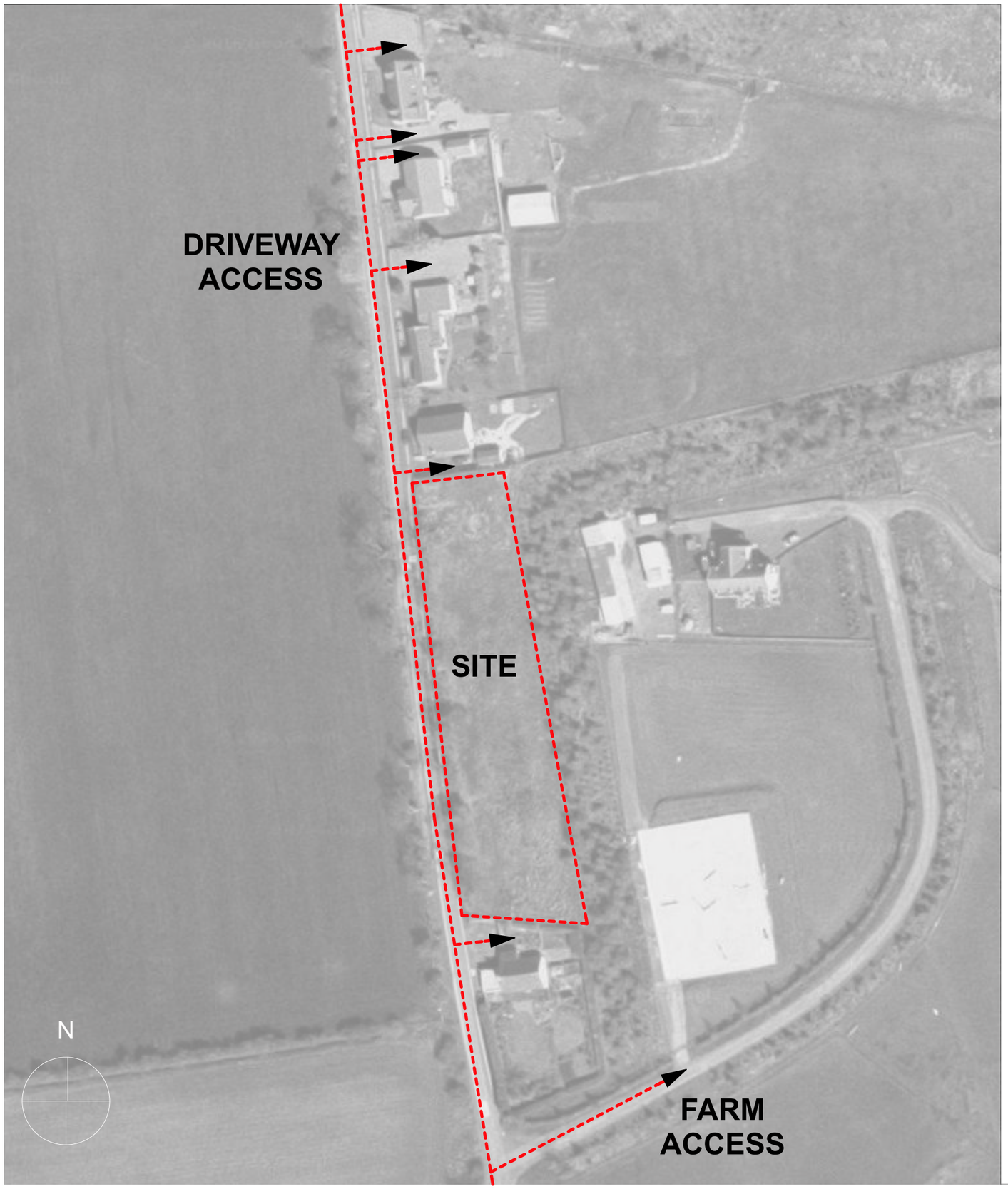
3.0 SITE AREA & APPRAISALS

Site Analysis – Existing Site and Observations.

Access to the site is immediate from the main road. The site is moderately screened by a small rise in land and trees along the roadside. The farm to the east is separated by a dense row of trees and the landscape is overgrown. The site slopes south to north with the slope increasing in pitch further north along the site.

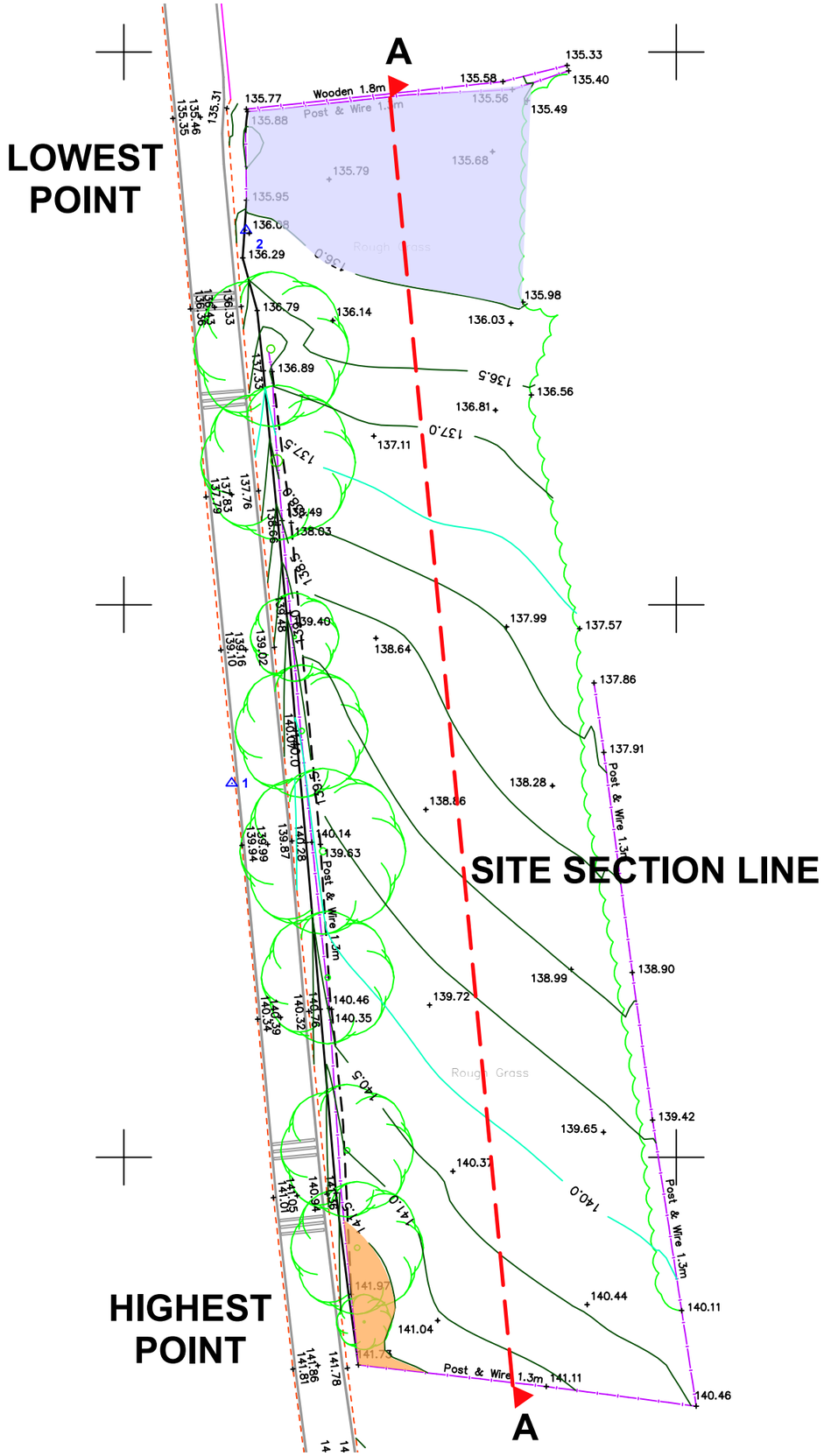


3.1 SITE PHOTOGRAPHS



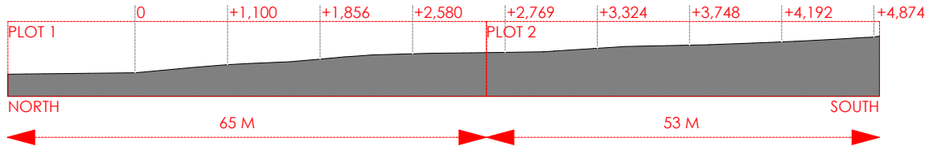
3.2 MOVEMENT

The movement on the street consists of a main road with pavement reaching the site, which will be proposed to be extended along the site. multiple driveways provide breaks which will be echoed in the proposed scheme.



3.3 TOPOGRAPHY

The topography slope south to north with a steeper decline towards the northern end of the site.



EXISTING SITE SECTION A-A

EXISTING HOUSE IN THE AREA

EXISTING HOUSE IN THE AREA

3.4 IDENTITY / BUILT FORM

Whilst the site is effectively rural, there is an eclectic mix of existing houses ranging from vernacular cottages to relatively modern 1.5 storey houses, many of which have been altered and extended throughout their history. The examples opposite show the range in fenestration which can be seen in the area.

Elements such as dormers varying in size, recessed porch spaces and pitched roofs are well used within the area. All properties read as 1-1.5 story properties from the roadside. A majority of driveways are within close proximity to the main road and have a mixture of detached and semi-detached garages. The footprint of the properties in the area are rectangular or L-shaped.

ILLUSTRATION SHOWING THE PREVIOUSLY CONSENTED HOUSE SUPERIMPOSED ON THE SITE

PROPOSED SCHEME SHOWING THE INCORPORATION OF THE SLOPE AND ASSOCIATED UNDERBUILD

PHOTOGRAPH SHOWING BUILDING DEPTH OF ADJOINING PROPERTY

PROPOSED PLOT 1 SHOWING HOUSE DEPTH COMPARATIVE TO ADJOINING PROPERTY

5.0 DESIGN APPROACH

5.1 PROJECT MISSION STATEMENT/ DESIGN PRINCIPLES

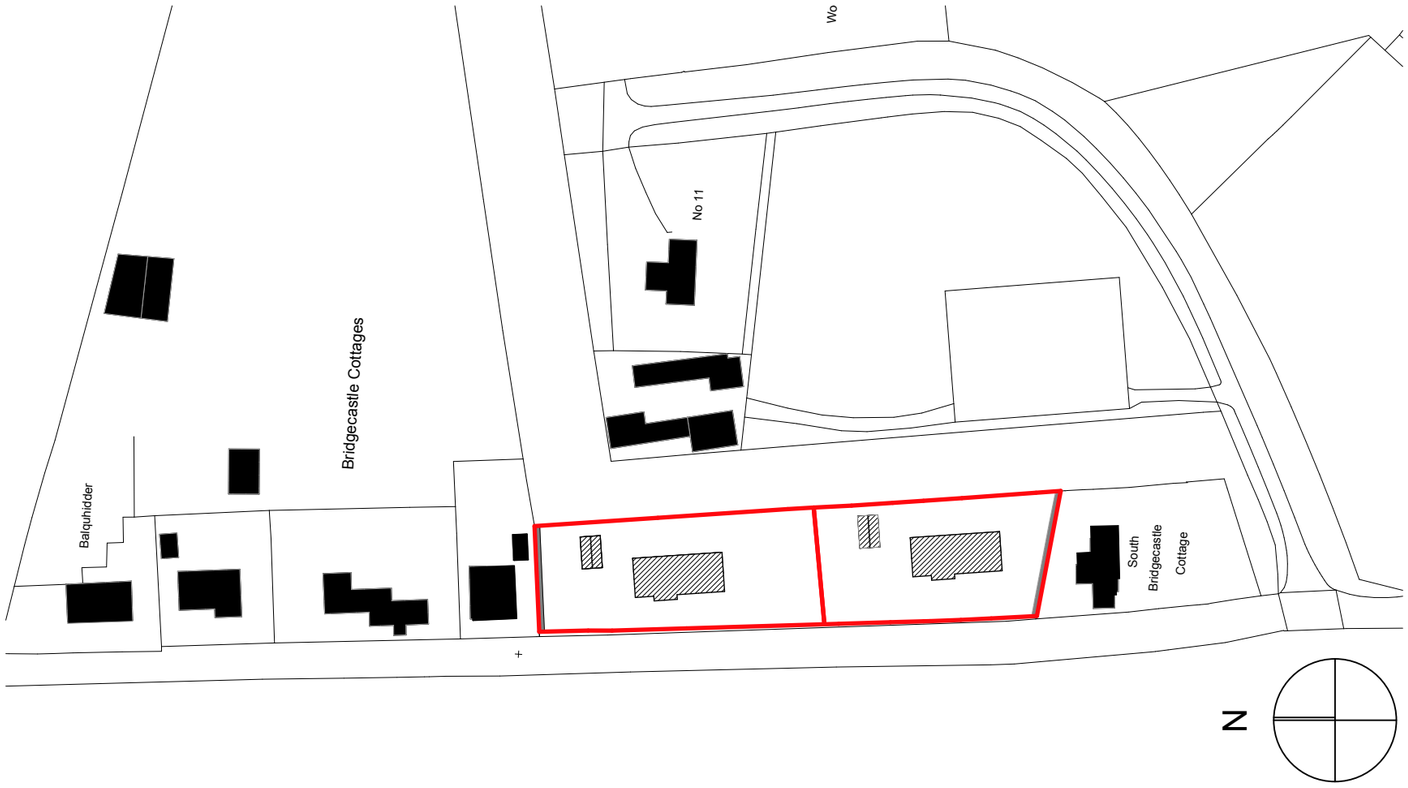
The following principles should be the guidance to the project at Bridgecastle, Armadale:
The most appropriate design response to the context/surrounding landscape of the 2No. Houses and the surrounding landscape.
The most sustainable assembly of buildings possible within budget.
The highest quality living environment.

From a previously accepted planning proposal for this site it was observed that no cognisance had been taken within the design of the existing topography of the land and so with such a difference within the depth of the under build it would be an opportunity to create a garden level which then connects to the rest of the landscape.

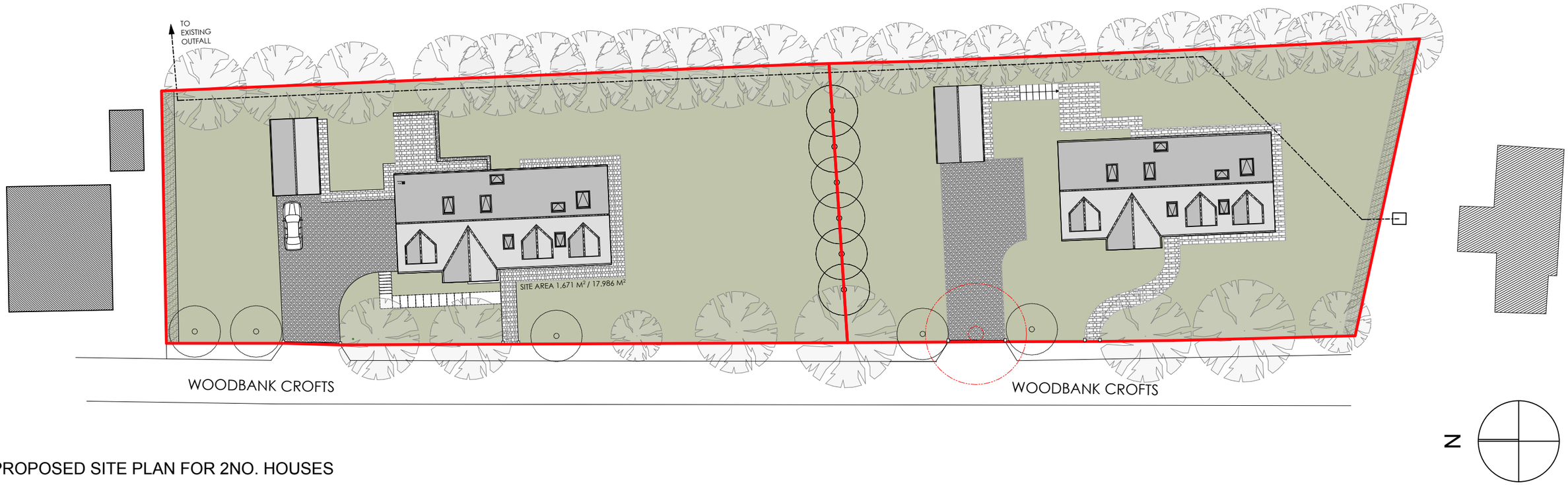
Consideration to the elevational treatment of the scheme was inspired through existing developments within the surrounding properties such as placement of dormers and larger scaled glazing this maximising natural light and views to the west. The front elevation reads as a 1.5 story house in keeping with the street frontage of the neighbouring cottage. This approach was also echoed within the proposed footprint of the scheme.

5.2 PLACES DEVELOPMENT CRITERIA/SITE LAYOUT

The arrangement of the proposed layout was to echo the permeability between the existing buildings whilst still keep majority of the greenspace and foliage as a strong backdrop throughout the scheme. There is balance between front and back gardens and the provided driveways are proportional to existing and slope down away from the road bringing minimal impact of hard standing to the landscape.



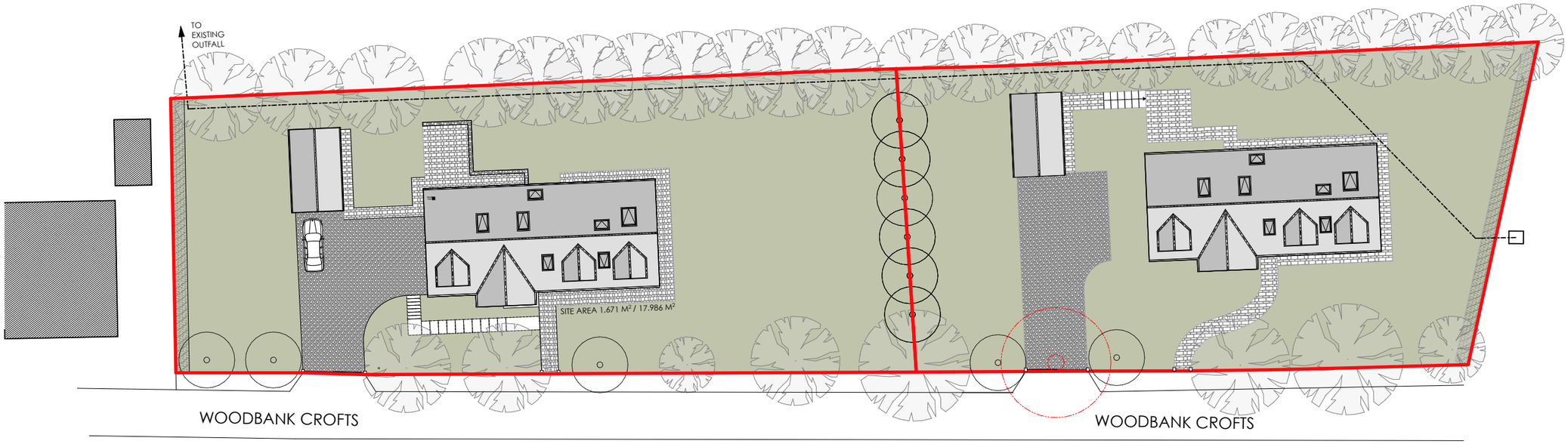
STREETSCAPE FOOTPRINT HIGHLIGHTING SPACING AND SCALE

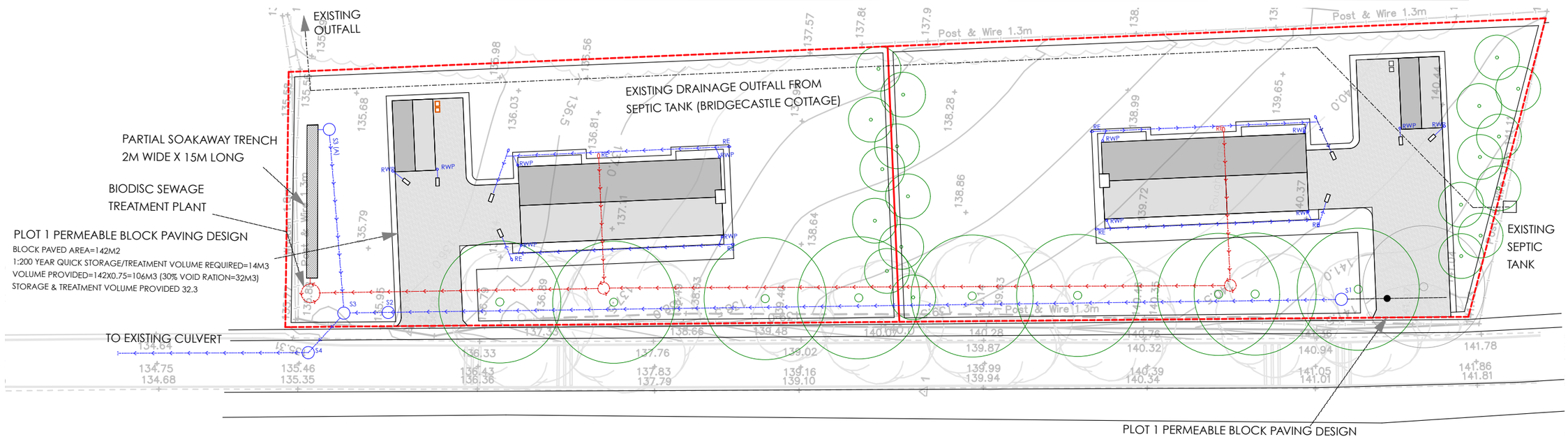


PROPOSED SITE PLAN FOR 2NO. HOUSES

5.2 PLACES DEVELOPMENT CRITERIA/SITE LAYOUT

The proposed drainage was part of previous planning criteria which was eventually granted permission through appeal. The drainage will divert an existing septic tank and all proposed pipework connecting together running towards an existing septic water outlet and on towards a watercourse. Proposed filter trenches help alleviate surface water and all rainwater pipes connect to the trenches.

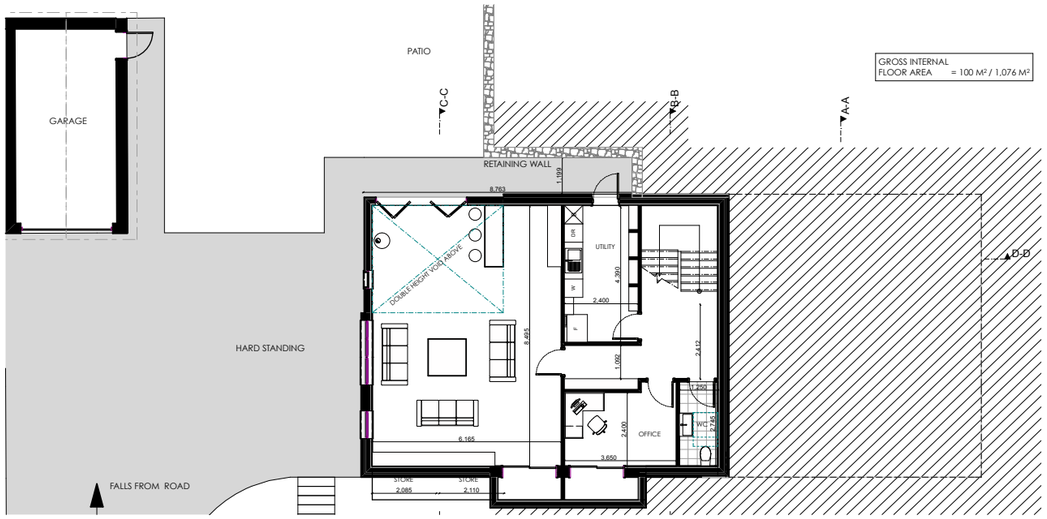




SURFACE & FOUL WATER DRAINAGE LAYOUT
(Scale 1:250)

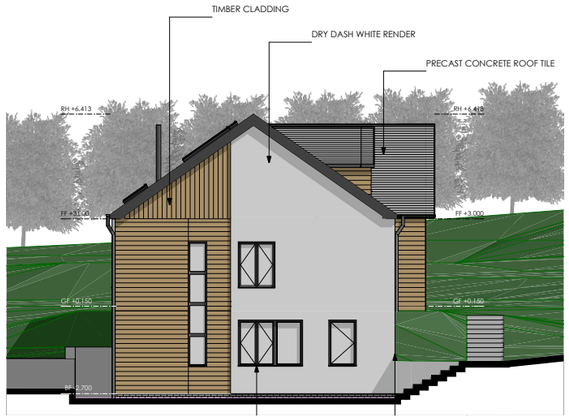
INDICATIVE LAYOUT SHOWING DRAINAGE PROPOSAL AND EXISTING PROVISIONS

5.2 PLOT 1 DRAWINGS

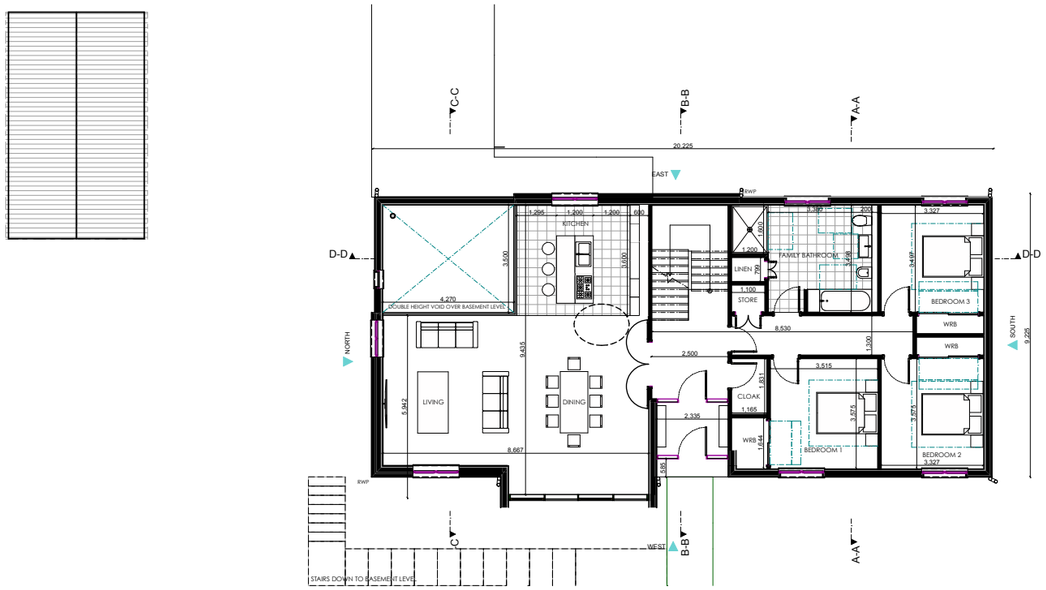


BASEMENT FLOOR PLAN AS PROPOSED

WEST ELEVATION AS PROPOSED



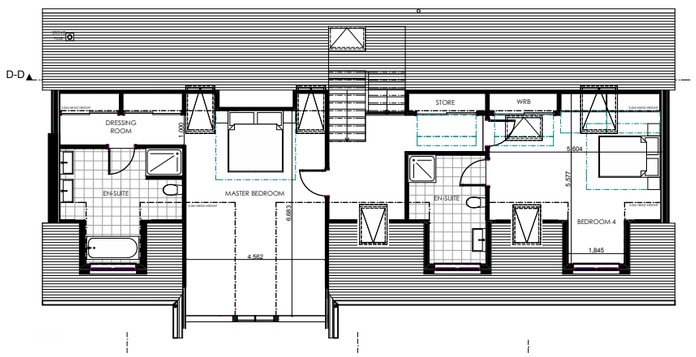
NORTH ELEVATION AS PROPOSED



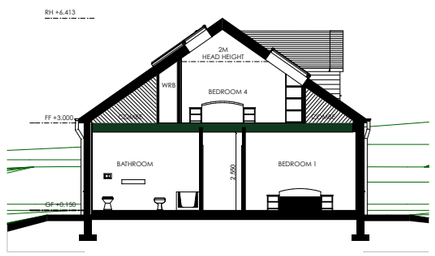
GROUND FLOOR PLAN AS PROPOSED

SOUTH ELEVATION AS PROPOSED

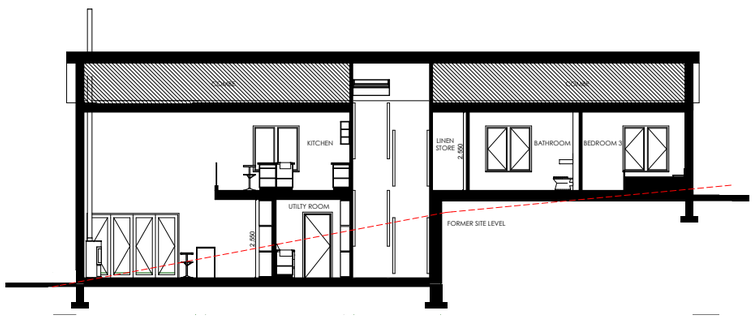
EAST ELEVATION AS PROPOSED



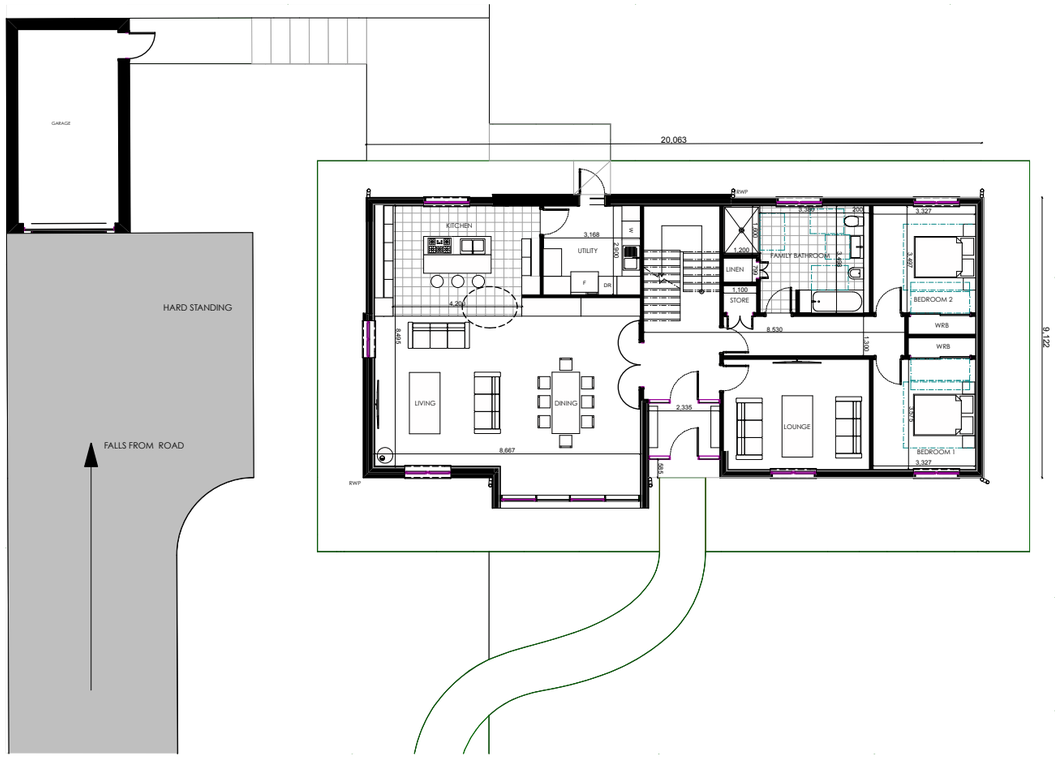
FIRST FLOOR PLAN AS PROPOSED



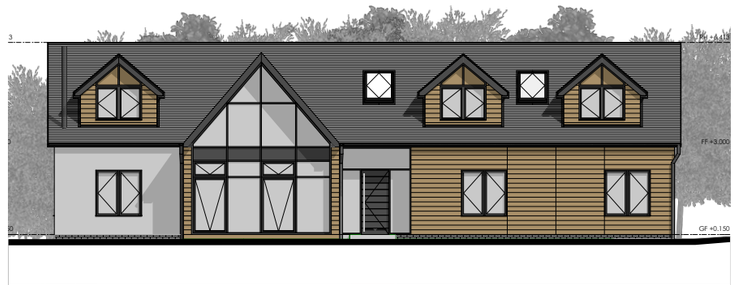
TRANSVERSE SECTION AS PROPOSED



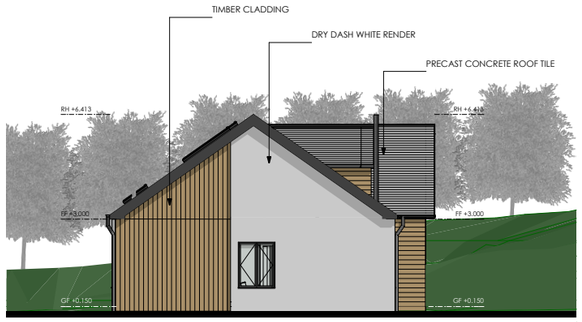
LONGITUDINAL SECTION AS PROPOSED



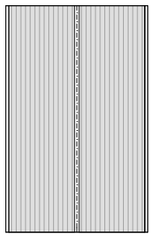
BASEMENT FLOOR PLAN AS PROPOSED

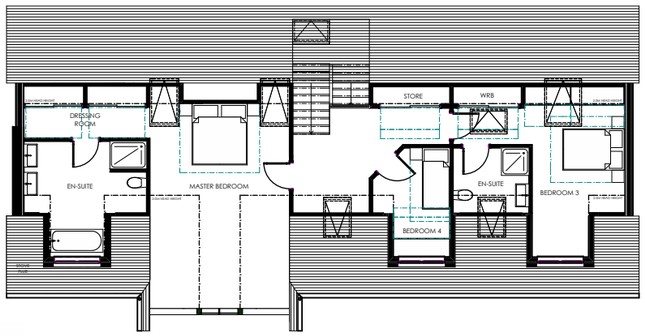


WEST ELEVATION AS PROPOSED



NORTH ELEVATION AS PROPOSED

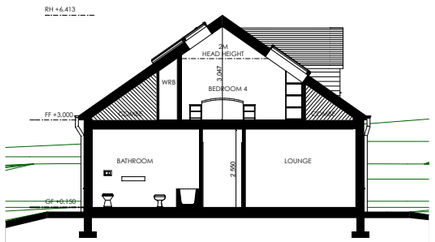




GROUND FLOOR PLAN AS PROPOSED

SOUTH ELEVATION AS PROPOSED

EAST ELEVATION AS PROPOSED



TRANSVERSE SECTION AS PROPOSED

LONGITUDINAL SECTION AS PROPOSED

6.0 CLOSING STATEMENT

6.1 VISION/CONCLUSION

It is proposed to build 2No. bespoke detached contemporary houses on a plot between existing residential properties.

The proposal follows on from a previously granted planning permission which has now taken effective consideration into the topography of the site as well as using the same gable depth as existing houses. The scheme will add to a sense of place using existing forms and a palette of traditional materials executed in a modern design.
The proposed architectural elements and styles are existing within the surrounding area and compliments the character of the area.

Overall this proposal offers a high quality new build befitting of its location and setting.

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Mr David Lee
Address: Southbank Main Street Westfield

Comment Details
Commenter Type: Other
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Westfield & Bridgehouse Community Council would like to submit a holding objection on this application, to allow for discussion with local residents, who have contacted us to express their initial concern over this application.
Our next public meeting is the 23rd March, but please advise if you require further submission before then.
I look forward to receiving your acknowledgement of this objection.
Thanks and regards,
David Lee
Secretary
Westfield & Bridgehouse Community Council

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Ms Sharon Hay
Address: 2 Bridgeton Cottages Bridgehouse

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I object to the planning application for two houses.

These houses are completely out of character with the village.

I believe the previous application was for two bungalows however 2 x 3 storey houses with enormous square footage plus 8 parking spaces is in my opinion quite outrageous.

Although one level will be underground, having a further two levels is excessive. With the slope of the hill, three levels will be visible on one aspect.

This area is a known mining area and I am concerned that digging foundations for basements may trigger underground damage which could affect the village.

I am very concerned about the disposal of sewage and also the water supply. There is already flooding in the area and these buildings will only exacerbate the issue. There is talk that the road will be dug up all the way down to level ground at the bottom of the hill to join with public water - exactly where severe flooding is at its worst.

Heavy building trucks will also damage the narrow road which is used by dog walkers, horse riders and walkers. Eight cars will increase traffic and therefore possibility of accidents.

We simply do not have the infrastructure to support such huge buildings.

It is sad that people move here to enjoy country life and then destroy the very essence of the village.

I object to the planning application in the strongest terms.

Sharon Hay

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Mrs karen christie
Address: 8 craigrigg cottages bridgehouse bridgehouse

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:The height and design is not in character with the hamlet . Road safety no footpath narrow roads with no capacity to support heavy lorries impact on dog walkers and horse riders with the increased traffic. Drainage and sewage concerns. Environment trees and the impact on bats who only live in older established trees.

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Mrs Lorraine Cicalese
Address: 4 Craigrigg terrace Bridgehouse, Westfield

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I would like to object to the building of these houses.
The footprint of these houses is bigger that the crofts surrounding Bridgehouse .
The houses are not in keeping with a small country hamlet.
Our roads are not up to heavy traffic let alone being dug to lay pipes.
These are country roads that are a favourite with ramblers , cyclists and dog walkers alike.
Increased heavy traffic has a detrimental affect on the road condition and in this financial climate surely the council doesn't want tax payers money going on unnessasary repairs caused by heavy lorries ,diggers and the like.

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Mrs Sharon Adams
Address: 6 Bridgecastle Cottage Bridgehouse Bathgate

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Objection to the proposed development of 2 houses, grid ref 293636 670548
Main reason for objection - planning permission previously granted, was for 2 x 3 bedroom bungalows. This application is for houses significantly bigger and different in design than those in the original planning application
The proposed development, is now for 2 very large, circa 300 sq mts 5 bedroom houses which are out of character of those in the vicinity due to the sheer scale of the buildings
There are a few houses in the hamlet of this size but they are set back from the road and due to their surroundings are discreet (Rowantree Cottage). Its photograph, in the design statement designed to show the proposed properties being in keeping is misleading. It is completely different from the view of the house from the road. The proposed houses are closer to the road and being bigger than the houses around them will be very prominent
The size of the houses is disproportionate to the size of the gardens and overall plot. The 2 houses proposed are considerably bigger than the houses neighbouring the plot again not in keeping with the vicinity and will have a negative visual impact
The increased scale of the properties, could substantially increase the number of vehicles. Due to the trees the driveways will have concealed entrances. With an increased number of vehicles joining a road used by walkers and horse riders, and not well lit gives cause for road safety concerns.
As neighbours adjoining the plot, there will be an adverse effect from the proposed house design. The new design has 4 windows over 2 levels on the gable end facing our property. Due to the gradient of the plot, our house will be overlooked, overshadowed and result in loss of privacy
As previously stated we have concerns about the drainage plans. The plan shows foul drainage going to a partial soak away, which runs parallel to the full length of our driveway. What is the definition of partial and where will the foul drainage soak away too, onto our land?
Also concerning is the surface water. The development could upset the natural drainage of the

area. During periods of heavy rain, there are significant amounts of surface water in the area and running down the road. The land already has poor drainage due to the clay like nature of the soil. This will be exacerbated by the construction. Due to the gradient of the plot, there is only one direction that foul drainage and surface water can travel which is towards our property. There has not been sufficient assurance that the drainage has been resolved and not have an adverse effect on our property. Any construction, regardless of size could cause problems however the amount of foul drainage likely to come from 2 x 5 bedroom properties will be significantly higher than from 2 x 3 bedroom properties as originally proposed.
Final concern is for preservation of the trees at the front of the plot. If these were to be removed or damaged, it would diminish the aesthetics of the area

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Mrs Joan Mobey
Address: South Bridgecastle Cottage Bridgehouse Aramadale

Comment Details
Commenter Type: Neighbour
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment:Dear Sirs

Can you clarify the statement below which is on page 7 of the LIVE_0106_FUL_17-DESIGN_STATEMENT-2267814, is the existing drainage outfall from the Septic tank (BRIDGECASTLE COTTAGE, which is owned by myself) being diverted to the drainage system for the houses being built or is being left intact as shown on the plan?

"5.2 The proposed drainage was part of previous planning criteria which was eventually granted permission through appeal. The drainage will divert an existing septic tank and all proposed pipework connecting together running towards an existing septic water outlet and on towards a watercourse. Proposed filter trenches help alleviate surface water and
all rainwater pipes connect to the trenches".

Also, on page 7 the plans show the house to the right as having a driveway adjacent to the North elevation, however, it is shown on the West elevation in the bottom diagram, which is correct?

Thank you for your assistance in this matter.

Regards

Mrs J Mobey

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Mr Derek McCallum
Address: 5 Bridgecastle cottages Bridgehouse Bathgate

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I would like to raise an objection to the planning application 0106/FUL/17 on the following grounds:
1. The proposed house sizes and design are not in keeping with the area, and the application has been economical with the facts in the examples of other houses in the immediate area.
The new houses are many times the size of the immediate neighborhood.
2. The plot area lies above my own house and I fear the additional watershed from the roof area's and the driveways will cause flooding to the property above my own and then my own due to the natural slope on the site. Water running off the fields opposite and down the west culvert already causes flooding at the low point in the street, and there are no drains in the culvert at all close to these additional houses. This would lead to potential flash flooding of several properties on the down side of the sloping site. The removal of mature trees and additional openings in the banking will only make the situation worse.
3. The existing outfall from the cottage above the plot was designed for a small cottage, and I fear would not be fit for purpose for the original cottage and 2 very large new properties.
4. The siting of the sewage treatment plant and soak-away immediately next to the adjoining property is surely not desirable at best, even if it were a level site - but if we include the sloping site and the additional surface water run off then surely this is a potential disaster from contaminated water flowing into adjoining properties, and potential unpleasant smells.
5. The natural drainage in the area is very poor due to the predominately clay structure meaning soak-away's do not tend to work very efficiently and therefore simply overflow during wet weather.

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Mrs A GOWANS
Address: 1 BRIDGETON COTTAGES BRIDGEHOUSE BY WESTFIELD BATHGATE

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:1. The design of these two houses has radically changed from the 2 x 3 bedroom bungalows approved under appeal in the previous application. In my opinion they are too large and do not respect their surroundings nor do they contribute to the existing character of the area and would set an undesirable precedent for similar development in the countryside.

2. I am concerned about the lack of a septic tank as there is no public system to connect to. The siting of a sewage treatment plant and soak-away next to the adjacent property is almost criminal given the slope of the land and likely to overflow in wet weather causing extreme distress to immediate neighbours.

3. The use of Rowantree as an example of recent development in the area is very misleading. This property is set well back from the road and screened by mature trees and shrubs. It also stands alone and does not have any buildings around it.

4. Removal of or damage to the mature trees at the front of the plot would be detrimental to the aesthetics of the area and the local bat population.

5. Residents in the area have worked extremely hard over many years to retain and restore the character of this village which is appreciated by all who live and visit this unique part of West Lothian. Allowing this development would open the door to similar applications, with the area likely to turn into an undefined, characterless urban sprawl of large houses.

Comments for Planning Application LIVE/0106/FUL/17

Application Summary
Application Number: LIVE/0106/FUL/17
Address: Bridgecastle Cottages, Bridgecastle, Armadale
Proposal: Erection of 2 houses (Grid Ref: 293636 670548)
Case Officer: Matthew Watson

Customer Details
Name: Mrs Joan Mobey
Address: South Bridgecastle Cottage Bridgehouse Aramadale

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Objections as follows:
1. The properties proposed to be built are contrary to the LDP (para 5.7and to the SPG (para 5.13). The properties will damage the character of the surrounding countryside because their size and aesthetic quality are not compatible with the adjacent and neighbouring properties. The proposed properties are 350sqm on 2 levels, some three times the size of the single storey properties in the original planning application (LIVE/0151/FUL/13, granted on appeal) and in some cases 3 times the size of any neighbouring properties, including the two properties on either side of the site. In addition, the design of the properties are different from the original application and not in keeping with any of the nearby single storey or one and half storey dwellings in traditional countryside design and build;
2. The proposed six foot high closed wooden fence as a "closed" wooden fence is contrary to the permitted type of fence detailed in the SPG at para 12.32 as it states that any fence should be of a wooden rail or fence post and wire type;
3. I am concerned about the lack of information about how the sewage/effluent discharge and drainage from the properties will be treated and note that no Drainage Impact Assessment has been submitted (this is referred to in the LDP under Policy EMG3 and in the SPG in para 12.53 as "ordinarily required"). I have concerns that the "Biodisc Sewage Treatment Plant" and the "Partial Soakaway Trench". Their positioning appears very close to and could be easily seen from, the proposed properties, the neighbouring property and the main road - ref :(para 12.58 of the SPG). In addition, I am concerned about the soakaway overflowing and the roof water drainage potentially flooding the locality;
4. I wish to ensure that existing trees are protected. By removing the trees this would have an impact on the local bat population (protected species by the Wildlife and Countryside Act 1981) that nest in the trees and in our opinion have a negative impact on the rural character and environmental quality of the surrounding countryside.

5. The building of the 2 properties are not in keeping with adjoining properties and will change what is a hamlet into an area where expansion will be the norm and lose its character, becoming more of an adhoc village at best.
6. I am concerned with the number of vehicles which may be used by these properties as the road is narrow and used by locals for exercise/dog walking and horse riding.

Watson, Matthew

Subject: FW: Comments for Planning Application LIVE/0106/FUL/17

From: cc@westfieldandbridgehouse.o
Sent: 28 March 2017 00:16
To: Watson, Matthew
Cc: cc@westfieldandbridgehouse.o
Subject: Re: FW: Comments for Planning Application LIVE/0106/FUL/17 - [OFFICIAL]

Hi Matthew,

Please find below the CC's comments on this application, following last Thursday's meeting.

Thanks and regards,
Dave

--
WBCC Response to Application 0106/FUL/17

1. This application is understood to be a completely new application, separate from the planning permission granted through appeal (PPA-400-2035) on 17th March 2014.
It is noted that the consent for that permission lapsed on 17th March 2017 but it is recognised that the prior permission is likely to set a constrained precedent for two houses to be built on the site, subject to specific conditions regarding: the design of buildings, SUDS, drainage and sewerage systems; developer contributions and Section75 agreement; tree planting; materials; and access design/construction detail.

2. We feel that for this application be granted permission, equivalent conditions should be imposed, and we request that this be the case. Also, as a new application, we request that the more recent SPG "SNH "Planning for Nature: Development Management and Wildlife (2015)" be explicitly conditioned, fresh site surveys carried out and appropriate actions and design changes made if required. We also request that the site-appropriate SPG "Control of Light Pollution" is referenced.

3. With specific regards to the SUDS, drainage and sewerage designs; this is of particular concern to neighbouring properties downhill of the site (North and East), as they already experience significant surface water run-off and pooling which may increase due to development. We request that conditions be added or amended to require that the design meet the approval and agreement of these neighbours and that they should be involved in the design discussions to facilitate this.

4. Should the requests above be rejected, we object to the application, on the basis that the constrained intent of the Appeal permission has not been followed. In this case, it would be argued that the principle of residential development on this site would not have been established and any new application would need to be considered against current local plan and SPG policies. On that basis, the application should be refused by West Lothian Council (WLC), following the precedent set by them in the original determination of the application, which resulted in the appeal.

5. Should the requests above be accepted and conditioned, then it is accepted that the Appeal decision continues to have set specific precedent for development on this site, and this new application should be mainly be considered in terms of change of building style.

6. It is understood that the application aims to make more efficient use of the building footprint by making

use of roof space and a variation in ground elevation. This is laudable but needs to remain mindful of the thinking set out in the Appeal Notice of Intention (29th August 2013), which underpinned the Appeal permission. This includes:

(3) "The proposal is to erect 2 single storey dwellings".

(6) Under SPG, for 'infill' to be considered sufficiently sensitive it should have "a strong visual cohesion and sense of place".

With reference to these, we would request that the application be refused unless reasonable adjustments are made to the design to address notes (a) to (g) below, to ensure the design is in keeping with the spirit and intention of the Appeal permission and referenced guidance.

a) The change to a 1.5-storey design seems reasonable, as roof-dormers are well-established in Bridgehouse properties. It is indicated that the designs are to mirror the sizes of the adjacent properties but are also admitted (in planning agent's responses) to be larger than the original designs. The 0.7m increase in apex height (5.7m —> 6.4m according to Design Statement plans) is not inconsiderable and contributes to the imposing style of the north end of Plot2.

b) Most properties along this section of the Bridgehouse are reasonably level with the road, but this site appears to sit on an embankment above it. It seems reasonable to suggest that buildings on this site will therefore have more visual impact relative to adjacent properties, simply because of the higher ground level. Therefore, in order to better blend the new buildings into the existing built landscape, it is reasonable to suggest that the designs are adjusted to make them smaller, or at least appear smaller by use of styling (e.g. (ii) above), reduction of site ground level, landscaping or other techniques.

c) It is noted that the roofline (guttering) appears higher than the adjacent property referenced in the design statement, making the ground floor of the west face appear taller. Extending the roof downwards to lower the gutter line could be considered to help in blending the building with the style of its nearest neighbour.

d) Plot1 is relatively unchanged vs approved application and merits little specific further comment. However, Plot2's redesign has significant visual impact due to the new gabled glass frontage and 2.5 storey northern end. Section 2.15 of the planning agent's response to comments, insisting that the building remains 1.5 storey throughout, is somewhat disingenuous and should be discounted. Certainly an extra storey is not being added ‘on top of’ the the building but the lowering of the ground level makes for an imposing facade on the north-west corner, reinforced by the choice of white render. This is markedly out of character with neighbouring properties.
It may simply be that breaking up this facade with a different choice or mix of materials - e.g. lower section exposed bricks with render above, like the adjacent property shown in the design spec; use of lime-render/limewash - would soften the impact to a more acceptable point.
Other alternatives could include 'burying' the lower facade on the west side by maintaining the existing slope (i.e. all cutting-in done on north/east corner); and/or siting the entire building further east, where the slope is less severe.

e) White render and timber cladding is used extensively in the design but this combination is not common in the immediate area. The two plots together may therefore create significant visual impact not in keeping with neighbours. More sparing use of cladding across both, or even more individual styling of each property would make the infill look more natural, e.g. like independent builds rather than a pair, as all the existing properties along this stretch are different.

f) The Design Statement’s reference to Rowantree cottage as local precedent is not well-founded, as that property is well set-back and hidden from the road. Equally, the planning agent's response to comments (section 2.34) that the buildings are sufficiently far away from the 'main' village to negate a need to maintain character is out of step with the reasoning given and emphasis attributed by the Reporter in his Notification

of Intent to grant the Appeal application. Both should be discounted.

g) Despite references to energy efficiency, the design statement makes no mention of fuel source type and associated storage provision (oil, gas, wood pellet, heat pump?). There is also no advantage taken of the open southern aspect for solar light or heat gain. It is requested that the ‘more efficient use of space’ intended by the redesign of both plots, be complemented by similar increases in energy efficient design.

Thank you for your consideration of these comments.

(end)

--
David Lee
Secretary
Westfield & Bridgehouse Communty Council

Draft conditions and reasons – 0106/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.

2. Development shall not begin until full details of the proposed garages for the two houses have been submitted to and approved in writing by the planning authority.

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.

3. Development shall not begin until details of landscaping has been submitted to and approved in writing by the planning authority. It shall include details of plant species, sizes, planting distances, methods of protection and the body that will maintain the landscaping together with a schedule of maintenance works. It shall comply with BS 3936-1 Nursery stock - Part 1: Specification for trees and shrubs and BS 4428 - Code of practice for general landscape operations (excluding hard surfaces). Thereafter the landscaping as approved shall be implemented in the first planting season following any residential unit being occupied, or completion of the development, whichever is sooner. The landscaping as approved shall thereafter be maintained to the entire satisfaction of the planning authority. Maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the landscaping.

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.

4. 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.

Reason: In the interests of visual and environmental amenity.

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 details of the surface water system has been submitted to and approved in 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. Prior to the commencement of works on site, full details of foul drainage arrangements, including details of the proposed sewage treatment plant, shall be submitted to and approved by the planning authority. Thereafter, the foul drainage shall be constructed in accordance with the approved details.

Reason: To ensure foul water can be disposed of safely, in the interests of amenity.

7. Prior to the occupation of the houses a footway along the frontage of the development that is of a similar width to the existing footways to the north and south of the site shall be constructed to the adoptable standard of the council as roads authority. The details of the footway shall be submitted to and approved in writing by the planning authority prior to implementation.

Reason: In the interests of road safety.

8. The first 6 metres of each access shall be surfaced in a bituminous material.

Reason: In the interests of road safety.

9. 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.

10. 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 piliing or other significant vibration works taking place, a scheme to minimise and monitor vibration affecting sensitive properties shall be submited to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Site Compound

- The development shall not begin until the location and dimensions of any site compound 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.

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. Such steps shall include the cleaning of the wheels and undercarriage of each vehicle where necessary and the provision of road sweeping equipment.

Reason: In the interests of visual and environmental amenity.

11. 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.

West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION AND LOCATION

Application for approval of matters specified in conditions of permission ref: 0487/P/10 for a residential development of 190 houses (as amended from 221 houses) and land set aside for affordable housing at Limefields, Brucefield, Livingston.

2 DETAILS

Reference no.	0725/MSC/16	**Owner of site**	Schroder UK Real Estate Fund West Lothian Council
Applicant	BWD Trading Ltd & Schroder UK Real Estate Fund	**Ward & local members**	**Livingston South** Cllr L. Fitzpatrick Cllr P. Johnston Cllr D. Logue Cllr J. Muir
Case officer	Wendy McCorriston	**Contact details**	01506 282406 wendy.mccorriston@westlothian.gov.uk

Reason for referral to committee: Objection from a community council and the committee decision to grant Planning Permission in Principle for housing, made on 26 September 2012, includes a requirement to refer detailed applications back to Development Management Committee.

3 RECOMMENDATION

3.1 Grant Matters Specified in Conditions

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

4.1 The application site comprises two fields of rough grassland, with a partly felled/re-planted shelterbelt running between them, located to the east of West Calder High School and to the west of Brucefield Industrial Park. The A71 lies to the north of the site and a railway line to the south in a cutting. There are woodland areas on the north, east and west boundaries of the site. Only the woodland area on the west boundary forms part of the application site. A vehicular access off the A71 has recently been constructed in the north-west corner of the site.

4.2 Planning Permission in Principle for the erection of a residential development on the site (ref: 0487/P/10) was granted on 23 April 2015. This was subject to a planning obligation for developer contributions and the transfer of land to the council for affordable housing. The approved plans show an indicative housing schedule and layout with a total of 180 residential units. The new access off the A71 was granted permission on 21 January 2016 (ref: 0854/FUL/15) and implemented later that year.

4.3 The initial layout submitted with this MSC application showed 221 houses in a grid street pattern in both the north and south fields with a link road along the west boundary and an emergency access into Brucefield Industrial Park. A separate area of land of 2.47 acres in the northeast part of the site was shown for transfer to the council for affordable housing purposes.

4.4 Following negotiations, the housing unit numbers have been reduced to 190 and the affordable housing land area has been slightly increased to 2.65 acres. The layout has been amended to include two additional areas of open space to act as focal points within the development and break up the built areas. Additional terraced properties have been added into the housing mix.

4.5 Amended plans have been submitted which show the tree canopy spread and stand-off zones from the existing woodlands and set out the levels, street scenes and acoustic barriers that are required to limit road noise and any potential noise from the industrial park.

4.6 The site is an allocated housing site, as identified in the adopted West Lothian Local Plan (HLv136) and the West Lothian Local Development Plan, proposed plan (H-LV-11). The application has been submitted with a series of supporting documents, including a noise assessment; a drainage assessment, an air quality assessment, ecology and site investigations and a tree survey report.

5 PLANNING POLICY ASSESSMENT

5.1 The development plan comprises the South East Scotland Strategic Development Plan (SESPlan) and the West Lothian Local Plan (WLLP).The West Lothian Local Development Plan proposed plan (LDP), which is currently the subject of an Examination by Scottish Ministers, is a material consideration.

5.2 The following development plan policies and guidance apply:

Plan	Policy	Assessment	Conform?
Edinburgh and the Lothians Structure Plan (ELSP)	HOU5 Infrastructure	This policy precludes the development of housing beyond the infrastructure capacity of a site. Following the conclusion of school catchment reviews at the time of the Permission in Principle and assessment of the transport statement submitted with that application, there are no significant roads or school capacity constraints for this site that would prohibit residential development.	YES
West Lothian Local Plan (WLLP)	HOU1 Identified housing sites	Development of allocated sites, which will contribute to meeting the housing need requirements for West Lothian, will be supported. This site will allow for housing to come forward meeting the council's housing requirements over the current local plan period, extending into the new local development plan period.	YES
WLLP	HOU2 Housing in settlement envelopes	Housing within settlement envelopes is generally supported by this policy, provided that there is no adverse impact on adjacent uses; sites can be serviced without excess resource commitment; the site is not already identified for an alternative use in the local plan and the site is not of important open space value.	YES

Plan	Policy	Assessment	Conform?
		In this instance the site is within the settlement envelope for Polbeth and already benefits from planning permission in principle. There is sufficient education capacity for the proposed housing and the vehicular access is already in place.	
WLLP	HOU5 Recreational amenity space	Appropriate recreational space is to be provided within residential sites. This proposal, as amended, now shows adequate land for play areas with additional open space and linkages into the existing footpath network surrounding the site. The applicant intends to provide play facilities on site and the details of this can be a condition of consent.	YES
WLLP	HOU7 Design and layout	This policy requires high quality design and layouts in new development. Following negotiations, the housing unit numbers have been reduced to 190 and the layout has been amended to give a stronger sense of place through the introduction of bespoke house types at the entrance and at street corners. Two additional areas of open space have been introduced to act as focal points within the development and break up the built areas and terraced properties have been added into the housing mix. Whilst the final material specification is still to be agreed it is the intention, through conditions, that the applicant provide a high quality environment through the use of good quality materials and the provision of a quality landscaped setting. The majority of trees on site will be retained and supplemented where necessary. Some trees do need to be removed on the west boundary due to existing damage and to facilitate the road layout but replacement planting will be undertaken.	YES
WLLP	HOU9 Residential amenity	There are no residential properties adjoining the site and the layout has been designed to ensure there are no privacy or overshadowing issues for proposed properties. Noise information shows that any noise from the industrial park and A71 corridor can be adequately mitigated by acoustic fencing/bunding where the housing site abuts the industrial estate and road. This will ensure that the majority of the proposed houses are protected from potential noise nuisance. The exception to this will be four houses at the entrance to the site where windows require to be closed and acoustic ventilation used to meet the council's noise standards. Exceptions are appropriate if there are special circumstances. In this case, the requirement to achieve a gateway frontage at the site entrance, with houses facing towards the main road, is sufficient to justify this minor departure.	YES
WLLP	IMP3 Education Constraints	This policy states that where education constraints cannot be overcome there will be a presumption against housing development. In this case Education Planning has already factored in the 180 units approved at PiP stage into the school forecasts. Education Planning has confirmed that whilst there will be some pressure at the non-denominational primary school this can be managed for the 10 additional units given that the timescale for developing the full site is likely to be over 5 years.	YES

Plan	Policy	Assessment	Conform?
WLLP	TRAN 2 Transport Assessment	This policy states that permission will only be granted where traffic impacts are acceptable. A TA was submitted as part of the PiP application. Transportation is satisfied that access, parking and traffic impacts are acceptable, subject to some minor conditions covering details of surfacing and path connections.	YES
West Lothian Local Development Plan, proposed plan (WLLDP)	HOU1 Allocated Housing Sites	Housing is supported on the sites allocated in the WLLDP in order to meet the council's housing land requirements to 2024. The site already benefits from Planning Permission in Principle (PiP) for approximately 180 units.	YES
WLLDP	INF1 Infrastructure Provision and developer obligations	This policy requires the necessary infrastructure requirements to be addressed to the satisfaction of the council. Officers are satisfied that there are no infrastructure constraints that would prevent the development from proceeding. A planning obligation is already in place for the site and the applicant has agreed to meet the terms of this with regard to developer contributions and the transfer of land.	YES
WLLDP	ENV10 Protection of Urban Woodland	Urban woodlands, particularly those that contribute to townscape and place-making will be protected under the terms of this policy. The layout has been amended to ensure that the mature woodland, both adjacent and within the application site is retained unless removal is specifically required for the link road between the north and south areas or because of the poor condition of the trees. A tree survey has been submitted. A small area of self-seeded woodland is to be removed within the south field. Replacement planting is proposed as part of the final landscape proposals.	YES
WLLDP	DES1 Design Principles	This policy requires high quality design and layouts in new development and the inclusion of measures to enhance the environment. Following negotiations, the housing unit numbers have been reduced to 190 and the layout has been amended to give a stronger sense of place as set out above under HOU7.	YES

The council's Residential Design Guide and SPG's on Planning and Noise and Planning and Flooding are material considerations in the assessment of the application.

6 REPRESENTATIONS

6.1 The application was advertised and appropriate neighbour notification carried out. Three representations have been received, from Bellsquarry and Adambrae Community Council and two residents. The main issues are listed below. The full letters are attached to this report.

	Comments	Response
1.	The housing numbers have increased from 180 as agreed in 2015, to 221 plus land for affordable housing. This density is too high and the layout represents town cramming.	The final amended plan shows an indicative number of 190 private units plus land for approximately 33 affordable homes. This is more than the number envisaged in the planning permission in principle, but is the result of further assessment and design work that indicates 190 can be accommodated on the site, whilst retaining the landscape setting and satisfying the infrastructure requirements.
2.	The proposal will have a detrimental impact on Bellsquarry Primary School which is already at or close to capacity.	Education Planning has confirmed that whilst there will be some pressure at the non-denominational primary school this can be managed for the 10 additional units given that the timescale for developing the full site is likely to be over 5 years.
3.	Access onto the A71 will be difficult and will lead to further traffic congestion in the area. There are limited bus services and insufficient parking at Livingston South Station. The speed limit should be reduced to 30mph on this stretch of the A71.	The new access into the site has been formed and Transportation is satisfied that the junction arrangement is adequate to take the traffic generated from this development. Good pedestrian and cycle links have been formed through the site and there are existing bus stops and pedestrian crossings close to the entrance to the site. Transportation do not see the need to reduce the speed limit on the A71.
4.	The layout lacks imagination and does not create a sense of place. It appears to be an unsustainable layout with a lack of new tree planting or use of new technologies.	Following negotiations, the housing unit numbers have been reduced to 190 and the affordable housing land area has been slightly increased. The layout has been amended to give a stronger sense of place through the introduction of bespoke house types at the entrance and at street corners. Two additional areas of open space have been introduced to act as focal points within the development and break up the built areas and terraced properties have been added into the housing mix. The landscaping details can be made a condition of consent and include for garden tree planting.
5.	The site is bounded by ancient woodland. This requires to be managed and protective fencing used during construction phases.	The layout has been updated to show the tree root protection areas and set houses back from this zone. This will give adequate protection to the existing woodland and will enhance the overall landscape setting and biodiversity value of the site. Conditions will be imposed to ensure the woodland trees are protected during construction and where necessary pre-commencement ecology surveys carried out.

7 CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
WLC Transportation	NO	No objection, subject to final details of the internal event junctions and clarification of footpath and parking space details.	Noted. Appropriate conditions can be imposed.
WLC Contaminated Land Officer	NO	A site investigation report has been submitted and assessed. The findings of the report are acceptable. This identifies the need for ground gas protection measures in specific areas of the site. The need for a remediation statement and verification report can be imposed through the use of conditions.	Noted. Appropriate conditions can be imposed.
WLC Education Planning	NO	The site's school catchment areas are Bellsquarry Primary School, St Mary's Primary School, Polbeth, James Young High School and St Margaret's Academy. Developer contributions have been agreed for St Mary's and St Margaret's as set out in the agreed Section 75 legal agreement. For the initial proposal of 221 private units and 39 affordable units an extension would have been required at Bellsquarry Primary School. While the reduced proposal is still more than the previous PiP it is Education Planning's view that this number of pupils could be broadly accommodated within the school given that the applicant advises the site is to be phased over 5 years giving an opportunity to manage demand at Bellsquarry by reducing out of catchment placing requests as the site is built out. Therefore Education Planning has no objection to the amended proposal coming forward.	Noted. The applicant has agreed to the payment of the necessary developer contributions through the existing Section 75 legal agreement.
WLC Environmental Health	NO	Air Quality and Noise Impact reports have been submitted with the application. Environmental Health has no objection in terms of air quality subject to the assessment model being fully verified and mitigation measures being agreed if necessary. Environmental Health agrees with the findings of the noise report that	Noted. The applicant is aware that acoustic barriers are needed to take into account the adjacent noise sources. Appropriate conditions can be imposed.

Consultee	Objection?	Comments	Planning Response
		railway noise will not be an issue and potential noise from the industrial park (the adjacent units are currently vacant) can be mitigated through the use of an acoustic barrier in the form of bunding and fencing. The main noise concern is road traffic noise from the A71. The impact on four private houses will be slightly above the required council noise standards. The site which is to be transferred to the council for affordable housing will also be impacted by road noise. As set out in section 5 above under policy HOU9 an exception in respect of the four frontage houses can be made on design grounds and still satisfy the terms of the council's SPG on Planning and Noise. With regard to the site to be transferred for affordable housing development, the applicant has agreed to implement the appropriate noise mitigation barrier (comprising bunding and fencing) prior to transfer and has agreed to transfer a larger area than normally required by WLC Housing in order that the final design of that part of the site can mitigate against potential road noise.	
WLC Flood Prevention	NO	Following the submission of additional drainage information the proposals are acceptable in terms of water quality and a consent can be issued subject to conditions requiring the drainage system to be constructed and adopted in accordance with the approved details and investigation and improvement measures will require to be agreed for works to the adjacent drainage culvert under the A71 and implemented prior to any surface water being discharged to it.	Noted. The applicant is aware of the work needed to the culvert. Appropriate conditions can be imposed.
INEOS	NO	The Wilton to Grangemouth pipeline lies to the west of the application site. In terms of the safety and integrity of the pipeline INEOS has no objection to the proposal.	Noted.
Health & Safety Executive	NO	The application site does not fall within or cross any HSE consultation zones for a major hazard site or major accident hazard pipeline. HSE	Noted.

Consultee	Objection?	Comments	Planning Response
		does not therefore need to be consulted on this application.	
SEPA	NO	Following the submission of additional drainage information SEPA is satisfied with the proposed surface water drainage details.	Noted.

8 ASSESSMENT

8.1 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. The development plan comprises the South East Scotland Strategic Development Plan (SESPlan) and the West Lothian Local Plan (WLLP).

8.2 As detailed in the planning policy assessment at section 5, the current proposal is supported by the terms of the housing policies in the SESPlan and the WLLP and benefits from Planning Permission in Principle for residential development.

8.3 The assessment of the development is therefore limited to reviewing the details of the proposal and determining whether it complies with the terms of the permission in principle. The layout shows an increase in proposed housing numbers from 180 units in the permission in principle to 190 on the application plan (as amended) plus an area set aside for affordable housing. This has been reduced from the initial submission where 221 units were shown.

8.4 The layout approved as part of the permission in principle did show an area of land that was to be set aside for an extension to West Calder High School which was a potential council proposal at the time. That proposal is no longer proceeding and a new High School is currently under construction in West Calder. In terms of density, even with the land set aside for affordable housing, the current layout is therefore only a marginal increase on that approved at the in principle stage.

8.5 Following negotiations with the developer the layout has been amended to give a stronger sense of place through the introduction of bespoke house types at the entrance and at street corners. Two additional areas of open space have been introduced to act as focal points within the development and break up the built areas and terraced properties have been added into the housing mix. The developer has also agreed to use a combination of render and brick finishes and different colours of tiles, including wet dash render and artificial slate at focal points throughout the development, in order to create a number of separate nodes and identities within the overall development. The layout, as amended, is acceptable subject to clarification of the final materials specification.

8.6 A new access has been formed off the A71 into the site and an emergency access will be formed into the adjacent industrial park as part of the proposals. Transportation is satisfied that the traffic impacts from the development are acceptable.

8.7 Ecology and tree surveys were carried out at the site by wildlife consultants, both at the time of the permission in principle and as part of this submission. Other than the trees

and a badger sett close to the southern boundary, the surveys concluded that there is little of ecological interest. Due to the lapse in time, pre-construction surveys will be required to identify any changes to the position in respect of badgers and also for bats should further tree work be required. The amended layout allows for a stand-off zone from the canopy spread of existing and proposed trees, in line with BS standards. There is significant potential for these proposals to add to and enhance the quality and management of the woodland areas within the application site, in conjunction with the work by the Woodland Trust on its own adjacent areas. A detailed landscape plan, which identifies new planting areas, has been submitted. This includes tree planting within individual front gardens and in the open space areas.

8.8 As amended to reduce the housing numbers to 190, Education Planning has raised no objection to this application, subject to appropriate developer contributions being made to RC primary and secondary school sectors, in line with the requirements of the existing legal agreement.

8.9 One of the key technical issues that the developer has had to address is the potential impact from road traffic noise in respect of the north part of the site. An acoustic barrier will be required to address this. The preferred option for this is part bunding and part fencing which will sit behind the woodland tree belt. The applicant has agreed to implement these measures. As the layout of the affordable housing site has yet to be determined, the applicant has agreed to transfer a larger site that WLC Housing normally requires, in order that there is adequate land for the design and layout to mitigate against the traffic noise. Such design measures will involve the use of single storey houses in certain areas, the use of flats and orientation of buildings to face bedrooms away from the road.

8.10 All other technical requirements of consultees have been satisfied or can be made conditions of consent.

9 CONCLUSION AND RECOMMENDATION

9.1 The proposal is in accordance with the policies and provisions of the development plan and the terms of the Planning Permission in Principle. Approval is recommended subject to appropriate conditions, as set out in the draft conditions attached to this report.

10 ATTACHMENTS

- Draft conditions
- Location plan
- Aerial plan
- Amended layout
- Representations

Craig McCorriston
Head of Planning, Economic Development and Regeneration **Date**: 12 April 2017

DRAFT CONDITIONS - APPLICATION 0725/MSC/16

1 Prior to the commencement of development on site, pre-commencement surveys for otters, bats, small mammals and nesting birds shall be carried out in accordance with the recommendations of the submitted Ecological Assessment by Nigel Rudd. Thereafter, the necessary mitigation measures, including those required during the construction phase and the necessary licences shall be implemented/obtained under the instruction of a qualified ecologist or appropriate specialist.

Reason *To retain the biodiversity of the site and protect habitats and protected species on the site.*

2 Prior to the commencement of development 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 ensure the necessary mitigation is carried out to the satisfaction of the planning authority.*

3 Prior to the commencement of development, details of the materials specification, with samples where necessary, to be used as external finishes on all buildings, roads and footways/footpaths, which shall include a mix of high quality brick, render, tiles and artificial slate shall be submitted to, and approved in writing by, the planning authority.

Thereafter, the development shall be implemented in accordance with the approved details.

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.*

4 Prior to the commencement of development, a plan showing all common areas and details of the body who will own and maintain the common areas, together with a schedule of maintenance works, shall be submitted to and approved in writing by the planning authority. Thereafter, the common areas shall be maintained in accordance with the details as approved.

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.*

5 Prior to the commencement of development on site, details of (i) the specification of the noise barriers as indicated in the approved plans and appropriate cross-sections, showing ground heights from source to the closest receiver positions, for the barrier adjacent to the A71, north east corner and eastern boundary and (ii) the façade insulation and alternative means of ventilation for Plots 1-4, 6-11 and 18 shall be submitted for the written approval of the planning authority.

Thereafter, the approved barrier and insulation/ventilation details shall be implemented as approved prior to the occupation of the first house on the site or before the transfer of the land for affordable housing to the council, whichever is the earlier.

Reason *To ensure the necessary noise mitigation measures are in place, in the interests of residential amenity.*

6 Prior to the start of the construction of any houses on site, an the Air Quality Assessment model verification report, which shall include the findings of the verification exercise and any identified air quality mitigation measures, shall be submitted for the written approval of the planning authority.

Thereafter, any identified mitigation measures shall be implemented to the satisfaction of the planning authority.

Reason *To ensure any impacts on air quality are fully verified and mitigation measures put in place if necessary.*

7 The following requirements shall apply to the implementation of the drainage layout for the site :

(i) The drainage system for the development shall be constructed, completed and adopted in accordance with the submitted amended drainage plans, details and information.
(ii) Investigation works require to be carried out on the existing cundie below the A71 and the discharge point on the opposite side of the A71 to determine its suitability to accept the agreed discharge. This investigation and any resultant improvement measures shall be agreed in writing with the planning authority and implemented prior to any surface water being discharged to the cundie.
(iii) Prior to the commencement of development on site, proposals for the management of surface water run-off during the construction period shall be submitted to and approved by the planning authority.

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

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

<u>Large Goods Vehicles</u>

Large 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 large goods vehicles shall arrive or leave the site on a Sunday, unless otherwise agreed in writing with the planning authority.

Hours of Operation
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, unless otherwise agreed in writing with the planning authority.

Site Compound/Sales Office
The location and dimensions of any site compound and sales area shall be agreed in writing with the planning authority prior to works starting on site. All material not required for the construction of any building shall be immediately stored within this compound within sealed skips prior to its removal from site.

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. All waste material including rubble arising from the construction works hereby approved shall be deposited in a waste disposal site or recycling facility licensed for that purpose by the Scottish Environment Protection Agency.

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. Such steps shall include the cleaning of the wheels and undercarriage of each vehicle where necessary and the provision of road sweeping equipment.

Noise
Any plant or equipment associated with the construction works shall be suitably silenced, screened or enclosed to meet noise rating curve NR25 when measured within the nearest receptor between the hours of 2300 and 0700 and noise rating curve NR35 between the hours of 0700 and 2300.

Reason *In the interests of visual and environmental amenity.*

ADVISORY NOTES TO DEVELOPER
Please read the following notes carefully as they contain additional information which is of relevance to your development.

Notification of the start of development

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

Notification of completion of development

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

Contaminated land procedures

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease and the issue shall be reported in writing to the planning authority immediately. The developer is required to follow the councils Supplementary Planning Guidance Development of land potentially affected by contamination. This document provides developers and their consultants with information on dealing with the planning process in West Lothian when development is proposed on land which is suspected of being affected by contamination. This document and further guidance is provided via the Councils web pages at http://www.westlothian.gov.uk/article/2220/Contaminated-Land

Liaison with the Coal Authority

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

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

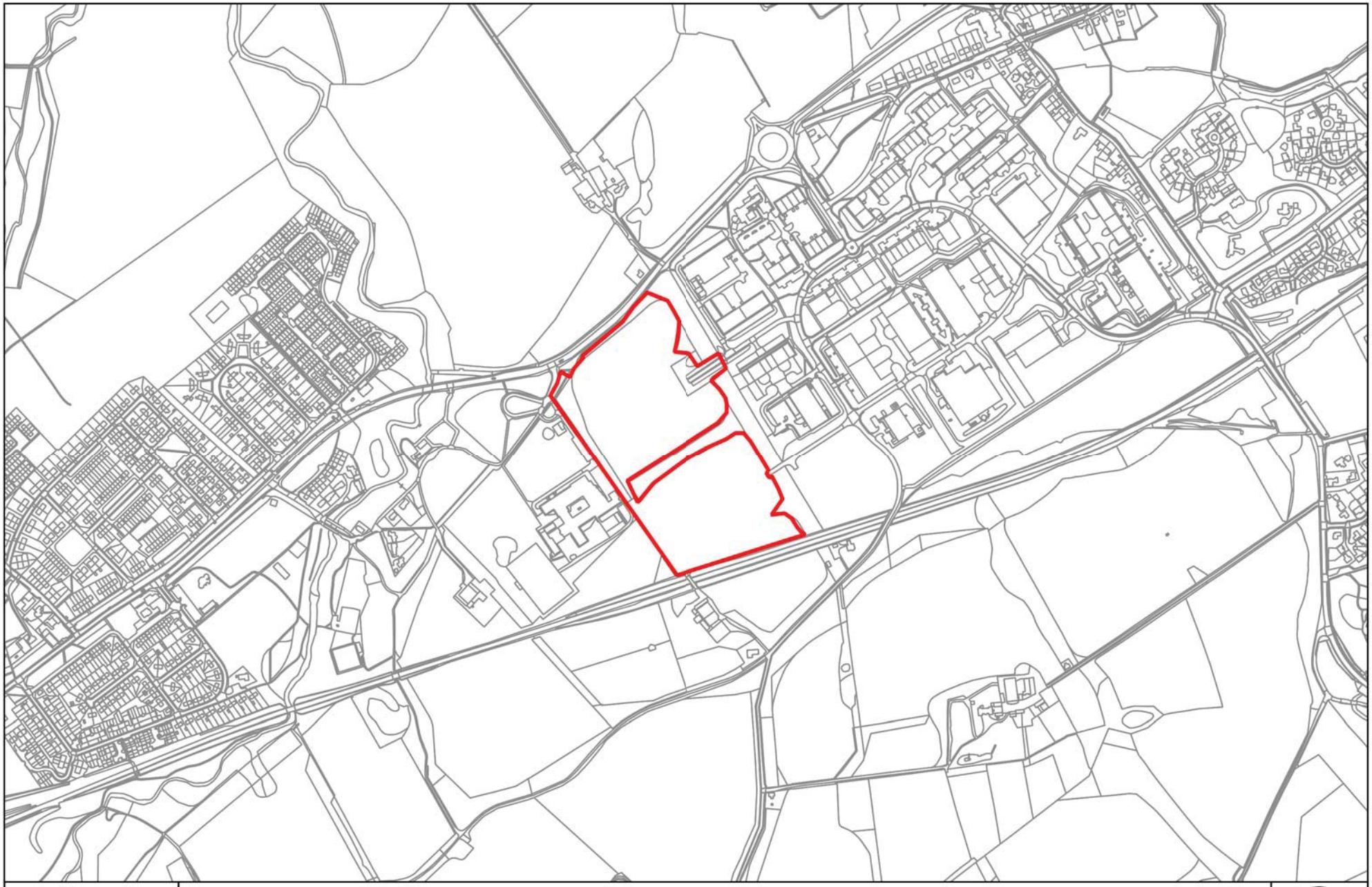
To contact the Coal Authority to obtain specific information on past, current and proposed coal mining activity you should contact the Coal Authority's Property Search Service on 0845 762 6848 or at ***www.groundstability.com****.*

Advisory note to developer - General

Please note that it is the developer's responsibility to ensure that all relevant consents, certificates and permits are in place prior to starting work on site. It is also the developer's responsibility to contact relevant service providers to ensure safe connection where appropriate.

How to challenge the council's Decision

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



West Lothian Council

APPLICATION 0725/MSC/16 - Land at Limefields - Livingston

200 0 200 m

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West Lothian Council

APPLICATION 0725/MSC/16 - Land at Limefields - Livingston

200 0 200 m

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SCALE BAR:- 0 10 20 40 60 80 100M

1800mm HIGH TIMBER FENCE
1800mm IBSTOCK SANDALWOOD FACING BRICK WALL
MSC APPPLICATION BOUNDARY
PPIP APPLICATION BOUNDARY
ACOUSTIC FENCE
DENOTES HANDINGS
DENOTES ROOT PROTECTION AREA

NORTH

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IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT ALL MATERIALS USED DURING CONSTRUCTION CARRY A CE MARKING.

REV	DESCRIPTION	DRAWN	CHKD.	DATE
P	GAS WAYLEAVE HATCH REMOVED AS REQUSTED BY PLANNING OFFICER	KGR		05.04.17

ema
architects + masterplanners

42 CHARLOTTE SQUARE
EDINBURGH
EH2 4HQ

E INFO@EMA-ARCHITECTS.CO.UK T 0131 247 1450
W WWW.EMA-ARCHITECTS.CO.UK

BDW EAST SCOTLAND
RESIDENTIAL DEVELOPMENT
LIMEFIELDS

SITE LAYOUT

SCALE / SIZE	DATE / DRAWN	PROJ. TYPE	SHEET No. / No. SHEETS
1:500 / @A0	13.02.14 / AMM		1 / 1

DRAWING REFERENCE
16009(PL)001 P

ISSUE PURPOSE	WORK STAGE
PLANNING	
FILE CLASSIFICATION	FILE REFERENCE

Support S.

Com 1
O
local

Objection from

Scan / Redact

Bellsquarry and Adambrae Community Council

Bellsquarry, Livingston, West Lothian

From the Planning Secretary, Peter Jeppesen:
Telephone:
Mobile:
Email:

[redacted]

West Lothian Co
Development Mana
2 DEC 2016
Date.....
Ref No.....
WJM cc

Thursday , 1 December 2016

Ms Wendy McCorriston,
Development Management,
West Lothian Civic Centre,
Howden South Road,
Livingston, EH54 6FF

0725/MSC/16

Dear Ms McCorriston,

Re:LIVE/0725/MSC/16 | Application for matters specified in conditions (ref : 0487/P/10) for a residential development at Limefields, Brucefield, Livingston

I am writing on behalf of Bellsquarry and Adambrae Community Council to object to the above application. Our objection is that the plans accompanying the application represent a considerable escalation in the number of houses compared to the planning permission in principle granted on 23rd April, 2015, and as such they do not comply with the conditions of that planning permission and should be rejected.

This site was designated HLv136 and identified for housing development in the West Lothian Local Plan (adopted 2009) with a planning brief approved in May, 2010 for 170 dwellings. The site has been carried over into the West Lothian Local Development Plan Proposed Plan (site H-LV 11) with an allocation of 170 units. In the original application, 0487/P/10, the developer initially proposed 204 dwellings but, following discussions with the West Lothian planning department, the site was considered capable of accommodating a maximum of 180 units, while maintaining the required landscaping, and this number was accepted by the planning committee in granting planning permission in principle in 2015. The site plan accompanying the present application shows an unimaginative layout in which 221 dwellings are crammed into a conventional housing estate type street arrangement with minimal landscaping. In addition, an area is set aside for an unspecified quantity of affordable housing: one can therefore envisage upward of 250 housing units on the site if the application receives consent. This is way beyond the number of dwellings specified in the original planning brief and the planning permission in principle granted in 2015. The aim is clearly to maximize the developer's profits rather than to provide a high quality of design and layout in accordance with West Lothian Local Plan policy HOU7.

Road and Rail Infrastructure

Bellsquarry residents are concerned at the impact that any large new housing developments in the area will have on the already stressed local infrastructure. The A71 is a very busy road, carrying many heavy goods vehicles. Access from the proposed Limefields development may prove difficult at peak times, precisely when the occupants would be travelling to work or taking their children to school. Traffic feeding onto the A71 near the Wilderness Roundabout is already set to increase following the recent appeal decision to allow building on Brotherton Farm land almost opposite to Limefields. In assessing the likely impact on transport of the Limefields development, effects distant from the actual development site must also be considered. The A71 experiences traffic

congestion between Livingston and Edinburgh on a daily basis during morning and evening peak commuting periods, with queues routinely developing at known bottlenecks. Incidents such as minor accidents or breakdowns can lead to severe delays. This situation is deteriorating all the time with the large number of houses being built at Calderwood and other sites that feed onto the A71, for example at East Calder and Ratho. For those wishing to travel by rail, the station car park at Livingston South is already fully subscribed, leading to overspill parking in the nearby shopping area car parks and neighbouring residential areas, to the annoyance of local residents. Bus routes serving the proposed Limefields development are also very limited, forcing more people into their cars.

Bellsquarry Primary School

Another major concern is the effect of the proposed development on Bellsquarry Primary School. This is the catchment school for Limefields but is already at or near capacity. There is provision in the Local Development Plan Proposed Plan to extend the school, but it is not at all clear where the space to extend the school would come from without reducing the already small playground area. Even if space can be found to accommodate the extra pupils from Limefields, the increased traffic congestion along Calder Road and near to the school, caused by more parents driving their children to and from school, could well become a safety issue. School traffic safety concerns are regularly voiced by parents and residents at Community Council meetings.

For the reasons of inadequate infrastructure and the effect on Bellsquarry Primary School, the Community Council feels most strongly that the number of houses built at Limefields should be severely restricted, certainly no more than the 170-180 units that were agreed when planning consent was given in 2015.

I trust you will take account of the concerns of local residents in coming to your decision on this application.

Thanking you for your attention,

Yours sincerely,

[redacted]

Peter Jeppesen

(on behalf of Bellsquarry and Adambrae Community Council)

Comments for Planning Application LIVE/0725/MSC/16

Application Summary
Application Number: LIVE/0725/MSC/16
Address: Land at Limefields, Brucefield, Livingston, EH55 8QN
Proposal: Application for matters specified in conditions (ref : 0487/P/10) for a residential development of 221 houses and land set aside for affordable housing (Grid Ref:303846, 664381)
Case Officer: Wendy McCorriston

Customer Details
Name: Mr Neil Begg
Address: Glenpark Cottage West Calder

Comment Details
Commenter Type: Neighbour
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment:Whilst not against this development I can not see any mention of traffic survey being done for this area .The main A71 is very busy at this junction during peak times and I would like to see speed limit reduced to 30mph from wilderness roundabout to match polbeth area. As I would think a larger pedestrian number using footpaths to new high school. Hopefully tree removal will not affect large number of nesting birds in this area.

Comments for Planning Application LIVE/0725/MSC/16

Application Summary
Application Number: LIVE/0725/MSC/16
Address: Land at Limefields, Brucefield, Livingston, EH55 8QN
Proposal: Application for matters specified in conditions (ref : 0487/P/10) for a residential development of 221 houses and land set aside for affordable housing (Grid Ref:303846, 664381)
Case Officer: Wendy McCorriston

Customer Details
Name: Mr Dean Swift
Address: Glen Cottage Charlesfield lane Livingston

Comment Details
Commenter Type: Other
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment:Whilst the schemes's appearance will be relatively satisfactory it lacks any imagination. Other than a slight grid I do not think there will be any "sense of place". It looks very unstaintable; almost all detached, apparently no solar or PV panels? Will they have the power and connections to charge electric vehicles? The site is obviously located on the A71 for a commute. The site is not close to shops or other facilities which means car journeys will be required. Bellsquarry school is relatively close but must be at full capacity? There are not enough trees in the scheme to soften or give scale. The back gardens could all have one or two small fruit trees. Might be good PR for the developer? Other than the suds area (which is a requirement)it is just another unimaginative, unsustainable scheme. Who will protect the woodlands during construction and, more importantly, who will manage them after? We do not want what is happening in Kaims (Kirkton) where they are sold at auction then someone starts cutting them. Sorry to be so negative.

West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development & Regeneration

1 DESCRIPTION AND LOCATION

1.1 Erection of thermal treatment plant and extension to materials sorting/recycling building with associated plant and facilities at the Levenseat Waste Management Site by Forth

2 DETAILS

Reference no.	0795/FUL/16	Owner of site	Levenseat Limited
Applicant	Levenseat Limited	Ward & local members	Fauldhouse and Breich Valley David Dodds Greg McCarra Cathy Muldoon
Case officer	Mahlon Fautua	Contact details	01506 282426 mahlon.fautua@westlothian.gov.uk

Reason for referral to committee: Objection from the Whitburn Community Council and Kirknewton Community Council.

3 RECOMMENDATION

3.1 Grant planning permission subject to conditions.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

4.1 Planning permission is sought for the erection of an advanced thermal treatment (gasification) plant that is the second stage of the thermal treatment currently under construction under a previously consented application (0424/FUL/13). The proposal also involves an extension to the existing Materials Sorting Building.

4.2 The application is accompanied by an Environmental Statement (ES) as required by the EIA regulations. A formal Scoping Report was submitted on 17th August 2016 and a formal scoping response was issued on 26th August 2016.

4.3 It was confirmed that the scope of the ES should cover the following:

- Landscape and visual impact;
- Air quality and health; and,
- Air quality and biodiversity/ecology.

4.4 Other issues have been scoped out. It is noted that the previously consented application was also accompanied with an ES which was used a basis to inform the scope and proposed methodology for the current proposal.

4.5 The total site area is approx. 17 hectares and includes landfill, a range of recycling facilities including waste sorting, aggregate washing and grading and composting. A number of waste management/ processing take place on the site.

4.6 The site is located on the west side of A706, approximately 2km south of the junction with the A71 at Breich and approximately 3km south of Fauldhouse. The site is accessed from the A706, just within the WLC boundary with South Lanarkshire Council.

4.7 The proposal comprises of the following:

- The plant will be housed in a steel frame industrial building, approximately 65/70m x 95/100m x 30m high.
- A stack approximately 55m high with a diameter of 3.9m adjacent to the existing stack.
- An infill extension to the materials sorting building measuring 55m x 52m and will be constructed of the same materials and specification and painted to match the existing building.

4.8 Secondary heat will be extracted from the plant by way of a heat exchanger adjacent to the steam turbine and in the form of high pressure steam which will then be piped, in a closed loop system using insulated pipelines, to heat exchangers adjacent to each heat use. The options under consideration at present include:

- Drying fines materials as part of the sorting and recycling process;
- Drying biomass woodchip fuel;
- General drying of materials;
- District heating e.g. Heartlands; and,
- Greenhouse horticulture.

Planning History

Reference Number	Description	Decision and Date
0190/M/90	Permission to use area for Landfill	Granted - May 1994
0915/FUL/08	Variation of condition 1 of planning permission 0190/M/90 to increase time scale of waste management permission to 31/3/2032	Granted – 23/03/17
0528/FUL/10	Proposed waste management facility thermal treatment (gasification) plant & buildings, storage facilities and landscaping	Granted - 01/12/2010
0772/PAC/12	Proposal of application notice for proposed development of a thermal	N/A

	treatment plant for waste, associated plant and buildings, storage facilities, landscaping and boundary treatment.	
0116/EIA/13	EIA scoping request for the erection of a thermal treatment plant	EIA required – 03/04/13
0424/FUL/13	Erection of advanced thermal treatment (gasification) plant, associated plant and buildings, storage facilities, landscaping and boundary treatment including utilisation and export of secondary heat.	Granted – 21/10/13
0509/FUL/14	Formation of internal service and access road.	Granted - 23/09/14
0743/PAC/14	Proposal of application notice for the erection of a materials sorting building and associated works	N/A
0019/FUL/15	Erection of a 4290sqm extension to materials sorting building and associated works	Granted – 18/03/15
0367/PAC/15	Proposal of application notice for additional materials sorting/recycling building and extension to Thermal Treatment Plant operations	N/A
0503/EIA/16	EIA screeing opinion for extension to materials recycling facility and thermal treatment operations	EIA Required – 4/08/16

5 REPRESENTATIONS

5.1 The application was subject of statutory publicity including an EIA advert. Six objections were received including objections from the Whitburn Community Council and Kirknewton Community Council.

5.2 The representations are summarised below. The full representations are attached to this report.

Comments	Response
The proposed energy and secondary heat produced from this proposed application will not even be used as it was first intended.	Noted. The application includes the necessary plant and systems for secondary heat extraction. The final use of the heat will be pursued with the operator as a separate matter.
Air pollution and odour	Noted and further assessed below.
Fly tipping	Noted, however not a material planning matter.
The meteorological data used is incorrect, more specifically the windspeed used.	Noted.

The timing of the application over Christmas	Noted, however not a material planning matter as the planning authority is obliged to progress applications at the time they are received.
Lack of consultation	The planning authority is satisfied that the applicant met the statutory requirements for pre-application consultation and that the notification procedures of this EIA application have been meet.
The impact on the transport infrastructure in and around Whitburn during and after construction.	WLC Transportation has assessed the application and has no objection.
Are there plans in place to monitor emissions at a range of distances 5 miles, 10 miles, 15 miles and 20 miles.	Noted and further assessed below.
The energy produced will not be used locally	Noted, however not a material planning matter.
No Need	Noted. The proposed development is part of an existing waste management facility and the second phase extension of the energy from waste plant that is currently under construction.

6 CONSULTATIONS

6.1 The consultations are summarised briefly below. The full consultations are contained in the application file.

Statutory Consultee	Objection	Comments	Planning Response
SEPA	No	Initially objected on the grounds of lack of information relating to air quality with respect to particular stack height assessments. The applicant submitted further information and as a result, the SEPA withdrew their objection in terms of air quality. SEPA would object unless a planning **condition** is attached ensuring that no development can commence until a full site specific Environmental Management Plan (EMP) incorporating a Construction Method Statement (CMS) and a Site Waste Management Plan (SWMP) is submitted at least one month prior to commencement of development and approved by the planning authority, in consultation	Noted. If permission is granted, then a condition to this effect should be attached.

Statutory Consultee	Objection	Comments	Planning Response
		with SEPA and other agencies such as SNH.	
Scottish Natural Heritage	No	**Landscape and Visual Assessment** The exact position of this stack will be informed by the LVIA, but it's envisaged that it will be twin-barrelled and in close proximity with the existing one. SNH consider this to be a logical approach to reducing adverse landscape and visual impacts and piecemeal development of the major infrastructure associated with this site. **Air Quality Impact and designated sites** SNH concludes that emissions from the application are not significant and agree that the proposal is not likely to have a detrimental effect on designated sites (Sites of Special Scientific Interest and Special Areas of Conservation/Special Protection Areas).	Noted.
Historic Environment Scotland	No	No comments on the proposals	Noted. The site is not located within or would have any impact on a world heritage site, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective Inventories.

Consultee	Objection	Comments	Planning Response
WLC Roads & Transportation	No	None	Noted.
WLC Flood Risk Management	No	The proposed drainage and surface water management details appear satisfactory.	Noted. If permission is granted, then a condition to this effect should be

Consultee	Objection	Comments	Planning Response
		Suggests a condition be applied such that the drainage proposals are designed and constructed in accordance with the submitted SWMP Plan and Drawings.	attached
WLC Contaminated Land Officer	No	A Phase 1 site investigation report is required.	Noted. If permission is granted, then a condition should be attached for this to be submitted with any subsequent application. It is noted that a site investigation report for contamination was submitted previously. These reports may require to be updated to cover the proposed second phase.
Edinburgh Airport Safeguarding	No	The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition requiring the submission of a Bird Hazard Management Plan.	Noted. If permission is granted, then a condition to this effect should be attached.
WLC Environmental Health	No	Further verification of the Air Quality Impact Assessment and the consultation response from SEPA has been sought.	Noted.

7 PLANNING POLICY 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 of the Strategic Development Plan for Edinburgh and South East Scotland (SESplan) and the West Lothian Local Plan (WLLP).

7.3 The West Lothian Local Development Plan - Proposed Plan (LDP) has been published and the public consultation period finished at the end of November 2015. The Council has approved the LDP and it was submitted to the Scottish Ministers for examination in October 2016. The LDP examination commenced in January 2017. This is also a material consideration, however due to the LDP being early in the examination phase, more weight should be given to the current WLLP at the time of this assessment.

Plan	Policy	Assessment	Conform
West Lothian Local Plan	NWR 15 - Waste Management Facilities *In determining an application for a waste management facility, the council will assess whether there is a demonstrable need for the proposed facility and, thereafter, determine the planning application against the criterion set out in policy NWR 15:*	The proposed development is part of an existing waste management facility and the second phase extension of the energy from waste plant that is currently under construction. The proposed extension of the plant would not have a significant impact on the scale and operations of the existing facility and approved energy plant.	Yes
West Lothian Local Plan	NWR 20 – Renewable Energy *The council supports the development of renewable energy schemes provided that the schemes are environmentally acceptable and the criteria set out in this local plan can be met.*	The proposed extension of the plant would not have a significant impact on the environment. This is also further assessed below.	Yes
West Lothian Local Plan	NWR 20 – NWR 24 Renewable Energy *The council will not support any proposal for renewable energy development that could undermine the qualities of any site identified by an international natural heritage designation either in West Lothian or in an adjoining local authority area. In assessing such effects, the council will have particular regard to the precautionary principle.*	Scottish Natural Heritage has assessed the application and has no objection. The proposed development would not have a detrimental impact on sites of natural and built heritage based on the visual impact and air quality. This is also further assessed below.	Yes
West Lothian Local Plan	ENV21 – Areas of Special Landscape Control (ASLC) *The council will protect the six Areas of Special Landscape Control shown on the proposals map from intrusive development in order to retain their landscape character.*	The site is not located within an ASLC. It is considered that the proposed development would not have a detrimental impact on any ASLC.	Yes
West Lothian Local Plan	IMP9 - Air Quality *Where appropriate, developers will be required to provide*	The applicant has submitted an Air Quality Impact Assessment and has been reviewed by SEPA and the Council's Environmental Health	Yes (see below)

Plan	Policy	Assessment	Conform
	additional information on the impact of their proposed development on air quality in support of a planning application. Development will not be supported where it is not possible to mitigate the adverse effects of that development on air quality effectively. *Where appropriate, planning conditions will be imposed which require air quality monitoring apparatus to be installed.*	department. As the application was subject to an Environmental Statement which is further assessed below.	

Also of relevance:

Document	Content	Planning Response
Scottish Government; National Planning Framework 3 (NPF3)	NPF3 sets out a spatial strategy for Scotland's development and a framework within which all other planning policies sit. NPF3 recognises that waste is a resource and an opportunity, rather than a burden. Scotland has a Zero Waste Policy, which means wasting as little as possible and recognising that every item and material we use, either natural or manufactured, is a resource which has value for our economy. Planning plays a vital role in supporting the provision of facilities and infrastructure for future business development, investment and employment.	The proposal complies with this as it would provide an additional renewable capacity on the site and reduce the amount of waste going to the existing landfill.
Scottish Government; Scottish Planning Policy (SPP)	SPP reiterates the Government's aims of reducing landfill. Paragraph 176 states that the planning system should: • *promote developments that minimise the unnecessary use of primary materials and promote efficient use of secondary materials;* • *support the emergence of a diverse range of new technologies and investment opportunities to secure economic value from secondary resources, including reuse, refurbishment, remanufacturing and reprocessing;* • *support achievement of Scotland's zero waste targets: recycling 70% of household waste and sending no more than 5% of Scotland's annual waste arisings to landfill by 2025; and* • *help deliver infrastructure at appropriate locations, prioritising development in line with the waste*	The proposal complies with this as it would provide an additional renewable capacity on the site and reduce the amount of waste going to the existing landfill.

	hierarchy: waste prevention, reuse, recycling, energy recovery and waste disposal.	
Scottish Government; PAN 63 Waste Management Planning	PAN 63 specifically includes comment on incinerators (with and without energy recovery). Paragraph 41 -There is however a place for energy-from-waste (EfW) facilities when they represent the BPEO as part of an integrated waste management solution...Development plans should make clear that there will be a presumption against applications for energy from waste facilities treating unsorted wastes or incineration without energy recovery. Large facilities may be conspicuous because of the necessary size of the chimney stack and associated buildings. They will usually generate substantial heavy goods vehicle movements. Paragraph 44. Sites for energy from waste facilities should be sought only on land that is located within permitted or allocated waste management sites or on other suitable previously developed land including degraded, contaminated or derelict land. Subject to the nature of existing uses, general industrial sites may also be suitable. In addition to complying with other development plan policies for transport, amenity and environmental impact, policies should encourage proposals that; • include the maximum efficient capture of energy including heat and, where feasible, provide heating for local use; • are part of an integrated network of waste management facilities for the area that do not undermine the ability of higher levels of the waste hierarchy to be achieved; and • have regard to SEPA guidelines on Energy from Waste when published.	The facility at Levenseat also sorts and recycles materials. The proposals are an extension of an existing plant that is under construction. It is also noted that PAN 63 provides best practice advice on managing waste and advises that planning conditions and restrictions should not duplicate those matters dealt with by SEPA and that planning authorities should look to SEPA to assess environmental implications of such proposals.

8 ASSESSMENT

8.1 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.

8.2 The development plan comprises the Strategic Development Plan for Edinburgh and South East Scotland (SESplan) and the West Lothian Local Plan (WLLP).

8.3 The application is accompanied by an Environmental Statement (ES) as required by the EIA regulations and was confirmed that the scope of the ES should cover the following:

- Landscape and visual impact;
- Air quality and health; and,
- Air quality and biodiversity/ecology.

A copy of the full ES is contained in the application file and is summarised below.

Landscape and visual impact

8.4 The ES includes a comprehensive landscape and visual impact assessment (LVIA) that analyses the potential impacts which the proposed thermal waste treatment plant and associated development has upon the surrounding landscape and visual receptors. The study area for the assessment was based on a 5km radius from the proposed flue stack, however, viewpoints at greater distances were considered with respect to potential skyline effects.

8.5 The LVIA is conducted on a cumulative basis, including all existing developments and operations including those such as the Tormywheel windfarm currently under construction. The impact of the baseline and consented windfarms were previously modelled and has a negligible effect. The full baseline visual impacts of all consented wind turbines have also been included.

8.6 The LVIA concludes that there are no significant (moderate or above) cumulative visual impacts resulting from the proposal have been identified.

8.7 This is agreed and the proposed buildings are to be constructed alongside the existing buildings and will be of a similar steel frame. In addition, the proposed new stack, which would be highly visible from outwith the site, would be twin-barrelled and in close proximity to the existing stack. This in addition to the Tormywheel windfarm surrounding the site, it is therefore considered that the conclusion in the ES is correct and accepted.

8.8 It is noted that SNH also agree to the approach and do not object to the application on landscape and visual grounds.

Air Quality

8.9 The ES includes a comprehensive air quality impact assessment (AQIA) that quantifies the impact of the cumulative emissions from the proposed second phase of the thermal treatment facility.

8.10 An air dispersion modelling has been undertaken to assess the maximum impact of the proposals and the impact at sensitive receptors. The AQIA includes the air quality assessment levels for the protection of human health and the impact of atmospheric emissions and deposition at a range of sensitive ecological receptors.

8.11 The AQIA concludes that at all sensitive receptors and at areas of public exposure the significance of the effect is negligible.

8.12 The operation of the proposed development will also need to comply with a Pollution Prevention and Control (PPC) Regulations and would require relevant permits to be issued at an appropriate stage by SEPA.

8.13 As stated above, SEPA had initially requested clarifications and further details on those matters that were relevant at the planning application stage. It is noted that many other details will be required to be addressed with the PPC.

8.14 Both SEPA and SNH do not object to the proposal in terms of air quality impact. Council's Environmental Health has also been consulted and is seeking further verification of the AQIA and the consultation response from SEPA.

9 SUMMARY AND CONCLUSIONS

9.1 The application would utilise the existing waste treatment facility and expand the renewable energy capacity on the site. It has been demonstrated that the environmental impact, in particular air quality and landscape and visual impact is acceptable.

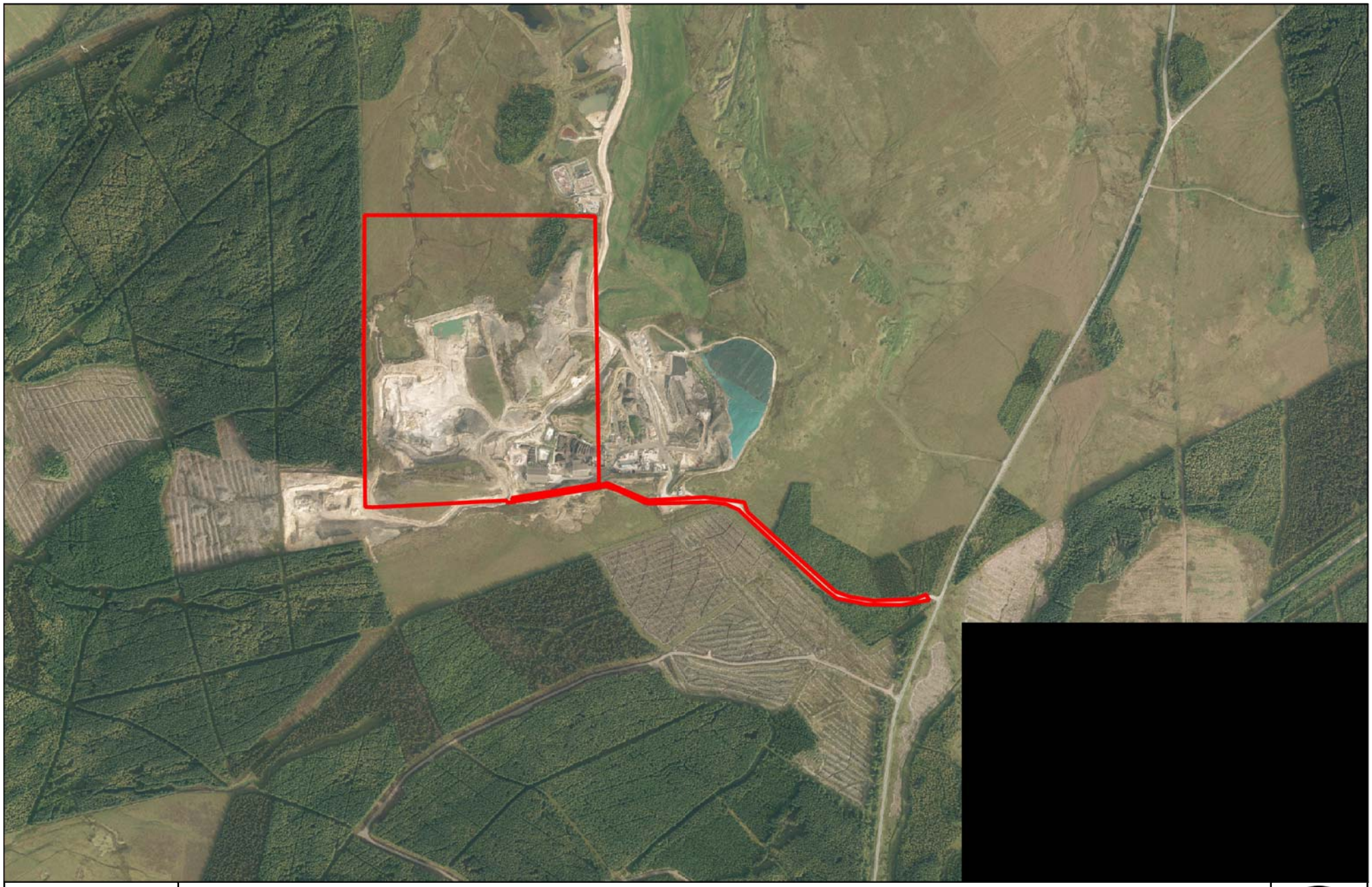
9.2 The proposal meets the relevant policies of the development plan and is in accordance with relevant national policy and guidance.

9.3 Taking into the above assessment, it is recommended that planning permission is granted subject to conditions.

10 ATTACHMENTS

- Aerial and Location plan
- Environmental Statement – Non Technical Summary
- Representations
- Draft conditions and reasons

Craig McCorriston
Head of Planning, Economic Development & Regeneration **Date**: **12 April 2017**



West Lothian Council

APPLICATION 0795/FUL/16 - Levenseat Ltd , By Forth, ML11 8EP

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West Lothian Council

APPLICATION 0795/FUL/16 - Levenseat Ltd , By Forth, ML11 8EP

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Environmental Statement

Non-Technical Summary (NTS)

Phase 2

Proposed Thermal Treatment Plant
operations and extension to Materials Sorting Building

Levenseat Waste Management Facility
by Forth
Lanark
ML11 8EP

November 2016

FICHTNER
Consulting Engineers Limited

MUIR SMITH EVANS
Planning & Development Consultants

wardell armstrong
your earth our world

Introduction

1. This Non-Technical Summary (NTS) of the Environmental Statement provides a summary of the main environmental impacts of the proposal.

The applicant

2. Levenseat Ltd is a waste management company which has been in business since 1986. It currently turns over approximately £8m and has 50 employees. Their principal site of operation is at Levenseat in West Lothian within a worked out part of Levenseat Sand Quarry. The total site covers some 17 hectares and includes non-hazardous landfill and a range of recycling facilities including waste sorting, aggregates washing and grading, block composting, in-vessel composting and Phase 1 Thermal Treatment Plant operations and materials sorting building for fuel preparation.

3. The site at present takes just under 170,000 tonnes a year of a broad range of wastes, approximately 50% of which are municipal wastes from Midlothian, South Lanarkshire, North Lanarkshire and West Lothian Councils. The site is permitted under a permit issued by SEPA.

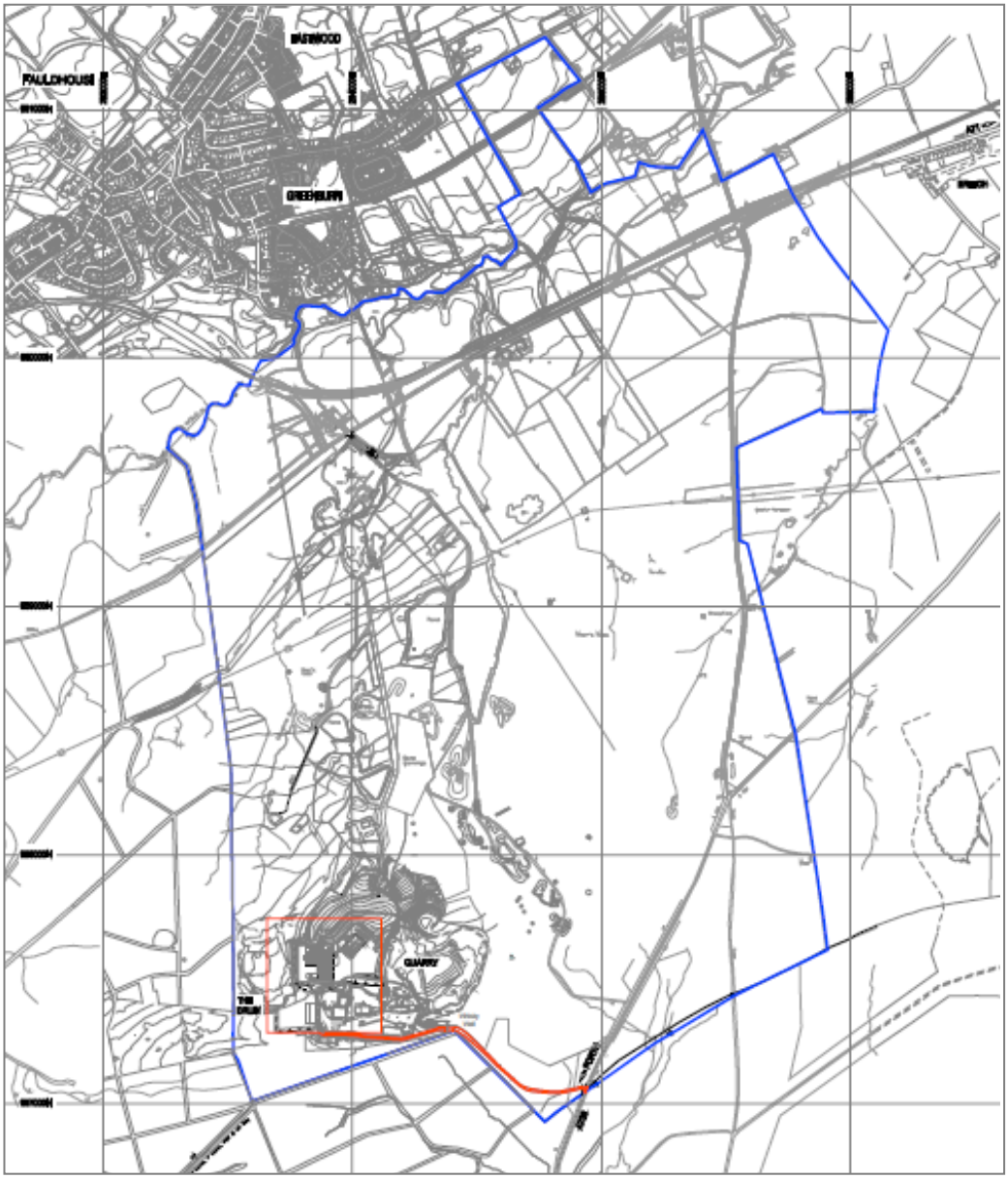
The site & location

4. Levenseat is located on the west side of the A706, 3km north of Forth and 2km south of the junction with the A71 at Breich. The site entrance is just within West Lothian on the border with South Lanarkshire. The site is approximately 3km south of Fauldhouse (see location plan and site extract overleaf).

5. The red line of the site subject to the new application is consistent with the Proposal of Application Notice (PAN) boundary.

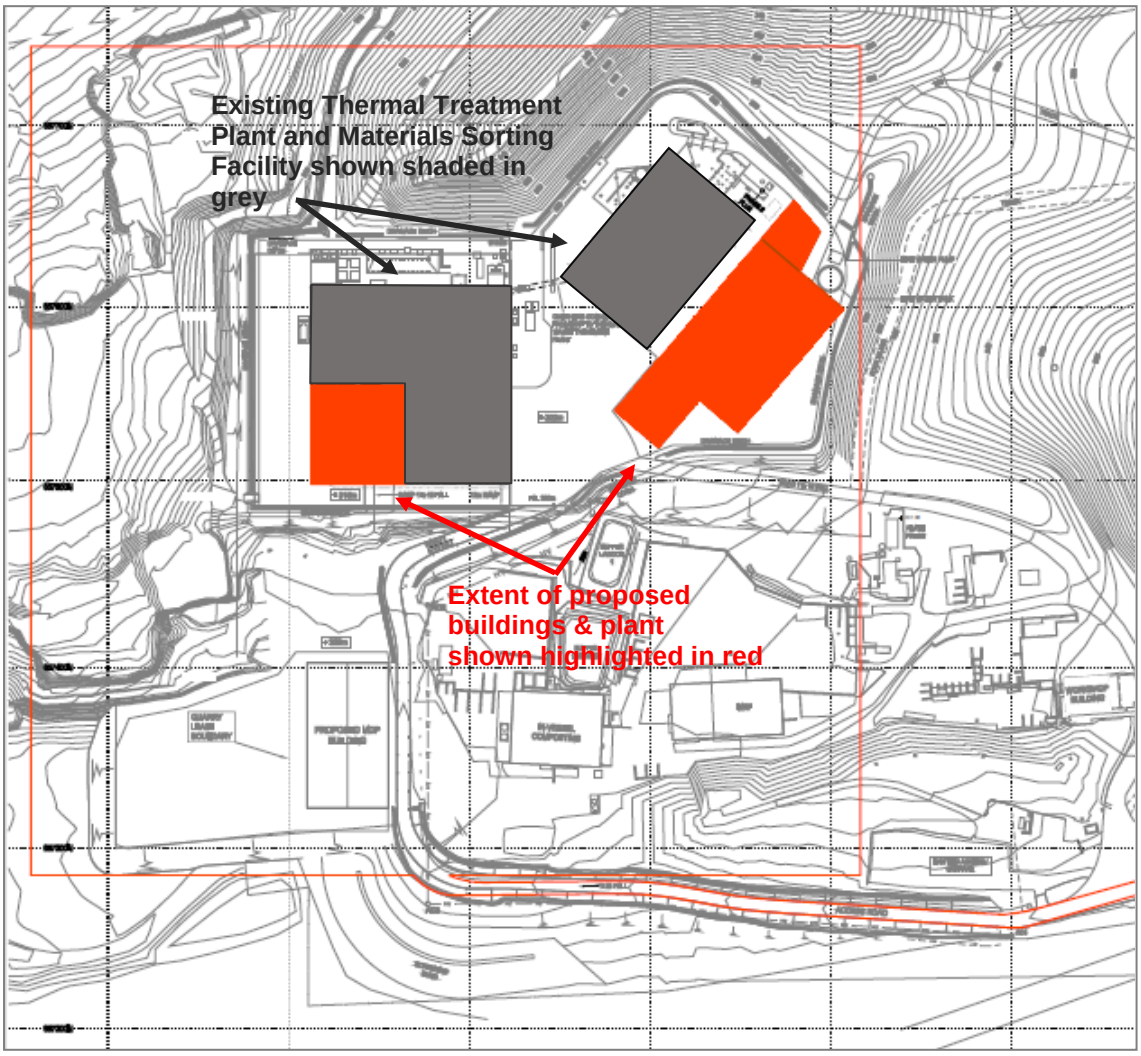
6. The site is perched at the top of the north facing hillside of Leven Seat Hill. Elevations on the site range from 350m to 320m above ordnance datum level and are highly variable due to the current use of the site, particularly within the landfill area. In general, the site falls towards the north. The access road off the A706 is located on the opposite side of the hill and therefore falls away from the site in a south-easterly direction to an approximate elevation of 328m above ordnance datum level.

7. The Environmental Statement previously submitted for the first phase development of a Thermal Treatment Plant has been used as a basis to inform the scope and proposed methodology of this new cumulative assessment. The previous ES relates to Planning Permission reference 0327/FUL/14 which is now an implemented permission. A separate permission (reference 0019/FUL/15) was granted to extend the original building by 4,290 sq m and this is also implemented. This proposal is to extend that materials sorting building and develop a new Phase 2 Thermal treatment Plant.



Application site outlined in red showing extent of PAN area. Additional land ownership outlined in blue

8. For the purposes of EIA, a particular planning application should not be considered in isolation and should be regarded as an integral part of an inevitably more substantial development. Multi-stage consents and separate application proposals must therefore be considered in context and cumulatively.



Application site outlined in red showing extent of PAN area.

The proposal

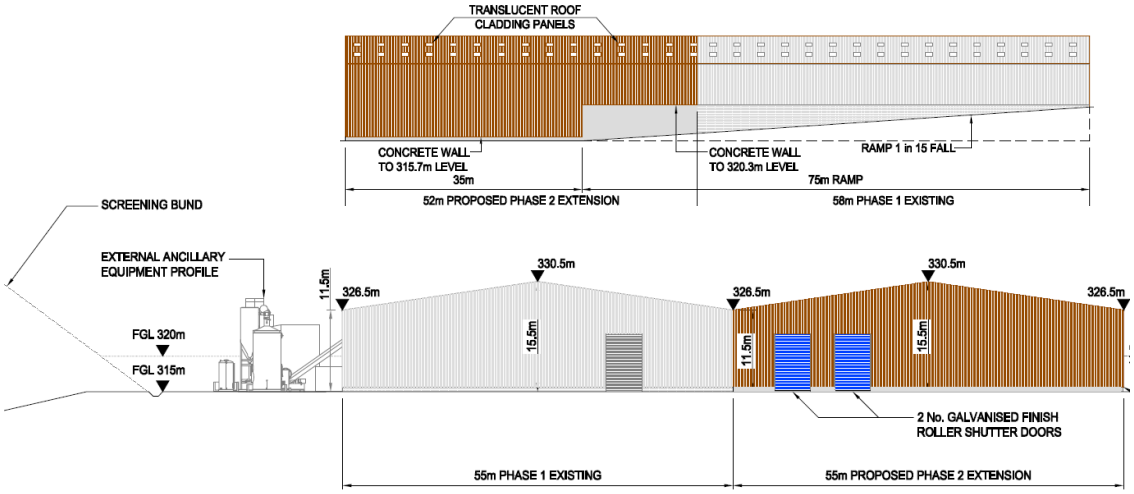
9. The planning application to which this ES relates is for the development of an advanced thermal treatment process that will thermally treat refuse derived fuel (RDF) using gasification technology. The plant will have a fuel input capacity of up to 70 MWth with net exportable electricity generation at approximately 20% of input power and heat available for off-take at approximately 24%. Quantities of RDF processed will depend on the calorific value (CV) of the RDF.

10. The plant will be housed in a steel frame industrial building very similar to the existing plant and building under construction. It will measure approximately 65/70m x 95/100m x 30m high (22m at eaves) and with a stack 55m high of the same design and specification as the existing facility. The infill extension to the existing materials sorting building measures 55m x 52m and will be constructed of the same materials and specification and painted to match the existing building. Dimensions and the

precise location of the second stack will be subject to confirmation – largely on the basis of the Air Quality Assessment (AQA) and Landscape and Visual Impact Assessment (LVIA) work undertaken as part of the Environmental Impact Assessment.

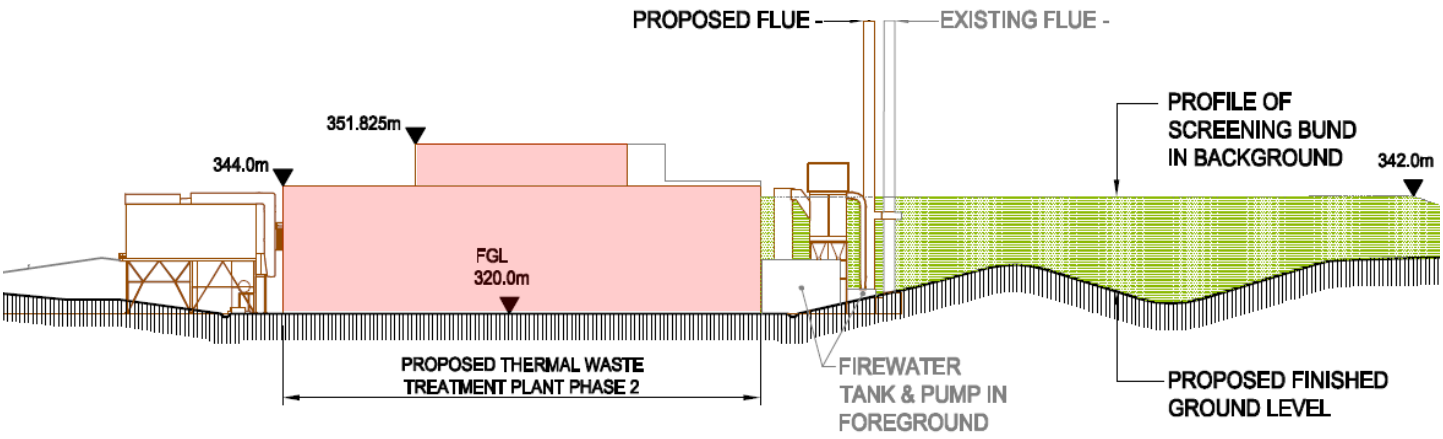
11. The building design will be of an industrial nature but carefully sited directly adjacent to the existing thermal treatment plant to minimise visual impact. Both the thermal waste treatment plant and the material sorting building extension will be constructed using similar materials and finishes and are outlined and shaded in brown in Figures 1.4 and 1.5 below taken as an extract from submitted planning drawings for illustration only (NTS). These sections and elevations show the extension to the existing sorting and fuel preparation building and the contextual elevations of the proposed new plant sitting alongside (directly to the south east) of the existing facility.

12. The buildings will be of the same specification and colour to the existing Thermal Treatment Plant and Materials Sorting Facility Building. These are consistent with the other buildings on the Levenseat site and painted to the same standard RAL colour. All proposed buildings and extensions to buildings sit within the former quarry void and are therefore screened to a large extent from any external views.

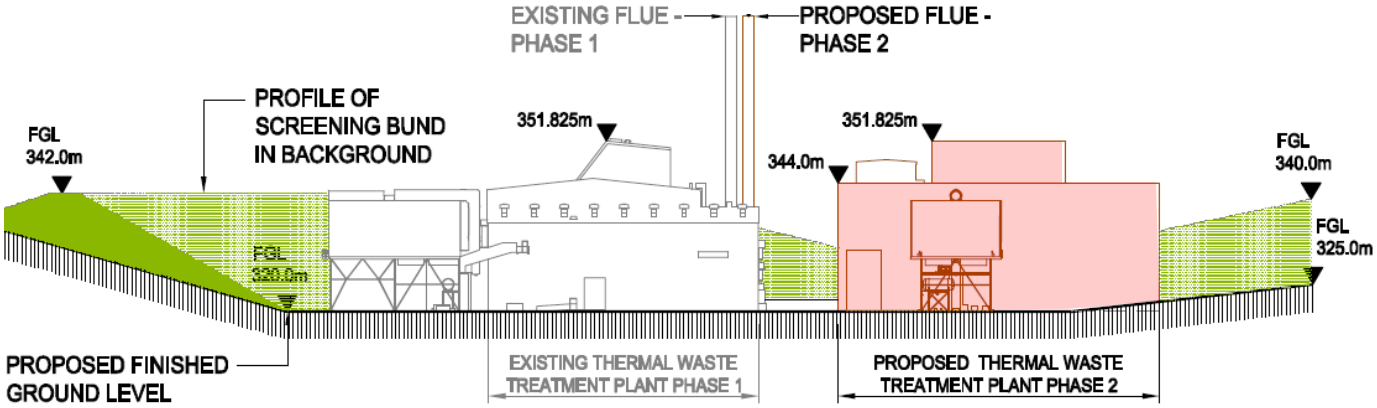


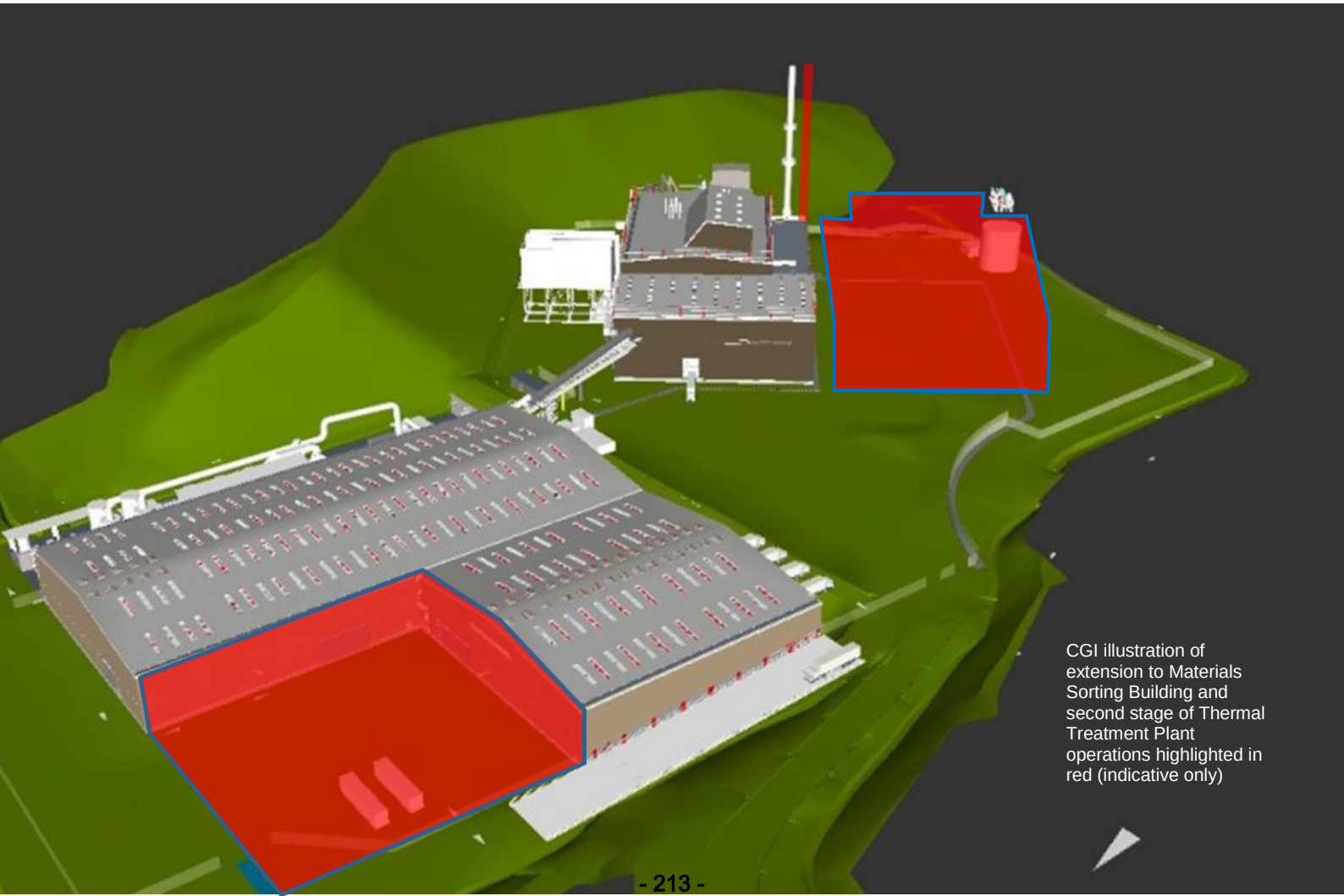
South (above) and west (below) elevation of extension to material sorting building.

Site photograph showing Phase 1 building under construction.



East (top) and south (below) contextual elevation of Thermal Treatment Plant





CGI illustration of extension to Materials Sorting Building and second stage of Thermal Treatment Plant operations highlighted in red (indicative only)

Use of secondary heat

13. Heat will be extracted from the plant by way of a heat exchanger adjacent to the steam turbine and in the form of high pressure steam which will then be piped, in a closed loop system using insulated pipelines, to heat exchangers adjacent to each heat use.

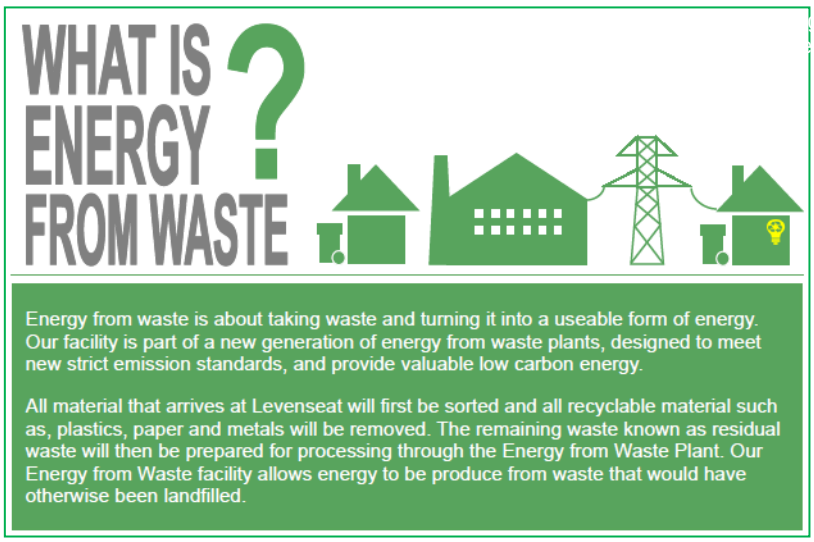
14. The options under consideration at present include:

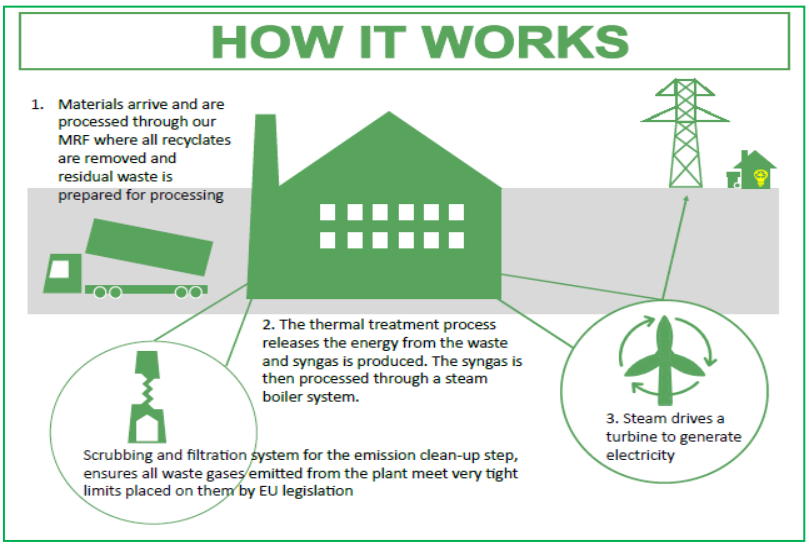
- Drying fines materials as part of the sorting and recycling process;
- Drying biomass woodchip fuel;
- General drying of materials;
- District heating e.g. Hartlands; and,
- Greenhouse horticulture.

Consultation

15. A formal Pre Application Notification (PAN) was submitted on 8th May 2015 for "Proposed additional Material Sorting Building and extension to Thermal Treatment Operations" and public exhibitions held in The Forth Sport and Community Centre on 3rd June 2105 and Community Hub, Fauldhouse on 4th June 2015. The event was advertised in the Carluke and Lanark Gazette on 20th May 2015 and in the West Lothian Courier on 21st May 2015. Formal notification was sent to Fauldhouse Community Council, Breich Community Council and Longridge Community Council.

Examples of consultation material used for public exhibition and Open Day





16. Further consultation and community events have also been held including a Community Information event at Fauldhouse Partnership Centre 2pm-7pm 12th and 19th July 2016 and a Levenseat Site Open Day on 17th September 2016. Full details are provided in the Statement of Community Engagement/Pre Application Consultation Report.

Scope of the Environmental Statement

17. An initial screening request report was submitted to West Lothian Council on 10th July 2016. West Lothian Council responded on 4th August 2016. A formal Scoping Report was submitted on 17th August 2016 and a formal scoping response was received from West Lothian Council dated 26th August 2016. West Lothian Council confirmed that all environmental issues have been adequately covered by the submitted screening report.

18. West Lothian Council confirmed the scope of the Environmental Assessment should cover the following:

- Landscape and visual impact;
- Air quality and health; and,
- Air quality and biodiversity/ecology.

19. Other issues have been scoped out on the basis of the previous assessment work conducted for the original proposal and previous technical assessments undertaken for PPC purposes for SEPA.

Policy context

20. **Scotland's Zero Waste Plan (ZWP)** was published in June 2010 and sets a framework to support the investment necessary to deliver a zero waste Scotland over a 10-year period. It sets targets of 70% recycling of waste and a maximum of 5% of waste to landfill by 2025.

    'Thermal Treatment Plants are regulated under the Pollution Prevention and Control Regulations 2000 (PPC) by SEPA. Regulatory controls could be introduced to ensure that any waste being treated at energy from waste facilities does not include waste which could have been re-used or recycled.'

21. **National Planning Framework 3 (NPF3)** recognises that waste is a resource and an opportunity, rather than a burden. Scotland has a Zero Waste Policy, which means wasting as little as possible and recognising that every item and material we use, either natural or manufactured, is a resource which has value for our economy.

22. **Scottish Planning Policy (SPP)** states that plans should enable investment opportunities in a range of technologies and industries to maximise the value of secondary resources and waste to the economy, including thermal treatment plants.

23. **Planning Advice Note (PAN) 63 Waste Management Planning** provides best practice advice on managing waste and advises that planning conditions and restrictions should not duplicate those matters dealt with by SEPA and that planning authorities should look to SEPA to assess environmental implications of such proposals.

24. **Planning Advice Note (PAN) 51 Planning, Environmental Protection and Regulation** summarises the statutory responsibilities of the environmental protection bodies, as well as informing these bodies about the planning system. It clarifies that to minimise any overlap or duplication of controls it is essential that planning authorities and the protection agencies understand each other's role and work together so that the controls are applied in a complementary way.

25. **SESPlan 2013** is the Strategic Development Plan which sets out a spatial strategy which recognises existing development commitments and promotes a sustainable pattern of growth.

26. **West Lothian Local Plan 2009** states that proposals for waste management facilities will be supported if they comply with the principles of sustainable waste management

and enable recovery of value from waste by recycling, composting and conversion to energy or reduce the amount of waste sent to final disposal.

27. **Waste Incineration Directive (WID).** Thermal waste treatment operations covered by Industrial Emissions Directive (2010/75/EU) is part of UK law no later than 6th January 2013, and implementation from 6th January 2013 in respect to any new installation.

28. Other specific issues will not be part of the EIA process for the planning application but will need further consideration at PPC application stage including:

- the Heat and Power Recovery Plan;
- changes to SEPAs Financial Provision are now in place and will need to be taken into consideration;
- the discharge to the water environment will be addressed in terms of volume and quality.

29. **SEPA Thermal Treatment of Waste Guidelines 2014** states that all planning applications must provide sufficient information to consider the material panning impacts of a proposal.

Landscape & visual impacts

30. The landscape and visual impact assessment was again undertaken by Wardell Armstrong who completed the ES for the previous planning application for the Thermal Treatment Plant. The assessment analyses the potential impacts which the proposed thermal waste treatment plant and associated development has upon the surrounding landscape and visual receptors. The study area for the assessment was based on a 5km radius from the proposed flue stack, however, viewpoints at greater distances were considered with respect to potential skyline effects.

31. No part of the proposed development site falls within any area which is covered by a statutory or local plan landscape designation. Nearby areas identified in the West Lothian Local Plan as being Areas of Special Landscape Control are areas where intrusive development is not permitted, but also areas with potential for environmental enhancement.

32. The assessment is conducted on a cumulative basis, in other words it includes all existing developments and operations including those such as the Tormywheel Wind Farm currently under construction.

33. The visual envelope of the existing site is constrained by the surrounding topography, which screens views from the south. Overlying forestry cover further constrains views from the east and reduces them from the west. Remaining views from the north are in turn disrupted by tree cover, built development and existing landform features including the containing landscape bund.

34. The new plant is located directly adjacent to the existing operation and tucked in to the landform directly to the south of the bund. The extension to the materials sorting building effectively fills in the corner of it within the site. It is therefore completely screened from view to the west or north. Any view of it is limited to from within the site.

35. Where adverse visual impacts were identified, these were typically assessed as being in the range of imperceptible or minor to moderate in significance (not significant). There would however be some more significant local impacts but only upon a small area which includes the summit of Leven Seat itself and an adjacent section of public footpath due to proximity to the development.

36. No significant (moderate or above) cumulative visual impacts resulting from the proposal have been identified by the landscape and visual impact assessment.

37. The extract montage views below show the pre and post cumulative impacts of the proposed development. The viewpoints have been chosen and agreed with West Lothian Council. The proposed second chimney is virtually invisible on the horizon based on distance, elevation and the wider impact of the wind farms currently operational or under construction.

Viewpoint from A706 looking to south west area showing position of stack highlighted

Viewpoint from Breich looking to south west, area showing position of stack highlighted

Air Quality impacts

FICHTNER
Consulting Engineers Limited

38. An assessment has been undertaken by specialist consultant engineers Fichtner to quantify the impact of the cumulative emissions from the proposed second phase of the thermal treatment facility.

39. Dispersion modelling of emissions has been undertaken to quantify the maximum impact of the proposals and the impact at sensitive receptors. The results have been compared to the Air Quality Assessment Levels for the protection of human health. In addition, this EIA has considered the impact of atmospheric emissions and deposition at a range of sensitive ecological receptors.

40. The general approach to the assessment of the impact of air quality on human health is to evaluate the highest predicted contribution of the emissions to ground level concentrations of pollutants at any point in the vicinity, irrespective of the occupancy of the location of that highest predicted contribution. In addition, the predicted contribution at a number of sensitive receptors has also been evaluated.

41. It is noted that some large emitters may be required to screen to 10 km or 15 km for SSSIs. As requested by SEPA the extended screening distances has been applied to SSSIs. These sensitive ecological receptors.

42. At all sensitive receptors and at areas of public exposure the significance of the effect is negligible. This is based on the assumption that the plant operates continually at the emission limit values and a number of highly conservative modelling assumptions. As no significant effects have been identified no additional mitigation other than compliance with the PPC Permit is considered necessary.

43. The operation of the proposed development will need to comply with a PPC Permit issues at an appropriate stage by SEPA. The residual impact of process emissions are not deemed to be significant.

Conclusions

44. The ES covers the cumulative impacts of the proposal. It has been informed by the assessment undertaken for the existing plant and has included the impacts of other nearby developments such as the adjacent windfarms.

45. The technical assessments have been conducted by leading specialists to an agreed scope and format and based upon industry standard methodology and guidelines.

46. The proposal has been subject to pre-application consultation and discussions with West Lothian Council. The ES submitted with the new application assesses the significance of the impacts on a cumulative basis and no significant environmental effects are expected.

47. Residual impacts in terms of landscape and visual impact and air quality, post mitigation, are minor and insignificant.

Comments for Planning Application LIVE/0795/FUL/16

Application Summary
Application Number: LIVE/0795/FUL/16
Address: Levenseat Limited, By Forth, Lanarkshire ML11 8EP
Proposal: Erection of thermal treatment plant and extension to materials sorting/recycling building with associated plant and facilities (EIA development) (Grid Ref:293881, 657597)
Case Officer: Mahlon Fautua

Customer Details
Name: Mrs Tracy Johnston
Address: 29 Gleneagles Court Whitburn

Comment Details
Commenter Type: Other
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:As the chairperson for Whitburn and District Community Council. This application has been brought to my attention and given the poor timing by the applicant it falls between the Community Council meeting dates. I am concern about the timing of this application and must question the applicant's intent, objectiveness and fairness tin enabling the community to make comment.

Whitburn and District Community Council did not have the opportunity in the pre application stage to make comment on this application despite being down wind form this development. I understand the applicant consulted with both Breich and Longridge community councils, was this prior to them becoming inactive. However, despite being downwind of this development there was no consultation with the community Councils representing Whitburn, Blackburn, Seafield and Stoneyburn.

Our principle objections:
- lack of consultation and the opportunity to raise concerns and have them accurately addressed.
- Clarity on how the heat will be used and how it will to benefit the community or an end user.
- The impact of the nearby wind farm currently under construction at Heathland, Forth. Has this been taken into account in relation to the omissions and the impact in relation to distance, odour, air pollution and health of humans and animals.
- Are there plans in place to monitor emissions at a range of distances 5 miles, 10 miles, 15 miles and 20 miles.
- The impact on the transport infrastructure in and around Whitburn during and after construction.

The Community Council respectfully request West Lothian Council Planning Department to delay

any decision on this planning application before the applicant has made contact with local community Councils and in particular Whitburn and District Community Council. I am extremely concerned an application with potential to have a serious impact our community has not been discussed by the community council and had input from the developer to enable them to make an informed decision. Please consider this a holding objection until the community has been consulted.

Comments for Planning Application LIVE/0795/FUL/16

Application Summary
Application Number: LIVE/0795/FUL/16
Address: Levenseat Limited, By Forth, Lanarkshire ML11 8EP
Proposal: Erection of thermal treatment plant and extension to materials sorting/recycling building with associated plant and facilities (EIA development) (Grid Ref:293881, 657597)
Case Officer: Mahlon Fautua

Customer Details
Name: Mr Hugh Hunter Gordon
Address: Highfield House 24, Station Road KIRKNEWTON

Comment Details
Commenter Type: Other
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I am Chair of Kirknewton Community Council. This application has only just been brought to my attention via the latest Weekly List.
Kirknewton is down-wind of the proposed plant.

Para 41 of the Environmental Statement, see below, says

"Air Quality impacts
38. An assessment has been undertaken by specialist consultant engineers Fichtner to quantify the impact of the cumulative emissions from the proposed second phase of the thermal treatment facility.
41. It is noted that some large emitters may be required to screen to 10 km or 15 km for SSSIs. As requested by SEPA the extended screening distances has been applied to SSSIs. These sensitive ecological receptors."

The language of Para 41 is peculiar, especially as it relates to the last sentence, which has no meaning.
However it seems perfectly reasonable that screening should be extendeded to 15 kms down-wind, and that therefore all community and other representative bodies within such a range, and probably beyond, should have been informed about these proposals, enabled to understand the implications of plant and operating failure, leading to the possible emission of highly toxic gases, dioxins and furans and such like.
The Community Council is unlikely to be opposed to thermal treatment plants, especially those based on proper gasification, very high temperature, absence of oxygen, reduction technology, designed and operated in such a manner as to achieve near zero failures.

The next Community Council meeting is on the 10th January. I am very concerned that a matter which could affect our community has not been in any way considered by the Community Council, nor indeed has it been invited to consider these proposals.
We are inclined to take the view that serious developers will endeavour to engage on the greatest possible basis, having confidence that their proposals will stand up to the most searching of examinations. Something less than this causes warning signals to arise.
So, we would wish to submit a holding objection, sufficient to ensure that sufficient time is provided to enable the developer to explain his proposals adequately, such that the objection can be withdrawn or continued. In particular we would like to pursue the question of whether the likely wind regime around this plant has been properly established.
Pushing these matters forward during a Holiday Season, such as Christmas and New Year, is not appropriate and inevitably causes speculation as to the intent of the applicant.

Comments for Planning Application LIVE/0795/FUL/16

Application Summary
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Case Officer: Mahlon Fautua

Customer Details
Name: Mr Stewart McKenna
Address: East Lodge Kirknewton

Comment Details
Commenter Type: Other
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:The report on the potential threat to humans and animals attached to this application is flawed in that the average wind speed in the attached report for this Levenseat site is assumed to be the same as that secured from data applying to Edinburgh Airport over a five year period.

The meteorological data for average windspeeds at Levenseat seem to indicate approximately twice those speeds quoted for the same five year period at Edinburgh Airport.

Comments for Planning Application LIVE/0795/FUL/16

Application Summary
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Proposal: Erection of thermal treatment plant and extension to materials sorting/recycling building with associated plant and facilities (EIA development) (Grid Ref:293881, 657597)
Case Officer: Mahlon Fautua

Customer Details
Name: Mr Alexander Smith
Address: Wayside Cottage Levenseat Fauldhouse

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Objection are being made for a number of reasons.
Firstly, as the proposed energy (heat) produced from this proposed application will not even be used as it was first intended. (Heartlands development)
Secondly, Without written signed confirmation that a separate business entity will actually use this heat , is bad business practice to assume someone willpurchase the waste heat, and with the current economic climate , it is folly to assume that another business will comply without a letter of intent. The applicant even states that there is no guarantee any of the proposed user , that can or will use the energy produced.
At no point have I been notified of any public consultation that has taken place, and my property is listed on the nieghbour notification list.
Another objection is over the added air pollution, and odor , which is already an issue for the area. I currently can not use the outside of my own property(has been like this for months) due to the air pollution and odor,and this application will just add to the problem. The fact that the air quailty statement say that it will impact human health shows how dangerous this proposed development is. This development also run counter to the West Lothian Local Developement Plan, Policy IMP 9, which it would be in direct opposition too.
The fact that the first stack already dissimantes its dangerous pollution away from the site, and straight into peoples homes is a problem and now it is to be added too.
There is already a problem in the area with the transporters of waste to Levenseat, and their constant fly tipping, and with the introdcution of more lorries/transport to the site this problem will be amplified and increase cost for the council. (The council are the ones having to clean up the fly tipper mess.)
The meteorological data used is incorrect, more specifically the windspeed used. If you look through the application for the windfarm being built in the area ,the data both applications give is

different, showing the lack of actual assessment.
My final objection is to the timing of the application, which has clearly been done , at this time of year(christmas 2016), knowing none of the local residents can mount a legal challenge due to increased costs at this time of year.
Thank you for your time.

Comments for Planning Application LIVE/0795/FUL/16

Application Summary

Application Number: LIVE/0795/FUL/16

Address: Levenseat Limited, By Forth, Lanarkshire ML11 8EP

Proposal: Erection of thermal treatment plant and extension to materials sorting/recycling building with associated plant and facilities (EIA development) (Grid Ref:293881, 657597)

Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Kirsty McDonald

Address: 8 Elm Grove Blackburn

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object ,no need whatsoever

Comments for Planning Application LIVE/0795/FUL/16

Application Summary
Application Number: LIVE/0795/FUL/16
Address: Levenseat Limited, By Forth, Lanarkshire ML11 8EP
Proposal: Erection of thermal treatment plant and extension to materials sorting/recycling building with associated plant and facilities (EIA development) (Grid Ref:293881, 657597)
Case Officer: Mahlon Fautua

Customer Details
Name: Mr Matthew Smith
Address: 18 Willow Avenue Fauldhouse Bathgate

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Hello,

I am writing to object to the proposed plans fornthe new development of the new 'treatment' incinerator.

The Odour is already nearly unbearable making going outside a necessity rather than for general pleasure purposes.

This would further increase this issue and I have seen various articles stating that the energy produced will jot be used locally which seeing as we the residents in faulhouse have to put up with makes this completely unfair and unjust.

Regards,

Matthew Smith

DRAFT CONDITIONS - APPLICATION 0795/FUL/16

1 No development shall commence on site until a full site specific Environmental Management Plan (EMP) incorporating a Construction Method Statement (CMS) and a Site Waste Management Plan (SWMP) has been submitted and approved in writing by the planning authority, in consultation with SEPA and other agencies such as SNH.

The EMP shall be submitted at least one month prior to commencement of development.

Thereafter, development on the site shall be carried out in accordance with the EMP as approved.

Reason: *To ensure that the necessary mitigation is in place to protect and preserve the status of water courses and other sensitive environments, in the interests of environmental amenity*

2 <u>Part 1</u>

Prior to any development beginning on site, an updated 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.

<u>Part 2</u>

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 minimise the risk from a historically potentially contaminative land use.*

3 No development shall commence on site until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority.

The submitted plan shall include details of:

i. monitoring of any standing water within the site temporary or permanent
ii. sustainable urban drainage schemes (SUDS) – Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at http://www.aoa.org.uk/policy-safeguarding.htm).
iii. management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached
iv. reinstatement of grass areas
v. maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
vi. which waste materials can be brought on to the site/what if any exceptions e.g. green waste
vii. monitoring of waste imports (although this may be covered by the site licence)
viii. physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
ix. signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building**.** No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: *It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.*

Advisory Note:

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from ***Scottish Natural Heritage*** *before the removal of nests and eggs.*

4 Surface Water Management and Drainage within the site shall be undertaken in accordance with the report entitled "Levenseat Waste Management Site – Surface Water Management Plan (V7)2 prepared by AECOM Limited dated 24/11/16 unless otherwise agreed in writing by the planning authority.

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

5 Development shall not begin until details of the materials to be used as external finishes on the buildings and the materials used for all hardstanding areas 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 enable full consideration to be given to those details which have yet to be submitted, in the interests of visual and environmental amenity.*

6 No works shall start on site until an updated landscaping plan has been submitted to and approved in writing by the planning authority. It shall include details of plant species, sizes, planting distances and methods of protection. It shall further include details of the body that will maintain the landscaping together with a schedule of maintenance works. The plan shall also include details of the removal of the poultry sheds beyond the building footprint and restoration of the land.

The landscaping plan that is approved shall be implemented in the first planting season following the plant becoming operational, or completion of the development, whichever is sooner.

The new planting shall be maintained for a period of five years until it becomes established. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, 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 *To enable full consideration to be given to those details which have yet to be submitted, in the interests of visual and environmental amenity.*

West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Development Management Manager

1 DESCRIPTION

Temporary operation of plant for recycling concrete (three year period) at land near Selms Farm, Kirknewton.

2 DETAILS

Reference no.	0159/FUL/17	**Owner of site**	Mr Blain
Applicant	Mr Blain	**Ward & local members**	**East Livingston & East Calder** F.Anderson C.John D.King F.Toner
Case officer	Claire Johnston	**Contact details**	01506 282312 claire.johnston@westlothian.gov.uk

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

3 RECOMMENDATION

Grant Conditional Planning Permission

4. DESCRIPTION OF THE PROPOSAL

4.1 Retrospective planning permission is sought for the temporary operation of plant for recycling concrete on site. The site lies within the countryside, to the West of Kirknewton on land associated with Selms Farm. The site in question is formally an area of hard standing which is utilised for the purpose of a temporary concrete recycling operation.

4.2 R Purvis have been operating on site since July 2015, and in return have been contributing to the works to infill the slurry pits in the bases of the old piggery units. The land owner has also submitted a retrospective application in relation to this operation, application 0158/FUL/17.

4.2 Permission is sought for a temporary period of three years, within this time Mr Blain, the land owner, expects all infill works to be concluded.

4.3 There have been no previous planning applications for this site; however following the receipt of an enforcement complaint a Planning Contravention Notice was served. Following subsequent discussion with enforcement officers the applicant submitted the application which is currently in front of members.

5. PLANNING POLICY

5.1 The development plan comprises of the Strategic Development Plan for Edinburgh South East Scotland (SESPlan) and the West Lothian Local Plan (WLLP). The council's draft West Lothian Local Development Plan (WLLDP proposed plan) is also a material consideration..

5.2 The following development plan policies are relevant:

Plan	Policy	Assessment	Conform?
West Lothian Local Plan (WLLP)	Policy HOU 9 – Residential and visual amenity	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. There are no houses in the immediate vicinity, and the operation has been on site from July 2015 with very few complaints from local residents to the council and no complaints to SEPA. Residential and visual amenity for local residents will be protected by controlling operational hours of the site and the implementation of screen planting to minimalise the visual appearance.	Yes
West Lothian Local Plan (WLLP)	Policy NWR 14 Waste management facilities	In determining an application for a waste management facility, the council will assess whether there is a demonstrable need for the proposed facility and, thereafter, determine the planning application against the criterion set out in policy NWR 15. The council is satisfied that there is a demonstrable need for the proposed facility on site. This need is linked to Mr Blain's other application 0158/FUL/17, for the importation of materials to infill a former piggery slurry pit. The council served a Dangerous Buildings Notice on this site, which required the demolition and infill of the former piggery units as a result of concerns over public safety. The works within this proposal address the requirements of the notice, while meeting the	Yes

		long term aspirations of returning this site to working agricultural use.	
West Lothian Local Plan (WLLP)	Policy NWR 15 - Criteria for waste management facilities	Applications for waste management facilities will be assessed against criteria such as the visual and landscape impact, the proximity of adjacent sensitive premises or land uses; the hours of operation, the length of the period for which planning permission is sought; the implications for haulage, including road safety, road cleanliness; the impact on surrounding environments such as wildlife, water and air quality and the protection of infrastructure such as roads. The site in not within any designation in the local plan however lies to the east of an AGLV. The council is satisfied that the site lies far enough away from this designation to create minimal impacts and through the implementation of an appropriate landscaping plan will minimise the visual appearance. Criteria relating to working hours, length of the period, implications for haulage and protection of infrastructure will all be conditioned to ensure adequate protection and amenity for local residents. The owner of the site has licenses from SEPA that ensures surrounding environments including water and air qualities are not affected by this operation.	Yes
West Lothian Local Development Plan (WLLDP)	MRW 8 – Waste Management Facilities	Assessment against this proposal is the same as NWR 15 within the WLLP.	Yes
West Lothian Local Developmen t Plan (WLLDP)	ENV 1 – Landscape Character	Development will not be permitted where it may significantly and adversely affect local landscape character. Where development is acceptable it should respect this landscape character and be compatible in terms of scale, siting and design. Within the WLLDP, the AGLV has been replaced and extended by a Special Landscape Area designation. However there is sufficient distance between the boundary of the site and the designation in order to not create any detrimental impact on the landscape character of this designated area.	Yes

6. REPRESENTATIONS

The application was subject to statutory publicity and the period for receipt of representations has expired. Seven letters of objection were received from members of the public and one objection from Kirknewton Community Council; all are summarised below. The full documents are appended to this report.

Comments	Response
Lorry movements on the roads have been estimated to be around 40 trips a day, notably early in the morning and afternoon, some at significant speed.	It is impossible for the council to establish whether all of the HGV's were in the area as a result of this site. Colleagues in Operational Services (Transportation) were consulted on this application and have no concerns regarding the condition of either Leyland Road or Morton Road. The operation which is the subject of this application has been on site already for one and a half years, and the operations for the infill of the former piggeries have been ongoing on this site for over two years. The continued temporary permission would see no increased impact on roads or vehicle movements within the area.
The road is continually covered in mud due to lorries having to use the verge (which is now non-existent) to pass other vehicles.	
Erosion of the roads.	
Passing places need to be provided and some control needs to be exercised over the lorry traffic so that everybody may use the road safely	
Sundays now see 20 tonne clamshell lorries operating on a regular basis	The draft condition relating to working hours will ensure that the site no longer works on a Sunday. Therefore noise nuisance from the HGV's will be minimised.
The prevailing wind which is westerly, blowing a concrete dust health hazard all over and to Kirknewton.	SEPA highlights the need for a mobile crusher; the applicant requires a Part B permit under the Pollution Prevention and Control Regulations with specific conditions relating to dust control measures. It is the responsibility of the land owner to obtaine all licenses. Should members of the public have complaints these should be sent to SEPA. It should be noted SEPA have not received any complaints regarding dust coming from this site.
There is no safety control to monitor the contaminative materials that are being deposited here.	The applicant has all relevant licenses needed from SEPA and therefore the materials being brought on site are controlled. No contaminative materials are being imported onto site.
The local tourist cottage and B&B industry Is losing business as a result of : ➢ Noise. ➢ Muddy conditions in winter conditions.	Noise impacts will be reduced as result of more controlled working hours, including no working on Sundays and a condition relating to wheel washing will be added to the consent to reduce the impact on the roads.

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
Transportation	No objection to the application but has recommended conditions be attached in relation to a one way system, costs associated with road damages and surfacing of an existing layby on Morton Road.	Noted. Conditions can be seen in the Draft conditions section of this report.
Environmental Health	No objection to the application but would recommend conditions relating to working hours and no burning of materials on site.	Noted. Conditions can be seen in the Draft conditions section of this report.
SEPA	No objection to this planning application. Please note the advice provided.	Noted. It is the responsibility of the land owners to make sure the correct SEPA licenses are obtained. SEPA's advisory notes will be added should the application be granted.
Contaminated Land	No Objection to this application. Recommendation for the potentially contaminated land advisory note is attached to consent.	Noted. Contaminated Lands advisory notes will be added should the application be granted.

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

8.2 The council acknowledges that in most cases, this type of development in the countryside would not be supported. However the proposal in terms of the demonstrable need and length of period applied for is seen as acceptable in order to address the requirements of the Dangerous Building Notice as well as returning the three former piggery units to leveled, working agricultural ground.

Other Material Considerations

8.3 The council served a Dangerous Buildings Notice on this site, which required the demolition and infill of the former piggery units as a result of concerns over public safety. The siting and operation of plant to recycle concrete is only proposed on site on a temporary basis for the benefit of using the material to infill the pits beneath the former piggeries (covered by 0158/FUL/17) and to carry out other small infill areas and roads of the farm. The infill works proposed by application 0158/FUL/17 address the requirements

of the notice, while meeting the long term aspirations of returning this site to working agricultural use.

8.4 It is considered that granting this application will not worsen the current situation which has been operating already for two years. In order to improve the situation issues raised in representations from residents and the community council will be addressed by conditioning on factors such as appropriate landscaping to screen the site, working hours to minimise disturbance to local residents and businesses, wheel cleaning, one way traffic system and verge repairs to improve the current road conditions.

8.5 A mixture of statutory and internal consultations were carried out, none of which objected to the proposal. SEPA confirmed that the owner had the appropriate licenses for the importation of material on site and for the recycling of the concrete. Transportation and Environmental Health Officers have recommended conditions relating to the proposal, of which can be seen in the attached Draft Conditions.

9. CONCLUSION AND RECOMMENDATION

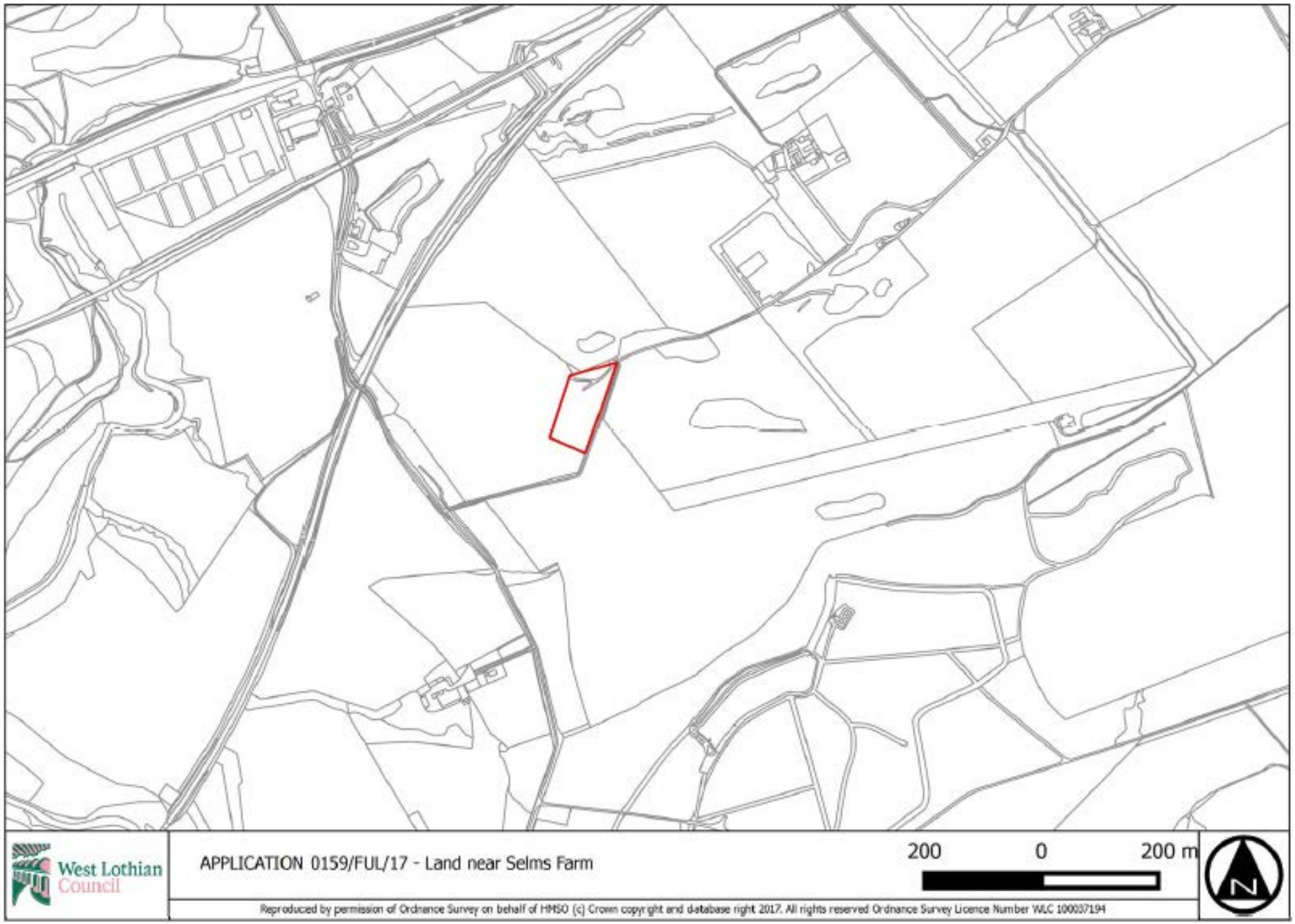
9.1 The proposal is for the operation of plant for recycling concrete for a three year period, and while this type of development would not normally be supported in a rural location the applicant has provided sufficient justification for having this operation on site temporarily which in order to meet the long term aspirations of returning this site to working agricultural use.

9.2 In view of the above it is recommended planning permission is granted, subject to conditions

10. ATTACHMENTS

- Location plan
- Arial Plan
- Draft Conditions
- Letters of representation

Craig McCorriston
Head of Planning, Economic Development & Regeneration **Date: 12 April 2017**


West Lothian Council
APPLICATION 0159/FUL/17 - Land near Selms Farm
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West Lothian Council

APPLICATION 0159/FUL/17 - Land near Selms Farm

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DRAFT CONDITIONS - APPLICATION 0159/FUL/17

1. No burning should be permitted on site.

   Reason: In the Interest of Air Quality (Construction)

2. 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, unless otherwise agreed in writing with the planning authority. This includes deliveries and operation of on-site vehicles and equipment.

   Reason: In the Interest of Residential Amenity.

3. The haul route will be one way with vehicles entering from Morton Road and exiting via Leyden Road.

   Reason: In the Interest of Road Safety.

4. Within one month of the date on the decision notice, a passing place shall be created on Morton Road, details of which shall be submitted for the consideration and written approval of the Development Management Manager within two weeks of the date of this notice.

   Reason: In the Interest of Road Safety.

5. Within one month of the date of this notice, a landscaping plan shall be submitted for the consideration and written approval of the Development Management Manager. It shall include details of plant species, sizes, planting distances and methods of protection.

   Once approved, the landscaping proposals shall be implemented in the first planting season following the date of this notice.

   The new planting shall be maintained for a period of three years, in accordance with the attached Landscaping Specification 2. Any trees which within the three year period following the date on the decision notice die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species unless the planning authority gives written consent to any variation.

   Reason *To ensure proper implementation of the planting proposals in the interests of the amenity of the site and the area as a whole.*

6. All lorries leaving the site shall do so in a manner that does not cause the deposition of mud or other deleterious material on the adjacent public highway. Such steps shall include the cleaning of the wheels and undercarriage of each vehicle where necessary and the provision of road sweeping equipment if required by the Development Management Manager, acting reasonably.

   Reason *In the interests of visual and environmental amenity and in order to protect the residential amenity of neighbours.*

Comments for Planning Application LIVE/0159/FUL/17

Application Summary
Application Number: LIVE/0159/FUL/17
Address: Land Near Selms Farm
Proposal: Temporary operation of plant for recycling concrete (three year period) (Grid Ref: 308455, 665601)
Case Officer: Claire Johnston

Customer Details
Name: Dr Elizabeth Redford
Address: 12 Ormiston Farm Steadings Kirknewton

Comment Details
Commenter Type: Other
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:This operation has been running for over a year. Throughout the day, up to 10 lorries come down a single track road from the works over selms within a 15 minutes period notably early in the morning and afternoon, some at significant speed. This means that the area can not be used by walkers.
When the lorries each Leyden road, a narrow unclassified road with many sharp 90 degree bends, they do not slow down. The road is continually covered in mud due to lorries having to use the verge (which is now nonexistent) to pass other vehicles. The drives do not appear operate with due care an attention to other road users. Due to blind bends and the speed at which the lorries travel, it is too becoming too dangerous for pedestrians, cyclists and equestrians to safely use this road when the site is operating.
This is a rural area which has become a rat run for lorries who use a one way system through the site. I am highly surprised that a serious accident has not occurred yet.
I object to this proposal and believe that if approved the volume of traffic may increase significantly.

Comments for Planning Application LIVE/0159/FUL/17

Application Summary
Application Number: LIVE/0159/FUL/17
Address: Land Near Selms Farm
Proposal: Temporary operation of plant for recycling concrete (three year period) (Grid Ref: 308455, 665601)
Case Officer: Claire Johnston

Customer Details
Name: Mr Andrew Coutts
Address: 1 Latch Farm Cottages KIRKNEWTON

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I object only because the suggested use of Leyden Road is not acceptable. What the applicant is trying to do is commendable; but Leyden Road is completely unsuitable in its present form for the amount of heavy traffic being suggested.
Indeed, the road has been destroyed by the heavy lorries over the past year or so whilst operating without permission! The verges have been reduced to mud which of course gets spread across the road when lorries have to squeeze by. Further, many of the drivers are clearly unused to driving on such a rural road for they drive too fast and rarely give way expecting others to do so.
The work seems to be going on at the Morton end of the farm, so why does Leyden Road have to be used at all?
If Leyden Road is to be used, then it needs to be brought up to a proper standard to safely cope with the lorries. This should not be paid for by the public purse! The muddy edges need to be tarmacadamed, passing places need to be provided and some control needs to be exercised over the lorry traffic so that everybody may use the road safely.

Comments for Planning Application LIVE/0159/FUL/17

Application Summary
Application Number: LIVE/0159/FUL/17
Address: Land Near Selms Farm
Proposal: Temporary operation of plant for recycling concrete (three year period) (Grid Ref: 308455, 665601)
Case Officer: Claire Johnston

Customer Details
Name: Mr John Thomas
Address: 12 ORMISTON FARM STEADINGS, U32 - COCKMYLANE TO C27, Kirknewton EH27 8DQ

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:The lorries are having an impact on the condition and safety of Leyden Rd. In the wet, the mud left by the lorries is creating a traction problem.

They are also having an impact on public access. The path up the hill is a narrow lane with many sections without refuge for pedestrians or dog-walkers. Access to Selms Top is effectively denied by the arrival of lorries every few minutes on weekdays.

The operation appears not to be just about recycling, a significant extraction operation is taking away a large section of the hill side.

Comments for Planning Application LIVE/0159/FUL/17

Application Summary
Application Number: LIVE/0159/FUL/17
Address: Land Near Selms Farm
Proposal: Temporary operation of plant for recycling concrete (three year period) (Grid Ref: 308455, 665601)
Case Officer: Claire Johnston

Customer Details
Name: Mr Paul Hard
Address: 6 Ormiston Farm Steading Kirknewton

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I would like to register my objection to this application due to detrimental effect to Leyden road from the usage of HGV lorries on this single track road. This has resulted in the road edges being compromised and muddy, slippery conditions to the road. This is as a result of the road being unsuitable and no provision being made for the up keep or allowance for these type of vehicles to use the road daily. I am surprised there has not been an incident thus far as the road is now dangerous on the corners, it is used by families with children trying to navigate past HGV's with little to no room to manoeuvre, this is a recipe for disaster.

Frankly, it is unacceptable to local residents and unacceptable for me. The fact this is retrospective the evidence is already there to see the damaging effects this is having to the road.

Comments for Planning Application LIVE/0159/FUL/17

Application Summary
Application Number: LIVE/0159/FUL/17
Address: Land Near Selms Farm
Proposal: Temporary operation of plant for recycling concrete (three year period) (Grid Ref: 308455, 665601)
Case Officer: Claire Johnston

Customer Details
Name: Mr Ronald McKeown
Address: 14 Station Road Kirknewton

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I wish to object to this application on the following grounds:
the commercial operation on farmland has been going on for over a year without appropriate permission. There have been approximately 80 - 100 lorries 6 days a week in operation, and only now that they have lodged an application have the number of lorries decreased substantially. In all likelihood to try and dupe those involved in the application process. More recently, Sundays now see 20 tonne clamshell lorries operating on a regular basis suggesting that the applicant has little regard for anyone in this community.
The amount of building waste that has not been disposed of is unacceptable and is an eyesore as well as having a significant impact on wildlife in the area. The local community have had to endure the noise and pollution of these lorries for far too long. The local tourist cottage industry is also losing business through the noise pollution, dust clouds in the summer and muddy conditions in the winter. The erosion of a single track road because of 20 tonne lorries is an significant issue for local residents as well as those who are coming to visit some of the local tourist attractions. It is highly dangerous and it is, quite frankly a miracle, that there has not been a serious accident because of the excessive speed these lorries drive at. Nearby residents will suffer the prevailing wind which is westerly, blowing a concrete dust health hazard all over Kirknewton.
The activities that are taking place have never been inspected by the appropriate people: there is no weigh bridge, there is no safety control to monitor the contaminative materials that are being deposited here. In addition, there have been liquid tanker lorries depositing waste at Selms lately which is extremely concerning. On these grounds, I would like to register my vehement objection.

Comments for Planning Application LIVE/0159/FUL/17

Application Summary
Application Number: LIVE/0159/FUL/17
Address: Land Near Selms Farm
Proposal: Temporary operation of plant for recycling concrete (three year period) (Grid Ref: 308455, 665601)
Case Officer: Claire Johnston

Customer Details
Name: Mrs Kirsty McKeown
Address: 14 Station Road Kirknewton

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I wish to object to this application on the following grounds:
this commercial operation is being carried out without planning permission and has raised a number of issues for local residents over the last 15 months or so. Applying for retrospective permission is insulting because had this commercial enterprise done the right thing, it would have applied for planning permission via the proper and right channels before it started to operate. Subsequently, the roads are already in a terrible state, they are muddy in the winter, and grass verges and tar surfaces are being obliterated by 20 tonne lorries. The safety issues are considerable - the speed the lorries drive at and the number of the lorries that use the road every day is unacceptable. The dust is a health hazard for local residents, farm animals and wildlife and the impact on the local agricultural farmland is awful. I would therefore like to register my strong objection to this proposal.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Sent: 21 March 2017 20:04
To: Planning
Subject: Objection

Objection to Ref No LIVE/0159/FUL/17. Selms Farm, Kirknewton. Temporary Operation of plant for recycling concrete.
Tuesday 21st March 2017

I am writing to strongly object to the above retrospective planning application. This operation has been going on since summer 2015 without permission and I find it very hard to believe that the applicant did not realise that permission was needed. Also R Purvis Plant Hite Ltd who is operating this site was founded in 1980 and has a long history in this business and has carried out many operations like this in the past.

My main concern is the detrimental impact the increased amount of noisy HGV heavy traffic this site has created is having on my businesses. My family and I have lived here for 24 years operating a very successful caravan storage and Bed and Breakfast business. The country road directly outside our house is being used by the huge HGV loaded lorries to access the site via an enlarged back entrance to Selms Farm. This country road is an unnamed, unclassified, single track road which is totally unsuitable and unsafe for all the HGV heavy traffic travelling to this site. There are no passing places from our house down to the A71 and there is a single track blind corner under a railway bridge which causes safety issues for other road users, cyclists and walkers. This causes gridlock on many occasions with most lorry drivers having no consideration for other car drivers. Main water pipes, surface BT cables and water tobies are therefore being run over when verges are being mounted on either side. There is also a single track blind summit railway bridge further up the road which is also a danger. Surely there should be a weight limit on this vulnerable bridge. The road itself is in a very poor state due to the heavy traffic and can only get worse with more unlimited, unweighed HGV vehicles.

I cannot emphasize enough the amount of increased heavy HGV traffic this site produces. The daily numbers mentioned in the application letter are totally untrue. Last summer 2/3 lorries would travel up the road on average every 10 minutes. Starting around 7 am and finishing after 4.30. I have CCTV cameras in operation for our business and one camera clearly shows every vehicle travelling up the road as it is positioned on our entry gate. Thousands of lorries have passed our house unweighed and fully loaded since the start of this operation. The noise levels that this produces are also having a huge effect on our countryside Bed and Breakfast.

The applicant is applying for ‘Operation of plant for recycling concrete’ which is not actually being run by the applicant but R Purvis Plant Hire Ltd. The applicant also has another retrospective planning application in for ‘Infill of old piggery at Selms Farm’. Between these two applications which have been working together the applicant and R Purvis Plant Hire Ltd have carried out much more than a recycling plant and filling in of old piggeries that is mentioned in the application letter. The Piggeries have been demolished for years and in the grand scale of things there is really not a lot of infill needed to fill slurry slats. I question the fact that on the application it states that the aggregate plant is only in place until the pig units are infilled. Yet for a few pig units to be infilled it has taken nearly two years of constant dumping of materials and another 3 year application is being asked for to infill Selms slurry slats which are already demolished. The applicant and R Purvis Plant Hire Ltd have given no thought to the impact on neighbours and the surrounding area. They have been operating without permission, without a weighbridge and without records of what is being dumped and taken away from the site.

I do hope my comments are taken into consideration as there has been way more than enough material brought onsite over the past couple of years to finish all that is needed without permission being granted for continuation of this operation.

Please can you acknowledge receipt of this objection.

Mr John Campbell

1 Redcraig, Morton, Mid Calder, Livingston, EH53 0JT

[redacted]

West Lothian Council - Data Labels:

OFFICIAL - Sensitive: Contains Personal or Business Sensitive Information for authorised personnel only
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[redacted] +0000

To: Johnston, Claire

[redacted]

Subject: Re: 0159/FUL/17 TEMPORARY OPERATION OF PLANT FOR RECYCLING CONCRETE (3 YEAR PERIOD)

Ms Johnston

Planning Officer

West Lothian Council

With regard to the above.

We are informed that there has been and continues to be extensive land alteration operations without permission.

The operators continue to and have :

Reduced the height of the ground on the hill.

Infilled hollows and depressions in the ground.

Leveled out the ground.

Reduced the roads to a dangerous condition with mud slippery surfaces.

Lorry movements on the roads have been estimated to be around 40 trips a day.

These lorries are importing concrete waste to be processed on site which is then sent out as aggregate.

The local tourist cottage industry Is loosing business through :

Noise.

Dust clouds in hot dry summer weather.

Muddy conditions in winter conditions.

Erosion of the roads.

Suffering a loss of holiday lets through not being as advertised as being in a tranquil country side setting.

Leaving early and having to hand back rebates to disappointed holiday makers.

Also other residents nearest the proposal :

Will suffer as above.

And will suffer the prevailing wind which is westerly, blowing a concrete dust health hazard all over and to Kirknewton.

Kirknewton Community Council would therefore propose that this Application be refused.

Kind regards,

Victor Garrad

Planning Secretary

Kirknewton Community Council

[redacted]

Subject: 0159/FUL/17 TEMPORARY OPERATION OF PLANT FOR RECYCLING CONCRETE (3 YEAR PERIOD)

Claire Johnston

Planning Officer

West Lothian Council

Ms Johnston,

We would like to discuss this Application at our meeting tonight would you be so kind as to delay a decision

until we can respond back to you.

Kind regards,

Vic

Victor Garrad

Planning Secretary

Kirknewton Community Council

Development Management

List of Delegated Decisions

Date: **03/02/2017**

The following decisons will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and recieved by the Development Management Manager by 12 noon on 10/02/2017.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0735/MSC/16 Wendy McCorriston Local Application	Bellway Homes LTD	Erection of 8 houses and associated ancillary works (Grid Ref:308306, 675157) at Block Q3B, (Bellway), Land at Winchburgh	Broxburn, Uphall and Winchburgh Tony Boyle Diane Calder Janet Campbell Alexander Davidson	Grant Conditional Permission	**objections** **3** Concern that houses are two storeys and understood they were to be single storey. Detrimental to residential amenity. Concern about impact on schools. Alters the town centre layout.	This application is for 8 houses in 4 semi detached blocks, fronting the Main St in Winchburgh. It comprises the last 8 houses in the first phase of 550 houses in the overall Winchburgh Master Plan. The proposed new town centre in Winchburgh, as set out in the approved Master Plan, allows for a mix of residential and commercial uses. This development complies with that plan. Two storeys is acceptable in this location and is in keeping with surrounding housing. The education capacity is available in the catchment schools and developer contributions have already been paid by the main developer for the first 550 units. The development complies with the policies of the development plan and accords with the master plan layout. Approval is recommended, subject to conditions to cover materials and landscaping.

West Lothian Local Plan = WLLP, Edinburgh and Lothians Structure Plan = ELSP. Planning Advice Note = PAN, Scottish Planning Policy = SPP, Supplementary Planning Guidance = SPG

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0798/H/16 Arabella Stewart-Leslie Local Application	Mccormack	Extension to house (Grid Ref: 301608, 662840) at 55 HARTWOOD ROAD, WEST CALDER, EH55 8DG	Fauldhouse and the Breich Valley David Dodds Greg McCarra Cathy Muldoon	Refuse Permission	**objection 0**	A small porch is proposed to the front of a terrace of four houses set back from Hartwood Road in West Calder. While not listed the terrace is an attractive stone building with a strong building line, regular fenestration and decorative architectural features. It has not been the subject of any structural alterations to the front of the building to date. The porch is proposed to have white pvc framed windows and a rendered basecourse. The building is finished in sandstone and the windows to the front are all 12 pane sash and case design. The proposed porch would sit at the northern end of the terrace, disrupting the building's balanced design. It would not complement the window styles of the existing building, the materials of the existing windows or the materials of the existing building. The proposal would therefore be detrimental to the appearance of the building. The council's guidance on house extensions states that extensions should be designed as an integral part of a property and should reflect its character. The proposed porch does not comply with this guidance, and therefore it is recommended that planning permissiion is refused.

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0799/FUL/16 Wendy McCorriston Local Application	GM Flooring Ltd	Change of use to class 1 retail and alterations to building (grid ref. 298815 677090) at G M FLOORING, 30B FALKIRK ROAD, LINLITHGOW, EH49 7PJ	Linlithgow Tom Conn Tom Kerr David Tait	Grant Conditional Permission	**objections 2** The new retail use should not proceed until it includes a plan for the removal of the old premises Removal of the road to the lower level should not proceed until full consideration has been given to the site access for this proposed housing site	This proposal is to upgrade an existing carpet warehouse to use as a retail showroom. A previous consent for the same development was granted in 2013 but has since lapsed. The proposal with bring significant improvements to the building, which is in a prominent location on Falkirk Road adjacent to Sainsburys. A condition will ensure that any trade has ceased at an adjacent retail warehouse, from which the applicant currently operates, before the new retail use commences. Transport is satisfied that vehicles used in the demolition of that old building and those for the proposed new retail showroom can be accessed from the current entrance off Falkirk Road. Transport advise that access to the lower proposed housing site should, however, be taken through Broomyhill Place. This accords with a current Permission in Principle for the housing use of that lower site. Transport require the scale of the retail area to be restricted. The showroom proposal accords with the policies and provisions of the development plan and approval is recommended, subject to appropriate conditions to cover materials, the retail floor area and the timescale for the existing retail warehouse to cease trading.

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0025/FUL/17 Steven McLaren Local Application	Burnett	Change of use from open space/woodland to private garden ground and construction of a retaining wall (in retrospect) (Grid Ref: 303756, 669615) at 5 NICKLAUS GREEN, KNIGHTSRIDGE, LIVINGSTON, EH54 8RX	Livingston North Robert De Bold Anne McMillan Andrew Miller Angela Moohan	Refuse Permission	**objections 2** Unnecessary incursion into woodland strip. Increase in noise. Impact on wildlife. Land is communal. Undesirable precedent.	The application site is a 70sqm triangular section of land which extends the northern part of the garden ground for 5 Nicklaus Green into an area of communal tree belt. At it furthest point, it extends approximately half way across the tree belt from the applicant's property to 21 Sarazen Green. The established tree belt runs north to south for approximately 100m between properties off Golf Course Road, Nicklaus Green and Sarazen Green. The works, which have been carried out without the benefit of planning permission, involved the clearing of vegetation from the site, the construction of a breeze block retaining wall of around 1m in height at the highest point in order to create a level platform, a 1.8m high close boarded boundary fence attached to this wall and the laying of artificial grass. The existing boundary treatment has been removed thus incorporating the ground within the garden area of the property. Allowing areas such as this to become incorporated into garden ground will result in the long term degradation of shelter belts between developments and set an undesirable precedent for other similar proposals within Livingston and West Lothian as a whole. A similar proposal for 12 Golf Course Road was refused on 24/4/14 and that decision was upheld at the council's Local Review Body on 29/10/14. The proposals are contrary to the following policies of the West Lothian Local Plan. Recommendation is to refuse planning permission and seek an enforcement mandate for the removal of the fence, wall, any infill material and artificial grass and require the planting of trees to reinstate the land to communal tree belt. ENV11 (woodland and forestry) COM2 (open space)

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West Lothian Council

Development Management

List of Delegated Decisions

Date: **10/02/2017**

The following decisons will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and recieved by the Development Management Manager by 5pm on 17/02/2017.

Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal

West Lothian Local Plan = WLLP, Edinburgh and Lothians Structure Plan = ELSP. Planning Advice Note = PAN, Scottish Planning Policy = SPP, Supplementary Planning Guidance = SPG

Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0822/P/13 Wendy McCorriston Major Application	Scottish Enterprise	Planning permission in principle for a 7.6 ha residential development including access, parking and landscaping (grid ref. 302918 668237) at Land at Eliburn, Livingston	Livingston North Robert De Bold Anne McMillan Andrew Miller Angela Moohan	Granted in Principle Subject to S75	**objections** **3** The proposed use of the site for housing is contrary to the current local plan allocation and granting the application would be premature to the adoption of the emerging LDP. The development could impact on the adjacent woodland belts. The proposal could prejudice the overall education strategy and development of the core development areas if there is insufficent education capacity to support the development.	This application is for permission in principle for housing on ground which is primarily grassland with woodland planting on three sides. The site is located on the north side of Houston Road, opposite Eliburn Park and is currently allocated as an Employment Development site (ELv24) in the West Lothian Local Plan (WLLP). The application was submitted with a series of technical reports including ecology, SI, drainage and transport. In terms of the current employment policies in the local plan the applicant has demonstrated that the site has been marketed for employment use unsuccessfully over a number of years. Property Management has advised that, subject to investment by the applicant in other adjacent employment sites, there is no objection to the use of the site for housing. The site is allocated for housing in the Local Development Plan (LDP), Proposed Plan. The objection regarding the proposal being premature to the adoption of the LDP was made in 2013. Whilst the LDP is not adopted it is currently with Scottish Ministers and as such has significant weight in terms of deciding the current application. The development of the site for housing can therefore be supported in terms of the current WLLP employment policies and the policies of the emerging LDP. Subject to a number of technical issues being addressed at the detailed stage, the proposals are acceptable. The indicative layout shows that the development can be accommodated without detrimental impact on the woodland belts. Education has advised that, subject to appropriate developer contributions for secondary school provision, which are currently being finalised, there is no objection to permission in principle being granted at this stage. Subject to conditions and a legal agreement to secure contributions and land transfer for affordable

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Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
						housing, the development of the site for housing is recommended for approval.
0027/H/17 Arabella Stewart-Leslie Local Application	Clark	Extension to house (Grid Ref: 296814, 668161) at 46 YOUNG CRESCENT, BATHGATE, EH48 2SL	Bathgate William Boyle Harry Cartmill John McGinty James Walker	Grant Conditional Permission	**objection** **1** Building close to the boundary Access rights Noise caused by building works	The proposal will not be detrimental to residential or visual amenity. Concerns were raised about building close to the boundary however the architect has satisfactorily adressed these issues and there are no material reasons why the application should not be granted.
0031/LBC/17 Ranald Dods Other	Star Pubs	Listed building consent for the installation of signs (in retrospect) (Grid Ref: 307550, 667599) at TORPHICHEN ARMS, 36 BANK STREET, Mid Calder, EH53 0AR	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Refuse Permission	**objections** **2** Gable and projecting signage too large and detracts from the character of the building. Light pollution leading to a loss of amenity.	The sign and lighting are approximately 7.5m wide with individual plastic letters being 700mm in height and affixed to the building by means of battens. The sign dominates the eastern gable of the building. The projecting sign on the principal elevation measures 1200 x 900mm which is proportionally too large. The large scale of the signage is detrimental to the character of the category B listed building. The proposals are contrary to: HER2 (listed buildings) of the WLLP; IMP14 (supplementary planning guidance) of the WLLP; ENV28 (listed buildings) WLLDP; the council's SPG for advertisment control in Linlithgow Palace & High Street, Mid Calder and Torphichen conservation areas.

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West Lothian Council

Development Management

List of Delegated Decisions

Date: **17/02/2017**

The following decisons will be issued under delegated powers unless any Member advises the Head of Planning, Economic Development & Regeneration that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and recieved by the Head of Planning, Economic Development & Regeneration by 5pm on 24/02/2017.

Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0020/FUL/17 Mahlon Fautua Local Application	Rebecca's	Siting of a timber clad steel container to be used as a catering unit (Grid Ref: 296203, 666345) at Former Bathgate Road, Boghead Roundabout, Bathgate	Whitburn and Blackburn James Dickson Mary Dickson George Paul Barry Robertson	Refuse Permission	**none**	This is similar to a previously refused application ref 0209/FUL/16. The previous application proposed a steel container where the current application is timber clad. Nonetheless, the proposed permanent placement of a catering unit within the countryside is unacceptable. The building and site would be prominent in particular on the adjacent road network and will be visually intrusive on the countryside. It would appear that a part of an existing mature tree belt along the roadside would require to be removed to accommodate the container. It is noted that there is a snack van that operates close to the site within the road, however this is moved away daily. It is considered that the proposal is contrary to ENV 22, ENV 31 and ENV 33. Therefore it is recommended that the application is refused.

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Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0023/FUL/17 Mahlon Fautua Local Application	Southvale Homes (Lanark) Ltd	Erection of 8 houses (variation to 0484/FUL/06) (Grid Ref: 289532, 666995) at Allison Gardens, Blackridge	Armadale and Blackridge Stuart Borrowman Jim Dixon Sarah King	Grant Conditional Permission	**objection 0** Two letters of representations have been received but do not expressly object or support the current application but raise matters on the wider development at Allison Gardens. These are not specifically material to the current application and are being dealt with as a separate matter but could affect any development continuing on the site. Notwithstanding this the comments are summarised as follows: - Another footbridge is required and has not been delivered as per the previous permission. - Assurance that the tree planting on the perimeter is carried out. - Further controls and inspections on the development including the submission of a bond so that this can be used for the footbridge and planting. - A construction traffic plan should be agreed - A play area should be required.	The proposed erection of 8 residential units as an amendment to the previous planning permission is acceptable. The proposal completes the north western corner of the existing residential development at Allison Gardens. The proposed houses would be built on the same foundations that are still in place from the previous developer. It is therefore recommended that planning permission is granted subject to conditions, including that the outstanding matters on the wider development are agreed before any development commences on site.

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Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0103/A/17 Ranald Dods Local Application	Star Pubs	Installation of signs (in retrospect) (Grid Ref:307550, 667599) at TORPHICHEN ARMS, 36 BANK STREET, Mid Calder, EH53 0AR	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Refuse Advertisement Consent	**objection** **0**	The site is within Mid Calder conservation area, which is covered by a Regulation 11 Direction controlling the display of advertisements. The sign and lighting are approximately 7.5m wide with individual plastic letters being 700mm in height and affixed to the building by means of battens. The sign dominates the eastern gable of the building. The projecting sign on the principal elevation measures 1200 x 900mm which is proportionally too large. The large scale of the signage is detrimental to the amenity of the area. The proposals are contrary to: HER19 (conservation areas) of the WLLP; IMP14 (supplementary planning guidance) of the WLLP; ENV24 (conservation areas) WLLDP; the council's SPG for advertisment control in Linlithgow Palace & High Street, Mid Calder and Torphichen conservation areas.

West Lothian Local Plan = WLLP, Edinburgh and Lothians Structure Plan = ELSP. Planning Advice Note = PAN, Scottish Planning Policy = SPP, Supplementary Planning Guidance = SPG

West Lothian Council

Development Management

List of Delegated Decisions

Date: **24/02/2017**

The following decisons will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and recieved by the Development Management Manager by 12 noon on 03/03/2017.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0227/P/14 Mahlon Fautua Local Application	Gibb	Planning permission in principle for the erection of a house (grid ref. 294154 667378) at TARRAREOCH, STATION ROAD, BATHVILLE, ARMADALE, EH48 3BJ	Armadale and Blackridge Stuart Borrowman Jim Dixon Sarah King	Refuse Permission	**objection** **0**	No substantial progress has been made on the section 75 legal agreement in order to secure the relevant developer contributions required for this development. Therefore in accordance with Council policy, refusal of this application is recommended.
0003/A/17 Matthew Watson Other	QWorth Incorporation ltd	Erection of one non-illuminated fascia sign (Grid Ref: 299891, 677041) at 205-207 HIGH STREET, LINLITHGOW, EH49 7EN	Linlithgow Tom Conn Tom Kerr David Tait	Refuse Advertisement Consent	**objection** **0** No representations received.	The proposed advertisement, by virtue of its height and material, would have a detrimental impact on the character and appearance of the Linlithgow Palace and High Street Conservation Area at this location. The proposal is contrary to Policy HER19 of the West Lothian Local Plan, the Council's policy for "Advertisement Control in Linlithgow Palance & High Street, Mid Calder and Torphichen conservation areas" and the Council's draft supplementary planning guidance on "Shopfronts and advertisements in Linlithgow Palace & High Street, Mid Calder and Torphichen conservation areas".

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0058/FUL/17 Matthew Watson Local Application	Connolly	Change of use from office to 3 flats (grid Ref: 297588, 669017) at 3 JARVEY STREET, BATHGATE, EH48 4EZ	Bathgate William Boyle Harry Cartmill John McGinty James Walker	Grant Conditional Permission	**objection 0** Two representations received objecting on the following grounds: Unacceptable noise levels from building works Water flooding pavements from mixing materials Project managers taking up parking spaces and double parking blocking in residents Delivery vans blocking roads Skips taking up the road which is heavily used for resident parking and by shoppers	The proposed conversion is acceptable in principle. With no external alterations proposed, the application will not cause harm to residential amenity through loss of priavcy and daylight or through overshadowing. Any planning permission will include conditions that restrict hours of construction. The proposal complies with policies HOU 2 (Development within settlement envelopes) and HOU 9 (Residential and visual amenity) and there are no material considerations which outweigh this conclusion.

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West Lothian Council

Development Management

List of Delegated Decisions

Date: **03/03/2017**

The following decisons will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and recieved by the Development Management Manager by 5pm on 10/03/2017.

Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0783/FUL/16 Mahlon Fautua Local Application	McClure	Change of use from public house to cafe (class 3) (Grid Ref: 298524, 665418) at TURF HOTEL, 2 WEST MAIN STREET, BLACKBURN, EH47 7LP	Whitburn and Blackburn James Dickson Mary Dickson George Paul Barry Robertson	Refuse Permission	**objection 0**	The applicant has not confirm the type and range of cooking to ascertain any impact on the residential uses adjacent and adjoining the property. Furthermore, no detail has been provided for any flue or any other mechanism to control any potential cooking odour. It is therefore recommended that the application is refused on the basis of lack of information and inability to properly assess impacts on residential amenity.

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Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0052/FUL/17 Steven McLaren Local Application	Cairns	Extension to storage building (in retrospect) (Grid Ref:299840, 677935) at Queens View, 3b Parkhead Holdings, Parkhead Road, Linlithgow EH49 7RF	Linlithgow Tom Conn Tom Kerr David Tait	Grant Conditional Permission	**objections** **3** Impact on traffic sight lines. Road safety. No need to extend. Original building an adequate size. Concern over future uses. No change of use approved. Carried out without permission.	The application site is a former agricultural building, which is now an ancillary outbuilding for the Queen's View bed and breakfast site. The building has been raised in height by 1.2m and stone clad on 3 sides to match the finish of the main building. The applicant had previously installed a biomass heating system and to incorporate additional storage for the biomass, the building has been raised in height. The applicant commenced work on the building without the benefit of planning permission and continued with the alterations, contrary to advice from officers to cease work. The applicant's view was that the agricultural appearance of the structure was detrimental to the operation of the current business. Concern has been raised over the manner in which the development has taken place and the potential for alternative uses. The building as constructed contains a biomass boiler and areas for general storage. There is no indication at this stage that the building is being utilised for any use other that shown. Transportation has been consulted and raised no objections. It may have been preferable for the building to be extended in length rather than height and whilst lifting the height of the building by 1.2m has increased the massing of the structure, in the context of the overall development, the building, as altered, does not impact on the amenity of the area to a significant degree. Recommendation is to grant planning permission, subject to conditions that require the cladding on the eastern wall to be completed and to restrict the use of the building to that of the biomass heating and general storage for the site.

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Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0041/H/17 Arabella Stewart-Leslie Local Application	Thorpe	Extension to house and erection of outbuilding (in retrospect) (Grid Ref: 309237, 667105) at 67 OVERTON CRESCENT, EAST CALDER, EH53 0RJ	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Grant Conditional Permission	**objection** **1** overdevelopment	The proposals will not be significantly detrimental to residential and visual amenity. The side extension whilst sizeable will not be overbearing or overshadow any neighbouring properties, The design and materials propsoed complement the existing property. There will be a slight projection to the front and rear however the pitch of these alterations is in keeping with the overall style of the estate and is not excessive. The garden studio has been applied for in retrospect. Whilst being close the neighbouring boundary it does not give rise to a loss of residential amenity.
0072/FUL/17 Matthew Watson Local Application	Blackfaulds House Nursing Home Limited	Extension to nursing home to form an additional 8 bedrooms with office/staff facilities below, formation of link corridor, access ramps and alteration to car parking (Grid Ref: 291828, 672053) at BLACKFAULDS NURSING HOME, STRATHLOANHEAD, B8028 - C7 TO STRATHLOANHEAD, Westfield, FK1 2JZ	Armadale and Blackridge Stuart Borrowman Jim Dixon Sarah King	Grant Conditional Permission	**objections** **3** Three representations received from one individual objecting to the application on the following grounds: The disabled parking spaces ajdacent the access gate to our property should be reversed into Increased noise from the extension caused by additional visitors and more vehicles entering the site Exhaust fumes coming into our garden from parked cars Damage to trees in our rear garden Impact on wildlife	The proposal is acceptable in terms of scale, form and design and will have an acceptable impacts on residential amenity, transportation and road safety. The proposal complies with policies HOU9 (Residential and visual amenity), IMP15 (Design considerations) and ENV19 (Areas of Great Landscape Value) of the West Lothian Local Plan. It is thus recommended permission be granted.

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Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0090/FUL/17 Matthew Watson Local Application	Kilbride	Change of use from class 1 (shop) to class 10 (non-residential institutions) including studio space for local artists (Grid Ref:300110, 677152) at 30 THE VENNEL, LINLITHGOW, EH49 7EX	Linlithgow Tom Conn Tom Kerr David Tait	Grant Conditional Permission	**objection 1** One representation received, on behalf of The Vennel residents, objecting to the application on the following grounds: Impact on parking, which is already beyond the point of saturation, through increased staff, patrons and visitors to the proposed art studio	The application site is within the defined Linlithgow town centre both the adopted local plan and the emerging local development plan. The proposal is for a use which is appropriate within a town centre location. No harm will be caused to the character and appearance of the conservation area at this location as there are no external alterations proposed. Transportation has raised no objections to the application and the proposal will not have an adverse traffic impact or cause road safety issues. The proposal complies with policies TC12 (Town centres) and HER19 (Applications in conservation areas) of the West Lothian Local Plan. There are no material considerations which outweigh this conclusion.
0083/H/17 Arabella Stewart-Leslie Local Application	Donnelly	Extension to house(Grid Ref: 294174, 668287) at 41 Sibbald View, Armadale, EH48 2TG	Armadale and Blackridge Stuart Borrowman Jim Dixon Sarah King	Refuse Permission	**objection 1** Overshadowing and loss of sunlight	A two storey extension to the rear of the property, extending for the full width of the house, is proposed. The proposed extension will be one metre from the plot boundary on either side; adjacent to the west is a similar house and adjacent to the east is the rear gardens of three houses. The two storey extension, because of its height and location, would give rise to a significant element of overshadowing to the rear garden of 47 Sibbald View, contary to the council's approved guidance on house extensions and contrary to the requirements of Policy HOU 9 of the West Lothian Local Plan, which seeks to protect residential amenity. Accordingly, it is recommended that planning permisison is refused.

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West Lothian Council

Development Management

List of Delegated Decisions

Date: **17/03/2017**

The following decisons will be issued under delegated powers unless any Member advises the Head of Planning, Economic Development & Regeneration that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and recieved by the Head of Planning, Economic Development & Regeneration by 5pm on 24/03/2017.

Application No. &Case	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0633/FUL/15 Mahlon Fautua Local Application	Smillie	Erection of a house (grid ref. 293277 661026) at 3 PARK VIEW, FAULDHOUSE, EH47 9JS	Fauldhouse and the Breich Valley David Dodds Greg McCarra Cathy Muldoon	Refuse Permission	**objection** **0**	The applicant has not provided sufficient evidence to be able to discount the potential risks to the proposed development from the recorded mine entry, which may be located directly below the footprint of the proposed dwelling. Further investigations, which should include intrusive site investigations have been requested but not provided by the applicant It is therefore recommended that the applicant is refused.
0135/H/17 Arabella Stewart-Leslie Local Application	Djafarov	Erection of covered decking (in retrospect) (Grid Ref: 294964, 668257) at 8 MALLACE AVENUE, Armadale, EH48 2QE	Armadale and Blackridge Stuart Borrowman Jim Dixon Sarah King	Refuse Permission	**objection** **0**	The proposal was submitted due to enforcement action and is in retrospect. The rear alteration is unacceptable as it determintal to residential and visual amenity due to its scale and design which dominates the form of the property.

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West Lothian Council

Development Management

List of Delegated Decisions

Date: **24/03/2017**

The following decisons will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and recieved by the Development Management Manager by 12 noon on 31/03/2017.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0791/MSC/16 Wendy McCorriston Local Application	Craigs Developments Ltd	Approval of matters specified in conditions of planning permission 0502/P/14 for the erection of six houses and associated road, cyclepath and landscaping (Grid Ref:298802, 677126) at G M FLOORING, FALKIRK ROAD, LINLITHGOW, EH49 7PJ	Linlithgow Tom Conn Tom Kerr David Tait	Grant Matters Specified in Conditions	**objections** **5** Building height and the impact on the privacy of neighbouring properties Construction traffic through the flatted development Residents do not support the cyclepath through the development Two cycle action groups support the proposed cycle path, but want to ensure it is in the correct location and the levels and sections have been considered fully A new bridge across the burn to take just the cycle path would be supported, rather than using the existing bridge	Permission in Principle has been granted for 6 houses with access off Broomyhill Place. The design details tie in with the adjacent flats and new houses to the north.Residents are generally supportive of the housing but have concerns about construction traffic coming through Broomyhill Place. This is the route preferred by Transportation, in view of traffic congestion at the Sainsbury's junction and pedestrian safety. The developer has agreed to undertake demolition and site preparation work off Falkirk Road and construction works off Broomyhill Place. Conditions can be used to ensure impact on residents is kept to a minimum. The houses are over 20m from those opposite and sit below the height of the adjacent four storey flats. The cycle path routing was agreed as part of the permission in principle. Two cycle groups have raised concerns about the design and levels of the path. Amendments have been undertaken and the proposals now satisfy Transportation's requirements. A site investigation (S.I.) has been carried out and further information is awaited in relation to two technical matters. All other issues have been addressed. A legal agreement for the payment of the relevant developer contributions is in place. Approval is recommended, subject to the resolution of the outstanding matters relative to the S.I.

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0088/P/17 Matthew Watson Local Application	Amber REI Holdings Ltd	Erection of a dwellinghouse (Grid Ref: 308857, 669835) at Bieldside Poultry Farm, Broxburn, EH52 5PE	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Refuse Planning Permission in Principle	**none** No representations received.	The applicant has failed to submit adequate information, in the form of a Phase 1 contaminated land risk assessment and a business plan, which demonstrates the long term viability of the business, to support the case for a house in the countryside. In the absence of such information, the proposal is contrary to policies ENV 23 (Development within countryside belts), ENV 31 (Development in the countryside) and HOU 9 (Residential and visual amenity) of the West Lothian Local Plan, policy ENV2 (Housing development in the countryside) of the West Lothian Local Development Plan - Proposed Plan and Supplementary planning guidance on New development in the countryside and Development of land potentially affected by contamination.
0112/H/17 Arabella Stewart-Leslie Local Application	Jones	Erection of a garage (Grid Ref: 303695, 668077) at 10 HAINING PLACE, ELIBURN, LIVINGSTON, EH54 6TJ	Livingston North Robert De Bold Anne McMillan Andrew Miller Angela Moohan	Grant Conditional Permission	**objections 2**	The proposal will not be significantly detrimental to residential and visual amenity. Since the original proposal the garage has been reduced in height and will not longer overshadow or overbear neighbouring properties to an unacceptable level.
0140/H/17 Arabella Stewart-Leslie Local Application	Lind	Two storey extension to side and single storey extension to the rear of house (Grid Ref: 298227, 669331) at 32 SUNNYSIDE AVENUE, BATHGATE, EH48 4DR	Bathgate William Boyle Harry Cartmill John McGinty James Walker	Grant Conditional Permission	**objection 0**	The proposal will not be signicantly detrimental to residential and visual amenity. The rear extenion has had previous approval. The two storey side extension as it is in line with the established build line of the existing property won't signicantly overshadow any neighbouring properties. There are no windows on the side elevation to create any privacy issues.

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West Lothian Council

Development Management

List of Delegated Decisions

Date: **31/03/2017**

The following decisons will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and recieved by the Development Management Manager by 12 noon on 07/04/2017.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0365/MSC/15 Tony Irving Major Application	Gillean Properties	Approval of matters specified in conditions of planning permission in principle 0272/P/08 for the erection of 59 houses with associated works (grid ref. 301988 664293) at Gavieside, West Calder, EH55 8PT	Fauldhouse and the Breich Valley David Dodds Greg McCarra Cathy Muldoon	Grant Matters Specified in Conditions	**objection** **1** Housing at this countryside location is not justified and would be obtrusive. Road access from Polbeth is not suitable. School bus provision is not suitable. Impacts on wildlife. More provision is required for pedestrians. Safe access should be provided to Polbeth.	The site benefits from planning permission in principle and this application is solely for the layout and design. The proposals have been amended to create a satisfactory residential environment. The road layout is adequate to accommodate any school buses. A footway is now proposed to link to the existing footway on the road south to West Calder. The layout and design meets planning requirements.
0721/FUL/16 Gillian Cyphus Local Application	McCormick	Sub-division of house (including garage) to form 3 houses (Grid Ref: 298206, 662002) at Muirhouse Dykes Steading, U27 - A706 TO MOORELAND GARDENS, Addiewell, EH55 8HY	Fauldhouse and the Breich Valley David Dodds Greg McCarra Cathy Muldoon	Refuse Permission	**objection** **0**	The applicant is unwilling to agree to the developer contributions for education. The application is therefore contrary to the development plan. There is no justification to depart from the development plan policy in this case.

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0158/FUL/17 Claire Johnston Local Application	Blain Farming	Engineering operations to infill former slurry pit (Grid Ref: 308749, 665855) at Land near Selms Farm, Livingston	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Grant Conditional Permission	**objections** **3** Road Saftey Impact on Local businesses Road Maintenance	The proposal is for the importation of materials to infill a former piggery slurry pit. The council served a Dangerous Buildings Notice on this site, which required the demolition and infill of the former piggery units as a result of concerns over public saftey. The works within this proposal address the requirements of the notice, while meeting the long term aspirations of returning this site to working agricultural use. Representations over road saftey, current road conditions and maintenance were recieved. Operational Services (Transportation) had no objections to the proposal or concerns over road saftey, and have advised that conditions relating to a one way system for the lorries entering and leaving the site and verge repairs works should be considered. In relation to the loss of business for the local B&B's in the area, the council will address these concerns by conditioning on working hours in order to control noise impacts, minimising disturbance to local residents and businesses. Recommendation therefore is to grant conditional permission.
0140/H/17 Arabella Stewart-Leslie Local Application	Lind	Two storey extension to side and single storey extension to the rear of house (Grid Ref: 298227, 669331) at 32 SUNNYSIDE AVENUE, BATHGATE, EH48 4DR	Bathgate William Boyle Harry Cartmill John McGinty James Walker	Grant Conditional Permission	**objection** **1** Overdevelopment	The proposal will not be signicantly detrimental to residential and visual amenity. The rear extenion has had previous approval. The two storey side extension as it is in line with the established build line of the existing property won't signicantly overshadow any neighbouring properties. There are no windows on the side elevation to create any privacy issues.

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Proposed Enforcement Actions - 03/02/2017

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control & location	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
0019/17	Mr Gowans	Old Sheriff Court, Linlithgow Parking of a fish van in the curtilage of the Court Residence Hotel without planning permission	Linlithgow	Serve a Temporary Stop Notice	The owner of the fish van has previously been operating under the 28 day rule between this site and another for the past two years. The owner of the fish van was made aware last year that due to the car park lying within the curtilage of the new hotel that this 28 days rule did not apply to this site. We have requested that the owner applies for planning permission or no longer uses this site for trading. Steps to comply: cease trading at current location.

Proposed Enforcement Actions - 10/02/2017

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control & location	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
0075/16	Livingston Removals	4 Holmes Holdings, Broxburn, EH52 5JB Change of use from residential to business	Broxburn	Serve Enforcement Notice	Owner has been given ample time to respond to contravention notice (September 2016), but no action has been taken. Steps to comply: Cease business use or submit planning application
0014/17	Mr & Mrs Bennett	44 Boghall Drive, Bathgate, Bathgate, EH48 1JE Formation of decking and fencing	Bathgate	Take No Action	The decking has been installed within the rear garden of the property and is within permitted development rights. The fence which has been erected in front of the principal elevation of the property on the boundary between no.44 and no. 46 is above permitted development rights. However, the fence is stepped down from the front wall of the house and does not impact on residential amenity in terms of overshadowing or visual amenity. It is considered therefore that the fence is acceptable in appearance and location it is proposed to take no action.

Proposed Enforcement Actions - 17/02/2017

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control & location	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
0122/10	Shiners Autowash	47 West Main Street, Blackburn, EH47 7LT Unauthorised signage including trailer sign	Blackburn	Serve Advertisement Enforcement notice	Owner has been given ample time to remove signage or submit application (November 2016), nothing forthcoming from owner

Proposed Enforcement Actions - 31/03/2017

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control & location	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0062/17	Mr Cowan	Inchcross, Bathgate Work started on application 0591/FUL/08 before consent granted	Bathgate	Serving of an Enforcement Notice and Temporary Stop Notice	Application 0591/FUL/08, for 8 houses, has been approved by committee subject to a legal agreement for contributions. The legal agreement is expected to be signed soon, but currently there is no consent for any works. A visit to the site showed work had begun with the creation of a Bund and the formation of the access road associated with the application. **Steps to comply** ➢ Cease works until the legal agreement is signed and the consent is issued.
ENF/0022/17	Mr Findlay	2 Murieston Walk, Murieston, Livingston, EH54 9EW Erection of a 1.6m fence to front of property.	Livingston South	Serving of an Enforcement Notice	The 1.6m fence has been erected around an area of open space incorporating it into the front garden of the property. Therefore an unauthorised change of use has occurred and a fence over 1 metre in height has been erected without permission. **Steps to comply** ➢ Remove the fence and re-instate the ground to its original condition.