



West Lothian
Council

West Lothian Civic Centre Howden South Road Howden Livingston EH54 6FF Tel: 01506 280000 (for general enquiries) Email: planning@westlothian.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100091357-007

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Slorach Wood Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Kirsty	Building Name:	Station Masters Office
Last Name: *	Watson	Building Number:	
Telephone Number: *	01313191260	Address 1 (Street): *	Station Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	South Queensferry
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH30 9JP
Email Address: *	kirsty@swa.uk.net		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr & Mrs"/>	Building Name:	<input type="text" value="1 & 2"/>
First Name: *	<input type="text" value="D"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Cromble"/>	Address 1 (Street): *	<input type="text" value="Blythfield Cottage"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Bellsquarry"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="LIVINGSTON"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="West Lothian"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH54 9AF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="West Lothian Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing

Easting

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

New House with detached double garage, private entrance and large garden.

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions Imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See Supporting Statement.

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

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

18019 Supporting Statement; Planning Application Ref 0307FUL18; Clarifications on Objections to Planning 18 05 21; Planners Comments on Application 18 05 28; Withdrawing Application 18 06 07; Planning Application Ref 0740FUL18; Correspondence with Planner re dwg scale 18 09 11; Statement to Planning 18 09 14; P04 A Alternative Site Plan

Application Details

Please provide details of the application and decision.

What is the application reference number? *

0740/FUL/18

What date was the application submitted to the planning authority? *

10/08/2018

What date was the decision issued by the planning authority? *

09/10/2018

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

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

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Client will be able to provide access as required.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Kirsty Watson

Declaration Date: 21/11/2018

West Lothian Council
Local Review Body
Committee Services
West Lothian Civic Centre
HOWDEN SOUTH ROAD
Livingston
EH54 6FF

21 November 2018
18019 / 3.1 / CL171018-10

Dear Sirs,

Blythfield Cottage, Bellsquarry
Planning Appeal for Ref no. 0740/FUL/18

Further to our Clients planning application for the above, we would like to appeal this planning refusal dated the 9th October 2019. On behalf of our Clients, Mr & Mrs D Crombie, we would like to include our written appeal for your consideration. The planning application is for a new dwelling within the cluster of houses at Blythfield Cottages.

The applicants have lived at 1&2 Blythfield Cottages for in excess of thirty years and during this time have seen a dramatic change to the surrounding area as Livingston has grown and continues to grow around them. Having no wish to move from a home that they have sympathetically restored and maintained over that period, Mr and Mrs Crombie feel that the time is right to downsize the land footprint of their property.

The site was selected to provide a reasonable sized garden to the Applicants existing house while allowing maximum space for the new dwelling to be sited within its own garden. Access would be provided via an existing garden access that is connected to Murieston Road by a private access road. This means the site can be wholly utilised without disruption to Newpark Road. This access road is currently used to access the Applicants garden and is the vehicle and pedestrian access to the Applicants neighbours at 3&4 Blythfield Cottages.



Location Plan

Cont.

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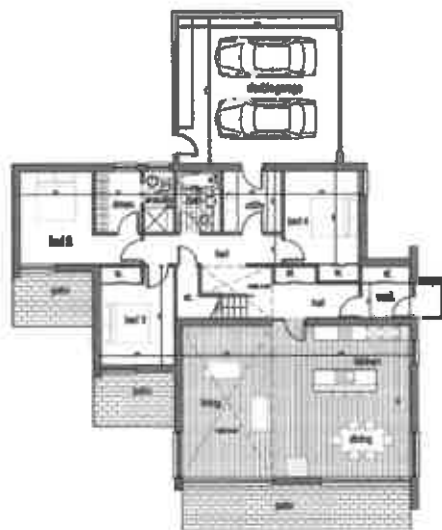


21 November 2018
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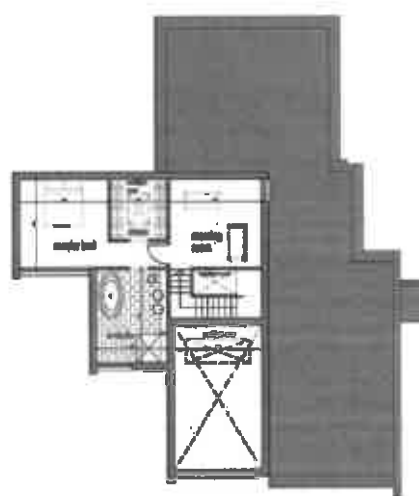
Blythfield Cottage, Bellsquarry

Planning Application Ref no. 0307/FUL/18

Our initial Planning Application was for a four bedroom family home with a large living/dining/kitchen space and a double garage. The focus on the design was to balance privacy while providing lots of natural light and views. The living spaces of the family room and main bedrooms were located to the south-west of the building to maximise sunlight and garden views as well as opening to the large garden. The ancillary spaces of the garage, utility and bathrooms were located to the north as they do not require significant sunlight or views and they create a buffer to the neighbouring house of 46 Newpark Road. The upper floor mixes private space of the generous master bedroom with ensuite and dressing areas with the public morning room that is open to the stair and ground floor below.



Ground Floor Plan (Ref no. 0307/FUL/18)



First Floor Plan (Ref no. 0307/FUL/18)



3D Images (Ref no. 0307/FUL/18)



This application resulted in a couple of objections from the neighbouring dwellings, and we clarified the points raised with the Planner at the time. To clarify these comments again, the trees on the site are generally not of a high quality and there are trees on Brucefield Industrial Estate that provided screening.

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Blythfield Cottage, Bellsquarry

The Planner responded with the following feedback on the application as a whole:

- *'The proposed house is located immediately behind another residential property. A separate access is used so the proposal is not strictly 'tandem' development but is in a backland location and there is a general presumption against backland development unless it is part of the spatial character of the area. In this case, backland development is not a spatial characteristic of the surrounding area'*
- *'The SPG on infill development states that side to rear elevation distances between residential properties should be at least 12 metres. In your application, there is less than one metre between the north east facing, side elevation. This is not acceptable in terms of the SPG and we would need this elevation moved to a distance of 12 metres from the north west boundary of 46 Newpark Road'*
- *'The scale, bulk and mass of the proposed house is not something that the area is characterised by too. I don't see there being an issue with something that is architecturally different and I can see the materials proposed are to try and complement the houses around the plot but the bulk and mass of the house does not complement the existing development in the area'*
- *'On the whole, the house is a rather 'crammed in' to the plot. We would look for a 9 metre back garden for new houses, as per the SPG, and this criteria is also not met. Overall, the application does not comply with Policies HOU 4 and HOU 9 of the West Lothian Local Plan, Policies DES 1 and HOU 3 of the LDP and the SPG on Infill development.'*
- *'I would generally agree that the trees on the north west and west to south west boundaries are mostly leylandii trees that are not of great value. I am getting a full arboricultural opinion from one of the tree officers for the site as a whole, which I can forward once received.'*

Based on the above, the Planner suggested we withdraw the application as *'something of the scale currently proposed is probably not going to work with this site and I'm unsure whether something that could fit within the parameters of our policies in principle given the area is not characterised by backland development.'*

Following a discussion with the Applicant it was agreed we would withdraw this application to consider the Planners comments and reapply with a design that would be more suitable for the site.

Addressing Planners Comments of Planning Application Ref no. 0307/FUL/18

When completing an alternative design, we contemplated the Planners comments and tried to find a solution that would satisfy the Planners concerns.

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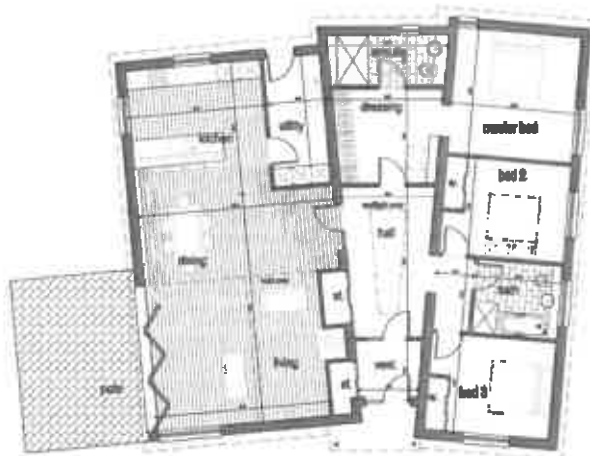
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Blythfield Cottage, Bellsquarry

As required the side elevation of the house was designed to be 12 metres from the neighbour at 46 Newpark Road and we allowed for a 9 meter back garden. This meant the footprint of the new house design would need to be adjusted to suit these parameters.

The Planner noted *'The scale, bulk and mass of the proposed house is not something that the area is characterised by'* and so we fully reconsidered the size of the house.

The alternative house was split into three blocks, one the public living/kitchen/dining area, one the private bedrooms with the entrance hall positioned between. We took influence from the traditional dwellings surrounding the site to provide 2no. single storey pitched roof forms that contain the public and private spaces. The hallway between has a flat roof, with rooflights over to provide natural light, which extends to create a canopy above the front door.



Ground Floor Plan (Ref no. 0740/FUL/18)



3D Images (Ref no. 0740/FUL/18)

Cont.



SAFETY
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IN
PARTNERSHIP



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21 November 2018
18019 / 3.1 / CL171018-10

Blythfield Cottage, Bellsquarry

Planning Application Ref no. 0740/FUL/18

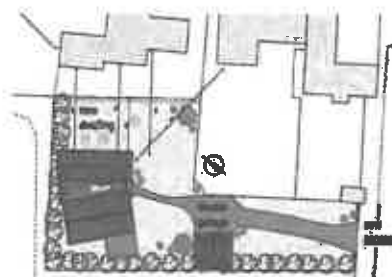
A second Planning Application was registered on 10th August 2018 for the amended house design which satisfied the Planners concerns on the boundary distances and mass, scale and bulk of the initial design. Through the application process the Planner had contacted us with the following comments:

- *'Policy DES 1 of the LDP states that development proposals should integrate with local context and built form. The spatial pattern of development in the area is one of a linear pattern of development along Newpark Road and there is one set of cottages at 90 degrees to the road. There have been divisions of plots but the resulting houses have a road frontage. The proposed house is located immediately behind another residential property. A separate access is used so the proposal is not strictly 'tandem' development but is in a backland location and there is a general presumption against backland development unless it is part of the spatial character of the area. In this case, backland development is not a spatial characteristic of the surrounding area and the proposed house would not integrate with the local context and built form. It is thus contrary to Policy DES 1.'*
- *'The SPG on infill development states that side to rear elevation distances between residential properties should be at least 12 metres. In your application, there is 6.5 to 7 metres between the north east facing, side elevation and 46 Newpark Road. This is not acceptable in terms of the SPG and we would need this elevation moved to a distance of 12 metres from the north west boundary of 46 Newpark Road. I cannot justify an infringement of the SPG at this scale. We would also look for a 9 metre back garden for new houses, as per the SPG.'*
- *'Although the house now meets the building to plot ratio, as set out in the Infill SPG, this does not outweigh the other infringements above and the point about spatial character.'*

As we had specifically designed the dwelling to suit the required distances of 12 meters to the neighbouring elevations and 9 metres to the rear boundary for a garden we knew there had been an error. We contacted the Planner to clarify this and provided an amended drawing confirming the dimensions to the boundary were suitable.



Site Plan (0307/FUL/18)



Site Plan (0740/FUL/18)

Cont.



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21 November 2018
18019 / 3.1 / CL171018-10

Blythfield Cottage, Bellsquarry

In response to the suggestion that the development is Backland Development, we submitted a statement, enclosed with the supporting documentation, to clarify why we did not think this was the case. We feel the site should be considered as Infill Development as this is more suitable to the setting of the site within the cluster of houses at Blythfield Cottages

Regardless of our attempt to satisfy the Planners concerns the application was refused on 9th October 2018.

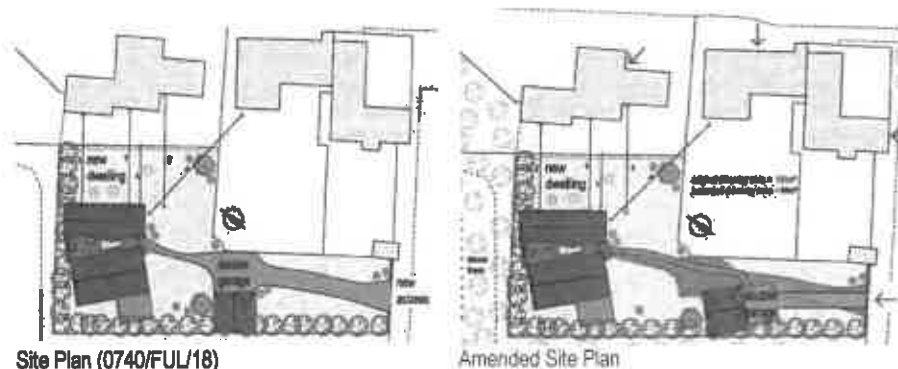
Addressing Planners Comments of Planning Application Ref no. 0740/FUL/18

The Planners Refusal Report notes that *'the impact on privacy is, overall, acceptable'* and that *'tree removal will not affect privacy to an unreasonable degree'*. There is also no comment on the scale, bulk and mass of the dwelling so we understand this concern has now been satisfied with our smaller house design.

As such, you can deduce the dwelling would not negatively affect the neighbouring properties as it does not impact privacy or neighbouring amenity.

While we have satisfied the requirements in terms of a 9 metre garden and 12 meters between buildings, the Planner has commented *'the proposed development has a garden to building ratio of 66:34, which does not comply with the SPG, and is therefore not acceptable in planning terms'*. At the time of calculating the ratio, we were not aware that the drive should be included within the 'Building' portion and so our ratio does not comply.

We appreciate that our current ratio is not acceptable under the SPG guidance, hence it being a reason to refuse Planning Permission. We can easily resolve this issue by decreasing the driveway by 43m² to provide a garden to suitable building ratio of 70:30 as required. As such, enclosed within the supporting documents is our alternative site plan drawing showing an alternative layout which reduces the area of driveway by 47m² to more than satisfy the SPG garden requirement.



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21 November 2018
18019 / 3.1 / CL171018-10

Blythfield Cottage, Bellsquarry

Again, the Planner has commented on the dwelling being a Backland Development, and this appears to be the key reason for the application being refused. As per the statement enclosed within the supporting documentation, we do not agree about the consideration of the site as 'backland', we feel it should be considered as 'infill' development.

We understand 'Backland Development' is interpreted by West Lothian Council as a site that is situated behind the line of the street. This application has been considered as backland development as it is behind the line of Newpark Road. As our site is not accessed by either vehicles or pedestrians from Newpark Road and is not visible from Newpark Road, we do not agree that it should be considered as Backland Development.

Instead, infill development is where development occurs within an existing curtilage of a building group. The cottages of Blythfield are in an L shaped cluster which are located on both Newpark Road and a private access off Murieston Road. The site is utilising an existing gap site within the cluster of cottages.

The Planner suggests *'There have been divisions of plots but the resulting houses have a road frontage.'* Our site is situated beside 3&4 Blythfield Cottages and continues the street line that this existing cottage has created along a private road and so we would therefore disagree that our site does not have a road frontage. This private road is also the only pedestrian and vehicle access to 3&4 Blythfield cottages so again by utilising the existing garden access to the site we are continuing the pattern displayed by 3&4 Blythfield Cottages.

If it is to be considered as 'backland' as per the Planners report, we also question whether this is in fact not part of the spatial character of the area. We wish to again note examples of backland development, both within 500 meters of the site:

1. Sandgate House, Murieston Road, Livingston
The dwelling uses the access of an existing house, it is visible from the street and is not on the street line itself.



Cont.



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21 November 2018
18019 / 3.1 / CL171018-10

Blythfield Cottage, Bellsquarry

2. Newpark Road, Bellsquarry, Livingston
Four new houses behind the street line with access by a new private road.



The Planner has calculated that *'out of 25 houses only four (16%) are located in a backland location'*. We would suggest that 16% of dwellings is not nominal and that a substantial percentage of houses in the area are not positioned on the street line.

Even if this Application were to be considered 'backland' and was approved by Planning, the adjusted percentage would become 19%, an increase of 3% as 5 out of 26 houses located in backland locations. We do not think this would greatly affect the spatial character of the area.

When considering the small scale of Blythfield cottages, currently 33% of the dwellings would not be considered on the main street line of Newpark Road, as 3&4 Blythfield cottages are accessed from a private road. This proves that Blythfield already has a high proportion of houses in so-called 'backland' locations which would suggest that it is indeed part of the spatial character of the area and pattern of development for the immediate area.

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Blythfield Cottage, Bellsquarry

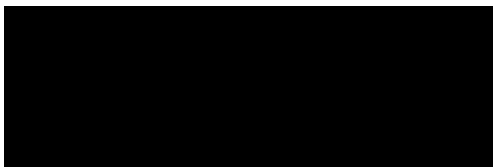
The Planners report confirms that *'development should be in keeping with the character of the settlement and local area' and 'development proposals should integrate with local context and built form'*. We strongly agree with this statement, and as such designed the dwelling to compliment the neighbouring houses of both Blythfield and Bellsquarry. Again, we note that there are no issues relating the its scale or design of the house itself.

As the concern of the garden to building ratio is easily resolved, the only concern of the Planner appears to be that the house is in a backland location.

We feel that the house has been wrongly labelled as 'backland' and that we are in fact continuing the pattern of the area. There appears to be little justification for a refusal for this site and as such, we wish to appeal the decision of this application Ref no. 0740/FUL/18 being refused.

We would request that the councillors, upon review of our appeal, would please visit the site to see its relationship to the exiting Blythfield Cottages and its lack of connection to Newpark Road.

Yours faithfully,



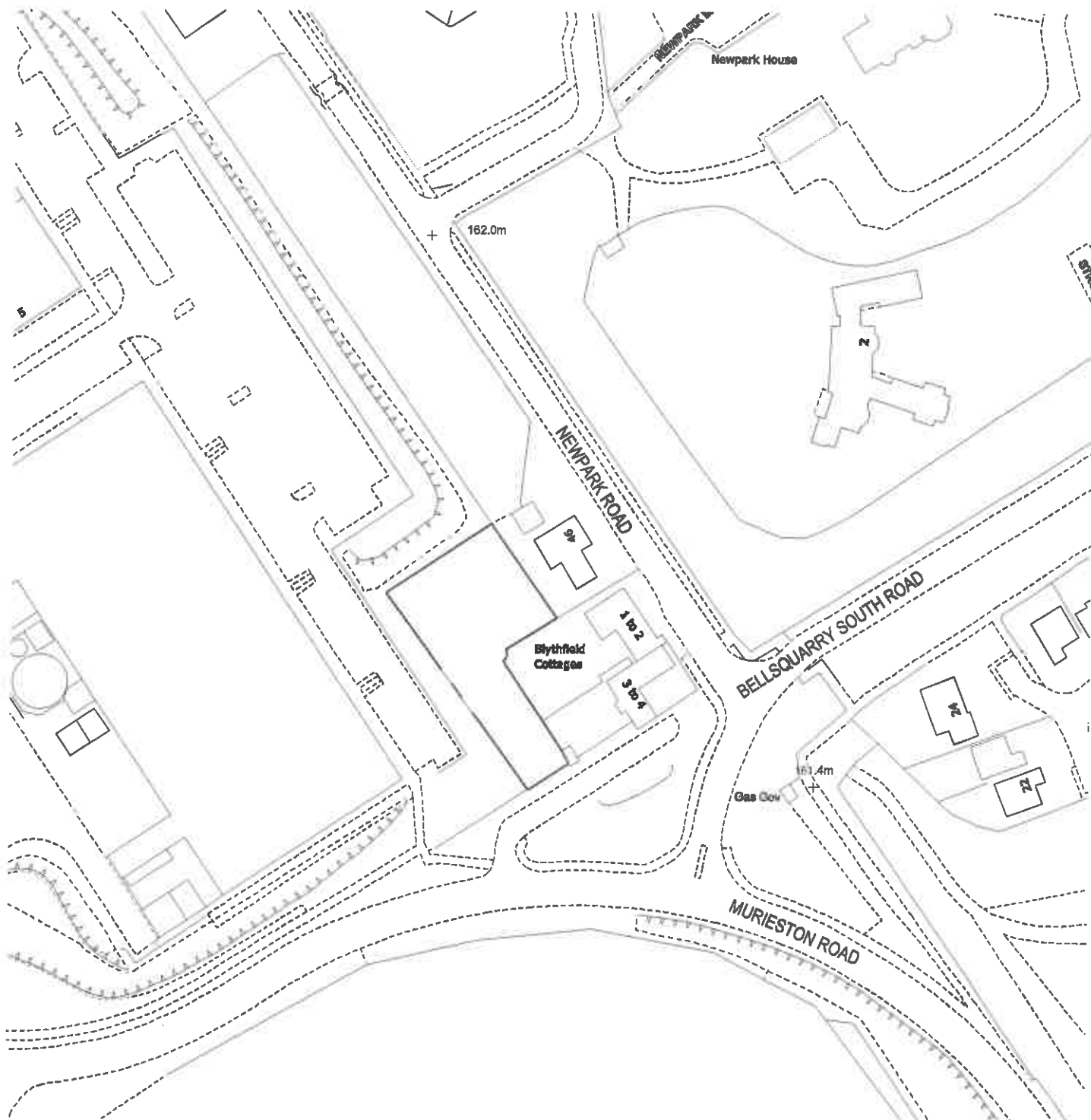
Kirsty Watson
For
Slorach Wood Architects

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location plan



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

- H&S 180: Health and Safety in Construction;
- H&S 200: Managing high exposure risks at work;
- L21: Management of Health and Safety at Work Regulations;
- L22: Safe use of Work Equipment Regulations;
- L31: Design Construction and Installation of gas service pipe Regulations.



HEALTH AND SAFETY

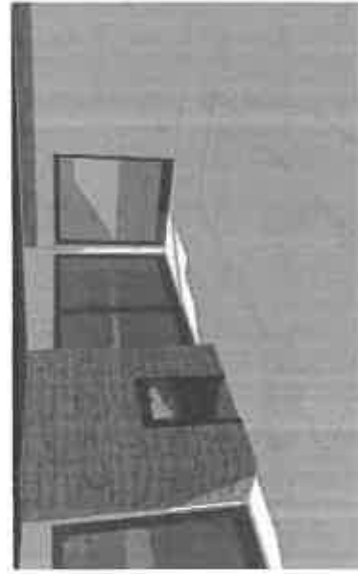
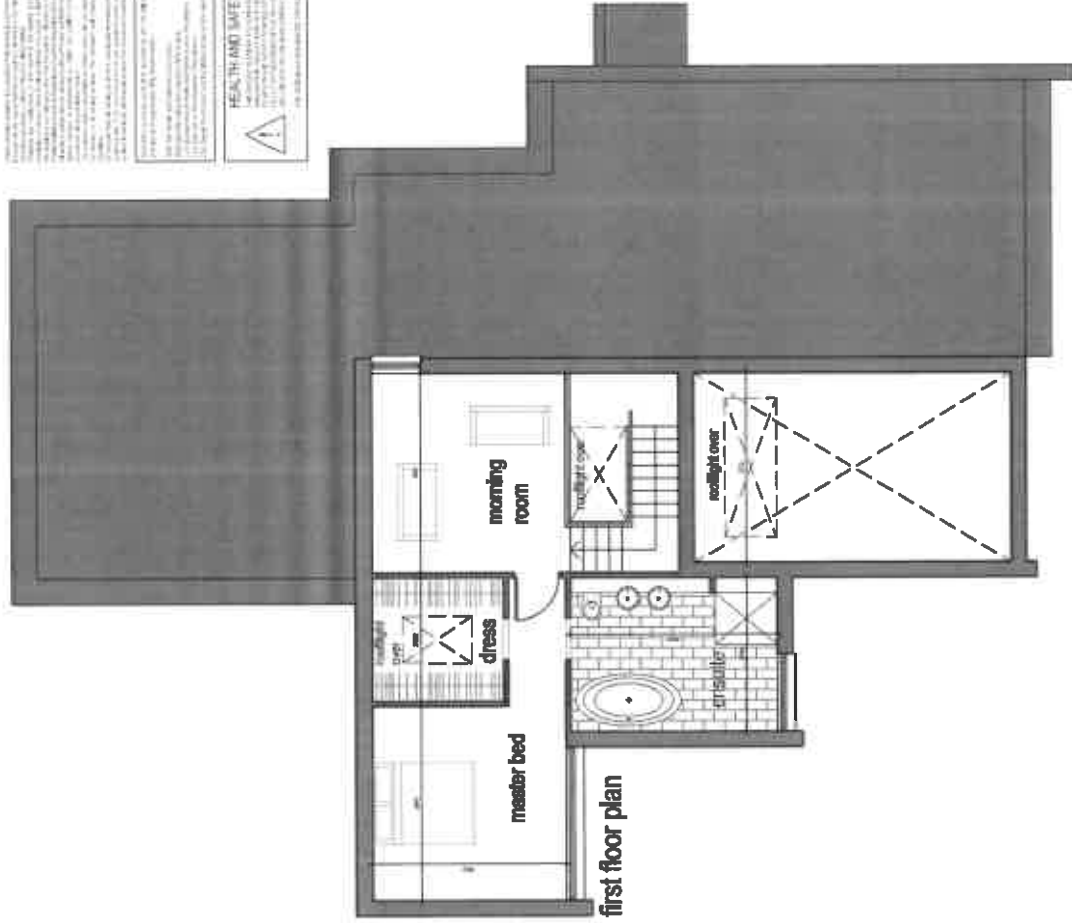
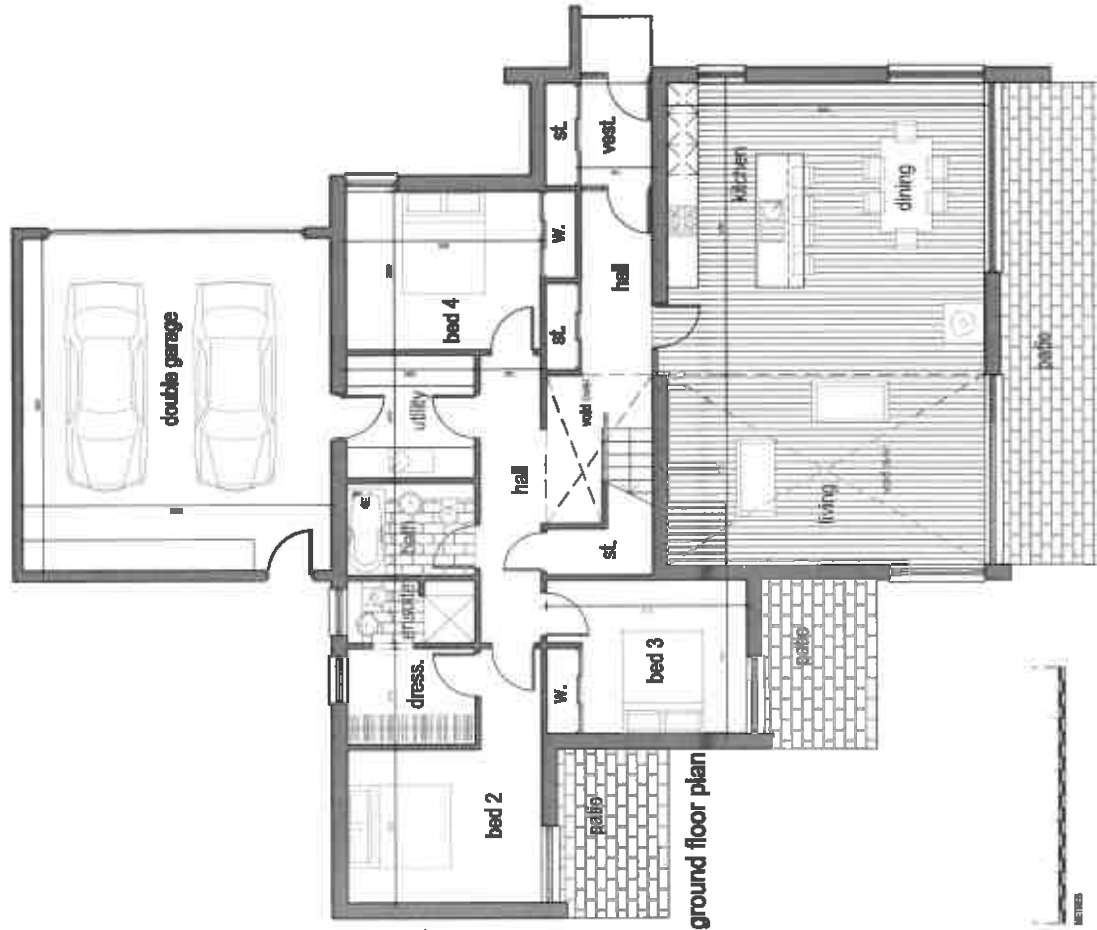
THIS PROJECT IS UNDER THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2016 AND ALL MATTERS PERTAINING TO HEALTH AND SAFETY TO BE ISSUED TO THE PRINCIPAL DESIGNER AND A COPY RECORDED IN THE HEALTH & SAFETY FILE LOCATED ON SITE AND KEPT BY THE MAIN CONTRACTOR.

THE DESIGN HAS HIGHLIGHTED THE FOLLOWING SPECIAL HAZARDS:

A BOUNDARY AMENDED TO CLIENT COMMENTS		05/04/18
status	PLANNING	
drawing	18017 - P01 A	scale 1:1250 (A4)
plotted	ref. 10W	
project	NEW HOUSE BLYTHFIELD COTTAGE BELLSQUARRY	
title	LOCATION PLAN	
strach wood architects		
contact	The Station Master's Office, Dalrymple Station, South Queensferry, EH30 8JP. Tel: 0131 318 1280 Email: info@swa.uk.net Website: www.swa.uk.net	



external 3D images



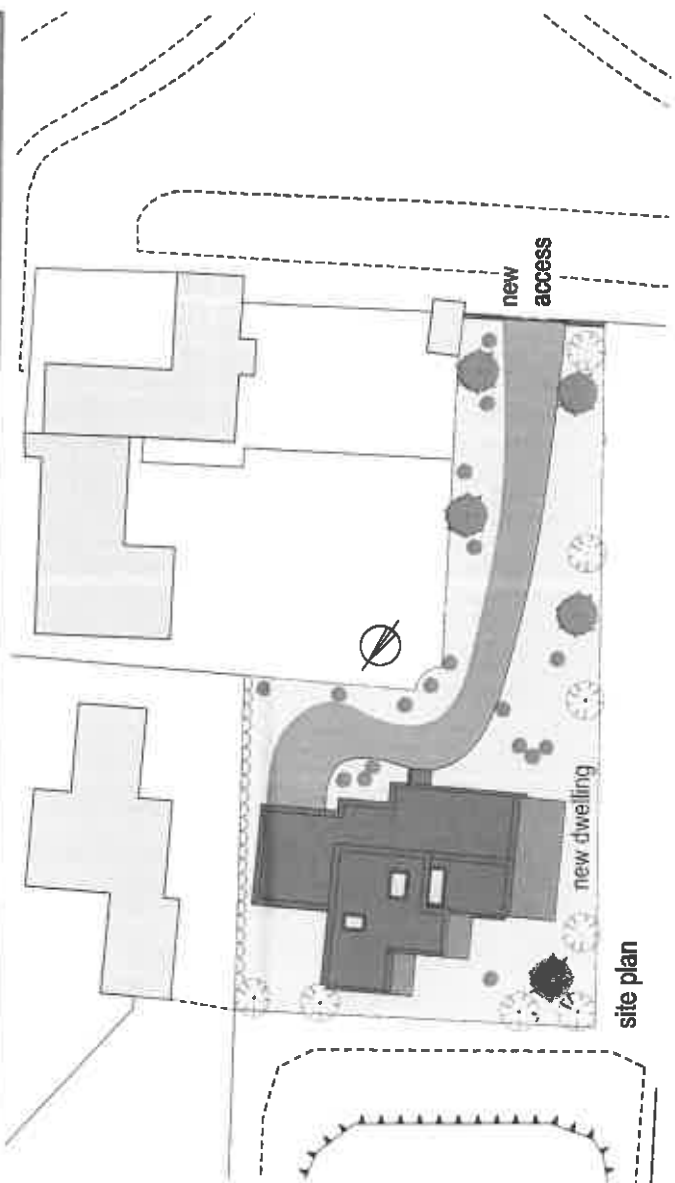
internal 3D image

PLANNING	
18017 - P02 A	NEW HOUSE BLYTHFIELD COTTAGE BELL SQUARY
FLOOR PLANS & 3D IMAGES	external wood finishes
<p>For further details, please contact the architect or the planning department.</p> <p>Architect: [Name]</p> <p>Planning Department: [Name]</p> <p>Address: [Address]</p> <p>Phone: [Phone]</p> <p>Email: [Email]</p>	

HEALTH AND SAFETY	
<p>These plans are intended for use as a guide only. They are not to be used for construction purposes. The architect is not responsible for any errors or omissions in these plans. The user is advised to consult the architect for further details.</p> <p>Architect: [Name]</p> <p>Address: [Address]</p> <p>Phone: [Phone]</p> <p>Email: [Email]</p>	



PLANNING	1801B - P03 B	NEW HOUSE BLYTHFIELD COTTAGE BELLQUARRY	ELUVATIONS, SITE PLAN & 3D IMAGES	The Station Master's Office, Railway Station, 100 High Street, Tel: 0115 950 1000 Email: stationmaster@ncl.nhs.uk Website: www.ncl.nhs.uk
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site plan

Kirsty Watson

From: Kirsty Watson <kirsty@swa.uk.net>
Sent: 21 May 2018 16:24
To: 'Watson, Matthew'
Subject: 18019 Land At Blythfield Cottages, Bellsquarry Livingston [Ref 0307/FUL/18] - Comments on Objections

Hi Matthew,

As per our recent telephone conversation, can you confirm if you have now been able to complete your site visit at the above?

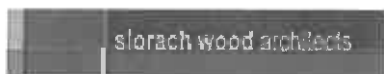
We are aware, via the portal, there have been objections made to the application. We wish to take this opportunity to clarify a couple of details:

1. The objections note that the site has 44 mature trees that would have to be removed to allow the placement of the new dwelling. The suggestion that the trees are mature would have the connotation that they are historic deciduous trees, such as oak or maple. This is not the case as the majority of the trees are evergreen and of the Leilani type. We trust this will become apparent once you have visited the site.
2. The objections suggest that the removal of trees would remove the screen between the houses at Blythfield and Brucefield Industrial Estate. When Brucefield Industrial Estate was created, there was a strip of land between our site and the estate which was planted with evergreen trees that was dedicated to screen the Industrial Estate from the surrounding houses. This screen is still in place and will be more than adequate as a screen between Brucefield Industrial Estate and the cluster of houses at Blythfield regardless of the Applicants intention with the trees on his site.
3. There is a suggestion that the site cannot legally be developed. There was a historic burden on the ground, which was inherited by our Client upon purchasing the site. The Applicant had contacted West Lothian Council's Legal department for advice on the matter and following correspondence from Hannah Sturges on 10th August 2017, they contacted their solicitor for advice. It has now been concluded that as the feudal system was abolished in 2004, the restrictions no longer apply. While this may not necessarily be of consideration for the Planning department, it confirms the Applicant is progressing this application in a mindful manner and has considered all items of concern before proceeding.

We trust the above will be of assistance and should you require anything further please do get in touch.

Kind regards,

Kirsty Watson
Architect
for



Tel: 0131 319 1260
Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com

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Kirsty Watson

From: Watson, Matthew <Matthew.Watson@westlothian.gov.uk>
Sent: 28 May 2018 14:30
To: Kirsty Watson
Subject: RE: 18019 Land At Blythfield Cottages, Bellsquarry Livingston [Ref 0307/FUL/18] - Comments on Objections

Kirsty,

I went out to site last Friday and from that and looking over the application my feedback is as follows:

- The proposed house is located immediately behind another residential property. A separate access is used so the proposal is not strictly 'tandem' development but is in a backland location and there is a general presumption against backland development unless it is part of the spatial character of the area. In this case, backland development is not a spatial characteristic of the surrounding area
- The SPG on infill development states that side to rear elevation distances between residential properties should be at least 12 metres. In your application, there is less than one metre between the north east facing, side elevation. This is not acceptable in terms of the SPG and we would need this elevation moved to a distance of 12 metres from the north west boundary of 46 Newpark Road
- The scale, bulk and mass of the proposed house is not something that the area is characterised by too. I don't see there being an issue with something that is architecturally different and I can see the materials proposed are to try and complement the houses around the plot but the bulk and mass of the house does not complement the existing development in the area
- On the whole, the house is a rather 'crammed in' to the plot. We would look for a 9 metre back garden for new houses, as per the SPG, and this criteria is also not met. Overall, the application does not comply with Policies HOU 4 and HOU 9 of the West Lothian Local Plan, Policies DES 1 and HOU 3 of the LDP and the SPG on Infill development.
- I would generally agree that the trees on the north west and west to south west boundaries are mostly leylandii trees that are not of great value. I am getting a full arboricultural opinion from one of the tree officers for the site as a whole, which I can forward once received.

On the basis of my feedback, I would recommend withdrawing the current application. If the client would like to look at alternatives then I would put in a pre-application enquiry - <https://www.westlothian.gov.uk/article/10863/Pre-Application-Enquiry>. Something of the scale currently proposed is probably not going to work with this site and I'm unsure whether something that could fit within the parameters of our policies in principle given the area is not characterised by backland development.

I will let you go and have a chat with the client and will hold off on a decision for now until I get response with how they want to go forward from here. I would also like to get an environmental health consultation response given the proximity to the Brucefield Industrial Estate and whether there would be any noise issues here.

Kind regards,

Matthew

From: Kirsty Watson [mailto:kirsty@swa.uk.net]
Sent: 23 May 2018 08:49
To: Watson, Matthew
Subject: RE: 18019 Land At Blythfield Cottages, Bellsquarry Livingston [Ref 0307/FUL/18] - Comments on Objections

Hi Matthew,

Yes, the Client will be available on Friday morning to give you access.

Kind regards,

Kirsty Watson
Architect
for



Tel: 0131 319 1260
Direct Dial: 0131 331 9917
www.slорachwoodarchitects.com



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From: Watson, Matthew <Matthew.Watson@westlothian.gov.uk>
Sent: 22 May 2018 13:11
To: Kirsty Watson <kirsty@swa.uk.net>
Subject: RE: 18019 Land At Blythfield Cottages, Bellsquarry Livingston [Ref 0307/FUL/18] - Comments on Objections

Hi Kirsty

Thanks for the clarifications.

Would you be able to ask your client whether I could gain access to the property this Friday morning around 10.30am?

Kind regards

Matthew

From: Kirsty Watson [<mailto:kirsty@swa.uk.net>]
Sent: 21 May 2018 16:24
To: Watson, Matthew
Subject: 18019 Land At Blythfield Cottages, Bellsquarry Livingston [Ref 0307/FUL/18] - Comments on Objections

Hi Matthew,

As per our recent telephone conversation, can you confirm if you have now been able to complete your site visit at the above?

We are aware, via the portal, there have been objections made to the application. We wish to take this opportunity to clarify a couple of details:

1. The objections note that the site has 44 mature trees that would have to be removed to allow the placement of the new dwelling. The suggestion that the trees are mature would have the connotation that they are historic deciduous trees, such as oak or maple. This is not the case as the majority of the trees are evergreen and of the Leilani type. We trust this will become apparent once you have visited the site.
2. The objections suggest that the removal of trees would remove the screen between the houses at Blythfield and Brucefield Industrial Estate. When Brucefield Industrial Estate was created, there was a strip of land between our site and the estate which was planted with evergreen trees that was dedicated to screen the Industrial Estate from the surrounding houses. This screen is still in place and will be more than adequate as a screen between Brucefield Industrial Estate and the cluster of houses at Blythfield regardless of the Applicants intention with the trees on his site.
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We trust the above will be of assistance and should you require anything further please do get in touch.

Kind regards,

Kirsty Watson
Architect
for



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Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com

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Kirsty Watson

From: Kirsty Watson <kirsty@swa.uk.net>
Sent: 07 June 2018 12:22
To: 'Watson, Matthew'
Subject: RE: 18019 Land At Blythfield Cottages, Bellsquarry Livingston [Ref 0307/FUL/18] - Comments on Objections

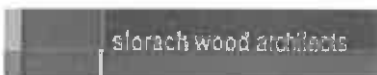
Hi Matthew,

Further to our telephone conversation earlier this week we confirm we would like to withdraw this planning application.

We appreciate your comments below and we will take them on board as we reconsider our proposals when submitting our 'free go'.

Kind regards,

Kirsty Watson
Architect
for



Tel: 0131 319 1260
Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com



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From: Watson, Matthew <Matthew.Watson@westlothian.gov.uk>
Sent: 28 May 2018 14:30
To: Kirsty Watson <kirsty@swa.uk.net>
Subject: RE: 18019 Land At Blythfield Cottages, Bellsquarry Livingston [Ref 0307/FUL/18] - Comments on Objections

Kirsty,

I went out to site last Friday and from that and looking over the application my feedback is as follows:

- The proposed house is located immediately behind another residential property. A separate access is used so the proposal is not strictly 'tandem' development but is in a backland location and there is a general presumption against backland development unless it is part of the spatial character of the area. In this case, backland development is not a spatial characteristic of the surrounding area

- The SPG on Infill development states that side to rear elevation distances between residential properties should be at least 12 metres. In your application, there is less than one metre between the north east facing, side elevation. This is not acceptable in terms of the SPG and we would need this elevation moved to a distance of 12 metres from the north west boundary of 46 Newpark Road
- The scale, bulk and mass of the proposed house is not something that the area is characterised by too. I don't see there being an issue with something that is architecturally different and I can see the materials proposed are to try and complement the houses around the plot but the bulk and mass of the house does not complement the existing development in the area
- On the whole, the house is a rather 'cramped in' to the plot. We would look for a 9 metre back garden for new houses, as per the SPG, and this criteria is also not met. Overall, the application does not comply with Policies HOU 4 and HOU 9 of the West Lothian Local Plan, Policies DES 1 and HOU 3 of the LDP and the SPG on Infill development.
- I would generally agree that the trees on the north west and west to south west boundaries are mostly leylandii trees that are not of great value. I am getting a full arboricultural opinion from one of the tree officers for the site as a whole, which I can forward once received.

On the basis of my feedback, I would recommend withdrawing the current application. If the client would like to look at alternatives then I would put in a pre-application enquiry - <https://www.westlothian.gov.uk/article/10863/Pre-Application-Enquiry>. Something of the scale currently proposed is probably not going to work with this site and I'm unsure whether something that could fit within the parameters of our policies in principle given the area is not characterised by backland development.

I will let you go and have a chat with the client and will hold off on a decision for now until I get response with how they want to go forward from here. I would also like to get an environmental health consultation response given the proximity to the Brucefield Industrial Estate and whether there would be any noise issues here.

Kind regards,

Matthew

From: Kirsty Watson [<mailto:kirsty@swa.uk.net>]
Sent: 23 May 2018 08:49
To: Watson, Matthew
Subject: RE: 18019 Land At Blythfield Cottages, Bellsquarry Livingston [Ref 0307/FUL/18] - Comments on Objections

Hi Matthew,

Yes, the Client will be available on Friday morning to give you access.

Kind regards,

Kirsty Watson
 Architect
 for



Tel: 0131 319 1260
 Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com

Kirsty Watson

From: Kirsty Watson <kirsty@swa.uk.net>
Sent: 14 September 2018 10:52
To: 'Watson, Matthew'
Subject: RE: 18019 New House ar Blythfield Cottages, Bellsquarry - Request for Planning Update [Ref 0740/FUL/18]
Attachments: 18019 Statement to Planning.pdf; 18019 P03 H Elevations & Site Plan.pdf

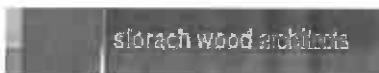
Hi Matthew,

Please see attached our amended Dwg. No. 18019 – P03H finalising the trees to be removed and also our statement on the consideration of the site as backland development showing examples of nearby projects.

We trust this is to your satisfaction. Should you require anything further please do not hesitate to contact us.

Kind regards,

Kirsty Watson
Project Architect
for



Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com



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From: Watson, Matthew <Matthew.Watson@westlothian.gov.uk>
Sent: 11 September 2018 17:23
To: Kirsty Watson <kirsty@swa.uk.net>
Subject: RE: 18019 New House ar Blythfield Cottages, Bellsquarry - Request for Planning Update [Ref 0740/FUL/18]

Hi Kirsty

Thanks for sending this on quickly. For clarification are the leylandii trees at the north west to south west boundary being removed? If they are then their removals should be shown on the site plan too.

Thanks

Matthew

From: Kirsty Watson [mailto:kirsty@swa.uk.net]

Sent: 11 September 2018 17:19

To: Watson, Matthew

Subject: RE: 18019 New House ar Blythfield Cottages, Bellsquarry - Request for Planning Update [Ref 0740/FUL/18]

Hi Matthew,

Further to our telephone conversation earlier today, we attach our Dwg. No. 18019 – P03G confirming the dimensions between the new dwelling and the boundary and neighbouring buildings.

While we understand this confusion is due to the computer programme incorrectly scaling the drawings. Please disregard any concern that the building is too close as the location of the dwelling was selected to minimise disruption to the neighbouring dwellings and meet Planning guidelines on these distances.

We have also shown trees that would need to be removed to allow the construction of this dwelling as requested.

We trust this is to your satisfaction, should you require anything further please let us know.

Kind regards,

Kirsty Watson
Project Architect
for



Direct Dial: 0131 331 9917

www.slorachwoodarchitects.com



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From: Watson, Matthew <Matthew.Watson@westlothian.gov.uk>

Sent: 11 September 2018 13:34

To: Kirsty Watson <kirsty@swa.uk.net>

Subject: RE: 18019 New House ar Blythfield Cottages, Bellsquarry - Request for Planning Update [Ref 0740/FUL/18]

Hi Kirsty

I went out to site yesterday and had another look at the site. I still think that this isn't acceptable in terms of the LDP and the Small Scale Infill SPG. I will give you a bit more detail below:

- Policy DES 1 of the LDP states that development proposals should integrate with local context and built form. The spatial pattern of development in the area is one of a linear pattern of development along Newpark Road and there is one set of cottages at 90 degrees to the road. There have been divisions of plots but the resulting houses have a road frontage. The proposed house is located immediately behind another residential property. A separate access is used so the proposal is not strictly 'tandem' development but is in a backland location and there is a general presumption against backland development unless it is part of the spatial character of the area. In this case, backland development is not a spatial characteristic of the surrounding area and the proposed house would not integrate with the local context and built form. It is thus contrary to Policy DES 1.
- The SPG on infill development states that side to rear elevation distances between residential properties should be at least 12 metres. In your application, there is 6.5 to 7 metres between the north east facing, side elevation and 46 Newpark Road. This is not acceptable in terms of the SPG and we would need this elevation moved to a distance of 12 metres from the north west boundary of 46 Newpark Road. I cannot justify an infringement of the SPG at this scale. We would also look for a 9 metre back garden for new houses, as per the SPG.
- Although the house now meets the building to plot ratio, as set out in the Infill SPG, this does not outweigh the other infringements above and the point about spatial character.

I know that work has gone into taking on board my comments from the previous application but I did say over the phone that it might well be that no development proposal could work with this plot. Despite some improvements, I still am of the view that the proposal cannot be justified in terms of planning policy.

FYI I will be putting the application on the delegated list this Friday as a refusal.

Let me know in the meantime if the client is wanting to withdraw the application again or if they wish to appeal if the application is refused

Thanks

Matthew

From: Watson, Matthew
Sent: 07 September 2018 11:33
To: 'Kirsty Watson'
Subject: RE: 18019 New House at Blythfield Cottages, Bellsquarry - Request for Planning Update [Ref 0740/FUL/18]

Hi Kirsty

I will be looking to go to site on Monday at around 10.30am.

Thanks

Matthew

From: Watson, Matthew
Sent: 04 September 2018 16:11
To: 'Kirsty Watson'
Subject: RE: 18019 New House at Blythfield Cottages, Bellsquarry - Request for Planning Update [Ref 0740/FUL/18]

Hi Kirsty

I suspect it will be this Friday or next Monday when I get to site. I'll let you know tomorrow. If the applicant can leave the gate at the rear access unlocked I can do what I need to do photos wise.

Thanks

Matthew

From: Kirsty Watson [<mailto:kirsty@swa.uk.net>]

Sent: 04 September 2018 12:09

To: Watson, Matthew

Subject: 18019 New House ar Blythfield Cottages, Bellsquarry - Request for Planning Update [Ref 0740/FUL/18]

Hi Matthew,

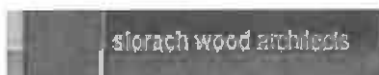
Further to our recent telephone conversation on the above, we understand we are to hold off on the Phase 1 Site Investigation report until you have been able to consider the application further.

Have you been out to visit the site yet? Please get in touch if you require us to arrange a site visit.

We note there are objections on the portal, many of which we believe we have already discussed or satisfied through the amended design. If you require anything further please let us know.

Kind regards,

Kirsty Watson
Project Architect
for



Direct Dial: 0131 331 9917

www.slорachwoodarchitects.com



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West Lothian Council
Planning Department
Civic Centre
Howden South Road
LIVINGSTON
West Lothian
EH54 6FF

14 September 2018
18019 / 3.1 / CL130918-00

FAO Matthew Watson

Dear Sirs,

Blythfield Cott, Bellsquarry.

Ref: 0740/FUL/18

We write to submit additional information to support the Planning Application in respect of the above project.

Further to our recent correspondence with the Planning department we understand this application is being considered as 'backland development'. We provide this statement in response to this, to clarify our thoughts on this application and justify the location of the house and why we feel this should not be determined as 'backland development'.

We understand that West Lothian Council's interpretation of 'Backland Development' is where a site is behind the line of the street. While our site may be behind the line of the buildings of Newpark Road, the site is neither accessed or visible from this street. The dwellings of Blythfield do not solely relate to Newpark Road as the main façade and entrance of 3&4 Blythfield Cottages utilises a private road (previously the old road) which our site also uses for access. Due to this, we would disagree that the site should be considered 'backland development' and it should instead be considered infill development.

We understand that West Lothian Council's interpretation of 'Infill Development' is where a site is developed within the curtilage of an existing building group. We feel this site is filling the gap in the 'L' shaped cluster of houses at Blythfield. As identified within West Lothian Council's Local Plan, 'infill within the curtilage of an existing building group will be acceptable'. Therefore, as the location of our site completes the grouping of houses in this cluster, we feel this is acceptable development for the character of the area.

Cont.

stlorach wood architects Ltd.
The Station Master's Office
Dalmeny Station
South Queensferry
EH30 9JP
Tel: 0131 319 1260

directors

Walter Wood Dip Arch RIAS RIBA
Sarah Q. Brown Dip Arch RIAS RIBA
consultant
Caroline Stlorach Dip Arch RIAS RIBA



Blythfield Cott, Bellequarry

As noted in with the SPG (Supplementary Planning Guidance) for 'Single Plot and Small Scale Infill Residential Development in Urban Areas' 'infill development can make a useful contribution to the housing land supply and add to the overall quality of the townscape. This is especially the case where a conscious effort has been made to complement the local area in terms of design, scale, building density and layout so that the new infill development appears to belong and looks as though it had been planned as part of the original area.'

As you are aware, we had initially submitted a planning application for a much larger, modern house design which we withdrew due to the comments received on its scale. We evaluated our options and selected to redesign a much smaller unit, reducing the dwellings footprint by 30m² and overall area by 90m². The height was also drastically reduced from a 2 storey building to a single storey with a pitched roof so that it sits lower than any of the surrounding houses. As such, we are in agreement with the SPG for 'Single Plot and Small Scale Infill Residential Development in Urban Areas' which requires 'The scale, height and massing of new houses should reflect and be sympathetic to those around them'.

The reduced scale also prevents the new dwelling from having any impact on the streetscape of Newpark Road as the single storey is hidden from view by its 2 storey neighbours. Due to the site's location on a private road and dense landscaping between this private road and Murieston Road there would be no impact of this house visually from any surrounding area so this house would be completely hidden from view.

The scale of the house in relation to the garden is also more than adequate, as it exceeds the requirements outlined in the SPG for 'Single Plot and Small Scale Infill Residential Development in Urban Areas'. The optimum garden to building ratio of 70:30 is expected, whereas our ratio is 80:20, providing substantial amenity space. The large garden also means the house is over 13 metres away from the nearest neighbour, preventing any overshadowing or loss of privacy.

The site is located off a private road accessed from Murieston Road which is currently utilised by 3&4 Blythfield Cottages as their means of access. The site has an existing access onto this private road which provides satisfactory vehicle and pedestrian access into the site which, in agreement with the SPG for 'Single Plot and Small Scale Infill Residential Development in Urban Areas', will not have 'an adverse effect on the amenity of the residents and road safety. West Lothian Council's Structure Plan also confirms it 'supports infill housing where infrastructure capacity exists.'

We are not proposing to extend the street line of Newpark Road nor establish a new road or access from a location that is not already being utilised as a main frontage to a residential building. By providing a dwelling in this location we complete the cluster of houses in the settlement of Blythfield. As such we feel this proposal is appropriate to its setting, integrates well with its local context and built form and enhances the spatial character of the area.

Cont.



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Blythfield Cott, Bellsquarry

For your consideration we also include 2 examples of developments within close proximity to the site:

Example 1 | Sandgate House, Murleston Road, Livingston

Application Reference LIVE/0747/FUL/01, approved Nov 2001

Google maps link:

<https://www.google.co.uk/maps/place/Newpark+Rd,+Livingston/@55.8630753,-3.5190466,381m/data=!3m1!1e3!4m5!3m4!1s0x4887dea3dc4f0f8d:0xc71f10eb2d2a4443!8m2!3d55.8674754!4d-3.5251054>

Perhaps considered as tandem development, this site is accessed using the access of an existing house. The house is visible from the street and is not on the street line itself. Our site has no impact on the streetscape and will not deter from the visual amenity of the area due to the scale of the surrounding buildings and dense landscaping.



Example 2 | Newpark Road, Bellsquarry, Livingston

Google maps link:

<https://www.google.co.uk/maps/place/Newpark+Rd,+Livingston/@55.8670105,-3.5250229,385m/data=!3m1!1e3!4m1!3m1!1s0x4887dea3dc4f0f8d:0xc71f10eb2d2a4443!2sNewpark+Rd,+Livingston!3b1!8m2!3d55.8674754!4d-3.5251054!3m4!1s0x4887dea3dc4f0f8d:0xc71f10eb2d2a4443!8m2!3d55.8674754!4d-3.5251054>

This site has four new houses situated behind the street line accessed by a new private road. This breaks the line of the street and utilises access from a private road. This application continues the streetline formed by 3&4 Blythfield cottage that has its main elevation onto the adjacent private road. The site also retains an existing access onto this private road for pedestrian and vehicle access.

Cont.



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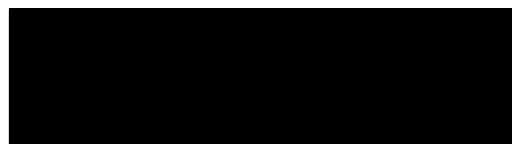
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Blythfield Cott. Bellequarry



Should you have any further queries, please do not hesitate to contact us.

Yours faithfully,



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