



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Two storey and single storey extensions to house at 109 South Middleton, Uphall, West Lothian EH52 5GA

2 DETAILS

Reference no.	0385/H/22	Owner of site	Miss Robyn Pace
Applicant	Miss Robyn Pace	Ward & local members	Broxburn, Uphall and Winchburgh Councillor Diane Calder Councillor Janet Campbell Councillor Ann Davidson Councillor Angela Doran-Timson
Case officer	Lucy Hoad	Contact details	01506 280000 lucy.hoad@westlothian.gov.uk

Reason for referral to Development Management Committee: Objection from Uphall Community Council

3 RECOMMENDATION

3.1 Grant planning permission, subject to conditions

4. DETAILS OF THE PROPOSAL AND BACKGROUND

4.1 This application seeks consent to extend the property in order to provide additional living accommodation. A 2-storey pitched roof extension is proposed on the left hand side (north) of the existing rear elevation adjoining a proposed single storey flat roof extension on the right hand side (south) of the facade. A 1.5 storey pitched roof extension is proposed to the north side elevation, which will have a single storey pitched roof projection out to the rear. The external materials of the additions are to be render and tile, all to match the existing property. The flat roof will be covered in single ply membrane cover.

- 4.2 The applicant has made revisions to the plans to include removal of an upper floor balcony atop part of the flat roof extension, removal of upper floor patio doors to access the balcony and a reduction in the single storey rear projection coming off the side extension.

History

- 4.3 None relevant to this application

EIA Development

- 4.4 The proposal is not EIA development as it does not fall within Schedule 1 or Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017 (EIA Regulations).

Equalities Impact

- 4.5 The application has been assessed and has no impact in terms of equalities or human rights.

5. REPRESENTATIONS

- 5.1 Six letters of objection have been received, including one from Uphall Community Council. Following the submission of revised plans, the application was re-notified on 17th August 2022. One objector confirmed their objection and none of the objections were withdrawn.
- 5.2 Copies of the objections have been attached to this report. A summary of representations is in the table below.

Comments	Response
Size and scale of extension is not in keeping with the surrounding area	Noted. See further assessment at Section 8 below.
Proximity and direct views onto the adjacent bowling green	Noted. See further assessment at Section 8 below.
Increase noise and overlooking from the balcony	The balcony has been removed from the proposals
Overshadowing	Noted. See further assessment at Section 8 below.
Impact on amenity and mental wellbeing.	Noted. See further assessment at Section 8 below.

6. CONSULTATIONS

- 6.1 No consultations were undertaken.

7. PLANNING POLICIES

- 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 the Strategic Development Plan for South East Scotland (SESplan) 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 (LDP) (2018) DES1 Principles Design	This policy states that development needs to integrate with its context and the surrounding built form and have an acceptable impact on amenity.	The scale and design of the proposed development, as amended, are acceptable. The assessment of any potential impacts on neighbouring properties is set out in Section 8 below.	Yes

- 7.4 The Planning Guidance *House Extension and Alteration Design Guide, 2020* is also of relevance.

8. ASSESSMENT

- 8.1 The main considerations in the assessment of the proposals include the design, layout and potential impacts to residential amenity.
- 8.2 Several concerns over design and amenity have been raised by neighbouring properties, including residents, the Community Council and local bowling club adjacent to the site.

Layout

- 8.3 Whilst the extensions increase the footprint of the dwelling, there is ample garden space remaining for amenity to serve the dwelling and there is no impact to current parking spaces which are located to the front of the property. The plot size can accommodate the works without leading to overdevelopment of the plot.

Design

- 8.4 Concerns over the mass and scale of the proposals have been raised by the community. Whilst the applicant has applied for several extensions under the one application, each addition sits comfortably in relation to the main dwelling and to one another in terms of mass and scale. The main 2-storey extension sits subordinate to the main dwelling, and throughout each element careful consideration has been given to the pitch of the roof planes to reflect the main dwelling details. The style of windows is appropriate with glazing patterns suitably proportionate. The arrangement of the extensions is visually acceptable in relation to the main building, with use of appropriate materials.

Residential Amenity

8.5 Concerns over a loss of privacy and sunlight have been raised in objections. In terms of adjacent residential properties, it is only a single storey extension that lies adjacent to these properties and sits over 1.46m off the boundary. Given the distance and location of the proposed extensions, the development will not result in any significant negative impact from overshadowing for residents given that it sits to the north of the sensitive residential properties to the south.

With respect to the bowling club to the north, the side extension sits lower than the existing ridge of the house and is unlikely to significantly exacerbate any overshadowing that exists currently.

In terms of privacy, there are no windows that would directly look onto the residential properties. The applicant has revised the plans to remove a balcony and side facing windows on the south elevation.

9. CONCLUSION AND RECOMMENDATION

- 9.1 To conclude, the scale, massing and materials of the proposed development are visually acceptable in relation to the main dwelling house and the proposal will not have an adverse impact on the visual amenity of the area nor the residential amenity of the neighbouring properties. The proposal accords with the terms of Policy DES1 of the LDP and the House Extension and Alteration Design Guide.
- 9.2 It is recommended that planning permission be granted, subject to a condition to protect the existing adjacent tree during construction works.

10. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions and Reasons
- Location Plan
- Representations

Plans and photos are available in the accompanying slide presentation pack.

Craig McCorriston
Head of Planning, Economic Development and Regeneration

Date: 14/9/2022

Draft Conditions and Reasons

- 1 The development shall not begin until details of the materials to be used as external finishes have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Reason: In the interests of visual and environmental amenity.



0385/H/22 - 109 South Middleton / Uphall - EH52 5GA

Development Management - West Lothian Civic Centre - EH54 6FF

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From: [Hoad, Lucy](#)
To:
Subject: FW: Uphall Community Council - [OFFICIAL]
Date: 23 May 2022 09:54:00

DATA LABEL: OFFICIAL

Hello

Thank you for your comments – I can assure you that all relevant material planning considerations will be taken into account in the consideration of the planning application.

Kind regards

Lucy

Lucy Hoad

Planning

West Lothian

From: Planning <Planning@westlothian.gov.uk>
Sent: 23 May 2022 08:19
To: Hoad, Lucy <Lucy.Hoad@westlothian.gov.uk>
Subject: FW: Uphall Community Council - [OFFICIAL]

DATA LABEL: OFFICIAL

From: >
Sent: 21 May 2022 20:29
To: Planning <Planning@westlothian.gov.uk>
Subject: Fwd: Uphall Community Council

Sent from my iPad

Begin forwarded message:

From:
Date: 20 May 2022 at 17:21:43 BST
To: planning@westlothiam.gov.uk
Subject: Uphall Community Council

With regard to Planning Application reference number 0385/H 22. 109 South Middleton Uphall.

Uphall Community Council would like to express its concern with regard to the planned extension. This is on account of the size proposed and not in keeping with the nearby houses. There is also concern at the proximity to the Bowling Green

and direct views on to the Bowling Green

Regards

Secretary Uphall Community Council.

Sent from my iPad

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OFFICIAL: Contains information for council staff only

PUBLIC: All information has been approved for public disclosure

NON-COUNCIL BUSINESS: Contains no business related or sensitive information

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Comments for Planning Application 0385/H/22

Application Summary

Application Number: 0385/H/22

Address: 109 South Middleton Uphall West Lothian EH52 5GA

Proposal: Two storey and single storey extensions to house (as varied with omission of balcony)

Case Officer: Lucy Hoad

Customer Details

Name: Mrs Mary Veitch

Address: 79 South Middleton Uphall Broxburn EH52 5GA

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object to planning application 0385/H/22. We acknowledge that the owners of Property 109 have altered their original plans in an effort to reduce the impact on resident's privacy their original submission had on neighbouring properties.

However we still have great concerns regarding the following:

1. Natural Light: The amended plans for the 2 storey extension which has an overall length of 19.2 m and a height of 7.1m is increasing the footprint of Property 109 by over 100%. As Property 109 is less than 1.25 m away from our boundary fence this will substantially reduce the amount of 'natural light' our house and garden will receive.

2. Quality of Life: We note that West Lothian Council do not recognise 'the view' as a primary element as an objection to planning applications. None the less the reduction of skyline we will be able to observe as a result of this extension will impact severely on our quality of life and mental wellbeing. The feel good factor we derive from working and relaxing in our garden will completely diminished by this 2 storey extension

3. Setting a Precedent: Research has shown that NO 2 storey extensions have been erected in the South Middleton Estate. Approval of this application would set a precedent for future similar applications. Such extensions are not in keeping with the literature and criteria Persimmion Homes set out for the original development of the South Middleton Estate.

We extend an open invitation to all interested parties to come and visit our Property at 79 to see at first hand the impact the proposed plans for Property 109 would have on our home and garden.

yours sincerely

Mary and Paul Veitch
79 South Middleton
EH52 5GA

Comments for Planning Application 0385/H/22

Application Summary

Application Number: 0385/H/22

Address: 109 South Middleton Uphall West Lothian EH52 5GA

Proposal: Two storey and single storey extensions to house and formation of balcony

Case Officer: Lucy Hoad

Customer Details

Name: Mrs Ann Simpson

Address: 2 Stankards Road Uphall EH52 5DH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We, the management Committee, of the bowling club, object to the planning application proposed for the property at 109 South Middleton, Uphall.

The proposed building will extensively overlook the bowling club and bowling green. The planned balconies will over look both the green and the beer garden. The resident of the house of 109 South Middleton put an objection in to our proposal for the beer garden as he did not wish his children to be disturbed by the noise from the club and did not wish his house to be over looked. He also requested a higher fence be installed to prevent this, which we complied with. The proposed extension brings his building to within 1 foot of our boundary fence and as it covers 2 floors will mean the second storey of the building will be visible from the green and the beer garden. We feel due to the height of the proposed extension and suggested proximity to the boundary fence would have a negative impact on the amount of sunlight to our premises and there would be an increased impact on the privacy for our members and customers who choose to use the beer garden or the area around the green.

Comments for Planning Application 0385/H/22

Application Summary

Application Number: 0385/H/22

Address: 109 South Middleton Uphall West Lothian EH52 5GA

Proposal: Two storey and single storey extensions to house and formation of balcony

Case Officer: Lucy Hoad

Customer Details

Name: Mr Jonathan Courtney

Address: 77 South Middleton Uphall EH52 5GA

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to planning application 0385/H/22 which is proposed for 109 South Middleton, Uphall.

This proposed extension will cause me significant loss of privacy as it will be directly facing my kitchen, living room and 3 of my bedrooms. It also has the potential to cause increased noise due to the proposed balcony which will adversely affect the peace and tranquility of my home and rear garden. Everyone should have the basic right of privacy in their home and garden.

The proposed extension would be overbearing as it is totally out of proportion and out of character for the neighbourhood and surrounding properties.

I invite you to visit my home to verify these objections are valid.

Therefore, I would ask that West Lothian Council refuse this planning application.

Should you require any further information or clarification of any of the points raised in this objection, please do not hesitate to contact me.

Yours faithfully

Jonathan Courtney

Comments for Planning Application 0385/H/22

Application Summary

Application Number: 0385/H/22

Address: 109 South Middleton Uphall West Lothian EH52 5GA

Proposal: Two storey and single storey extensions to house and formation of balcony

Case Officer: Lucy Hoad

Customer Details

Name: Mrs Julie Courtney

Address: 77 South Middleton Uphall EH52 5GA

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to planning application 0385/H/22 for the extension that is proposed for 109 South Middleton, Uphall, West Lothian.

This proposal for two storey and single storey extensions to house and formation of balcony will result in a serious lack of privacy to my property as not only will the extension and balcony be overlooking my rear garden, it will also be directly facing my kitchen, lounge and 3 bedrooms - the rooms that are used the most in my home. There is also an increased risk of noise whilst the balcony is being used. Noise tends to carry further from an elevated position and this will affect the peacefulness and serenity of both my home and garden.

The proposed extension will be overbearing due to its size and therefore could potentially be a dominating feature in the surrounding area and will be out of keeping with other neighbourhood properties.

You are welcome to visit my home should you require to view the potential negative impact of this proposed extension.

Yours faithfully

Julie Courtney

77 South Middleton

Uphall

West Lothian

EH52 5GA

Comments for Planning Application 0385/H/22

Application Summary

Application Number: 0385/H/22

Address: 109 South Middleton Uphall West Lothian EH52 5GA

Proposal: Two storey and single storey extensions to house and formation of balcony

Case Officer: Lucy Hoad

Customer Details

Name: Mrs Mary Veitch

Address: 79 South Middleton Uphall Broxburn EH525GA

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object to this planning proposal on the fundamental principal that if approved it will have an enormous negative impact on our quality of life. This negative impact will greatly effect the following elements: Privacy, Natural Light, Leisure, and Mental Wellbeing

Privacy:

The main reason we purchased the property at 79 was the secure and secluded garden that it offered.

The proposed 2 storey extension of property 109 which is adjacent to our boundary includes a south facing elevated balcony. This elevated balcony will be situated directly above our garden giving unrestricted viewing access to this area. Not only that when occupants of 109 access this balcony they will have direct eyeline vision to our bedrooms and lounge. To maintain our privacy we would have to consider keeping our bedroom and lounge windows and doors covered almost permanently throughout the day. If this application is approved it will completely erode our privacy.

Natural Light:

When considering the scale of the proposed 2 storey extension and how close it is to our boundary the resulting conclusion is that it will significantly effect the amount of natural light that filters into our garden and lounge. This natural light is already reduced by the large trees to the west of our property.

Research of previous planning applications that these were for single storey extensions or garage conversions. No approval has been recorded for proposals with 2 storey high extensions.

Leisure:

At present we derive great pleasure from the relaxing atmosphere our garden provides this satisfaction will be severely reduced. No home owner could fully relax in their garden designed to

enhance their quality of life when neighbours have the potential to people watch without restriction.

Mental Wellbeing:

The events of the last few years have shown the benefits of being able to access garden areas in relation to maintaining good mental health. This feel good factor will be non-existent and have a detrimental effect on our lives, should this application be approved.

Final Comment:

To fully understand our concerns we invite Lucy Hoad (Planning Officer) and the Uphall Ward Councillors Diane Calder, Janet Campbell, Angela Doran-Timson and Ann Davidson or any other interested party regarding this application to our home.

This would give them the opportunity to see at first hand the effect the proposed extension of 109 would have on the quality of our lives.

May & Paul Veitch