



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

DESCRIPTION

Erection of a replacement house, demolition of outbuildings and erection of an additional house at 11 Holmes Holdings, Broxburn

DETAILS

Reference no.	0237/FUL/21	Owners of site	Mr G Bow
Applicant	Mr G Bow	Ward & local Members	Broxburn, Uphall & Winburgh Councillor Calder Councillor Campbell Councillor Doran-Timson Councillor Horne
Case officer	Steven McLaren	Contact details	01506 282404 steve.mclaren@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Calder.

RECOMMENDATION

Refuse planning permission

4 DETAILS OF THE PROPOSALS AND BACKGROUND

- 4.1 Planning permission is sought for the demolition of a post-war holdings bungalow and associated out buildings and to re-develop the site with two bungalows of a style similar to the existing house.
- 4.2 The application site lies on the south side of the A89, opposite the Badger Park and Joseph Cumming Gardens developments in Broxburn. The site shares an access with 12 Holmes Holdings and lies approximately 77m from the edge of the A89. The site is generally square and approximately 0.3ha in size, surrounded by farm land to the north, west and south. 12 Holmes Holdings lies to the east of the site.
- 4.3 The site contains the original house with defined garden ground and 4 outbuildings, 3 of a smaller more traditional scale and design and a larger profiled metal barn of around 240sqm in size. The remainder of the site is a combination of hard standing and a grassed area.

- 4.4 A previous planning application (Ref: 0925/P/20) was submitted for permission in principle to develop the site for 4 houses. That application was subsequently withdrawn.

5 REPRESENTATIONS

- 5.1 There has been 1 representation with general comments on the application.

- 5.2 A summary of representations is provided in the table below:

Comments	Response
Comments submitted during first round of consultation	
<ul style="list-style-type: none"> One replacement and one additional dwelling of a similar scale to the existing properties would be appropriate. 	<ul style="list-style-type: none"> Noted. This is the subject of the proposed development
<ul style="list-style-type: none"> Entrance design should allow for easy access to the site. 	<ul style="list-style-type: none"> Noted. The proposed access can be modified if required to provide a wider entrance to the site should permission be granted.
<ul style="list-style-type: none"> Drainage for the site requires improvement. 	<ul style="list-style-type: none"> Drainage details have been submitted and assessed by the council's Flood Risk Manager.
<ul style="list-style-type: none"> Approach to demolition and construction. 	<ul style="list-style-type: none"> Demolition is a matter for building standards but if approved, a standard planning condition can be used in respect construction times.

CONSULTATIONS

- 6.1 A summary of consultations received is provided in the table below. The full documents are contained in the application file:

Consultee	Objection	Comments	Planning Response
Transportation	No	Acceptable without conditions.	Noted.
Environmental Health	No	Construction restrictions to be applied.	Noted, if approved, this can be a requirement through a planning condition.
Flood Risk Management	No	The developer will be required to demonstrate how existing water accumulation on site will be handled and to bring forward drainage details for assessment.	Noted, if approved, this can be a requirement through a planning condition.
Education Planning	No	Developer contributions required for the additional house.	Noted, if approved these can be secured through S69 or S75 agreements.

Edinburgh Airport	No	No objections.	Noted.
Contaminated Land			The site investigation report submitted is yet to be assessed. Any requirements for further investigation and remediation can be controlled through a planning condition.

7 ASSESSMENT

- 7.1 Section 25 of The Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 The Development Plan comprises the Strategic Development Plan for South East Scotland (SESPan) and the West Lothian Local Development Plan,
- 7.3 The relevant Development Plan policies are listed below:

Policy	Policy Summary	Assessment	Conform
West Lothian Local Development Plan, 2018 DES1 (design principles)	All development proposals will require to take account of and be integrated within the local context and built form. Amongst other criteria there should be no significant adverse impact on landscape character and development proposals must also accord with other relevant policies in the development plan.	The design of the proposed houses is similar to the existing post-war holding property, albeit in a modern design. The housing proposed would not appear out of place in this setting. The development however does not accord with other relevant policies and guidance.	No
West Lothian Local Development Plan, 2018 ENV1 (landscape character and special landscape areas)	This policy seeks to protect the landscape from development which would significantly and adversely affect the character of the landscape through the scale, siting and design of buildings and other structures.	The proposed houses are single storey and of a design comparable to the existing and adjacent property.	Yes
West Lothian Local Development Plan, 2018 ENV2 (housing development in the countryside)	Policy ENV2 sets out criteria whereby new housing in the countryside is considered acceptable and where the development must accord with the council's Supplementary Guidance: Development in the countryside. The SG requires that to allow a brownfield site to be redeveloped it must be significantly and/or environmentally intrusive, significantly degraded by a former activity and there would be visual and/or community benefits to the redevelopment of the site.	The buildings on the site are not significantly intrusive and there would be no substantial public benefit to the redevelopment of the site. The existing buildings are set distant from the public road and simply form part and parcel of the countryside landscape.	No

Policy	Policy Summary	Assessment	Conform
West Lothian Local Development Plan, 2018 ENV7 (countryside belts and settlement setting)	This policy seeks to protect and enhance the landscape of countryside belts, ensures there is no coalescence between settlements and sets a 20% limit on the increase in house numbers within a settlement group.	The site is constrained with an adjacent property and surrounding farm land. There will be no adverse impact on the character of the countryside and taking the grouping of Holmes Holdings to the south of the A89, the 20% limit is not exceeded.	Yes

The councils statutory Supplementary Guidance (SG): Development in the Countryside, 2018 and the criteria it sets out regarding the proposed development is a material planning consideration.

7.4 The determining issues in relation to this application are set out below:

Scale and design

- 7.5 The existing house is approximately 180sqm in size with the remaining buildings on the site taking the total footprint of structures to 704sqm. The proposed houses are bungalows with a roof design providing sections of roof at 5.95m and a maximum height of 6.8m. The proposed houses will have a footprint of approximately 352sqm and 345sqm giving a total build area of around 697sqm. The new houses are to be located in the general positions of those buildings removed.
- 7.6 Whilst the building coverage of the site is close to that at present, the space standards for the houses are acceptable and the development cannot be considered as cramming. Although the overall height of the proposed houses is greater than that of the 1950's house and outbuildings, the overall design is generally acceptable and would not appear as significantly out of place in the context of the setting. The council's SG on development in the countryside state that 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. In this instance, the plot coverage does not exceed that of the existing buildings.

Policy interpretation

- 7.7 Policy ENV2 sets out that housing development in the countryside will only be permitted where 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 has no significant natural heritage value in its current condition. The policy allows for a replacement house where the existing property is of a poor design or structural condition and consideration should be given to the development within an existing building group.
- 7.8 The policy also sets out the requirement to considered development in conjunction with the adopted SG: Development in the countryside. The SG goes into greater detail and sets out nine criteria for consideration. These relate to whether the site is no longer required for its original purpose; the site is significantly visually and/or environmentally intrusive; the site is significantly degraded by a former activity; the buildings are beyond economic repair and retention; there is no realistic prospect of the land being returned to agriculture or forestry; the site has negligible ecological or biodiversity value; there will be significant environmental, visual and or community benefit to be had by redeveloping the site as opposed to retaining it in its current state; the proposals take account of the LDP's sustainable strategy and the development must meet the requirements of other relevant policies set out in the LDP.

- 7.9 Taking these requirements in no particular order, it is clear that the site is unlikely to be returned to an agricultural use and is no longer required for its original purpose. Whilst no structural details have been provided, the applicant has intimated that the house is beyond economic repair. With that being the case, a replacement house on the site would be reasonable.
- 7.10 The site has no biodiversity value and the Phase 1 site investigation report has not flagged any serious concerns over previous uses of the site which would result in it being significantly degraded by a former activity.
- 7.11 The SG also sets out eight specific local plan policies which require the application to be assessed against and these are policies ENV1,2,3,4 & 7, EMP3 & 7 and DES1. Of these, the 4 policies set out in the table above are pertinent to this application.
- 7.12 The SG criteria refers to the condition of the site being significantly visually and/or environmentally intrusive and that the redevelopment of the site will result in there being significant environmental, visual and/or community benefit to be had by the redevelopment of the site.
- 7.13 The applicant argues that 'the site is significantly visually intrusive due to the dilapidated conditions of the buildings' and that the scale and massing is inappropriate for the setting where buildings are predominately single storey. However, the site is some 70m from the public highway and whilst the outbuildings on the northern edge of the site are visible along with the larger barn, they form part of the fabric of agricultural and countryside setting. The traditional outbuildings appear from a distance to be in reasonable condition with the larger having whitewashed walls and each of the buildings have intact roofs. There is therefore no outward indication that the buildings are dilapidated.
- 7.14 The barn, whilst more imposing, again simply appears as a structure expected within an agricultural land setting and from a distance, does not give the impression of a dilapidated structure. It should also be noted that the A89 is a busy road and any views of the site will be glancing from passing traffic. The applicant can also demolish the outbuildings without the benefit of planning permission if their structural condition is such that they become dangerous.
- 7.15 The site is not significantly visually intrusive and there is no need to redevelop the site to achieve an environmental or visual benefit. Whilst one replacement house maybe acceptable, two houses are unjustified development in the countryside. The application does not fully accord with the policies and criteria set out in the adopted West Lothian Local Development Plan, 2018 or the SG: Development in the countryside.

8 CONCLUSIONS AND RECOMMENDATIONS
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- 8.1 Whilst a replacement house for the applicant would be reasonable and the scale and design of the houses as proposed is appropriate for this location, the principle of an additional house on the site cannot be supported.
- 8.2 The requirement of the development plan is that site must be significantly visually and/or environmentally intrusive and that redeveloping the site would bring significant environmental, visual and/or community benefits.

- 8.3 The defining word in the above statement is 'significant'. The site is not significantly visual intrusive and there would be no significant environmental, visual or community benefit to the redevelopment of the site as proposed.
- 8.4 Recommendation is therefore to refuse planning permission.
- 8.5 If Members are minded to grant planning permission, developer contributions towards education and cemeteries will require to be secured through either a Section 69 or Section 75 agreement for the additional house only.

9 BACKGROUND REFERENCES AND ATTACHMENTS
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- Draft reasons for refusal
- Location plan
- Site plan
- House type detail
- Local Member referral form
- Letter of representation

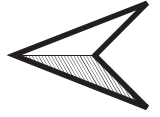
Craig McCorriston
Head of Planning, Economic Development & Regeneration

Date: 9 June 2021

Draft reason for refusal: 0237/FUL/21

- (1) The existing buildings on the site are not considered to be significantly visually and/or environmentally intrusive and there would be no significant environmental, visual and/or community benefits to be had by redevelopment as opposed to retaining the site in its current state. The proposed development is therefore contrary to the following policies of the adopted West Lothian local Development Plan, 2018 and Supplementary Guidance:

DES1 (design principles);
ENV2 (housing development in the countryside)
SG: Development in the Countryside, 2018.



0237/FUL/21 - 11 Holmes Holdings Broxburn - EH52 5NS

Development Management - West Lothian Civic Centre - EH54 6FF

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West Lothian
Council



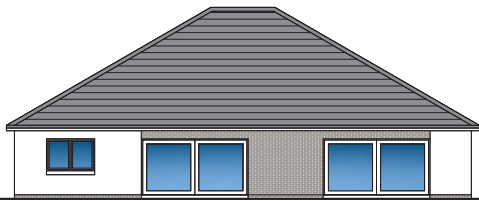
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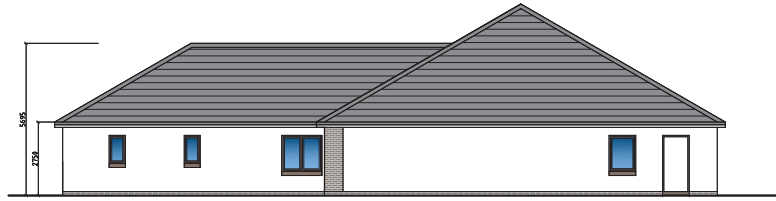
Rear Elevation (1:100)



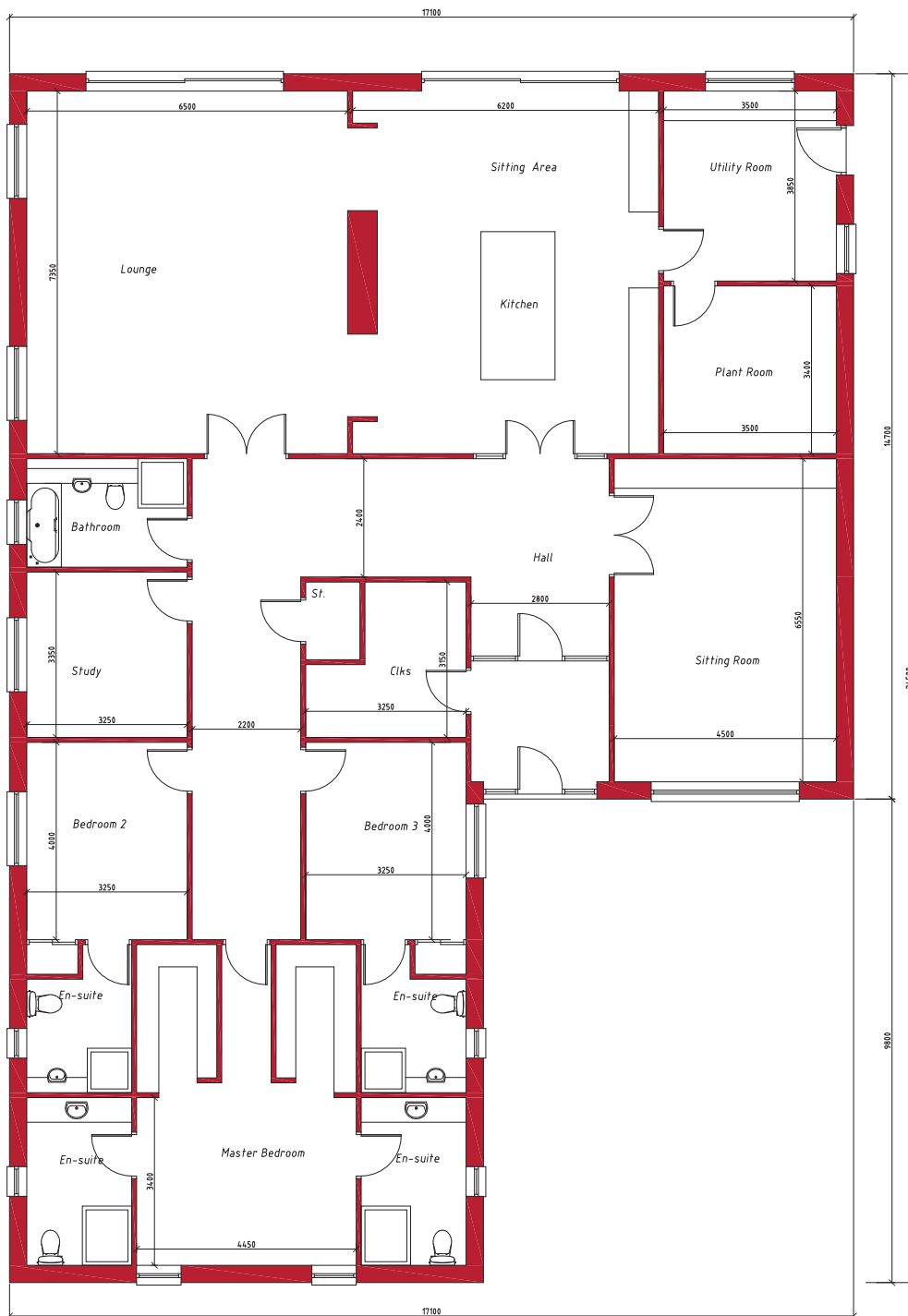
Side Elevation (1:100)



Front Elevation (1:100)



Side Elevation (1:100)



Floor Plan (1:50)

Title: Plan & Elevations Plot 1	
Client: Mr G Bow	
Project: Proposed houses 11 Holmes Holdings Broxburn	
Scale: 1:50@ A1	Date: Feb 21
Drawing number: 21/010/PL03	
HARDIE ASSOCIATES Ltd.	
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☒ 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 and by 12 noon at the latest.

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 ✓)
<p>Application Reference Number</p> <p>0237/FUL/21</p> <p>Site Address</p> <p>11 Holmes Holdings</p> <p>Broxburn</p> <p>Title of Application</p> <p>.....</p> <p>Member's Name</p> <p>Cllr Calder.....</p> <p>Date</p> <p>17 May 2021</p>	<p>Applicant</p> <p>Request..... <input checked="" type="checkbox"/> ✓</p> <p>Constituent Request..... <input type="checkbox"/></p> <p>Other (please specify)..... <input type="checkbox"/></p>

12 Holmes Holdings
Broxburn
West Lothian
EH52 5NS

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

25 March 2021

Representation to Planning Application 0237/FUL/21 at 11 Holmes Holdings, Broxburn.

As the owners of the immediately neighbouring property, we are grateful to have the opportunity to comment on the above case. The following makes representation under three headings, (i) the development in principle, (ii) the details of the intended build and (iii) the approach to the demolition and construction phases.

THE DEVELOPMENT IN PRINCIPLE

We recently commented on a proposal by the previous owner to develop the same site (0925/P/20) which included the addition of four extra dwellings. We commented especially on the massing effect that the intensive expansion by four dwellings would have upon the current five-dwelling community. We cited elements of the Local Development Plan around design principles and development in countryside in support of our representation.

We note that the current application is far less intensive, comprising a replacement dwelling and one additional dwelling, thus expanding the community by only around 20%. We can thus support the principle of the development, subject to it being conditional on the fundamentals of the submitted plans, which, for the avoidance of doubt, we would suggest are

1. One replacement dwelling and one additional dwelling only; and
2. Both of one storey only, to match the character of the rest of the community.

THE DETAILS OF THE INTENDED BUILD

The precise plans for the dwelling give us few areas for concern. However, we note that much can change between the planning approval and the final arrangements decided at the building control phase, and we will not have a further formal opportunity to provide representation relating to any potential revision. Our residual concerns can again be removed through conditionality, namely:

3. Final design of size and curvature of the entrance layout should provide for easy reversing of domestic-scale delivery lorries back onto the shared road without the temptation to use our driveway; and
4. Final design should take the opportunity to mitigate significantly against the current issue of surface drainage from No 11 flowing across our property. It would seem straightforward to improve the situation through permeable hard-landscaping and/or proactive surface drainage design and capacity.

We are uncertain as to whether such conditionality is applicable to the planning permission stage but we hope that raising these concerns here will allow them to flow through the case notes as the development proceeds.

THE APPROACH TO THE DEMOLITION AND CONSTRUCTION PHASES

We are aware that demolition and construction cannot occur without noise, dust, waste and increased traffic movements. We understand that the building control phase will require method statements to be provided on all of these, but we again note that we are not party to that phase and have no further opportunity for making representation. We do not expect to be given any kind of veto over the details, but we would hope that the spirit of any approval (whether now or at building control stage) makes condition for consulting with us over disruptive elements in general and especially on

5. Consultation with us on the start time for any weekend working; and

6. Adapting the current constrained entrance to accommodate works traffic before demolition or construction starts.

We know that the new owner is keen to receive approval quickly and to carry out demolition and construction as soon as possible. He has been very courteous in keeping us informed and has listened to our concerns. We consider our approach above to represent a reasonable compromise between the needs of the owner (for speed) and our own needs (for continued amenity). All six of the points above have been discussed with the proposer and have been seemingly received as reasonable and constructive. We have no wish to stand in the way or delay unnecessarily.

Ian & Jo Blewett