



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development & Regeneration

1 DESCRIPTION AND LOCATION

Erection of 3 houses at Wester Woodside Farm, Torphichen.

2 DETAILS

Reference no.	1197/FUL/18	Owner of site	Mr William Russell
Applicant	William Russell Wester Woodside Farm Torphichen	Ward & local members	Armadale and Blackridge Councillor Stuart Borrowman Councillor Sarah King Councillor Andrew McGuire
Case officer	Mahlon Fautua	Contact details	01506 282426 mahlon.fautua@westlothian.gov.uk

Reason for referral to committee: Referred by Councillor Borrowman

3 RECOMMENDATION

3.1 Refuse planning permission.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

- 4.1 Planning permission is sought for the erection of 3 houses on land at Wester Woodside Farm, north of Torphichen. The application site is located within the cluster of existing farm buildings and is 6329 square metres in area. The site is occupied by a large L-shaped agricultural shed used for general farm use with the rest of the site being predominantly yard.
- 4.2 The access to the site is from a country road on the southern side of the A706, approximately 200 metres east of the junction with the B792. The proposed units will be accessed off a central courtyard.
- 4.3 The proposed houses are one and a half storey dwellings containing 5 bedrooms on relatively large plots. The materials on the proposed houses have a mixture of stone, render and timber cladding with and a natural slate roof finish.
- 4.4 The council is minded to grant an application for housing on land to the west of the present application site (0151/FUL/17). This is for the conversion of traditional farm buildings to form two houses and three new build houses on the site of a former modern agricultural building.

5 REPRESENTATIONS

5.1 The application was subject of statutory publicity and no representations were received.

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	Acceptable without conditions.	Noted.
WLC Education Planning	No	The proposed development is a windfall site as defined by the Strategic Development Plan (i.e. it is a site which is not identified through the forward planning process). Standard policy is not to object to small developments coming forward unless there is an immediate capacity issue at primary level. As there are no immediate problems at primary level Education would not register an objection to this application provided contributions are made. These contributions are targeted at relieving existing or forecast school capacity constraints and represent a proportionate contribution for the size of development suggested.	Noted. In the event that this application for planning permission is approved, the relevant contributions will need to be secured.
Contaminated Land Officer	No	The site is currently agricultural, however, there is the possibility that localised contamination issues exist. These may be due to infilling of pits resulting in areas of made ground and through spillages or leakages from any chemical or fuel storage. Similarly accumulation of chemicals may have occurred as a result of the treatment of livestock. Given that the proposed end-use of the site is to be residential, it is recommended that a planning condition is used to secure site investigation and remediation.	Noted. As there are existing buildings on the site the site investigation requirements could be controlled by a planning condition.

Consultee	Objection	Comments	Planning Response
Environmental Health	No	If the application is granted, it is recommended that conditions are attached in relation to controlling construction noise.	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 Development Plan (WLLDP).

Plan	Policy	Assessment	Conform
WLLDP	<p>DES 1 – Design principles</p> <p>All development proposals will require to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community and where appropriate, should include measures to enhance the environment and be high quality in their design.</p> <p>Development proposals which are poorly designed will not be supported.</p>	<p>The proposed housing replaces an existing agricultural shed and yard area.</p> <p>The proposed development does not take into account the local context and built form, in particular how the existing farm buildings integrate into the countryside. The proposed houses are of high quality in their individual design, however, it is considered that the proposal would overly suburbanise the locality when also taking to account the adjacent committed residential development.</p> <p>The proposed total number of new houses in the area, including this proposal, would be of scale that would have a cumulative adverse visual impact on the character and amenity of the countryside.</p> <p>Therefore, overall, it is considered that the development does not satisfy this policy in terms of the adverse impact of the development.</p>	No

Plan	Policy	Assessment	Conform
WLLDP	<p>INF 1 - Infrastructure Provision and Developer Obligations</p> <p>The council will seek developer obligations in accordance with Scottish Government Circular 3/2012 ('Planning Obligations and Good Neighbour Agreements'), as interpreted by emerging case law and amended by subsequent amendments and legislation, to mitigate the development's individual or cumulative impacts upon infrastructure, including cross-boundary impacts. Any such obligations will be concluded prior to the issue of planning permission.</p>	<p>The proposal does not raise any infrastructure capacity concerns. Nonetheless, developer contributions would be necessary to be secured for each unit in line with LDP policy should permission be granted.</p> <p>Contributions would be necessary for:</p> <ul style="list-style-type: none"> • Denominational Secondary • Non-Denominational Secondary • Cemeteries 	Yes, subject to securing the relevant planning obligations
WLLDP	<p>ENV 2 – Housing Development in the Countryside</p> <p>Housing development in the countryside will only be permitted where:</p> <ol style="list-style-type: none"> a. the proposal provides for the restoration of a brownfield site where there is no realistic prospect of it being returned to agriculture or woodland use and the site has no significant natural heritage value in its current condition; or b. the proposal is for the replacement of an existing house in the countryside which is of a poor design or in a poor structural condition; or c. the proposal is for infill development within the curtilage of an existing building group or infilling of gaps between existing houses of a single plot width; or d. the proposal involves the conversion or rehabilitation of existing rural buildings which the council deems worthy of retention because of their architectural or historic merit; or e. the proposal is supported by the council's lowland crofting policy. <p>Where a proposal by virtue of its design, location and landscape setting makes an exceptional contribution to the appearance of countryside an exception to policy may be justified.</p>	<p>The site is within the countryside. The proposal does not meet any of the policy exceptions for allowing housing in the countryside.</p> <p>It has not been demonstrated that the buildings to be removed as part of the proposed development are redundant and seriously detract from the visual and environmental amenity of the area. Furthermore, the proposed new houses are substantially beyond the footprint of the existing agricultural building(s) that are to be replaced.</p> <p>Therefore, the proposed development fails to meet the requirements of policy ENV2 and the associated supplementary guidance.</p> <p>The council is minded to grant application 0151/FUL/17 for a total of five houses on land immediately west of the application site. However, this has been justified on conversion of rural buildings that were deemed worthy of retention. The element of supporting new build houses is within the footprint of previous development and will create a steadying-type layout.</p>	No

Plan	Policy	Assessment	Conform
		The additional housing now proposed would have a detrimental cumulative impact on the character and amenity of the countryside.	
WLLDP	<p>EMG 3 – Sustainable Drainage</p> <p>Developers may be required to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development. DIAs, proportionate to the development proposal and covering both surface and foul water, will be required for areas where drainage is already constrained or otherwise problematic, or if there would be off-site effects. With the exception of single houses, SuDS will be a required part of all proposed development as a means of treating/attenuating surface water and managing flow rates.</p>	The applicant has not submitted a drainage assessment.	No
WLLDP	<p>EMG 6 – Vacant, Derelict and Contaminated Land</p> <p>Where it is suspected by the council that a development site may be contaminated, the developer will be required to undertake a site investigation, to the satisfaction of the council.</p>	Site investigation and remediation can be controlled by a planning condition as noted in section 6 of this report.	Yes
WLLDP	<p>NRG 1a – Low and Zero Carbon Generating Technology</p> <p>Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emission reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement.</p>	No information submitted with the application to demonstrate compliance.	No

8 ASSESSMENT

- 8.1 As set out above in section 7, based on the relevant policies of the Development Plan, it is considered that proposal is in conflict with WLLDP policies DES 1 (Design Principles) and ENV 2 (Housing Development in the Countryside).
- 8.2 The council's supplementary guidance, Development in the Countryside, also applies. This document has statutory weight in the determination of planning applications and forms part of the LDP.
- 8.3 This document sets out criteria in considering development on rural brownfield sites. Importantly it is considered that the buildings to be removed as part of the proposed development do not seriously detract from the visual and environmental amenity of the area and thus this is not a brownfield redevelopment that has support from the statutory guidance. Even if that were the case, the following is an assessment in relation to the statutory guidance criteria on redevelopment of rural brownfield sites.

Criteria	Assessment
<i>any existing buildings or structures on the site that have architectural and/or historic merit may require to be retained and incorporated into the new development where this is desirable and practicable;</i>	Not relevant
<i>residential development will only be supported on rural brownfield sites which have previously been occupied by substantive buildings. If a site has never accommodated buildings (e.g. a storage yard) only appropriate non-residential uses will be considered;</i>	The site is accommodated by an agricultural shed.
<i>the scale of new built development shall be minimised to what is absolutely necessary to secure the rehabilitation of the site. As a consequence, applicants may be required to submit appropriate financial information to justify their proposals;</i>	No information has been submitted as part of this application.
<i>new buildings are required to occupy the same general position on a site as those that are to be replaced unless it can be satisfactorily demonstrated that repositioning elsewhere within the existing curtilage will significantly improve visual amenity and better harmonise with the locality, achieve significant environmental improvements (for example, alleviate a flooding risk) or resolve a road safety issue;</i>	The proposed buildings will be significantly beyond the existing building footprint.
<i>where approval is given to erect new buildings in a different location to the original, the council will require the demolition and clearance of the existing buildings and satisfactory remediation of the land, including the removal of any contaminants, to an agreed condition and specification and prior to the construction of any new buildings;</i>	The buildings are generally in the same location.

Criteria	Assessment
<i>the physical footprint of new buildings must be no greater than that of the existing buildings and will, in most instances, require to be significantly less. This is particularly likely to be the case when the re-development of a very large building or a group of buildings is under consideration;</i>	The existing footprint is approximately 660 sqm. The proposed footprint is 690 sqm. However the developable area including curtilage would far exceed this. In addition, there is a level difference between the road and Plot 1 that would appear to require a garden with a steep gradient or a significant amount of engineering infill would be needed to provide a level garden. It is noted that there are a number of trees that appear to be required to be removed.
<i>the housing element of a proposal must be modest (ordinarily not more than three houses). Proposals for a larger number of houses will only be permitted where it can be satisfactorily evidenced that there are overwhelming social, economic or environmental reasons of overriding public interest for requiring such a scale of new residential development in a rural location;</i>	The proposal is for three houses.
<i>the siting, scale and design of new buildings, individually or cumulatively, must not adversely affect the landscape character of the site and its surroundings, nor the amenity of nearby residential property;</i>	As stated above, the proposed total number of houses including this proposal and the other proposed housing development to the west would be of scale that would have a cumulative adverse impact on the local countryside.
<i>the design of new buildings must respect the character of existing development and proposals should also respond to local distinctiveness (including building traditions or materials);</i>	The design of the houses is of high quality and use traditional materials that are conducive to the countryside.
<i>the proposed development must be of a scale appropriate to the services and infrastructure available at the location. Development which cannot be serviced by existing infrastructure, including education, roads/transportation and water and drainage, will not be supported unless funding for any necessary infrastructure improvements is fully committed;</i>	There are no known infrastructural constraints. However the scale of the overall residential development would be in an unsustainable location.
<i>environmental mitigation measures, including new structural landscaping, may be required to enhance the setting of the new development through the creation of a positive landscape framework. Where appropriate, green network environmental improvements such as woodland and hedge planting or wetland habitat creation may be required to be implemented across an applicant's entire landholding and not confined to the immediate environs of the new</i>	Should planning permission be granted, then suitable landscaping should be implemented.

Criteria	Assessment
<i>development;</i>	
<i>the level of traffic generated by the proposal must be within the capacity of local roads, and must not be detrimental to the environmental amenity of the locality, or prejudice road and pedestrian safety, noise and air quality;</i>	No known issues. Roads and Transportation do not object to the application.
<i>safe and satisfactory provision must be made for access and parking to serve the site; and</i>	No known issues. Roads and Transportation do not object to the application.
<i>proposals must comply with all other relevant policies of the local development plan and other planning guidance approved by the council. This will include the council's various contribution policies such as affordable housing and education policies.</i>	See section 7 above.

9 SUMMARY AND CONCLUSIONS

- 9.1 The proposed development does not meet the terms of policies DES 1 (Design Principles) and ENV 2 (Housing Development in the Countryside) of the West Lothian Local Development Plan and the statutory planning guidance Development in the Countryside.
- 9.2 The proposal conflicts with the development plan and there are no material considerations that outweigh the presumption against residential development at this location.
- 9.3 It is therefore recommended that planning permission is refused.

10 ATTACHMENTS

- Draft reasons for refusal
- Aerial photograph
- OS Location Map
- Application Site Layout
- Proposed House Type
- Local member referral request

Craig McCorriston
Head of Planning, Economic Development & Regeneration **Date: 20 March 2019**

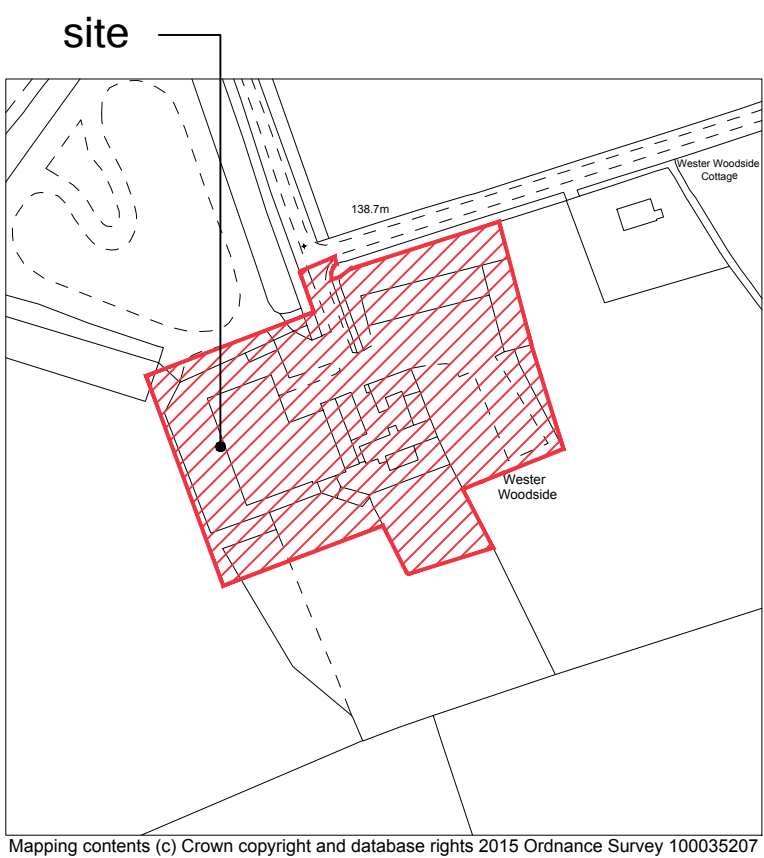
DRAFT REASONS FOR REFUSAL - APPLICATION 1197/FUL/18

1. The site is within the countryside where housing development is only permitted under certain exemption criteria. The proposal does not meet any of the exemption criteria. The location, layout and design of the proposal and its cumulative impact with other proposed housing to the west of the application site is such that it would have a damaging urbanising impact on the character and amenity of the countryside and would further result in a substantial residential development at an unsustainable rural location.

The proposal is therefore contrary to policies DES 1 (Design Principles) and ENV 2 (Housing Development in the Countryside) of the West Lothian Local Development Plan and the council's statutory supplementary guidance Development in the Countryside.







location plan

Key

- 600 x 600 slate coloured slab path
- new whin chip gravel road and courtyard
- beech hedge with post and wire fence to boundary and perimeter fence
- shrubs
- trees
- lawn - Germinal A22 low maintenance



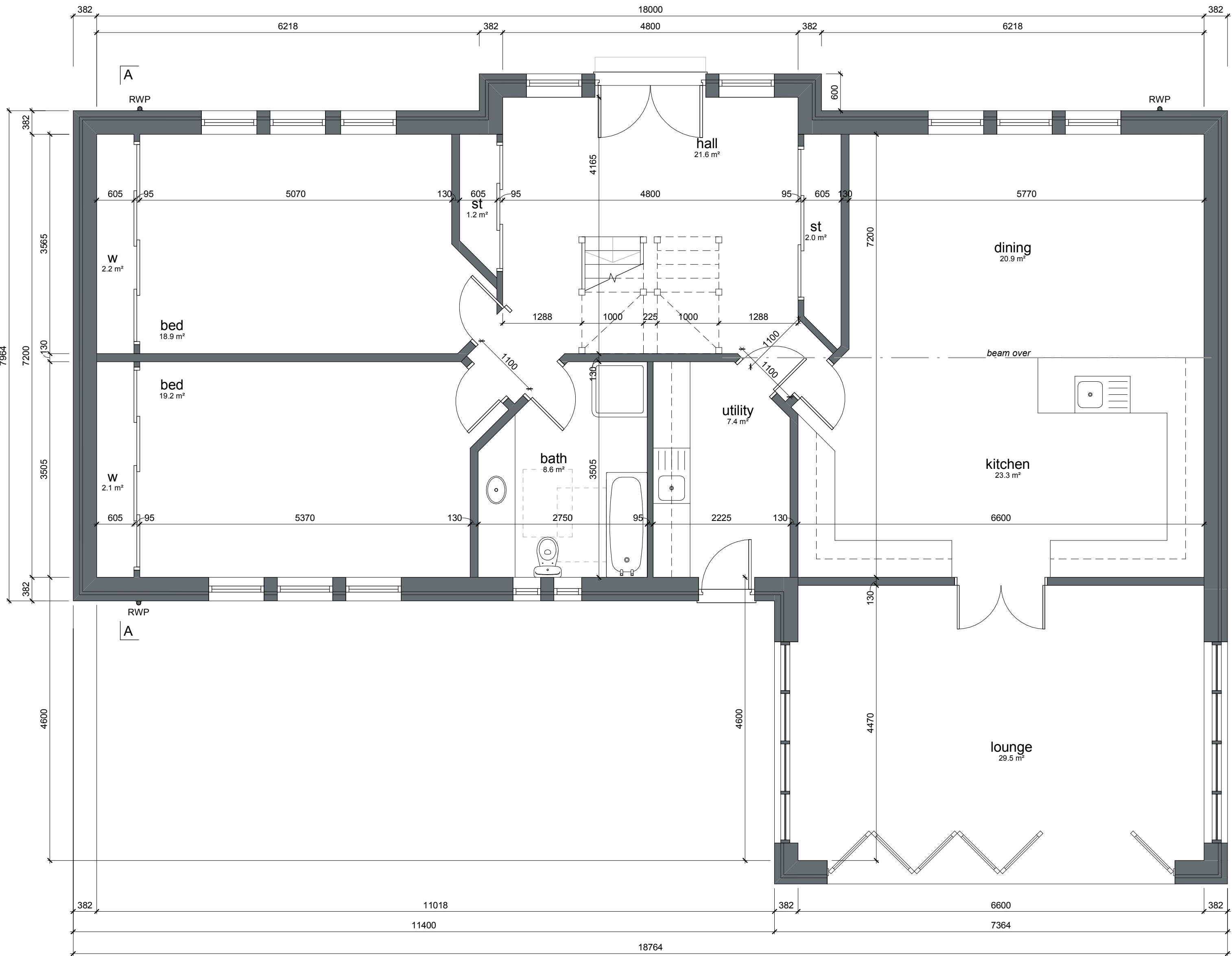
proposed site plan

REVISIONS
A - 21.12.2018 - Planning notes

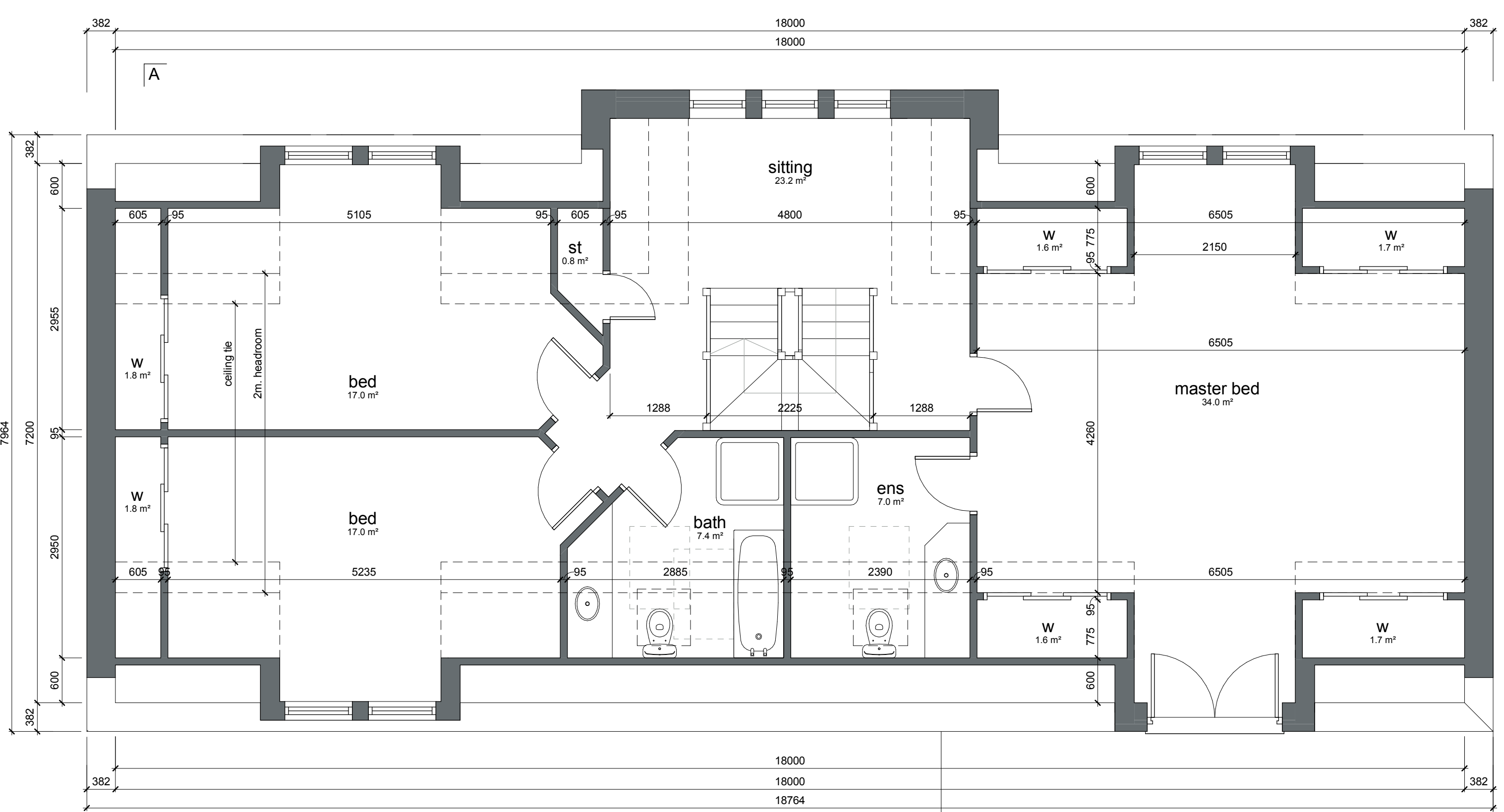
JOB TITLE
PROPOSED
LOCATION PLAN AND SITE PLAN
PROPOSED 3 UNIT RESIDENTIAL
DEVELOPMENT AT
WESTER WOODSIDE FARM
LINLITHGOW,
WEST LoTHIAN

Scale 1/200, 1/1250 21st December 2018
Drawing Number JWAC - A1 - 03/20/2017

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



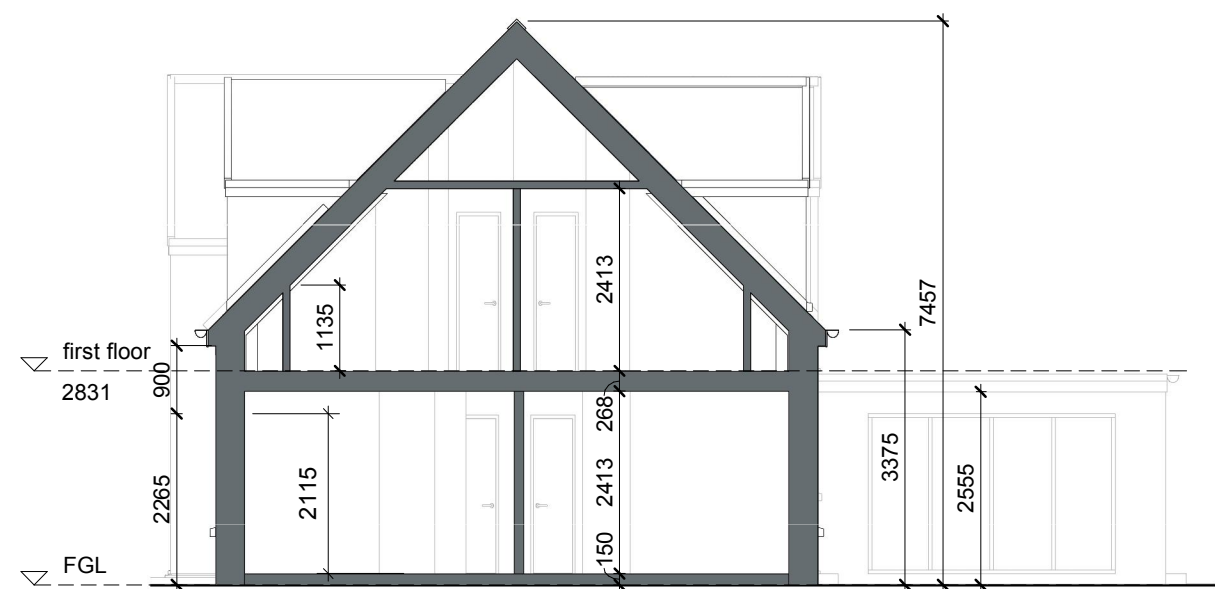
ground floor plan
1 : 50



first floor plan
1 : 50



3D View 1



section AA
1 : 100



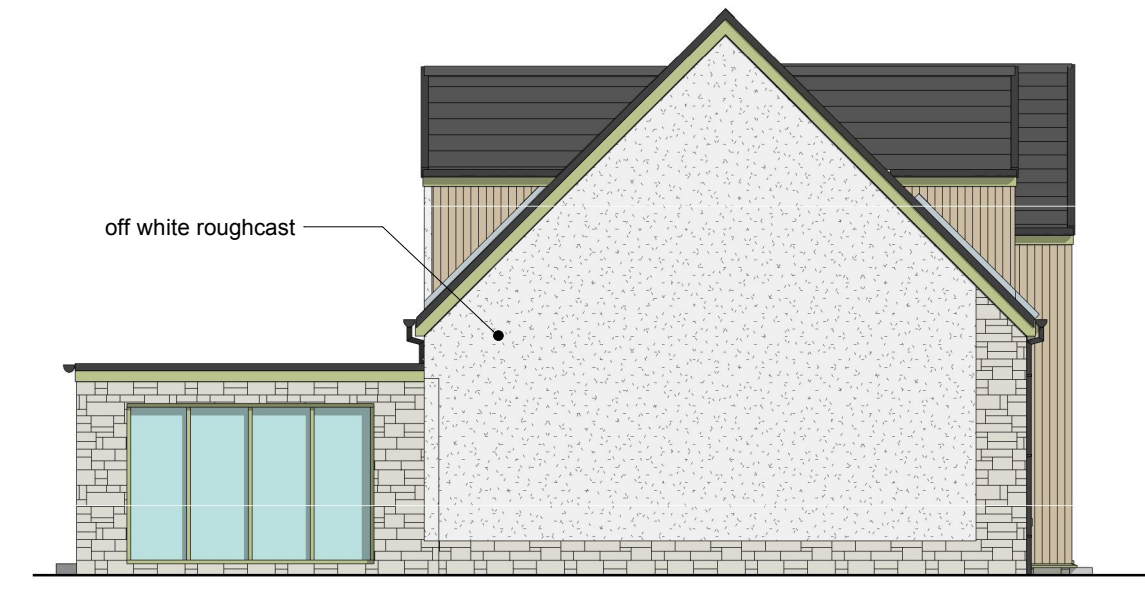
side elevation
1 : 100



rear elevation
1 : 100



3D View 2



side elevation
1 : 100



front elevation
1 : 100

ground floor		first floor	
bath	8.6 m²	bath	7.4 m²
bed	38.1 m²	bed	34.0 m²
dining	20.9 m²	ens	7.0 m²
hall	21.6 m²	master bed	34.0 m²
kitchen	23.3 m²	sitting	23.2 m²
lounge	29.5 m²	st	0.8 m²
st	3.2 m²	w	10.0 m²
utility	7.4 m²		116.5 m²
w	4.3 m²		
	156.9 m²		

total floor area = 269.0m²

rev	description	date

John Watson Architectural Consultant Ltd. 11 Market Street, Mid Calder, West Lothian, EH54 0AL T: 01506 885928 E: info.jwacld@gmail.com	
drawing title	PLOT 6 TO 9 PROPOSED PLANS, ELEVATIONS, SECTION AND 3D VIEWS
project	PROPOSED 4 UNIT RESIDENTIAL DEVELOPMENT AT WESTER WOODSIDE FARM LINLITHGOW WEST LoTHIAN
scales as noted	date 21st December 2017
drawing no. JWAC A1 PP 04/65/2017	revision

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>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick)
<u>Application Reference Number</u> 1197/FUL/18	Applicant Request <input checked="" type="checkbox"/> X
<u>Site Address</u> Wester Woodside by Torphichen	Constituent Request <input type="checkbox"/>
<u>Member's Name</u> Councillor Borrowman	Other (please specify) <input type="checkbox"/>
<u>Date</u> 11 Mar 2019	