



LOCAL REVIEW BODY

APPLICATION NO.0714/FUL/22 – ERECTION OF SUMMER HOUSE, HUTS AND SMALL STORAGE ROOM (IN RETROSPECT) AND OPERATION OF SMALL PET BUSINESS, 11 STEVENSON TERRACE, BATHGATE

REPORT BY CLERK AND LEGAL ADVISER TO THE LOCAL REVIEW BODY

A PURPOSE OF REPORT

This report describes the documents and other matters relevant to the consideration by the Local Review Body of this application for review of a decision by the Council's Appointed Person to refuse planning permission for the erection of summer house, huts and small storage room (in retrospect) and operation of small pet business, 11 Stevenson Terrace, Bathgate

B REVIEW DOCUMENTS

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

1. The Notice of Review, and supporting documentation, submitted by the applicant, dated 21 October 2022.
2. The Handling Report, prepared by the Planning Case Officer, dated 17 November 2022.
3. The Decision Notice, issued by the Appointed Person, dated 17 November 2022.

Two representations have been received from neighbouring properties; these being 12 Stevenson Terrace and 13 Stevenson Terrace. Both parties were contacted to advise that the review application had been received and were provided with the opportunity to submit further representations. One of the parties submitted a further representation which was subsequently shared with the applicant; the applicant has provided comment on this. All correspondence referred to is attached to the committee report.

The council's Transportation Service, as a statutory consultee, have suggested that the proposal is acceptable without conditions. Also, the council's Environmental Health Service, also a statutory consultee has suggested that if the application was to be granted planning permission then a number of conditions should be attached to the permission and include amongst others; restriction to days and hours of operation; approval of a Waste Management Plan, limit to numbers and types of animals, and a

temporary permission for a period of 1 year. Both representations are attached to the committee report.

The applicant has stated that the review application can be proceed on the basis of a site inspection.

The applicant has stated in the review application that they have raised matters which were not before the appointed officer at the time the determination of the application for planning permission was made.

C SITE VISITS AND FURTHER PROCEDURE

A site inspection of the application site will be undertaken in advance of the Local Review Body's first consideration of the review application; this will be completed on 25 January 2023. However, the Local Review Body, upon consideration of the review application before it, can determine if further procedure is required before reaching a decision. This can include any, or any combination, of the following; an accompanied site inspection, further written submissions and hearing session/s.

D DEVELOPMENT PLAN POLICIES AND PLANNING GUIDANCE

The Appointed Person refused the application in that it was not in accordance with policy DES1 (Design Principles) of the West Lothian Local Development Plan 2018 as they considered that, taking into account the context of the site and surroundings, a commercial business of this nature was incompatible with the current residential land use and would result in an adverse impact on the residential and environmental amenity of the area. There was also inadequate parking provision provided within the site or off-site provision within the street

Further information can be obtained in the Decision Notice and Handling Report both of which are attached to this report.

E PLANNING CONDITIONS, LEGAL AGREEMENTS AND GOOD NEIGHBOUR AGREEMENTS

Without prejudice to the outcome of this review, to assist the LRB in its deliberations and to assist the applicant and interested persons in securing a prompt resolution of the review, attached to the report are a set of draft planning conditions which the LRB may wish to consider imposing should it be minded to grant planning permission. A copy is circulated with this report

Lesley Montague, Managing Solicitor, West Lothian Civic Centre

Email address:- lesley.montague@westlothian.gov.uk

Date: 25 January 2023

NOTICE OF REVIEW

(LOCAL DEVELOPMENT – DECISION BY APPOINTED PERSON)

This Form is for a review by the West Lothian Council Local Review Body under Section 43A(8) of the Town and Country Planning (Scotland) Act 1997 in respect of decisions by the appointed person on local development applications.

The review will be conducted under the Town and Country Planning (Schemes of Delegation and local Review Procedure) (Scotland) Regulations 2008.

Please read and follow the accompanying West Lothian Council Local Review Body Guidance Notes when completing this form. Failure to supply all the relevant information or to lodge the form on time could invalidate your notice of review.

Use **BLOCK CAPITALS** if you are completing the form by hand.

PART A	APPLICANT'S DETAILS	Name <u>Susan Turnbull</u>
		Address <u>11 Stevenson Terrace</u>
		<u>Bathgate</u>
		Postcode <u>EH48 1DJ</u>
		Telephone No. (1) <u>[REDACTED]</u>
		Telephone No. (2) _____
		Fax : _____
		E-mail : <u>[REDACTED]</u>
	REPRESENTATIVE (if any)	Name _____
		Address _____

		Postcode _____
		Telephone No. (1) _____
		Telephone No. (2) _____
		Fax : _____
		E-mail : _____
Please tick this box if you wish all contact to be through your representative.		
Do you agree to correspondence regarding your review being sent by e-mail? * YES/NO		

PART B	APPLICANT REF. NO.	<u>0714-FUL-22</u>
	SITE ADDRESS	<u>11 Stevenson Terrace</u> <u>Bathgate</u> <u>EH48 1DJ</u>
	DESCRIPTION OF PROPOSED DEVELOPMENT	<u>Permission for my summerhouse, huts and store room. To operate a small pet boarding business for small animals i.e. rabbits and guinea pigs.</u>
	DATE OF APPLICATION	<u>Active on the planning portal 9th August 2022</u>
	DATE OF DECISION NOTICE (IF ANY)	<u>Not sure Lucy Hoad stated she would refuse and I am awaiting a date</u>

Note:- This notice must be served on the planning authority within three months beginning with the date of the decision notice or, if no decision notice was issued, from the date of expiry of the period allowed for determining the application.

Type of Application (please tick the appropriate box)

Application for planning permission (including householder application)	<input checked="" type="checkbox"/>
Application for planning permission in principle	<input type="checkbox"/>
Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)	<input type="checkbox"/>
Application for approval of matters specified in conditions	<input type="checkbox"/>

PART C	TYPE OF REVIEW CASE	<input checked="" type="checkbox"/>
	Refusal of application by appointed officer	<input type="checkbox"/>
	Failure by appointed officer to determine the application within the period allowed	<input type="checkbox"/>
	Conditions imposed on consent by appointed officer	<input type="checkbox"/>

	<p>Statement of reasons and matters to be raised</p> <p>You must state, in full, the reasons for requiring a review of your case. You must also set out and include with your application all the matters you consider require to be taken into account and which you intend to raise in the 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.</p>	
	<p>State here the reasons for requiring the review and all the matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. <u>You may also submit additional documentation with this form.</u></p>	
	<p><u>I was not aware that comments against my business were in the documents section.</u></p> <p><u>I expected them to be in the comments section as that was where I was told they would be when I applied for my driveway planning permission. I could see the 2 consultant ones and I have been in touch with Lynn from Environmental health to address the points she raised. It was only when Lucy from Planning attended that I was aware there were other comments but I was still not informed that they were in the document section where my drawing of my site etc. Are. By this time, I was informed it was by the deadline for my neighbours, friends and clients to post comments in support of my business.</u></p> <p><u>Also, on the 7th November a document was added, mine from Environmental health when I was told this deadline had passed.</u></p> <p><u>I note what my neighbour at number 12 has said but for the past nearly 3 years I have had to take Gillian and Ramon to court for damage to my property which I won compensation and now we have an on-going case which I wish a non-harassment order against them. They have ignored solicitor's letters and the police even signed a signed statement (promise to court) which they have breached, which was provide to court and signed in my solicitor's office. I have collated emails, messages and questionnaire's in support of my business which was granted planning permission last year on ENF/0100/21 but due to the unfounded complaints made by my neighbours at number 12 Gillain and Ramon I again have to justify and submit more information.</u></p>	
	<p>Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?</p>	<p>* YES/NO</p>

If yes, you should now explain why you are raising new material, why it was not raised with the appointed officer before, and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all documents, materials and evidence which you wish to submit and rely on in your review. **All** of these documents, materials and evidence must be lodged with this notice. If necessary, this can be continued or provided in full in a separate document.

1.	Evidence for 0714-FUL-22 11 Stevenson Terrace
2.	Questionnaires collected from Scott Terrace for Planning ref 0714-FUL-22
3.	Questionnaires collected from Stevenson Terrace for Planning ref 0714-FUL-22
4.	Questionnaires from Barrie Terrace for Planning ref 0714-FUL-22
5.	A_LOCATION_PLAN-3207854
6.	EHO-3240677
7.	Enviromental Points for 11 Stevenson Terrace
8.	NN_MAP-3207993
9.	OUTBUILDING_STRUCTURES-3207855
10.	PLANNING_APPLICATION-3226065
11.	PLANNING_APPLICATION-3226065
12.	PLANNING_APPLICATION-3226065

PART D
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.

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

*Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

With the information I have provided plus the site inspection which Lucy has seen that
my garden and outbuildings are not as number 12 has described. Plus I will adhere to
Enviromental health's recommendations.

If you have selected "further written submissions" or "hearing session(s)", please explain which of the matters you have included in your statement of reasons you believe ought to be subject of those procedures, and why.

SITE INSPECTION

The Local Review Body may decide to inspect the land which is subject to the review.

Can the site be viewed entirely from public land?

* **YES/NO**

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

* **YES/NO**

If you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain why that may be the case.

My back garden is securely locked, although you can see this from my neighbour's sides

PART E	<p>CHECKLIST</p> <p>Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review. Failure to supply all the relevant information or to lodge the form on time could invalidate your notice of review.</p> <p>Full completion of all parts of this form</p> <p>Statement of your reasons for requiring a review and matters to be raised</p> <p>Statement of your preferred procedure</p> <p>All documents, materials and evidence INCLUDING LOCATION PLANS AND/OR DRAWINGS which you intend to rely on. Copies must accompany this notice.</p> <p>Where your case relates to another application (e.g. it is a renewal of planning permission or a modification, variation or removal of a planning condition, or an application for approval of matters specified in conditions), it is advisable to provide that other application reference number, approved plans and decision notice from that earlier consent.</p>	<div style="border: 1px solid black; height: 40px; width: 100%;"></div> <div style="border: 1px solid black; height: 40px; width: 100%;"></div> <div style="border: 1px solid black; height: 40px; width: 100%;"></div> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
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*****DECLARATION*****

I, the applicant/agent*, hereby require West Lothian Council to review the case as set out in this form and in the supporting documents, materials and evidence lodged with it and which includes those plans/drawings that were used by the Appointed Person when determining the original planning application.

I have been provided with a copy of the West Lothian Council Local Review Body Guidance Notes before lodging this notice.

Signed Susan Turnbull Date 10/11/2022

* Delete as appropriate

Please email this completed form to :-

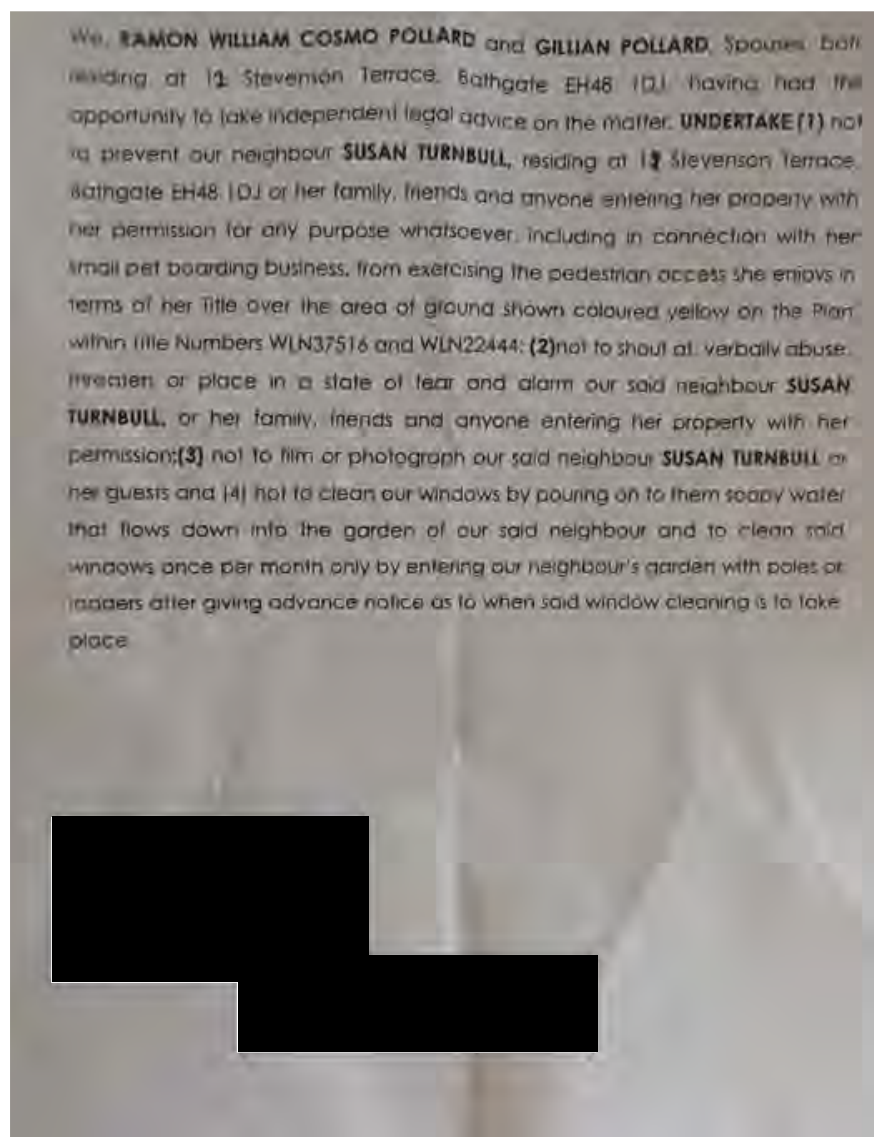
committeeservices@westlothian.gov.uk or alternatively post to :-

Committee Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

Evidence for my Planning application.

I was not aware that comments against my business were in the documents section. I expected them to be in the comments section as that was where I was told they would be when I applied for my driveway planning permission. I could see the 2 consultant ones and I have been in touch with Lynn from Environmental health to address the points she raised. It was only when Lucy from Planning attended that I was aware there were other comments, but I still was not informed that they were in the document section. By this time, it was by the deadline for my neighbours, friends, and clients to my business to post comments in support of my business. Also, on the 7th November a document was added mine from Environmental health when I was told this deadline had passed

I note what my neighbour at number 12 has said and for the past nearly 3 years I have had to take Gillian and Ramon to court for damage to my property which I won compensation and now we have an on-going case which I wish a non-harassment order against them. They have ignore lawyers letters and the police even signed a signed statement (promise to court) which they have breached, which was provide to court and signed in my solicitors office see below: -



I did have planning permission for my business as my lawyer rightly said on ENF/0100/21, but Gillian is constantly ignoring my legal and court proven right of way. I am also a key worker on critical system for the hospitals, police, and other key services. I work full-time and cannot and have not had people coming and going at all hours. Gillian goes to work at 3am and goes for a sleep at about 1pm and that is why she is complaining. As for my dogs 1 is very old and cannot bark, the new neighbour at no 13 dog barks constantly. As for my dogs they are in a secure locked gate and do not bark if guests to my business use my legal and proven via solicitors right off access. Car do not come and go all day as again I work full time. I have my own driveway and guests park by my door or over that, I have planning permission for my driveway on 0216/H/19.

I have had myself; my family and guest being subjected to abuse by no 12 resulting in me having to hire a solicitor due to my ill health and stress with all this. My business is my stress relief and neither Gillian nor Ramon at no 12 had any issues for 2 years with my business since they moved in, in 2018. This has all came about as I have had to inform no 12 that they didn't own what they thought they did and refuse to pay for gutters that they ripped out without my consent. I can provide my solicitor's details and court case references for further confirmation of the harassment and stress I, my family, friends and business clients have been under from no 12 Gillian and Ramon. Most of the points raised are not as so, I am not going on to all the points, but my dogs are walked regularly, Gillian and Ramon have never slept in the back bedroom only the front. As for my garden outbuildings, they were rebuilt in 2017 old for new. My possessions and state of my lawn should be no concern to them. As for a strobe light, it is a path light that needs the battery replaced. Here is my back garden, no lights are near number 12's side or high enough to shine in.



I am not in my summerhouse at 11.30pm as I am usually in bed by 10pm to start work. Gillian has floodlights at her door that shine so bright and come on when anyone approached my front gate. As for our title deeds I do not keep but board, title deeds also say no communal repairs to be carried out without consent from all neighbours in the block and must fit with the rest of the street. Defective gutters do not. I am not mentioning anymore points.

Please find below from family and my friends

From: marion steel [REDACTED]
Sent: 08 November 2022 14:23
To: Planning <Planning@westlothian.gov.uk>
Subject: Susan has been a friend for many years and I can say that I have never seen or smelled any issues in her garden or her house and I find it disrespectful that someone would say that about her. Susan puts 110% in to small animals and she enjoys looking a...

From: corinna miller [REDACTED]
Sent: 07 November 2022 15:18
To: Planning <Planning@westlothian.gov.uk>
Subject: 0714/FUL/22 11

To whom this may concern

We have always enjoyed visiting Susan over the years which has not changed due to her business. Summer garden parties have not been made unpleasant with noise or smells from Susan's business. In fact we quite enjoy watching the rabbits play in the runs. Hope this helps with any concerns you may have regarding the business.

Regards

C miller

From: Gavin Hunter <[REDACTED]>
Sent: 07 November 2022 13:44
To: Planning <Planning@westlothian.gov.uk>
Subject: Reference 0714/FUL/22 11

It was our idea that Susan start a small pet boarding business as she has often watched our rabbits or family guinea pigs when we go on holiday as we do her pets. There has never been any smell from this business and the hutches and runs are thoroughly cleaned after use. We have attended garden parties when there was boarders in the summer to no smell then either.

Kind regards
 Gavin

From: thomascrosby123 [REDACTED]

Sent: 07 November 2022 15:18
To: Planning <Planning@westlothian.gov.uk>
Subject: Ref 0714/ful/2211 susan business has always been kept clean and tidy and she also sanitized after each boarding her love for animals is her passion and not for money this is also her hobby there is no animal waste kept in her garden which is also kept...

From: James D Turnbull

Sent: 08 November 2022 14:08

To: Planning <Planning@westlothian.gov.uk>

Subject: Reference 0714/FUL/22 11

To Whom It May Concern,

This business does not have animal boarding all year round. Bookings are mostly during school holidays when people wish to go on holiday and as such there are months when no guests are staying at all. Parking is not an issue as there are never multiple visitors at one time. A car space has been freed due to number 11 having their own driveway planning approved, which is viewable online.

Regards

From: Dee Scott

Date: 9 November 2022 at 12:08:40 GMT

To:

planning_at_westlothian_gov_uk_pcg516hp2f2ez9_ha687141@icloud.com

Subject: Reference 0714/FUL/22 11

Hello

Regards the planning application for a small pet business at 11 Stevenson Terrace. I would just like to express that I have visited the property and have never noticed any adverse smell or noise from the business. The owner is very considerate and limits numbers of customers so the animals all get the best of care and ensures that it doesn't disrupt the neighbourhood.

I am aware the owner also works full time in another job but she maintains the garden and the area for the animals well, including growing her own produce for the business. When I visited last, she had two animal clients (rabbits) but had she not said, I would not have known as there was no noise or smell.

From: Priscilla Johnstone

Date: Wednesday, November 9, 2022

Subject: Ref: 0714/FUL/ 2211

To: "planning@westlothian.gov.uk"

<planning@westlothian.gov.uk>

Dear Planning

I am emailing you in support of Susan Turnbull's Business.

Whenever I have visited Susan, her garden has always been clean, tidy and clear of any debris. There have been no smells or anything that would attract vermin into her garden.

You would not know that she was running a furry boarding business.

Her boarders are well looked after and she is always professional.

I am happy for you to contact me if I can provide anymore information.

Kind Regards

Priscilla Johnstone

I would like to suggest the planning application in granted as it causes no disruption and fills in a much needed and well run service for small animal owners looking to board pets for short periods.

Thank you

D Scott

I am at Susan's every 4/6 weeks doing her hair ... I can see out the back garden whilst doing her hair, her garden is well kept, lovely flowers and I know she spends a lot of time and money on her garden too. In the summer I was out in her garden and it's lovely with no smell at all. I have also never had a issue with parking even tho the street is very tight I always park over Susan's drive or just up slightly.

On a few occasions when I have arrived at Susan's there has been a large black/brown dog running up and down the access path barking it was actually quite intimidating even tho I have a dog myself I was scared to go to gate incase it jumped over



Lisa (from Cool Cuts)

I am at Susan's every 4/6 weeks doing...

From Clients

<[REDACTED]>
Sent: 07 November 2022 12:49
To: Planning <Planning@westlothian.gov.uk>
Subject: Reference 0714/FUL/22 11

Hi there I am emailing regarding the Thumper and Squeak planning permission. I have boarded my rabbit here twice and have never noticed an issue of smell, animal waste or parking issues.

Thumper and Squeak is a very clean and well managed business.

Kind regards
 Jenna Martin

From: chris carroll [REDACTED]
Sent: Monday, 7 November 2022, 21:29
To: planning@westlothian.gov.uk
 <planning@westlothian.gov.uk>
Subject: Ref: 0714/FUL/22 11

Good afternoon,

We have 2 rabbits and love that Susan at Thumper & Squeak has a passion to care for our pets, when we are on holiday. We have dropped off and collected them many times, and if there was any concern over their welfare or conditions/hygiene of the accommodation - we would not be returning! We are always happy with the conditions of our pet care. Hutches are clean, and the enclosed outdoor runs are secure.

We have never experienced any parking issues, as drop off and collection takes no more than 5 minutes. Any communication or chat can be had in advance by email - we do not stay for dinner.

Furthermore, I would also like to point out:

These small pets are kept securely in a shed/summerhouse.

I cannot imagine Thumper and Squeak is at full capacity 365 days a year- maybe more realistic over staggered holiday season?

Rabbits, guinea pigs, hamsters etc are very quiet pets- It is not like there are dogs barking all day and night.

Regarding any mess/animal waste, rabbits have an area in the hutch/garden they prefer to go - which is easily brushed up. What about all the dog mess people/kids have to dodge on the pavement?

Taking all recent news issues into context, I think this dispute is absurd!

With kind regards
 Chris

From: Ele Arbuckle [REDACTED]
Sent: 07 November 2022 18:39
To: Planning <Planning@westlothian.gov.uk>
Subject: Reference 0714/FUL/22 11

Dear Sir/Madame,

Reference 0714/FUL/22 11

I am a customer of Thumper and Squeak. I have been impressed each time I have been there with how hygienic and well kept the animal enclosures are. They are cleaned regularly and there were certainly no smells. Susan, the owner, has webcams set up for customers, so I can see that these levels of cleanliness are maintained throughout my rabbit's stay and not just when I drop off/pick up. She looks after my rabbits very well, even giving my elderly rabbit regular baths. There is never any evidence of debris or rubbish in the area. I usually park for approximately 10-15 minutes for drop off and then the same again a couple of weeks later for pick up. I don't feel that this is long enough to cause any parking issues for local residents. There was plenty of parking space along the road once I had turned my car around.

The only parking issue I have encountered was when her downstairs neighbour had someone visiting that had parked in the turning circle and so made it harder for me to turn around. I do feel that this complaint about her business more likely stems from a neighbour dispute than from any actual problems arising from her business. On one occasion her downstairs neighbour played recordings of dogs barking loudly through her open front door for the duration of my time there. Another time she played extremely loud music in the garden close to the fence which was probably quite upsetting for the small animals. I took my 10 year old son with me one time and the neighbour had her growling dogs loose in the communal path area so we had to enter through the front door instead for safety. I really value the small pet sitting service that Thumper and Squeak offers. Please do consider allowing the business to continue. Feel free to contact me if you have any further questions.

Yours sincerely,

Eleanor Arbuckle
 [REDACTED]

91 Carrick Knowe Drive eh12 7eg

Date: 7 November 2022 at 20:18:56 GMT

To: planning@westlothian.gov.uk

Subject: Ref 0714/FUL/2211

THUMPER AND SQUEAK

To whom it may concern

I have taken my two Guinea pigs to stay at Thumper and Squeak hotel a couple of times in the past year. I have always found the back garden lovely, the shed is clean with no smells or rubbish lying about. My Guinea pigs have always come back from their holidays content. I have no complaints.

I have always parked in the space that the owner Susan has asked me to park in and there has never been any issues when doing so.

Regards

Allison Whiteford.

From: [michelle.ohell](#) [REDACTED]

Sent: 09 November 2022 15:35

To: planning@westlothian.gov.uk

Subject: Reference: 0714/FUL/22 11

To whom this may concern,

I am writing to you in response to recent complaints against Thumper and Squeak. I have never experienced any of the issues raised.

Susan keeps her premises very tidy and I have personally witnessed her out first thing in the morning cleaning out the pet cages and never seen any debris or observed any odours.

All appointment times are confirmed in advance of pick up or drop off and parking has never been an issue. The allocated times have been out with busy periods i.e. first thing in the morning (0730) or later in the evening (not during school times or busy traffic times). There's never been any drop off or collection times where she has had multiple clients waiting or taking up residential spaces.

Pick up and drop off are prompt and there's no inconvenience caused to residents on her street.

I personally would be devastated to lose the wonderful services she provides. I'm a student nurse and sometimes require a little assistance and support looking after my pets. My pets have benefited from their visits to Susan. In fact they are so well looked after they don't want to come home.



Ferry-girl

I've emailed with the below. Hope it helps.

Good evening

I am writing to you following a complaint received for Thumper and Squeak Pet Boarding.

I believe you have received a complaint in regards to smell, debris and car parking challenges. Having used the facilities of Thumper and Squeak several times I'd like to highlight that never during our time dropping off or collecting our pet have we witnessed any debris (such as hay / animal food etc) in the vicinity of the property or surrounding areas. There has never been an issue or challenge with parking, indeed always plenty of room and a turning circle at the end of the street and never has there been an issue with cleanliness (had there been poor cleanliness or smells we would not have boarded our family pet here).

I hope the matter for Thumper and Squeak is resolved soon as Susan provides a much needed and loved service.

Questionnaires collected from Scott Terrace for Planning ref 0714-FUL-22 11 Stevenson Terrace

Number 1 is an elderly gent

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:- *NA*

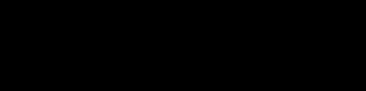
Are you concerned about excess cars on Stevenson Terrace due to this? *N/A*

Are you concerned about the noise that this business may bring *N/A*

Are you concerned about the smell that this business would bring? *N/A*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *N/A*

Have you any other issues regarding the operation of this boarding business? *N/A*

Signed 

Street and door number *2 Scott Terrace*

Dated *7/11/22*

Can your questionnaire be uploaded in the planning portal?

Please circle

☒ Yes / No

Numbers 3 and 4 have not been home

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now. permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here:-

N/A

Are you concerned about excess cars on Stevenson Terrace due to this?

N/A

Are you concerned about the noise that this business may bring

N/A

Are you concerned about the smell that this business would bring?

N/A

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept?

N/A

Have you any other issues regarding the operation of this boarding business?

N/A

Signed

[Redacted Signature]

Street and door number

5 SCOTT TERRACE
BATHCLAY

Dated

7/11/2022 EMILY

Can your questionnaire be uploaded in the planning portal?

Please circle

☒ Yes / No

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of no. 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:-


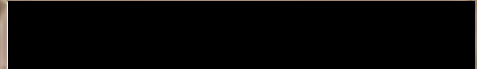
Are you concerned about excess cars on Stevenson Terrace due to this? *N/A*

Are you concerned about the noise that this business may bring *N/A*

Are you concerned about the smell that this business would bring? *N/A*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *N/A*

Have you any other issues regarding the operation of this boarding business? *N/A*

Signed  

Street and door number *11 Stevenson Terrace*

Dated

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Numbers 7 and 8 have not been home

Questionnaire re D714/FU/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here:- 2/1/22

Are you concerned about excess cars on Stevenson Terrace due to this? 2/1/22

Are you concerned about the noise that this business may bring 2/1/22

Are you concerned about the smell that this business would bring? 2/1/22

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? 2/1/22

Have you any other issues regarding the operation of this boarding business? 2/1/22

Signed

[Redacted Signature]

Street and door number 11 Stevenson Terrace 4

Dated 7/11/22

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Questionnaire re 071A/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of No 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:-

Are you concerned about excess cars on Stevenson Terrace (due to this)? N/A

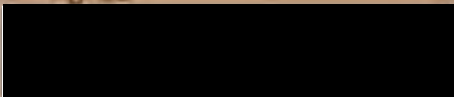
Are you concerned about the noise that this business may bring? N/A

Are you concerned about the smell that this business would bring? N/A

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? N/A

Have you any other issues regarding the operation of this boarding business? N/A

Signed



Street and door number

11 SCOTT TERRACE
BATHURST

Dated 7th Nov '22

Can your questionnaire be uploaded in the planning portal?

Please circle:

☒ Yes / No

Number 11 Margaret is now in her 90's and struggle to get out her chair so I did not disturb her.

Number 12 did not understand what I was saying or able to read the questionnaire

I have still to find numbers 13, 14, 15 and 16 at home but will try tonight again tonight after my full time employment.

Questionnaires collected from Stevenson Terrace for Planning ref 0714-FUL-22 11 Stevenson Terrace

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here:- *NO*

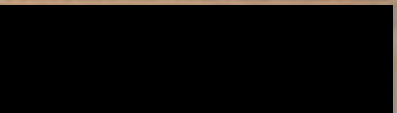
Are you concerned about excess cars on Stevenson Terrace due to this? *NO*

Are you concerned about the noise that this business may bring *NO*

Are you concerned about the smell that this business would bring? *NO*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *NO*

Have you any other issues regarding the operation of this boarding business?

Signed 

Street and door number *11 Stevenson Terrace*

Dated *12/05/2022*

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Number 2 have not been home

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here:- *no*

Are you concerned about excess cars on Stevenson Terrace due to this? *no*

Are you concerned about the noise that this business may bring *no*

Are you concerned about the smell that this business would bring? *no*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *no*

Have you any other issues regarding the operation of this boarding business? *no*

Signed



Street and door number

3 Stevenson

Dated *9/11/2022*

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here:

Are you concerned about excess cars on Stevenson Terrace due to this?

NO

Are you concerned about the noise that this business may bring

NO

Are you concerned about the smell that this business would bring?

NO

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? ✓

NO

Have you any other issues regarding the operation of this boarding business?

NO

Signature

[Redacted Signature]

Street and door number

4 Stevenson Terrace

Dated

7/10/22

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes ☒ No

Questionnaire re D714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018/ Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:- No

Are you concerned about excess cars on Stevenson Terrace due to this? No

Are you concerned about the noise that this business may bring No

Are you concerned about the smell that this business would bring? No

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? No

Have you any other issues regarding the operation of this boarding business?

Signed

[Redacted Signature]

Street and door number

5 Stevenson Terrace

Dated

9/1/22

Can your questionnaire be uploaded to the planning portal?

Please circle

Yes / No

Number 6 have not been home

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here: ☐ 140

Are you concerned about excess cars on Stevenson Terrace due to this? ☐ 141

Are you concerned about the noise that this business may bring. ☐ 142

Are you concerned about the smell that this business would bring? ☐ 143

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? ☐ 144

Have you any other issues regarding the operation of this boarding business? ☐ 145

Signed



Street and door number

7 Stevenson Terrace

Dated

8-11-22

Can your questionnaire be uploaded in the planning portal?

Please circle

☒ Yes / ☐ No

Questionnaire re 0718/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018, Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:- *no*

Are you concerned about excess cars on Stevenson Terrace due to this? *no*

Are you concerned about the noise that this business may bring? *no*

Are you concerned about the smell that this business would bring? *no*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *✓*

Have you any other issues regarding the operation of this boarding business? *no*

Signed

[Redacted Signature]

Street and door number *11 Stevenson Terrace*

Dated *28-7-2022*

Can your questionnaire be uploaded in the planning portal?

Please circle

☒ Yes / No

Questionnaire re 0714/FIL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:

Are you concerned about excess cars on Stevenson Terrace due to this? *NO*

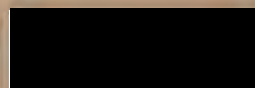
Are you concerned about the noise that this business may bring *NO*

Are you concerned about the smell that this business would bring? *NO*

Does No 11 back garden look unsightly due to this business or to your *well kept pet* knowledge is it well kept?

Have you any other issues regarding the operation of this boarding business? *NO*

Signed



Street and door number

1 Stevenson Terrace

Dated *27/1/2022*

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / NO

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters. (10)

If so please say why here:-

Are you concerned about excess cars on Stevenson Terrace due to this? (10)

Are you concerned about the noise that this business may bring (10)

Are you concerned about the smell that this business would bring? (10)

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? (10)

Have you any other issues regarding the operation of this boarding business? (10)

Signed

[Redacted Signature]

Street and door number 10 Stevenson Terrace

Dated 7/11/22

Can your questionnaire be uploaded in the planning portal?

Please circle:

(Yes) / No

11 Stevenson Terrace is my house

12 Stevenson Terrace has made a complaint

13 Stevenson Terrace has made a complaint

Questionnaire re D714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now. permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:


Are you concerned about excess cars on Stevenson Terrace due to this? *No*

Are you concerned about the noise that this business may bring? *No*

Are you concerned about the smell that this business would bring? *No*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *Yes*

Have you any other issues regarding the operation of this boarding business? *No*

Signed 

Street and door number *14 Stevenson Terrace Ballymore*

Dated *1 11 22*

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here: *No*

Are you concerned about excess cars on Stevenson Terrace due to this? *No*

Are you concerned about the noise that this business may bring *No*

Are you concerned about the smell that this business would bring? *No*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *Yes. From*

Have you any other issues regarding the operation of this boarding business? *No*

Signed



Street and door number *15 Stevenson Terrace, Glasgow*

Dated *27/11/22*

Can your questionnaire be uploaded in the planning portal?

Please circle

☒ Yes / No

No 16 Davie Peden has not been home

Questionnaires collected from Barrie Terrace for Planning ref 0714-FUL-22 11 Stevenson Terrace

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here: *no*

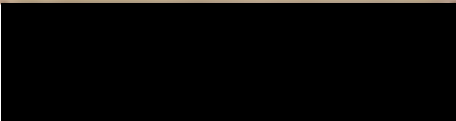
Are you concerned about excess cars on Stevenson Terrace due to this? *no*

Are you concerned about the noise that this business may bring *no*

Are you concerned about the smell that this business would bring? *no*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *no*

Have you any other issues regarding the operation of this boarding business? *no*

Signed 

Street and door number *1 BARRIE TERRACE*

Dated *8/11/22*

Can your questionnaire be uploaded in the planning portal?

Please circle:

☒ Yes / No

Number 2 is a mum of 2 and too busy

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace? This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:-

Are you concerned about excess cars on Stevenson Terrace due to this? No

Are you concerned about the noise that this business may bring No

Are you concerned about the smell that this business would bring? No

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? No

Have you any other issues regarding the operation of this boarding business? No

Signed [Redacted]

Street and door number 3 Stevenson Terrace

Dated 9/11/22

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here: *N/A*

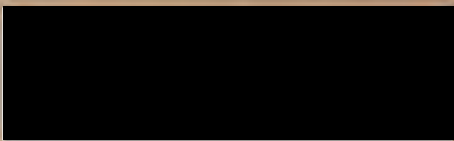
Are you concerned about excess cars on Stevenson Terrace due to this? *N/A*

Are you concerned about the noise that this business may bring *N/A*

Are you concerned about the smell that this business would bring? *N/A*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *N/A*

Have you any other issues regarding the operation of this boarding business? *N/A*

Signed 

Street and door number *4 E/11/11 Terrace*

Dated *8/8/2022*

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Number 5 has not been home

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here:- No

Are you concerned about excess cars on Stevenson Terrace due to this? No


Are you concerned about the noise that this business may bring? No

Are you concerned about the smell that this business would bring? No

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? No

Have you any other issues regarding the operation of this boarding business? No

Signed



Street and door number

6 Stevenson Terrace

Dated

8/11/22

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guineas pigs, rats and hamsters.

If so please say why here: ☒ No

Are you concerned about excess cars on Stevenson Terrace due to this? ☒ No

Are you concerned about the noise that this business may bring ☒ No

Are you concerned about the smell that this business would bring? ☒ No

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? ☒ Yes

Have you any other issues regarding the operation of this boarding business? ☒ No

Signe



Street and door number 7 Blyth View

Dated 2/11/22

Can your questionnaire be uploaded in the planning portal?

Please circle

☒ Yes / ☐ No

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of No 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:- *no*

Are you concerned about excess cars on Stevenson Terrace due to this? *no*

Are you concerned about the noise that this business may bring? *no*

Are you concerned about the smell that this business would bring? *no*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *well kept*

Have you any other issues regarding the operation of this boarding business? *no*

Signed



Street and door number

11 Stevenson Terrace

Dated

11/11/22

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Questionnaire re: 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here: *NS*

Are you concerned about excess cars on Stevenson Terrace due to this? *NS*

Are you concerned about the noise that this business may bring *NS*

Are you concerned about the smell that this business would bring? *NS*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *NS*

Have you any other issues regarding the operation of this boarding business? *NS*

Signed 

Street and door number
7 2022

Dated
7 11 22

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off No 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:-

No

Are you concerned about excess cars on Stevenson Terrace due to this?

No

Are you concerned about the noise that this business may bring

No

Are you concerned about the smell that this business would bring?

No

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept?

No

Have you any other issues regarding the operation of this boarding business?

Signed

[Redacted Signature]

Street and door number

11 BARBIE TERRACE

Dated

9/11/22

Can your questionnaire be uploaded in the planning portal?

Please circle

☒ Yes / No

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back of no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters. **NO**

If so please say why here:-

Are you concerned about excess cars on Stevenson Terrace due to this? **NO**

Are you concerned about the noise that this business may bring **NO**

Are you concerned about the smell that this business would bring? **NO**

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? **✓**

Have you any other issues regarding the operation of this boarding business? **NO**

Signed

[Redacted Signature]

Street and door number

11 Baine Terrace

Dated 24/11/2022

Can your questionnaire be uploaded in the planning portal?

Please circle

(Yes) / No

Number 12 have not been home

Questionnaire re 0714/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here -

N/A

Are you concerned about excess cars on Stevenson Terrace due to this?

N/A

Are you concerned about the noise that this business may bring

N/A

Are you concerned about the smell that this business would bring?

N/A

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept?

yes

Have you any other issues regarding the operation of this boarding business?

N/A

Signed

[Redacted Signature]

Street and door number

3 11 Stevenson Terrace

Dated

21/12/22

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / No

(No)

Number 14 have not been home

Questionnaire re 0214/FUL/22 for 11 Stevenson Terrace (2022)

Have you any objections to a small pet business being run at the back off no 11 Stevenson Terrace. This business has been in operation for 4 years now, permission checked in 2018. Again granted in 2021. This is boarding only for rabbits, guinea pigs, rats and hamsters.

If so please say why here:- *N/A*

Are you concerned about excess cars on Stevenson Terrace due to this? *N/A*

Are you concerned about the noise that this business may bring? *N/A*

Are you concerned about the smell that this business would bring? *N/A*

Does No 11 back garden look unsightly due to this business or to your knowledge is it well kept? *N/A*

Have you any other issues regarding the operation of this boarding business? *N/A*

Signed

[Redacted Signature]

Street and door number

15 Stevenson Terrace

Dated

8/11/22

Can your questionnaire be uploaded in the planning portal?

Please circle

Yes / ☒ No

Number 16 have not been home

Planning Consultation Response

Our reference: LP/180143
Direct Dial: 01506 282 373
Email: lynn.parsler@westlothian.gov.uk

6 October 2022

Environmental Health & Trading Standards
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

Tel: 01506 280000

Environmentalhealth@westlothian.gov.uk
Tradingstandards@westlothian.gov.uk

For the attention of Ms Hoad

West Lothian Civic Centre
Howden South Road
Howden
Livingston
EH54 6FF

**Environmental Health &
Trading Standards Manager**
Craig Smith

PREMISES: 11 Stevenson Terrace, Bathgate **Planning Consultation Response 0714/FUL/22**

I refer your consultation of 23/09/2022 regarding this application.

Environmental Health has no objections to make on the application.

I have reviewed the application and would make the following observations on behalf of Environmental Health.

Observations on Planning Application

1. Noise

- The development has the potential to cause noise nuisance during its operation, which will require to be effectively controlled;

2. Lighting

- Lighting associated with the proposed development has the potential to cause a nuisance to surrounding properties.

3. Odour

- The development has the potential to create odour nuisance during operation, which will need to be effectively controlled.

4. Waste

- The development has the potential to create nuisance during construction from litter and windblown debris, which will need to be effectively controlled.

Recommendations on Planning Application

If the application is granted, I recommend the following conditions:

5. Only small animals shall be boarded at the premises i.e. rabbits, guinea pigs, rats and hamsters;

6. The maximum number of small animals to be boarded at any one time should be specified in a planning condition, once a site visit has taken place to establish the size of facilities etc.
7. Animal drop off and pick-ups should be restricted. For example they should only take place between the hours of 10am-12pm and 4-5pm Monday to Friday, 10am-12pm on a Saturday and at no time on a Sunday;
8. No waste produced by the business should be burned on the premises at any time, in the garden or in a log burner within the property. It is not a suitable means of disposing of business waste;
9. The applicant must provide details to the planning authority with regard to the storage and disposal of business waste from their activities. This shall be agreed in writing with the planning authority. The current waste disposal arrangements are not satisfactory;
10. At no time shall any waste from the business be disposed of in the garden of the premises, by means of composting, burning etc;
11. At no time shall any wash water from washing out enclosures or cages be disposed of in the garden of the premises – in order to prevent odour at neighbouring properties;
12. It is recommended that the permission granted shall be temporary for a period of one year. This is to establish whether the business can operate without causing an impact to nearby receptors in this residential area;

Should you wish to discuss the matter further, please contact me.

Yours faithfully

Lynn Parsler
Environmental Health Officer



OPERATIONAL SERVICES
ROADS & TRANSPORTATION
DEVELOPMENT MANAGEMENT & TRANSPORTATION PLANNING

ROADS & TRANSPORTATION CONSULTATION RESPONSE TO PLANNING APPLICATION

This proposal is (tick as appropriate)		Signing Off	
Acceptable without conditions	<input checked="" type="checkbox"/>	DM & TP Officer Roads & Transportation	Chris Nicol
Acceptable with conditions noted below	<input type="checkbox"/>	DM & TP Manager Roads & Transportation	
Not acceptable & should be refused	<input type="checkbox"/>	Date Issued to Development Management Officer	17 October 2022
HOLDING OBJECTION – The application is not acceptable in current format and applicant requires to submit additional information to enable the proposals to be fully assessed.	<input type="checkbox"/>		

Recommendation & Proposed Conditions	<p>From a Roads & Transportation view, this application is approved no conditions</p> <p>Note: To operate a business from a residential property usually requires sufficient parking spaces for customers, however this type of business appears to be restricted to limited amount of customers arriving and departing at any one time. It would appear that this is no different to visitors to a residential property. The difficulty for this location is that the street has limited on street parking for residents, no specific parking and at the property there is a turning area. To allow a business to operate could increase the amount of traffic in the street that normally parks. If the business is ancillary to a residential property then I don't have an issue but if the business is classified then there is no additional parking for customers and so could cause traffic parking issues.</p>
--------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

DM Case Officer	Lucy Hoad	Applicant	Ms Susan Turnbull
Application Ref	0714/FUL/22	Date Issued	26 September 2022
Proposal	Erection of summer house, huts and small storage room (in retrospect) and operation of a small pet business		
Location	11 Stevenson Terrace, Bathgate		

Legislation & Guidance Applicable (tick as appropriate)	Constraints (tick as appropriate)
Roads (Scotland) Act 1984 <input checked="" type="checkbox"/>	Public Footpath / Rights of Way <input type="checkbox"/>
Designing Streets <input type="checkbox"/>	Core Path Plan <input type="checkbox"/>
SCOTS National Roads Development Guide <input type="checkbox"/>	<input type="checkbox"/>
SUDS for Roads <input type="checkbox"/>	Control of Advertisements (Scotland) 1984 <input type="checkbox"/>
Sewers for Scotland <input type="checkbox"/>	Residential Development Guide 2018 <input type="checkbox"/>

Road and Transport

0714/FUL/22

From a Roads & Transportation view, this application is approved no conditions

Note: To operate a business from a residential property usually requires sufficient parking spaces for customers, however this type of business appears to be restricted to limited amount of customers arriving and departing at any one time. It would appear that this is no different to visitors to a residential property. The difficulty for this location is that the street has limited on street parking for residents, no specific parking and at the property there is a turning area. To allow a business to operate could increase the amount of traffic in the street that normally parks. If the business is ancillary to a residential property then I don't have an issue but if the business is classified then there is no additional parking for customers and so could cause traffic parking issues.

Solution – This business has had restricted drop off and pickup times already due to me working full-time and are by appointment only. My full address is not given out until 24 hours before a guest is due to arrive, no one can just turn up. There is now one less car on the street due to me building a driveway planning granted on reference 0216/H/19. There is only one car arriving or leaving at any given time and if there is no space in front of my house where my own car used to park, clients are asked to park over my driveway therefore not taken any extra space on the street.

Site Description	Existing residential property
Quality Plan	N/A
Road Safety Audit	N/A
Transport Assessment or Statement	N/A
Does the red line boundary reach the adopted public road	Yes
Is there a footway or footpath connecting the site to the existing adopted road network	Yes
Drawings & documents assessed	Location Plan Submitted Plans Outbuilding structures
Does Road Layout comply with WLC Standards	Yes
Does Parking comply with WLC Standards (including disabled provision)	No additional parking provided or able to provide
Sightline Requirements	N/A
Do the proposals affect any existing TRO's (e.g) waiting restrictions, speed limits) or bus stop locations	No
Do the proposals affect any Core Paths, NCR's or Rights of Way	No
SUDS Details	

Site History including any previous planning applications	

ROADS & TRANSPORTATION MANAGER
Operational Services
Whitehill Service Centre
4 Inchmuir Road
Whitehill Industrial Estate
Bathgate
West Lothian
EH48 2EP

F.A .O Lynn Parsler

PREMISES: 11 Stevenson Terrace, Bathgate Planning Consultation Response 0714/FUL/22

I refer your consultation of 23/09/2022 regarding this application. Environmental Health has no objections to make on the application.

I have reviewed the application and would make the following observations on behalf of Environmental Health. Observations on Planning Application

1. Noise
 - The development has the potential to cause noise nuisance during its operation, which will require to be effectively controlled;
 - Solution-** This is controlled by guests restricted to drop off and pick up times times, no-one can arrive unannounced as I also work full-time. There is camera in place in case animals are noisy. Cleaning is done inside with minimum noise. Also clients are give strict instruction on where to come for drop off and pick up which is to my back garden over my legal and proven last year right off access. This way my dogs do not see any one approach the building and therefore do not bark.
2. Lighting
 - Lighting associated with the proposed development has the potential to cause a nuisance to surrounding properties.
 - Solution** – No additional lights have been fitted for the running of this business. The summerhouse has curtains in use to block out light in darker nights, this light only shines over my back garden.
3. Odour
 - The development has the potential to create odour nuisance during operation, which will need to be effectively controlled.
 - Solution** – No water waste will be disposed off in the garden, all runs, hutches waste will be taken to or collected by a registered waste disposal management service. All outside runs are cleared of any rabbit droppings daily and will be stored until collected.
4. Waste
 - The development has the potential to create nuisance during construction from litter and windblown debris, which will need to be effectively controlled.
 - Solution** – All hutches that have bedding in etc. Are housed within the summerhouse, waste is collected with those doors shut and secured into black bags. New lockable heavy-duty bins will be purchased to store this waste until taken to or collected by a registered waste management service.

Recommendations on Planning Application If the application is granted, I recommend the following conditions:

5. Only small animals shall be boarded at the premises i.e. rabbits, guinea pigs, rats and Hamsters;
 - Solution** – That is all we wish to board.
6. The maximum number of small animals to be boarded at any one time should be specified in a planning condition, once a site visit has taken place to establish the size of facilities etc.

Solution – We have provided Lucy Hoad from Planning the maximum number we can board which is 18 (we have only had 15 in July). As I work full time I will be only at capacity in summer months when I take time off my main full-time employment.

7. Animal drop off and pick-ups should be restricted. For example they should only take place between the hours of 10am-12pm and 4-5pm Monday to Friday, 10am-12pm on a Saturday and at no time on a Sunday;

Solution – I will amend my business hours to reflect the proposed time, I already had restricted pickup and drop off due to working full-time.

8. No waste produced by the business should be burned on the premises at any time, in the garden or in a log burner within the property. It is not a suitable means of disposing of business waste;

Solution – As in point 3 and 4 above this will be taken to or picked up by a registered waste management service.

9. The applicant must provide details to the planning authority with regard to the storage and disposal of business waste from their activities. This shall be agreed in writing with the planning authority. The current waste disposal arrangements are not satisfactory;

Solution – I have already discussed with Lynn my plans and also contacted Kimberley Innes at Scotwaste who may be a better option.

10. At no time shall any waste from the business be disposed of in the garden of the premises, by means of composting, burning etc;

Solution – As above points 3, 4 and 9 this will be from a registered waste management service.

11. At no time shall any wash water from washing out enclosures or cages be disposed of in the garden of the premises – in order to prevent odour at neighbouring properties;

Solution – This has no longer been happening since Lynn mentioned to me.

12. It is recommended that the permission granted shall be temporary for a period of one year. This is to establish whether the business can operate without causing an impact to nearby receptors in this residential area

Please - This would be appreciated to amend and continue to follow all the above.

From: planningenforcement <planningenforcement@westlothian.gov.uk>

Sent: 22 April 2021 11:57

To: 'Susan Turnbull' [REDACTED]

Cc: 'James Turnbull' <[REDACTED]>

Subject: RE: ENF/0100/21 - [OFFICIAL]

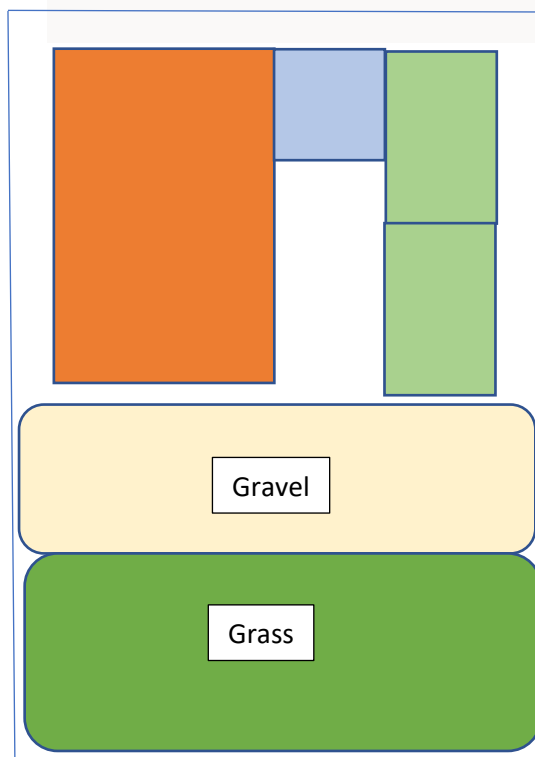
RE: ENF/0100/21 - [OFFICIAL]
DATA LABEL: OFFICIAL

Planning enforcement has received a further complaint regarding structures/ hutches for the animals therefore, can you please provide the following information to ascertain whether planning permission is required;

1. Full dimensions of all structures including eaves height, overall and distance to boundary.
2. A map showing where they are located.
3. Photos of all structures/ hutches.

Please provide the following information no later than 30th April 2021.

Kind regards
Hannah Bennie



Legend on the following
page





Rebuilt from one in situ for 20

Summerhouse	Metres
Height including eaves	2.04
Width	2.32
Length	4.11
Eaves	0.52
Distance from back to fence	0.73
Distance from side to fence	0.60



Sun Room	
Height front no eaves slopped roof	1.71
Height back no eaves	1.68
Width	1.49
Length	0.91
Eaves none	
Distance from back to fence	0.61



Hut at the front rebuilt from one in situ for over 20 years

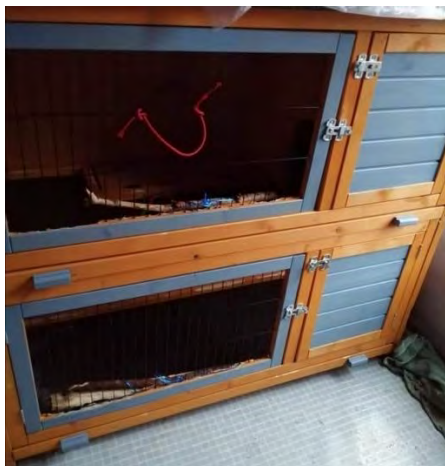
Height including eaves	1.71
Width	1.34
Length	1.95
Eaves	0.24
Distance from side to fence	0.51



Hut at the back

Height including eaves	1.65
Width	1.34
Length	0.91
Eaves	0.61
Distance from back to fence	0.61
Distance from side to fence	0.43

New Blue hutch	
Height	1.07
Width	1.25
Depth	0.55



New Purple hutch	
Height	1.07
Width	1.25
Depth	0.55



Old Blue hutch	
Height	0.94
Width	1.01
Depth	0.55



Old Purple hutch	
Height	1.01
Width	0.98
Depth	0.55



New Large hutch	
Height	0.94
Width	1.52
Depth	0.65





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 100591362-001

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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Summerhouse Hut/s Small storage room

Has the work already been started and/ or completed? *

☐ No ☒ Yes - Started ☐ Yes – Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

19/08/1998

Please explain why work has taken place in advance of making this application: *
(Max 500 characters)

I had permission years ago when I was a council tenant to erect my summerhouse and huts yet I now have to submit an electronic form?

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

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="11"/>
First Name: *	<input type="text" value="Susan"/>	Building Number:	<input type="text" value="11"/>
Last Name: *	<input type="text" value="Turnbull"/>	Address 1 (Street): *	<input type="text" value="Stevenson Terrace"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="11"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Bathgate"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="eh481dj"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

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	<input type="text" value="668438"/>	Easting	<input type="text" value="298344"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

I already provided planning enforcement details of all my structures with full measurements April last year to Hannah

Title:

Other

Other title:

N/A

First Name:

Hannah

Last Name:

Do not know

Correspondence Reference Number:

ENF/0100/21

Date (dd/mm/yyyy):

22/04/2021

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Ms Susan Turnbull

On behalf of:

Date: 01/08/2022

☐ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * ☐ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☐ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * ☐ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☐ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☐ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☐ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☐ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

☐ Existing and Proposed elevations.

☐ Existing and proposed floor plans.

☐ Cross sections.

☐ Site layout plan/Block plans (including access).

☐ Roof plan.

☐ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☐ Yes ☒ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Ms Susan Turnbull

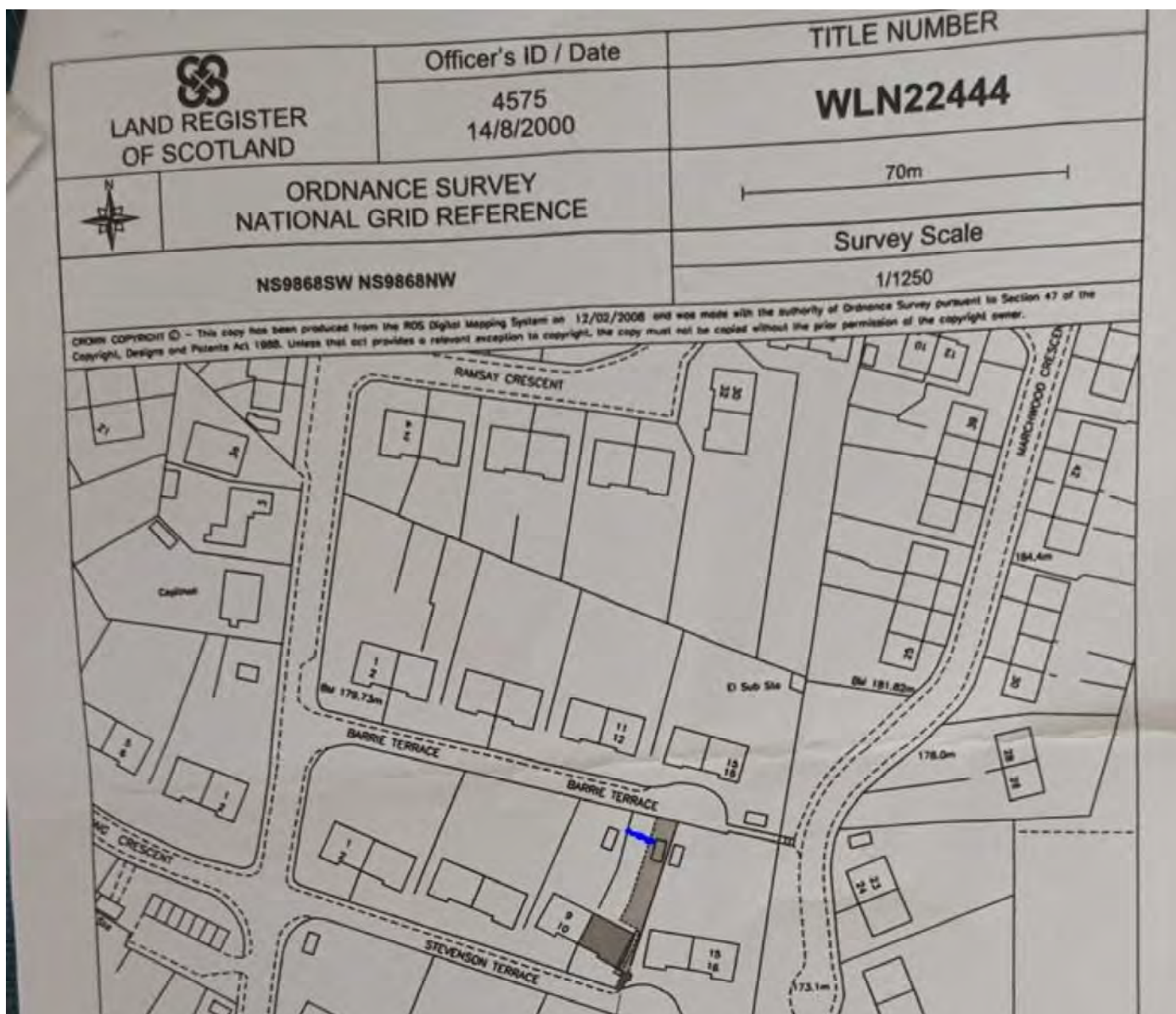
Declaration Date: 01/08/2022

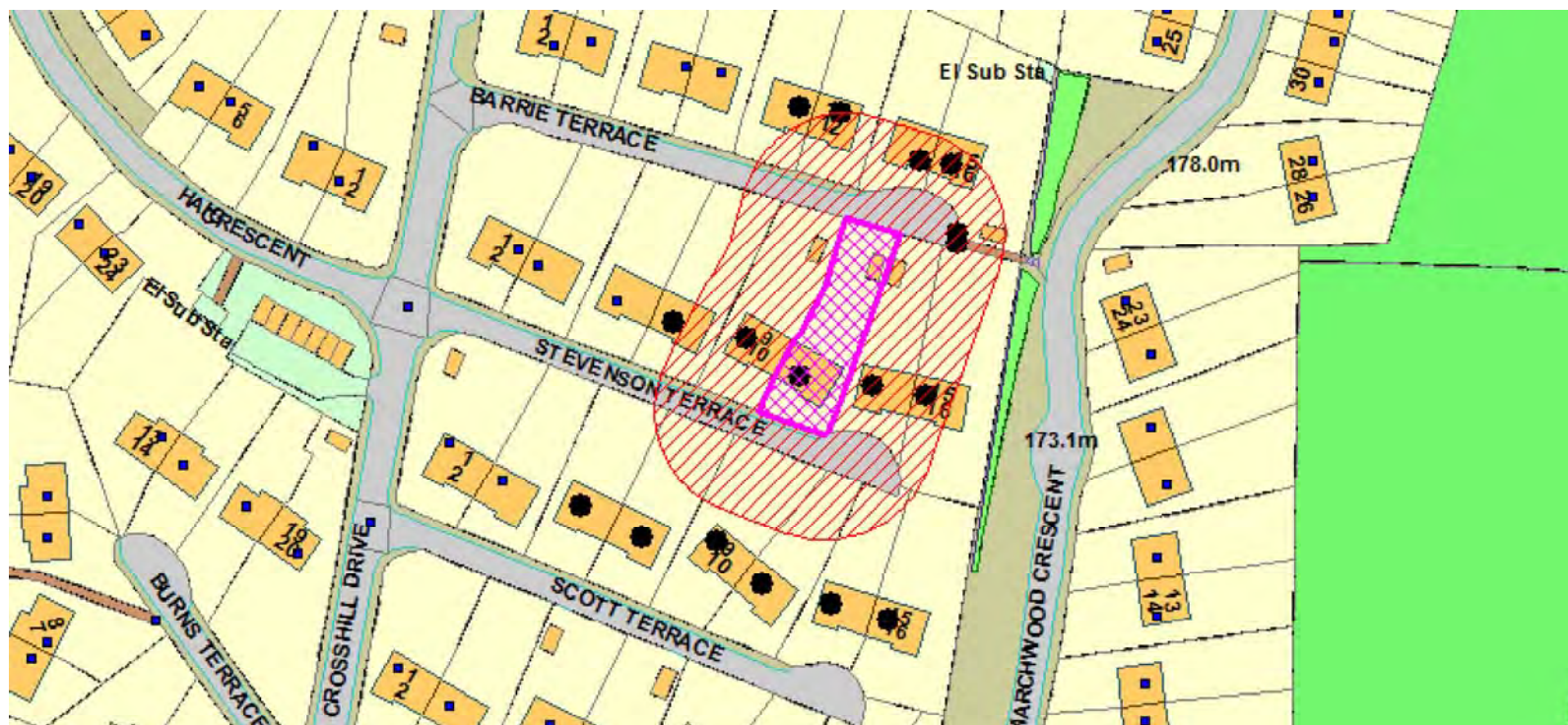
Payment Details

Online payment: 001190

Payment date: 08/08/2022 15:09:00

Created: 08/08/2022 15:10







DECISION NOTICE REFUSAL OF PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997, as amended

West Lothian Council, in exercise of its powers under the Town & Country Planning (Scotland) Act 1997 (as amended), **refuses full planning permission for the development described below**, and in the planning application and docquetted plan(s).

APPLICATION REFERENCE 0714/FUL/22

PROPOSAL Erection of summer house, huts and small storage room
(in retrospect) and operation of a small pet business

LOCATION 11 Stevenson Terrace, Bathgate, West Lothian, EH48 1DJ,
(GRID REF: 298341, 668458)

APPLICANT Ms Susan Turnbull, 11 Stevenson Terrace, Bathgate, West
Lothian, EH48 1DJ

The above **local application was determined by an officer appointed by the council in accordance with its scheme of delegation**. Please see the advisory notes for further information, including how to request a review of any conditions.

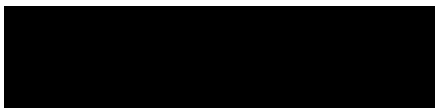
Docquetted plans relative to this decision are identified in Annex 1, Schedule of Plans.

Dated:
17.11.2022

Wendy McCorriston
Development Management Manager

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

Signature:



DATA LABEL: PUBLIC

The council in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 (as amended) refuses planning permission for planning application 0714/FUL/22, for the reason(s) set out as follows:

- 1 Taking into account the context of the site and surroundings, a commercial business of this nature is incompatible with the current residential land use and results in an adverse impact on the residential and environmental amenity of the area. There is inadequate parking provision provided within the site or off-site provision within the street. The development is contrary to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy.

ADVISORY NOTES TO DEVELOPER

How to challenge the council's Decision

If your application was determined under delegated powers as a local application by an officer appointed by the council and you disagree with the council's decision on your application, or one or more of the conditions attached to the decision, you can apply for a review by the council's Local Review Body. If the application was heard at a committee and in any other case you can seek an appeal of that decision to the Government's Directorate for Planning and Environmental Appeals. You can find information on these processes and how to apply for a review, or to appeal, here: <https://www.westlothian.gov.uk/article/33128/Decisions-Reviews-and-Appeals>

If the decision of the council is overturned by the Local Review Body or the Directorate for Planning and Environmental Appeals, the developer of the land should be made aware of the following notes.

Notification of the start of development

It is a legal requirement that the person carrying out this development must notify the planning authority prior to work starting on site. The notification must include full details of the name and address of the person carrying out the development as well as the owner of the land and must include the reference number of the planning permission and the date it was granted. If someone is to oversee the work, the name and contact details of that person must be supplied. The relevant form is available online on the council web site under Planning and Building Standards. Please ensure this form is completed and returned accordingly.

Notification of completion of development

The person who completes this development must, as soon as practicable after doing so, give notice of completion to the planning authority. The relevant form is available online on the council web site under Planning and Building Standards. Please ensure this form is completed and returned accordingly.

Contaminated land procedures

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease and the issue shall be reported in writing to the planning authority immediately. The developer is required to follow the councils Supplementary Planning Guidance Development of land potentially affected by contamination. This document provides developers and their consultants with information on dealing with the planning process in West Lothian when development is proposed on land which is suspected of being affected by contamination. This document and further guidance is provided via the Councils web pages at <https://www.westlothian.gov.uk/article/34731/Contaminated-Land>

Liaison with the Coal Authority

As the proposed development is within an area which could be subject to hazards from current or past coal mining activity, the applicant is advised to liaise with the Coal Authority before work begins on site, to ensure that the ground is suitable for development.

Any activities which affect any coal seams, mine workings or coal mine entries (shafts) require the written permission of the Coal Authority. Failure to obtain such permission constitutes trespass, with the potential for court action. The Coal Authority is concerned, in the interest of public safety, to ensure that any risks associated with existing or proposed coal mine workings are identified and mitigated.

*To contact the Coal Authority to obtain specific information on past, current and proposed coal mining activity you should contact the Coal Authority's Property Search Service on 0845 762 6848 or at **www.groundstability.com**.*

Advisory note to developer - General

Please note that it is the developer's responsibility to ensure that all relevant consents and certificates are in place prior to starting work on site and that it is the developer's responsibility to speak with service authorities to ensure safe connection is possible to allow the development to proceed.

Annex 1, Schedule of Plans - 0714/FUL/22

Docquetted Number	Drawing Description
1	Location Plan
2	Photos



DATA LABEL: PUBLIC

HANDLING REPORT

Ref. No.:	0714/FUL/22	Email:	lucy.hoad@westlothian.gov.uk
Case Officer:	Lucy Hoad	Tel No.:	
Ward:	Bathgate	Member:	Cllr Willie Boyle Cllr Harry Cartmill Cllr Tony Pearson Cllr Pauline Stafford

Title	Erection of summer house, huts and small storage room (in retrospect) and operation of a small pet business(Grid Ref: 298341,668458) at 11 Stevenson Terrace, Bathgate, West Lothian,EH48 1DJ
Application Type	Local Application
Decision Level	Delegated List
Site Visit	28.10.2022
Recommendation	Refuse Permission
Decision	Refuse Permission
Neighbour Notification	Neighbour notification procedures have been carried out correctly - case officer verification. YES
Advertisement	
EIA Screening	Does the development require EIA screening - No

Description of Proposals

Erection of summer house, huts and small storage room (in retrospect) and operation of a small pet business

Representations

This is a summary of the representations received. The full documents are contained in the application file.

Objections have been received from neighbouring properties with regard to a loss of amenity. The main points raised include noise, odour, vermin, increase in traffic, lack of parking, and road safety.

Consultations

This is a summary of the consultations received. The full documents are contained in the application file.

Consultee	Objection?	Comments	Planning Response
Environmental Health	No	Waste Management Plan required to be agreed. Limit to numbers and types of animals. Restriction to times and days of operation	Noted
Transportation	No	No parking provision May raise traffic issues	Noted

Policies Considered

Policy Title	Policy Text
DES1 - Design Principles	<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. Development proposals which are poorly designed will not be supported. When assessing development proposals, the developer will be required to ensure that:</p> <ul style="list-style-type: none"> a. there is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity; b. there is no significant adverse impact on landscape character, built heritage, habitats or species including European sites, biodiversity and Protected Species nor on amenity as a result of light, noise, odours, dust or particulates; c. the proposed development is accessible for all, provides suitable access and parking, encourages active travel and has no adverse implications for public safety; d. the proposal includes appropriate integrated and accessible infrastructure, open space, green infrastructure and landscaping; e. sustainability issues are addressed through energy efficient design, layout, site orientation and building practices; f. the development does not result in any significant adverse impact on the water environment as required by the Water Framework Directive and related regulations and as appropriate, mitigation to minimise any adverse effects is provided; g. there are no significant adverse effects on air quality (particularly in and around Air Quality Management Areas), or on water or soil quality and, as appropriate, mitigation to minimise any adverse effects is provided; and h. risks to new development from unstable land resulting from past mining activities are fully assessed and, where necessary, mitigated prior to development. <p>Where appropriate, developers will be required to produce masterplans, design statements and design guides in support of their proposals. Development proposals must also accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance.</p>

Officer Assessment

11 Stevenson Terrace is a part of a flatted development (4 in a block) situated within a residential housing scheme in Bathgate (outwith Conservation Area). The flat has a small front garden with single off road parking space and narrow back garden. The street is a cul-de sac with turning head.

The application seeks consent for the erection of outbuildings within the rear garden and operation of a small pet business. The application is retrospective. The outbuildings are located at the northern edge of the garden site, a long narrow strip of grass. In terms of design the buildings are modest in size, and do not raise concerns in terms of impact on visual amenity within the wider street scape.

The animals to be boarded on site include rabbits, guinea pigs, hamsters and rats. The applicant confirmed that the average number of animals she would keep is 15 (summertime) and that the total that could be boarded was 18. She stated that most weeks she has no guest pets.

Complaints were received as to disturbance from visitors locating the site and noise stemming from dog barking during drop off/picks. The applicant confirmed that the dogs were her own and not related to the business use of the site.

In the event of an approval the EHO advised that the type and maximum number of animals that could be boarded could be restricted by condition taking into account the size of the sheds. A one year consent could be applied to monitor the business and impacts on amenity. The EHO also advises that animal drop off and picks up be restricted to certain times of the day 1000-1200 and 1600-1700 Mon to Friday, 1000-1200 on a Saturday and none on a Sunday. However it should be noted that whilst setting drop off and pick up times might improve the noise situation it may make the traffic issue worse. A waste management plan would require to be agreed with the Planning Authority.

Transportation advises that the street has limited on-street parking for residents. To allow a business to operate could increase the amount of traffic on the street that normally parks. There is no additional parking provided for customers and this has the potential to lead to issues with parking.

On balance, taking into considerations the context of the site and surroundings, and the issues raised by neighbours, as well as consultee comments, a commercial business of this nature is incompatible with the current residential use and is likely to impact negatively on the residential amenity of the surrounding area.

The application is therefore contrary to Policy DES1 (Design Principles) and it is recommended that the application be refused.

Conclusions and Reasons for Decision

Taking into account the context of the site and surroundings, a commercial business of this nature is incompatible with the current residential land use and results in an adverse impact on the residential and environmental amenity of the area. There is inadequate parking provision provided within the site or off-site provision within the street. The development is contrary to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy and it is recommended that this application be refused planning permission.

List of Review Documents

Drawings schedule:

Docquetted Number	Drawing Description
1	Location Plan
2	Photos

Other relevant documents:

West Lothian Local Development Plan, 2018;

Case Officer: Lucy Hoad Date: 17/11/2022

Planning Consultation Response

Our reference: LP/180143
Direct Dial: 01506 282 373
Email: lynn.parsler@westlothian.gov.uk

6 October 2022

Environmental Health & Trading Standards
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

Tel: 01506 280000

Environmentalhealth@westlothian.gov.uk
Tradingstandards@westlothian.gov.uk

For the attention of Ms Hoad

West Lothian Civic Centre
Howden South Road
Howden
Livingston
EH54 6FF

**Environmental Health &
Trading Standards Manager**
Craig Smith

PREMISES: 11 Stevenson Terrace, Bathgate **Planning Consultation Response 0714/FUL/22**

I refer your consultation of 23/09/2022 regarding this application.

Environmental Health has no objections to make on the application.

I have reviewed the application and would make the following observations on behalf of Environmental Health.

Observations on Planning Application

1. Noise

- The development has the potential to cause noise nuisance during its operation, which will require to be effectively controlled;

2. Lighting

- Lighting associated with the proposed development has the potential to cause a nuisance to surrounding properties.

3. Odour

- The development has the potential to create odour nuisance during operation, which will need to be effectively controlled.

4. Waste

- The development has the potential to create nuisance during construction from litter and windblown debris, which will need to be effectively controlled.

Recommendations on Planning Application

If the application is granted, I recommend the following conditions:

5. Only small animals shall be boarded at the premises i.e. rabbits, guinea pigs, rats and hamsters;

6. The maximum number of small animals to be boarded at any one time should be specified in a planning condition, once a site visit has taken place to establish the size of facilities etc.
7. Animal drop off and pick-ups should be restricted. For example they should only take place between the hours of 10am-12pm and 4-5pm Monday to Friday, 10am-12pm on a Saturday and at no time on a Sunday;
8. No waste produced by the business should be burned on the premises at any time, in the garden or in a log burner within the property. It is not a suitable means of disposing of business waste;
9. The applicant must provide details to the planning authority with regard to the storage and disposal of business waste from their activities. This shall be agreed in writing with the planning authority. The current waste disposal arrangements are not satisfactory;
10. At no time shall any waste from the business be disposed of in the garden of the premises, by means of composting, burning etc;
11. At no time shall any wash water from washing out enclosures or cages be disposed of in the garden of the premises – in order to prevent odour at neighbouring properties;
12. It is recommended that the permission granted shall be temporary for a period of one year. This is to establish whether the business can operate without causing an impact to nearby receptors in this residential area;

Should you wish to discuss the matter further, please contact me.

Yours faithfully

Lynn Parsler
Environmental Health Officer



OPERATIONAL SERVICES
ROADS & TRANSPORTATION
DEVELOPMENT MANAGEMENT & TRANSPORTATION PLANNING

ROADS & TRANSPORTATION CONSULTATION RESPONSE TO PLANNING APPLICATION

This proposal is (tick as appropriate)		Signing Off	
Acceptable without conditions	<input checked="" type="checkbox"/>	DM & TP Officer Roads & Transportation	Chris Nicol
Acceptable with conditions noted below	<input type="checkbox"/>	DM & TP Manager Roads & Transportation	
Not acceptable & should be refused	<input type="checkbox"/>	Date Issued to Development Management Officer	17 October 2022
HOLDING OBJECTION – The application is not acceptable in current format and applicant requires to submit additional information to enable the proposals to be fully assessed.	<input type="checkbox"/>		

Recommendation & Proposed Conditions	<p>From a Roads & Transportation view, this application is approved no conditions</p> <p>Note: To operate a business from a residential property usually requires sufficient parking spaces for customers, however this type of business appears to be restricted to limited amount of customers arriving and departing at any one time. It would appear that this is no different to visitors to a residential property. The difficulty for this location is that the street has limited on street parking for residents, no specific parking and at the property there is a turning area. To allow a business to operate could increase the amount of traffic in the street that normally parks. If the business is ancillary to a residential property then I don't have an issue but if the business is classified then there is no additional parking for customers and so could cause traffic parking issues.</p>
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DM Case Officer	Lucy Hoad	Applicant	Ms Susan Turnbull
Application Ref	0714/FUL/22	Date Issued	26 September 2022
Proposal	Erection of summer house, huts and small storage room (in retrospect) and operation of a small pet business		
Location	11 Stevenson Terrace, Bathgate		

Legislation & Guidance Applicable (tick as appropriate)	Constraints (tick as appropriate)
Roads (Scotland) Act 1984 <input checked="" type="checkbox"/>	Public Footpath / Rights of Way <input type="checkbox"/>
Designing Streets <input type="checkbox"/>	Core Path Plan <input type="checkbox"/>
SCOTS National Roads Development Guide <input type="checkbox"/>	<input type="checkbox"/>
SUDS for Roads <input type="checkbox"/>	Control of Advertisements (Scotland) 1984 <input type="checkbox"/>
Sewers for Scotland <input type="checkbox"/>	Residential Development Guide 2018 <input type="checkbox"/>

Site Description	Existing residential property
Quality Plan	N/A
Road Safety Audit	N/A
Transport Assessment or Statement	N/A
Does the red line boundary reach the adopted public road	Yes
Is there a footway or footpath connecting the site to the existing adopted road network	Yes
Drawings & documents assessed	Location Plan Submitted Plans Outbuilding structures
Does Road Layout comply with WLC Standards	Yes
Does Parking comply with WLC Standards (including disabled provision)	No additional parking provided or able to provide
Sightline Requirements	N/A
Do the proposals affect any existing TRO's (e.g) waiting restrictions, speed limits) or bus stop locations	No
Do the proposals affect any Core Paths, NCR's or Rights of Way	No
SUDS Details	

Site History including any previous planning applications	

ROADS & TRANSPORTATION MANAGER
Operational Services
Whitehill Service Centre
4 Inchmuir Road
Whitehill Industrial Estate
Bathgate
West Lothian
EH48 2EP

Comments for Planning Application 0714/FUL/22

Application Summary

Application Number: 0714/FUL/22

Address: 11 Stevenson Terrace Bathgate West Lothian EH48 1DJ

Proposal: Erection of summer house, huts and small storage room (in retrospect) and operation of a small pet business

Case Officer: Lucy Hoad

Customer Details

Name: Mrs Gillian Pollard

Address: 12 Stevenson terrace Bathgate EH481DJ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Site address 11 Stevenson Terrace

Bathgate

West Lothian

EH481DJ

From Mr Mrs R Pollard

12 Stevenson terrace

Bathgate

West Lothian

EH481DJ

Note of objection to 0714/ful/22

29/09/2022

My husband Ramon Pollard and myself Gillian Pollard would like to object to this business planning application.

After nearly 4 years living with this very busy business which we were told by Susan Turnbull she had permission from West Lothian Council this claim was made to her lawyer who then made us aware of it. We were informed by Hannah Bennie from West Lothian Council that no permission was required for a small business we are unaware of what constitutes as a small business. Is there a difference of not requiring a small business to seek permission and a small business in result of having permission.

Concern is the parking, being in an old part of Bathgate in a street which is a cul-de-sac and is not wide enough to take 2 vehicles results in people park on the footpath. This is exacerbated by a continuous stream of vehicles dropping off and picking up small pets at the end of the cul-de-sac through out the day and evening.

She is operating the business from her back garden and despite the fact that the back garden comes out onto barrie terrace she continues come through my garden which she claims as right of access. This results in a continuous stream of customers. Customers that continuously knock on my door and occasionally have walked into my home looking for the business. This can happen late at night or early morning.

All over the very bad covid period when she could start her business back up she never put any covid measures in place to which when I asked her to do something about full families come through the access she did nothing and encouraging them. No hand sanitiser at my gates, nothing was ever sanitised, I asked her about this she did nothing. I asked her about drop off and a pick up system in her front garden, and use of her front door and her back door to enter her garden, she did nothing. I worked all through the pandemic as a key worker and stayed safe. I did not want to go home and catch it there, again she did nothing.

She has 2 dogs and a cat of her own and the noise from the dogs every time a customer drives up to the house the dogs bark is pearcing which causes noise disturbance. But this is not just customers the dogs bark at anyone entering through the access. Also when they are in the back garden everytime I walk passed they bark and gives me a fright. The dogs when the business is very busy they are never walked and they use the back garden for there toilet. Along with the small pets in the back gardening the urine oder comes over to our garden.

Along with the urine smell coming from all pets she then bring out and washes the cages that she keeps in a large delappadated summerhouse. There are also 3 other delappadated huts that are full of supplies or used for the business. We are extremely concerned about the vermin we have witnessed and the attraction of scattered food and old insecure buildings that are an attraction to rats.

The cages are washed in the garden then all dirty water is poured onto the ground in the garden and this also smells. In the winter months she will bring the animals indoors which is even more disturbing.

The view we have from our home is of the mess from this business. The garden is one large toilet the leaves the grass all stained from her dogs and customers small pets.

The constant banging of the back door over the last 4 years she has been running this business is a stressful grind on every day life. The business has been very busy with up to 30 pets in the garden at any one time, coming and going of customers the back door is banged shut in and out

all day. This is despite the title deeds stating that no Rabbits, chickens, bees or other small animals are allowed.

The garden light goes on everytime at night when she is out attending to the small pets, this can be as late as 11:30pm. Now she has a strobe flashing light that goes off all night from 9pm and it lights up my kitchen bathroom and back bedroom so I can not sleep in this bedroom. We then moved into the front bedroom and the noise from the customers and barking dogs cause sleep disturbance.

We felt very strongly that this business, whether it is defined as small or not, is having a serious depremental effect on the amenity of our home. This is regardless of whether we are trying to enjoy the use of our garden or looking to have a quite night in our own home. Where these small animals may in themselves be cute and cuddly the continuous assault on our senses is a continual drain.

This matter is of greater impact as a result of my husbands poor health conditions which sees him confinded to the house most of the week.

The continuous disturbance from the operation of the business in dealing with customers, personal disturbance and noise has become unbearable resulting in stress that is effecting our whole way of life.

We have sent evidence to Lynn Pasler from Environmental Health.

We object strongly on the loss of amenity to this planning application.

Signed Ramon Pollard Gillian Pollard
29/09/2022

From: [Planning](#)
To: [Hoad, Lucy](#)
Subject: FW: Reference 0714/FUL/22 - [OFFICIAL]
Date: 28 September 2022 09:33:42

DATA LABEL: OFFICIAL

From: Natasha Armstrong
Sent: 28 September 2022 09:11
To: Planning <Planning@westlothian.gov.uk>
Subject: Reference 0714/FUL/22

hi to whomever it may concern

Me and my partner have not long moved into the property of 13 stevenson terrace as a temp tenancy. We received a letter regarding notice of an application for planning permission for the property of 11 Stevenson terrace, Bathgate, West Lothian, EH48 1DJ. I'm not sure if mine and my partner's comments will be taken into consideration due to us only being temporary tenants but I am happy to still comment on this application.

For the application for planning permission for 11 Stevenson terrace the person of this property seems to already have what has stated on the application as follows (Erection of summer house, huts and small storage room (in retrospect) and to operate a small pet business. I'm able to see the summer house and the huts in the residents back garden from my temporary property to which have been there since myself and my partner moved in on the 15.08.2022. My main concern of this is the resident of the household of 11 Stevenson terrace is already operating a business as there is always dogs constantly barking and cars being parked outside of the property and people going in and out from the property. My worry is we have a 4 year old child and we are worried an accident could happen with the amount of cars that are coming to and from this property and being parked in places they shouldn't be. So we are therefore having to take extra precautions ensuring we go out with our son when he wishes to go out and play in case he gets out the gate and an accident occurs as there is no permitted car parks or car parking spaces on the street.

kind regards

West Lothian Council - Data Labels:

OFFICIAL - Sensitive: Contains Personal or Business Sensitive Information for authorised personnel only

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

🔄 **SAVE PAPER - Please do not print this e-mail unless absolutely necessary.**

Good morning
Council

Just short of 5 years, Miss Turnbull opened a small pet business, which she ran from her back garden and her house. Never at any point did she come and inform us of this. These small pets on out titles deeds are prohibited, and I was upset to see up to 27 of these small animals in her garden and kept in her summer house overnight. This pet business is also run over Christmas where the pets were being dropped off at 7:30 a.m., disturbing when it was my day off and they were kept in her house. Before covid, the pet business was run on her return from work, which she did Monday to Friday. The business was run Monday to Sunday. We only asked her to keep the dogs under control and to stop banging doors.

She started working from home when covid came, and she still works from home now. This is when the business grew, and on her website, that is still running, and states business hours 8am to 8pm. As well as doing her full-time job. This gave customers all-day access, which she did all day long. She would put small pets out in the runs in the back garden, and she would also cut the grass when new customers were coming for a look at the business and also hang out of her washing, she even had time to have chats that would last more than 30 minutes at times. Also, the washing of all the cages she did this on a Sunday, and she would pour the dirty water onto the stones in her garden just next to the fence. This is what I smell in my garden.

3 years ago, my husband had an accident, and with her small business growing, it was affecting him.

When covid came, the business closed, and we appreciated the break from customers passing our door or coming up our stairs or chapping the door early in the morning or late nights.

I was a key worker all through covid, and with my husband classed as vulnerable, I had to stick to guidelines to keep my husband safe. I would strip at the inside of my front door and have a shower before I could go near my husband. I also kept all handles sanitised. This was also the garden gates and handrails coming from my car to my home as there is shared access. Miss Turnbull never put any covid measure in place. When asking her to do so, I would receive a letter from her lawyer stating that she had rights and I could not stop her right over the access.

Before covid was lifted, we had organised for a new bathroom to be fitted, so when we got the green light to go ahead, the fitters came, but unfortunately, there was an accident with water which affected Miss Turnbull house. The company informed her they would come and fix all the problems. She refused the work, and the last we know of this, she was taking them to a small claims court.

This is when all my problems started with her. She stopped my access to wash windows. She stopped me from painting the fence up the centre of my garden. She would constantly come to my door about water coming out of the roof. I painted the small wall at the side of my door after telling us it was all good she took me to a small claims court which she was awarded a small amount of money but no where near what she asked for. She has still not completed all the work.

Both parties agreed to replace gutters, but when it came to payment, she refused to pay the £500.

There is an ongoing court dispute that she has instigated. All in the hands of our lawyers.

Since the West Lothian Council closed her business for being in breach of planning. My husband and I are enjoying the peace from the business, no more doors banging, and very few times. Do we hear the dog barking.

We do not want this business to return as it was affecting our daily use of our garden, which I enjoy as being a full-time care for my husband and working this is my sanctuary for me time as I enjoy my plants. There is a small problem with a small bit of land which when we moved into this house Miss Turnbull informed us that it was ours and when I checked my deeds it was not clear but she said it was and some council workers that were attending next door said it was mine also my councillors.

So I renewed the fence, and the post replaced the slab and put slate down. This was at a cost of around £100. This was done 4 years ago. Then, when the court case was being resolved, Miss Turnbull and her son instigated more problems, and the court case now continues.

This all has taken a toll on our daily living. Please don't let this business come back. I have attached some photos. A few of before and after shots of my garden and the ones with burnt grass is her garden and also her website. I do have film of her attending to the small pet after 10pm but it will not send and if her emptying the dirty water. It is too long to send can come and show it to you.

Received from Gillian Pollard via email on 1 December 2022 at 11.20am



10:42

 84%

5

Thumper and Squeak

Small Pet Boarding

5.0 ★★★★★ (3) ⓘ

Pet boarding service in Bathgate, Scotland · Open

Overview

Reviews

Boarding

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DIRECTIONS

SHARE

WEBSITE

Stevenson Terrace, Bathgate EH48 1DJ

Thursday

8am–8pm

Friday

8am–8pm

Saturday

11am–6pm

Sunday

Closed

Monday

8am–8pm

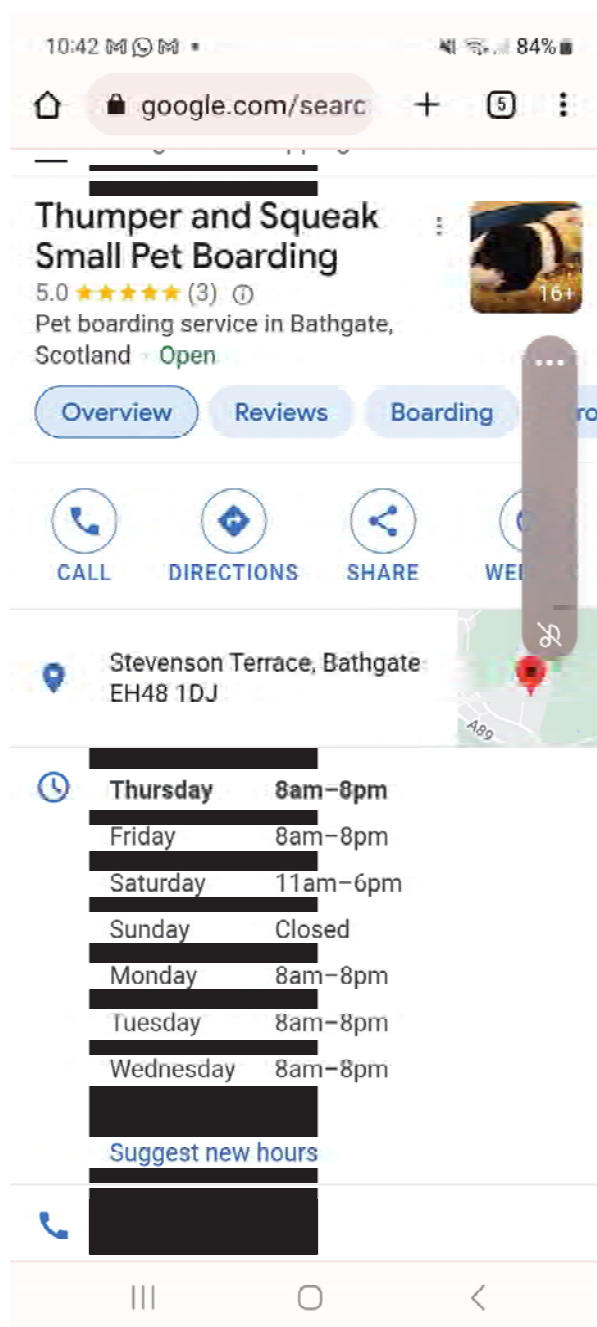
Tuesday

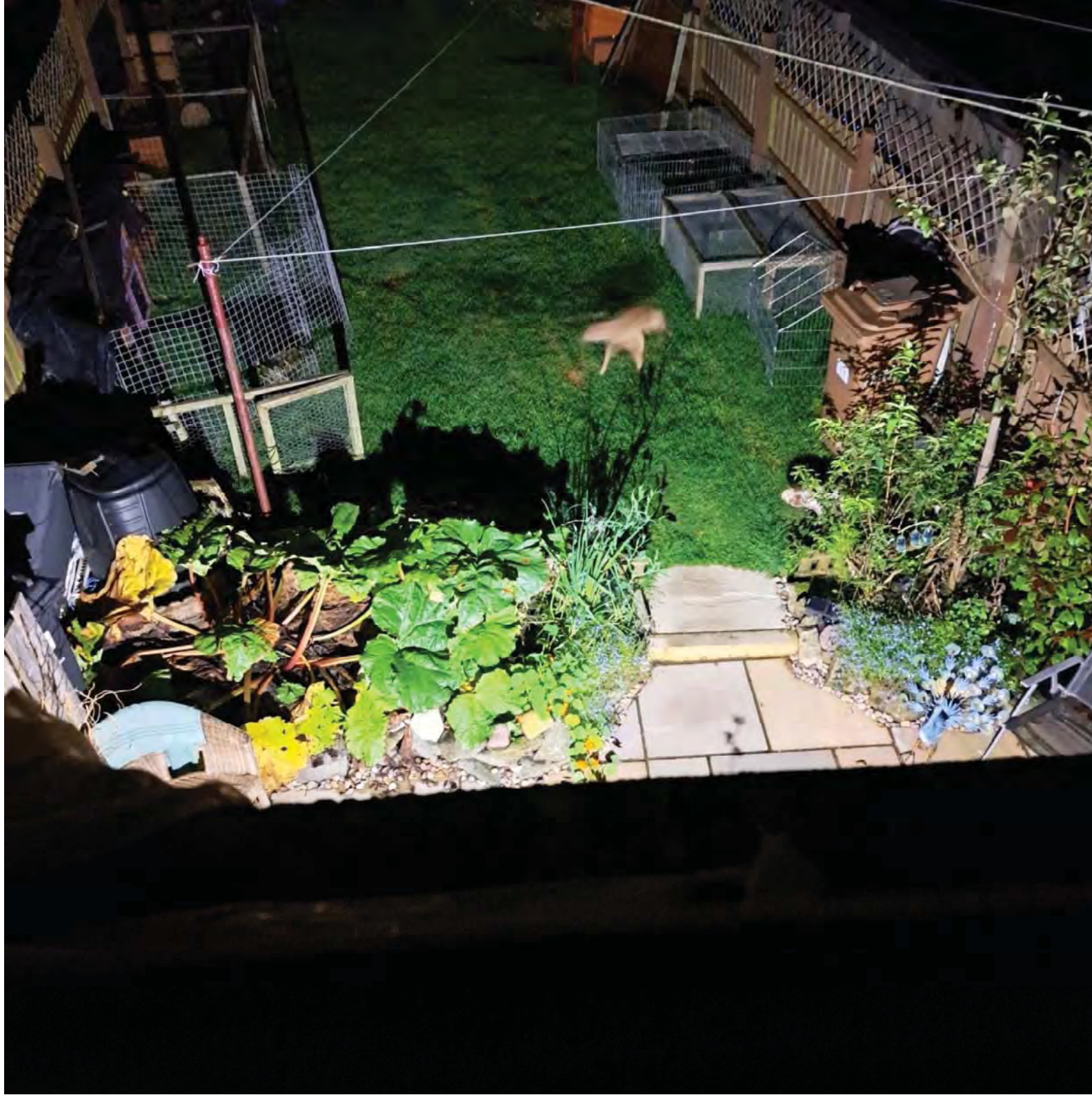
8am–8pm

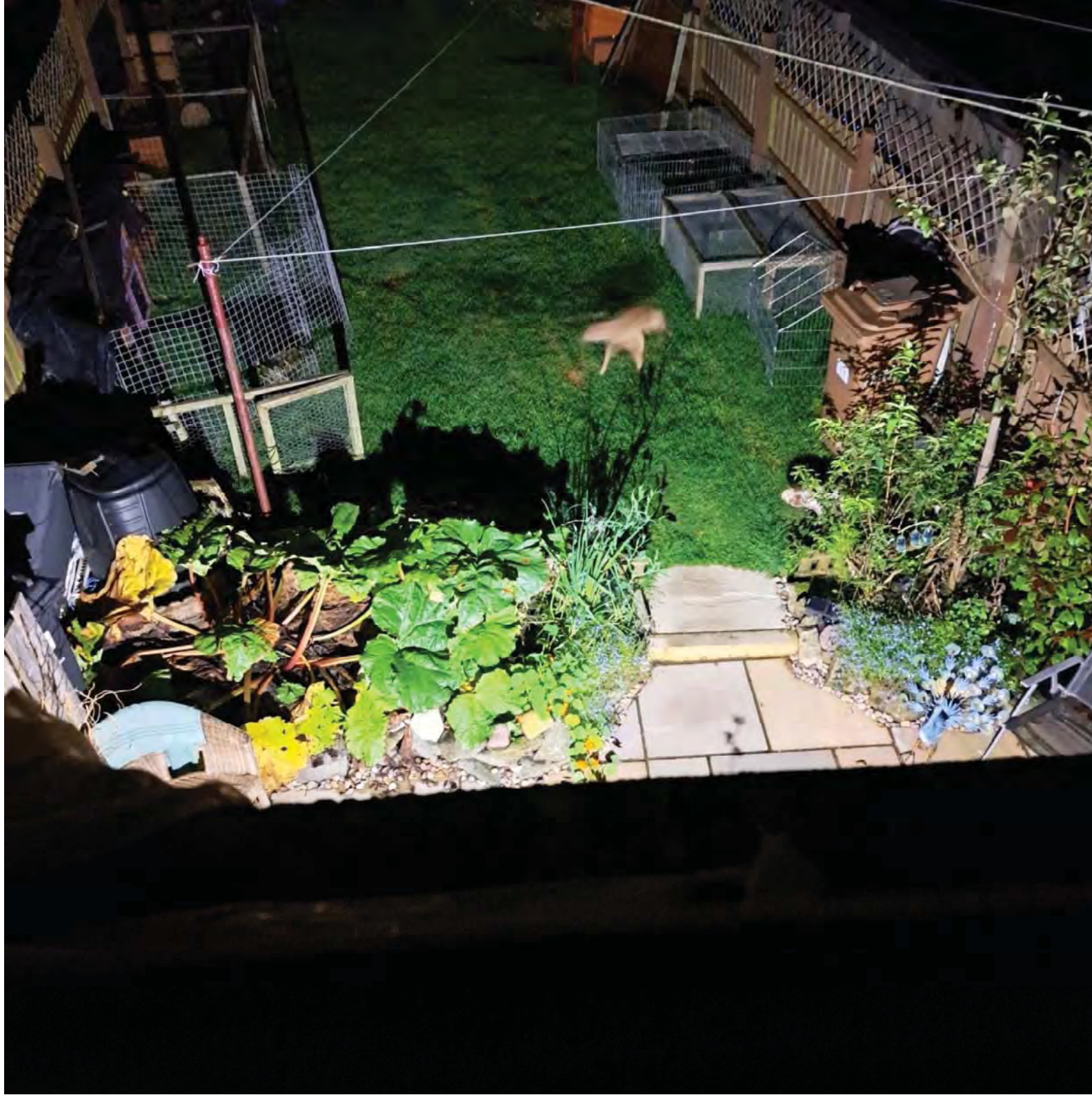
Wednesday

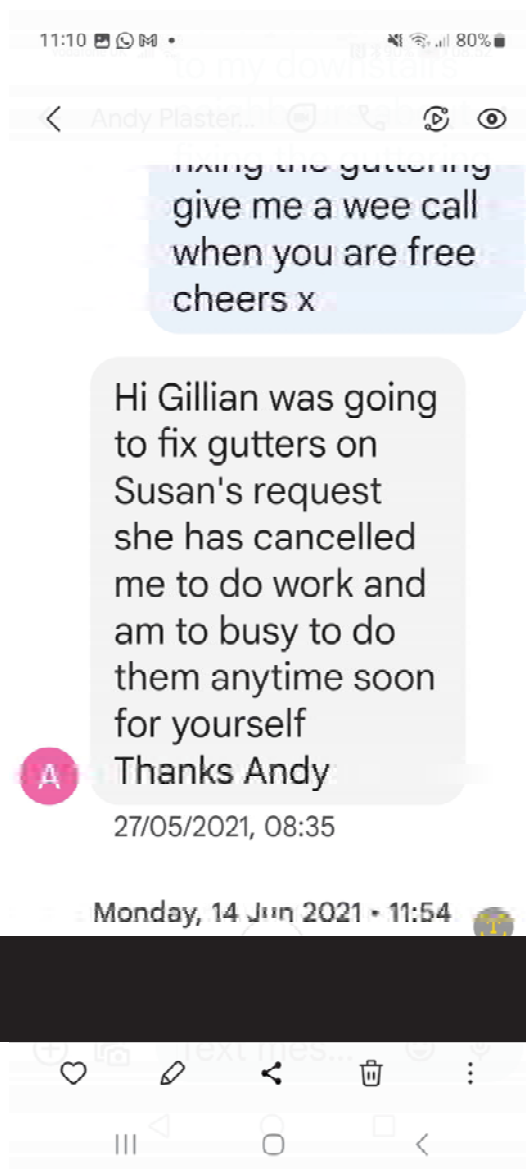
8am–8pm

[Suggest new hours](#)



















Val (received via email on 1 Dec 2022 at 22:48)

Most of this is not true or greatly exaggerated. Gillian and Ramon have not lived in Stevenson Terrace for 5 years, they had no objections to my business for over 2 years and in fact Gillian shouted to my neighbour at no 9 when my friend's baby bunny got loose but was still in my garden for him to help. As for the title deeds, her defective gutters are not as our title deed state and I have asked Planning since I started my business, plus I do not keep but board. I have never had 27 guests at any time. I have once had someone drop off early but as I am complying with environmental health this won't be again. My dogs have never been out of control one is very elderly with sight and hearing issues. Gillian has "borrowed" her son or daughter's dogs and let them run loose on my right of access not in her large enclosed garden to deliberately intimidate.

Door banging, they were told my old wooden doors were hard to shut in wet weather and Ramon had no issues and I told them they would be replaced which was over 2 years ago, my doors have never had to be banged shut since. We live in a 4 in a block and I can hear the other 2 doors close as I do Gillian's at approx 4.45am when she leaves for her work. But no doubt all doors in this block are mine closing. I would understand if my children were still young and running in and out. My business has never grown by much and cannot due to me working full-time. Clients do not have all day access and have time slots to attend in when I am at break from my work. Yes I advertise hours until later at night but as I informed Planning I answer emails and messages in those time but again drop off etc. Are by appointment only. I on advice from Environmental health will be taken their advice on hours of operation i.e drop off and pickups. My business is / was my stress relief when I fell into a deep depression and aided my recovery after I have been fighting a tumor for over 7 years and a bad breakup.

Am I not allowed to hang my own washing out now? I cut grass after my main work and no clients have ever stayed 30 minutes chatting as they are usually rushing to catch their flight. This is disturbing that I am being observed and timed. As my hours of work for my main employment how does Gillian know when I am at my office or home? I walk to my office and she is at her work at that time. Again stalking behaviour?

The Washing of cages was not solely on a Sunday and was with clean water with no smells. Again I have stopped this to comply with Lynn from Environmental health.

Ramon's accident was when he was left by Gillian when she went on holiday in which myself and my elderly neighbour had to assist Ramon as he fell out the door due to drink and badly administered medicine. Ramon had no issues with my business even shouting on me when my deliveries came when I was out my back garden. She has left him this year also so he cannot be as ill?

No one from my business has chapped their door and certainly no one would even go into their house. I meet new clients and they are given clear instructions what way to come, park and to be mindful to shut their gate. I have proven in court this is my rightful access which Gillian still after solicitors letters disputes, she even cable tied the gate to stop me putting my bucket out. The police have been involved many, many times.

Gillian has never approached me regarding Covid procedures and people do not go into her house but by her door when she lives upstairs. I had procedures in place with hand sanitiser for my guests to use and they wore face masks, Gillian did not and often approached me shouting angrily with no mask on, even when I had my grandchildren staying.

Since the school term dates in October I have had no guests booked in until later this month which I have had to cancel. As stated before I do not have guests boarding all days, weeks or

months. Mainly on school holidays. This has been so since I opened in 2018. My dogs never barked when any guest arrived using my legal right of access to my back garden as they never saw them arrive or leave. They did bark however when guests were forced to come to my front door due to abuse from Gillian or her having her son or daughters dog running lose on this access path. As I have had dogs for nearly 17 years I am sure my other neighbours in this block would have complained if they were barking excessively by now?

Gillian and Ramon when they signed a promise to court that they would stop being abusive to me, my family and guests told my then solicitor they have had a fence built surrounding their back garden where they can enjoy their garden without seeing me or any activities within my garden. Yet they now do not sit in said garden but on the small section of land which is my right of access.

The rest which is no relevance to my business and should not be mentioned as an excuse for business objections are as follows:-

Her bathroom was installed when still in a full lockdown, I have the dated Scottish Water report this was when no workmen were allowed in houses. Proving Gillian's Covid measures were when it suited her. When their plumber burst a pipe he tried to force his way into my house where my son stopped him as I had not long had a biopsy at hospital and was recovering. Gillian and her son also tried to come into my house. Her contractor has not paid for damages.

I never stopped access to Gillian for washing her windows but was not leaving my back gate unlocked all day as she wanted. I revoked permission for her painting my fence as she change the colour I had painted my fence to grey not brown then overloaded her brush resulting in my side of my fence having many grey marks and splashes etc. Even my grandchildrens toys were marked which were not that close to the fence. When I approached Gillian re my fence I was shouted at and told to get a life. I went to court and was awarded compensation for damaged to my front, and back fences and my walls. Gillian was quite rude and abrupt in court not wanting to pay for any damages. She even cut my washing line with my washing on from the communal pole claiming it was hers again after 2 year of me using it after they moved in. I have had to install cameras at the front and back of my house and one on my dogs due to constant damage to my property and lies re my dog barking etc.

As for the gutters, Gillian told me in front of my sons that she was having them ripped out and I had to inform her that they were communal and owned by me too. I also said I did not wish the gutters replaced but repaired. She then proceeded to later without consulting me, or providing a quote from contractors to have them replaced then afterwards posting a letter to say if I wish I could contribute. My solicitor now has this and other such letters. I was given no receipt and have been constantly shouted at even in front of my grandchildren by Gillian demanding money.

The section of land Gillian claims she replaced a fence and put new slabs down again she never seeked legal advice as the court and my solicitors have told her to do.

She is in breach of a court promise as she has again filmed me and taken photos. Her kitchen window overlooks my back garden which she obviously wants to see nothing but grass. In summer all dogs urine will mark grass unless I keep my garden unkempt. The photos Gillian has of my garden are from my dogs not my business's and therefore an irrelevant complaint. My summerhouse and sheds are not falling apart as Planning have saw. The felt on the roof requires some repair and obviously Gillian does not like to look down on a marked tarpaulin which now covers that.

The picture under my marked lawn is my older dog out for the toilet what relevance is this to my business. Gillian's husband Ramon gets up for toilet at night should I raise this or Gillian banging her front door on occasion when she leaves for work at 4.45am. Or indeed Gillian banging down at my granddaughter when she was being violently sick?

As for the gutters message I had contacted Andy as Gillian ignored my recorded letter re the defects in the gutters. I was going to pay to rectify a section which was flowing over my back gate but was advised not to due to them not being fitted by me. I was unaware that he was also communicating with Gillian.

The before and after of Gillian's garden is when all these issues with my business really started. Again for 2 years after they move it and when they still had their dog there was no issues with anyone using my legal right of access to my back garden. They then had their dog put down and Gillian started her improvements.

Gillian attended a court hearing yesterday 30th November at 10am which she was not happy at being told she had to lodge proper Defences and today she complies this letter again attacking my business. All this is harassment to get back at me for not letting Gillian do what she wants. She is not suited to life in flat. Her husband Ramon has had no issues with my business etc. He is a convenient excuse, which she has also used in court now twice.

I will be forwarding the attached from Gillian and my reply for evidence in court. None of my other neighbours have any issues and again neither did Gillian until I stood my ground re my property and my rights.

Gillian constantly filming me and timing me when I have friends visiting is borderline obsessive stalking.

The neighbours in the end block who live downstairs are also affected by Gillian's attitude as they now have their bins at their front door when they never use to. One neighbour has lived in the street for over 40 years and his bin was always at his back door.

The lack of parking, there is space for guests to park in front of my own driveway as there is never more than one arriving at any one time as they have said in their supporting emails along with there never being an issue with parking.

I feel that I should be allowed my appeal and adhere to Lyn from Environmental health advice. Then to be reassessed in one year which should prove if this is just one neighbour's vendetta or not.

Regards

Susan

Draft Conditions 0714/FUL/22

1. Part 1

Planning permission is granted for a period of one year from the date of consent.

Reason: In order to monitor and assess the effect of the operation of the development on the area in relation to the residential amenity of neighbouring properties.

Only small animals are to be boarded at the premises (rabbits, guinea pigs, rats and hamsters). The number of cages permitted on site shall be no more than ten, the siting and dimensions of which shall be submitted to, and agreed in writing by the Planning Authority within one month of the date of the consent.

Reason: To protect the residential amenity of neighbouring properties.

Drop off and pick up of animals shall be between the following hours only and exclude Sundays.

Monday – Friday 1000 -1200 and 1600 – 1700 hours

Saturday 1000 -1200

Reason: To protect the residential amenity of neighbouring properties.

No waste from the operation of the business shall be burned on the premises at any time, in the garden or log burner within the property.

Reason: To protect the residential amenity of neighbouring properties.

No development shall commence until the details of a waste management plan (storage and disposal) has been submitted to, and agreed in writing by the Planning Authority. Thereafter the operation of the business shall be carried out in accordance with the approved details.

Reason: To protect the residential amenity of neighbouring properties.

No waste from the business shall be disposed of in the garden of the premises by means of composting or burning

Reason: To protect the residential amenity of neighbouring properties.

No waste water from the business (cleaning of cages or enclosures) shall be disposed of in the garden of the premises.

Reason: To protect the residential amenity of neighbouring properties.