



LOCAL REVIEW BODY

APPLICATION NO. 0740/FUL/18 – ERECTION OF HOUSE AND GARAGE INCLUDING FORMATION OF AN ACCESS AND ASSOCIATED WORKS AT LAND AT 1-2 BLYTHFIELD COTTAGES, NEWPARK ROAD, BELLSQUARRY

REPORT BY CLERK AND LEGAL ADVISER TO THE LOCAL REVIEW BODY

A PURPOSE OF REPORT

This covering report describes the documents and other matters relevant to the consideration by the Local Review Body of this application for review of a decision by the council's Appointed Person.

The application is to review the refusal of planning permission for the erection of a house and garage including formation of an access and associated works at 1-2 Blythfield Cottages, Newpark Road, Bellsquarry

B REVIEW DOCUMENTS

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

1. The Notice of Review, dated 21 November 2018, submitted by the applicant's agent. This also included the following documents:-
 - A Supporting Statement by the applicant's agent including drawings
 - Correspondence dating back to May 2018 between the Planning Case Officer and the applicant's agent;
 - Correspondence dating back to September 2018 between the Planning Case Officer and the applicant's agent;
 - Alternative Site Plan
2. The Handling Report, dated 9 October 2018
3. The Decision Notice and refused plans dated 9 October 2018

Three representations were received in relation to the planning application; these were from Mr Neil and Mrs Jill Lind both of 46 Newpark Road and Dr Steven Haigh and Mrs Anne Haigh of 3/4 Blythfield Cottages. All three were contacted to advise that the review had been received and they had 14 days in which to make further representation. Both Dr Haigh and Mrs and Mrs Lind provided further comments and these were subsequently copied to the agent. They in turn provided further comments in accordance with procedure. All documentation referred to and is included in the report as a series of appendices.

The applicant has stated in the review application that they consider that the Local Review Body could decide the review case with no further procedure.

C DEVELOPMENT PLAN POLICIES AND PLANNING GUIDANCE

Planning permission was refused by the Appointed Person as they considered that the proposed development was a site in a backland location which was at odds with the prevailing spatial character and pattern of development in the area and therefore failed to integrate with the local context and built form of the surrounding area and was therefore contrary to policy HOU3 and DES1 of the WLLP; and the proposal had a garden to building ratio of 66:34 which failed the plot ratios as set out in the Residential Development Guide Planning Guidance, which specifies a 70:30 ratio and was therefore contrary to DES1 of the WLLP.

D PLANNING CONDITIONS, LEGAL AGREEMENTS AND GOOD NEIGHBOUR AGREEMENTS

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

Wendy Richardson, Solicitor, West Lothian Civic Centre
Tel No. 01506 283524, heather.cox@westlothian.gov.uk

Date: 9 January 2019