

# DECISION NOTICE REFUSAL OF PLANNING PERMISSION

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

---

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

---

**APPLICATION REFERENCE** 0740/FUL/18

**PROPOSAL** Erection of a house and garage including formation of an access and associated works

**LOCATION** Land At 1-2 Blythfield Cottages, Newpark Road, Bellsquarry, Livingston, West Lothian, EH54 9AF, (GRID REF: 304798, 664630)

**APPLICANT** Mr & Mrs D Crombie, 1-2 Blythfield Cottages, Bellsquarry, Livingston, West Lothian, EH54 9AF

---

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

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

**Dated:**  
**09.10.2018**

**Craig McCorrison**  
**Head of Planning, Economic Development and Regeneration**

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

**Signature:**



**The council in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 (as amended) refuses planning permission for planning application 0740/FUL/18, for the reason(s) set out as follows:**

- 1 The proposal is sited in a backland location, which is at odds with the prevailing spatial character and pattern of development in the area. As a result, the proposal fails to integrate with the local context and built form of the surrounding area.

The proposed development is therefore contrary to Policies HOU 3 (Infill/Windfall Housing Development within Settlements) and DES 1 (Design Principles) of the West Lothian Local Development Plan and the Residential Development Guide Planning Guidance.

- 2 The proposal has a garden to building ratio of 66:34. This fails to meet the plot ratios for detached houses, as set out in the Residential Development Guide Planning Guidance, which specifies a 70:30 ratio of garden to building for detached houses.

The proposed development is therefore contrary to Policy DES 1 (Design Principles) of the West Lothian Local Development Plan and the Residential Development Guide Planning Guidance.

**ADVISORY NOTES TO DEVELOPER**

***How to challenge the council's Decision***

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

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

***Notification of the start of development***

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

***Notification of completion of development***

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

## **Contaminated land procedures**

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

## **Liaison with the Coal Authority**

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

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

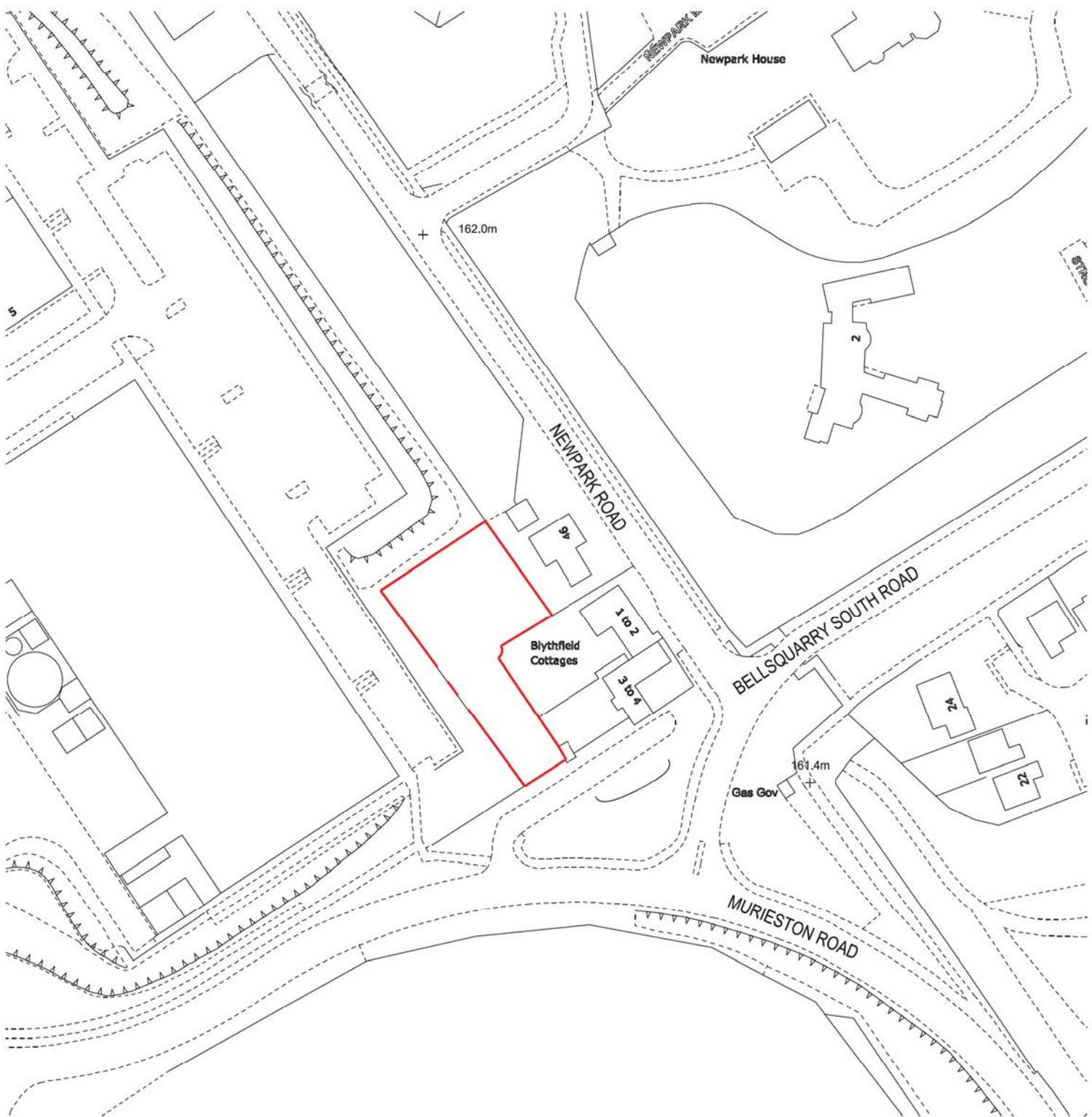
*To contact the Coal Authority to obtain specific information on past, current and proposed coal mining activity you should contact the Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).*

## **Advisory note to developer - General**

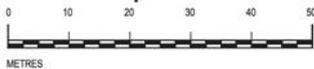
*Please note that it is the developer's responsibility to ensure that all relevant consents and certificates are in place prior to starting work on site and that it is the developer's responsibility to speak with service authorities to ensure safe connection is possible to allow the development to proceed.*

## **Annex 1, Schedule of Plans - 0740/FUL/18**

Docquetted Number	Drawing Description	Drawing Number
1	Location Plan	18017-P01A
2	Floor Plan	18017-P02 D
3	Proposed Elevations	18019-P03 H



### location plan



Unless otherwise assigned, the copyright of this drawing is reserved by Slorach Wood Architects Limited and is issued with the caveat that it is not copied or disclosed to any third party, other wholly or in part, without the written permission of Slorach Wood Architects Limited.  
 Variations and modifications to work shown in this drawing should not be carried out without written permission of Slorach Wood Architects Limited, who accept no liability whatsoever for alterations made to this drawing by any third party other than themselves. All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004, as amended 2016.  
 All works to comply with the relevant Codes of Practice and British Standards and shall be carried out to the highest standard of craftsmanship, by skilled and qualified persons of the respective trades and in accordance with good building practice.  
 The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations.  
 Do not scale from this drawing at any time. Use figured dimensions only. All setting out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancies reported to the architect immediately. All dimensions are to the structure and exclude any plaster / plasterboard finishes.

Contractor to ensure works is in accordance with the following guidance notes/ regulations, and any other appropriate HSE documentation:

- HSG 150; Health and Safety in Construction;
- HSG 202; Managing Six exposure risks at work;
- L21; Management of Health and Safety at work Regulations;
- L22; Safe use of Work Equipment Regulations;
- L81; Design Construction and Installation of gas service pipes Regulations.

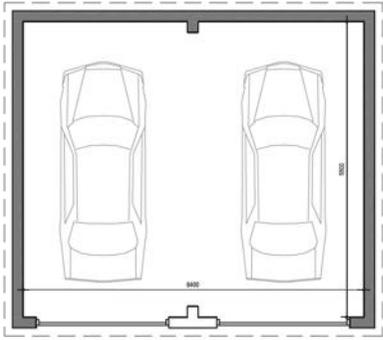
#### HEALTH AND SAFETY

THIS PROJECT IS UNDER THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 AND ALL MATTERS APPERTAINING TO HEALTH AND SAFETY TO BE ISSUED TO THE PRINCIPAL DESIGNER AND A COPY RECORDED IN THE HEALTH & SAFETY FILE LOCATED ON SITE AND KEPT BY THE MAIN CONTRACTOR.

THE DESIGN HAS HIGHLIGHTED THE FOLLOWING SPECIAL HAZARDS:



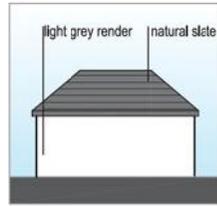
A   BOUNDARY AMENDED TO CLIENT COMMENTS		05/04/18
status	PLANNING	
drawing	18017 - P01 A	scale 1:1250 [A4]
plotted		ref. KW
project	NEW HOUSE BLYTHFIELD COTTAGE BELLSQUARRY	
title	LOCATION PLAN	
<b>slorach wood architects</b>		
contact	The Station Master's Office, Dalmeny Station, South Queensferry, EH30 9J.P. Tel: 0131 319 1260 Email: info@swa.uk.net Website: www.swa.uk.net	



garage ground floor plan



south-east elevation



south-west elevation



north-west elevation



dwelling ground floor plan



external 3D images

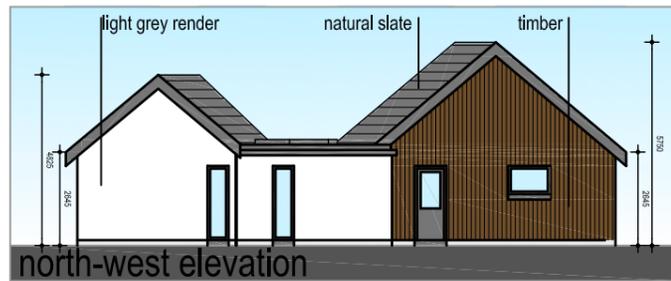
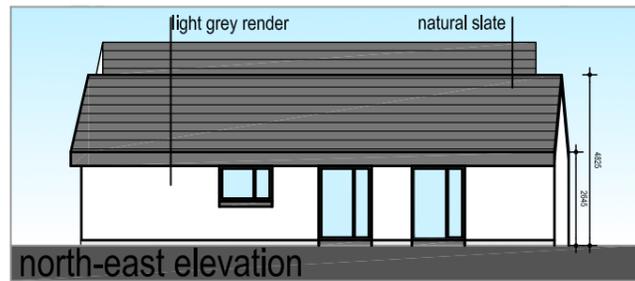
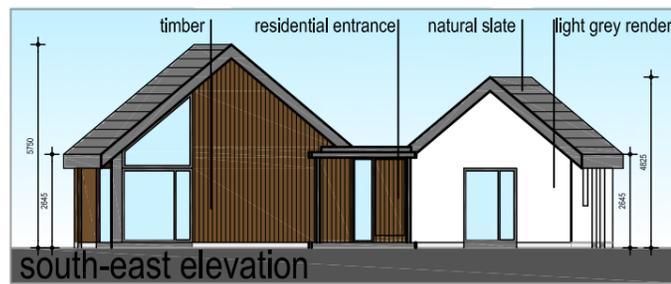
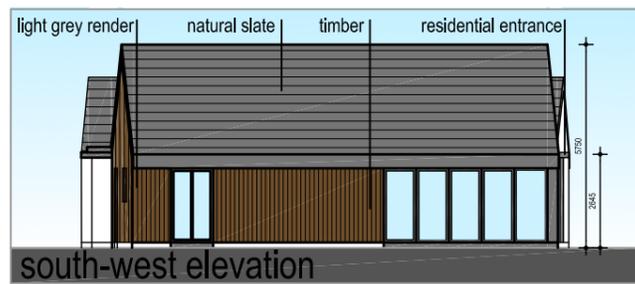
Unless otherwise assigned, the copyright of this drawing is reserved to Slorach Wood Architects Limited and is bound with the caveat that it is not copied or disclosed to any third party, either wholly or in part, without the written permission of Slorach Wood Architects Limited.  
 Variations and modifications to work shown in this drawing should not be carried out without written permission of Slorach Wood Architects Limited, and except for Building Regulations for alterations made to this drawing by any third party other than ourselves, all works to comply in every respect with the current Building Regulations (Controlled Regulations) as amended 2015.  
 All works to comply with the relevant Codes of Practice and BS8102 Drawings and shall be carried out to the highest standard of workmanship by skilled and qualified persons of the responsible trades and in accordance with good building practice.  
 The contractor shall be responsible for making contact with the respective statutory authorities and obtaining the location of all existing services. The contractor shall ensure compliance with the local authority regulations.  
 Do not cover from this drawing at any time. Use Approx dimensions only. All working out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancies reported to the architect immediately. All dimensions are to the structure unless otherwise stated. (dimensioned to face).

Contractor to ensure works to be in accordance with the following guidance notes, regulations, and any other appropriate HSE documentation:  
 HSG 190 Health and Safety in Construction;  
 HSG 202 Managing S&H exposure risks at work;  
 L24 Management of Health and Safety at Work Regulations;  
 L25 Safe use of Work Equipment Regulations;  
 L81 Design, Construction and Installation of gas service pipes Regulations.

**HEALTH AND SAFETY**  
 THIS PROJECT IS UNDER THE CONSTRUCTION DESIGN AND MANAGEMENT REGULATIONS 2015 AND ALL MATTERS APPERTAINING TO HEALTH AND SAFETY TO BE SERVED TO THE PRINCIPAL DESIGNER AND A COPY RECORDED BY THE HEALTH & SAFETY FILE LOCATED ON SITE AND KEPT BY THE MAIN CONTRACTOR.  
 THE DESIGNER HAS HIGHLIGHTED THE FOLLOWING SPECIAL HAZARDS:



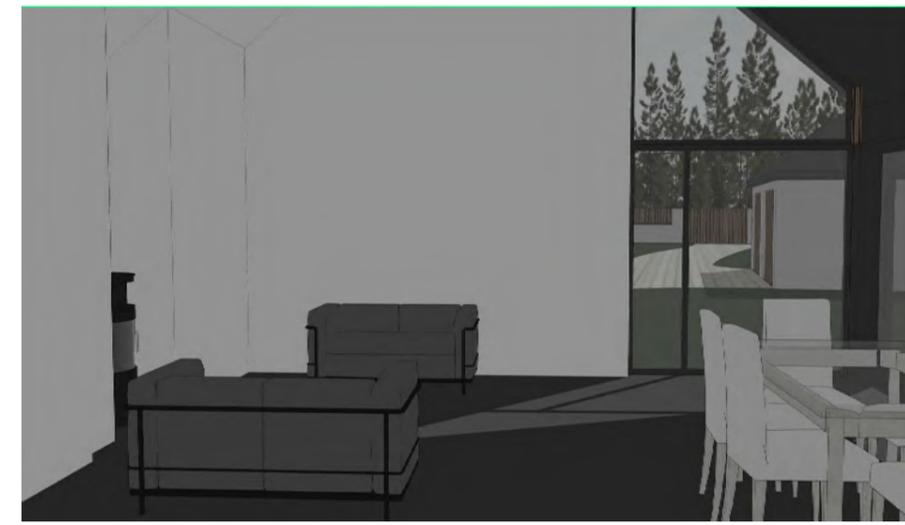
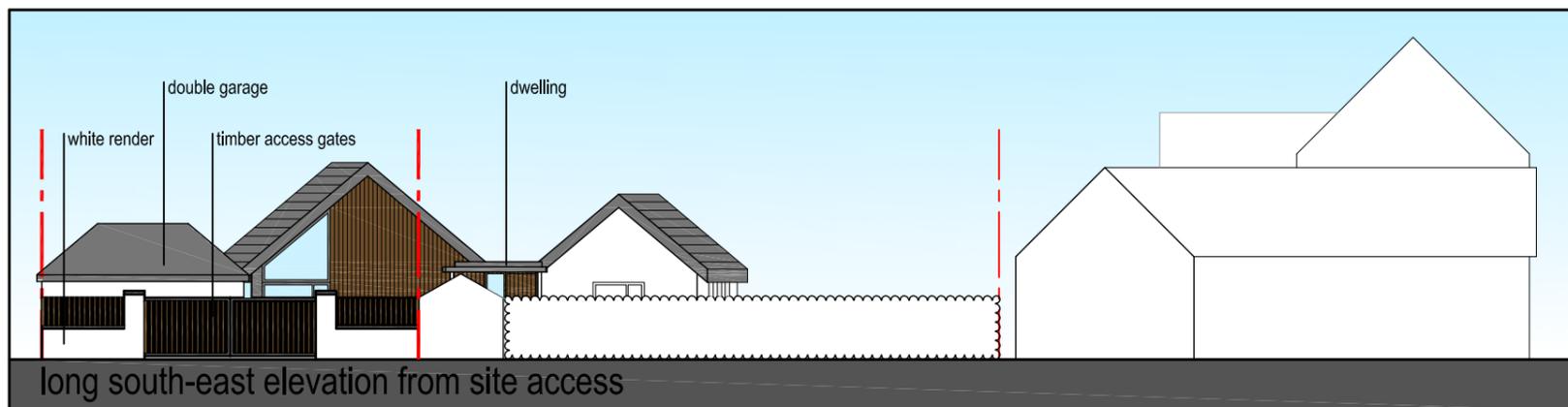
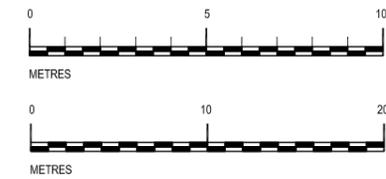
D GARAGE ADDED	30/07/18
E ALTERATIONS TO CLIENTS COMMENTS	27/07/18
F 2 BEDDED HOUSE DESIGN FOLLOWING PLANNERS COMMENTS	20/07/18
A ALTERATIONS TO CLIENTS COMMENTS	05/04/18
status	PLANNING
drawing	18017 - P02 D
scale	1:500 (A1) 1:1000 (A3)
plotted	ref, K0V
project	NEW HOUSE BLYTHFIELD COTTAGE BELLSQUARRY
site	FLOOR PLANS & 3D IMAGES
<b>slorach wood architects</b>	
contact	The Station Master's Office, Dalmealy Station, South Queensferry, EH30 9JF, Tel: 0131 319 1260 Email: info@swa.co.uk Website: www.swa.co.uk



Unless otherwise assigned, the copyright of this drawing is reserved by Slorach Wood Architects Limited and is bound with the caveat that it is not copied or disclosed to any third party, either wholly or in part, without the written permission of Slorach Wood Architects Limited. Variations and modifications to work shown in this drawing should not be carried out without written permission of Slorach Wood Architects Limited, who accept no liability whatsoever for alterations made to this drawing by any third party other than themselves. All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004, as amended 2016. All works to comply with the relevant Codes of Practice and British Standards and shall be carried out to the highest standard of craftsmanship by skilled and qualified persons of the respective trades and in accordance with good building practice. The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations. Do not scale from this drawing at any time. Use figured dimensions only. All setting out dimensions are to be confirmed prior to the commencement of any associated works with any discrepancies reported to the architect immediately. All dimensions are to the structure and exclude any plaster / plasterboard finishes.

Contractor to ensure works is in accordance with the following guidance notes/ regulations, and any other appropriate HSE documentation:  
 HSG 150: Health and Safety in Construction;  
 HSG 262: Managing Skin Exposure Risks at Work;  
 L21: Management of Health and Safety at Work Regulations;  
 L22: Safe use of Work Equipment Regulations;  
 L81: Design Construction and Installation of Gas Service Pipes Regulations.

**HEALTH AND SAFETY**  
 THIS PROJECT IS UNDER THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 AND ALL MATTERS PERTAINING TO HEALTH AND SAFETY TO BE ISSUED TO THE PRINCIPAL DESIGNER AND A COPY RECORDED IN THE HEALTH & SAFETY FILE LOCATED ON SITE AND KEPT BY THE MAIN CONTRACTOR.  
 THE DESIGN HAS HIGHLIGHTED THE FOLLOWING SPECIAL HAZARDS:



internal 3D image



H	TREES TO BE REMOVE ADDED	14/09/18
G	DIMENSIONS TO BOUNDARY AND NEIGHBORS ADDED, TREES TO BE REMOVE ADDED	11/09/18
F	HEIGHTS ADDED AT PLANNERS REQUEST	07/08/18
E	GARAGE ADDED	30/07/18
D	ALTERATIONS TO CLIENTS COMMENTS	27/07/18
C	AMENDED HOUSE DESIGN FOLLOWING PLANNERS COMMENTS	20/07/18
B	HEIGHTS ADDED AT PLANNERS REQUEST	12/04/18
A	ALTERATIONS TO CLIENTS COMMENTS	05/04/18

status **PLANNING**

drawing **18019 - P03 H** scale 1:100 & 1:200 (A1)

plotted ref. KW

project **NEW HOUSE BLYTHFIELD COTTAGE BELLSQUARRY**

#0 **ELEVATIONS, SITE PLAN & 3D IMAGES**

**slorach wood architects**

contact The Station Master's Office, Dalmeny Station, South Queensferry, EH30 9JP. Tel: 0131 319 1260 Email: info@swa.uk.net Website: www.swa.uk.net