



LOCAL REVIEW BODY

APPLICATION NO.0242/H/22 – EXTENSION TO HOUSE AND ERECTION OF DETACHED DOUBLE GARAGE, OLD CLAPPERTON HALL, EAST CALDER

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 an extension to house and erection of detached double garage, Old Clapperton Hall, East Calder.

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 2 August 2022.
3. The Decision Notice, issued by the Appointed Person, dated 2 August 2022.

No representations to the application have been received. The council's Transportation Service, as a statutory consultee, have suggested that the proposal is acceptable without conditions; see attached for more information.

The applicant has stated in the review application that it is their opinion that the review would most appropriately be determined following a site inspection.

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 and does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020 as the proposed works do not integrate with the existing property in terms of scale and design and it was considered that the proposed works will appear dominant in relation to the dwelling to the detriment of the building's character and appearance

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



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 100544107-003

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Old Clapperton Hall"/>
First Name: *	<input type="text" value="Craig"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Young"/>	Address 1 (Street): *	<input type="text" value="East Calder"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="West Lothian"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH52 5PE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing	<input type="text" value="668874"/>	Easting	<input type="text" value="308694"/>
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Description of Proposal

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

Extension to house and erection of a detached double garage

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

See attached supporting statement.

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

Yes No

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

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

Original application drawings - 001 to 014 inclusive. Architects supporting statement Planning dept. decision notice Planning dept. report of handling

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

0242/H/22

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

30/03/2022

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

02/08/2022

Review Procedure

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

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

Yes No

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.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Site is unique in its secluded state and site context is relevant to make a valued assessment.

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Colin Gibson

Declaration Date: 21/10/2022

DESIGN SUPPORT STATEMENT V2

DATE OF STATEMENT : 21.10.22

SITE ADDRESS : Old Clapperton Hall, Broxburn,
EH52 5PE West Lothian
Grid Reference: 308694,668874

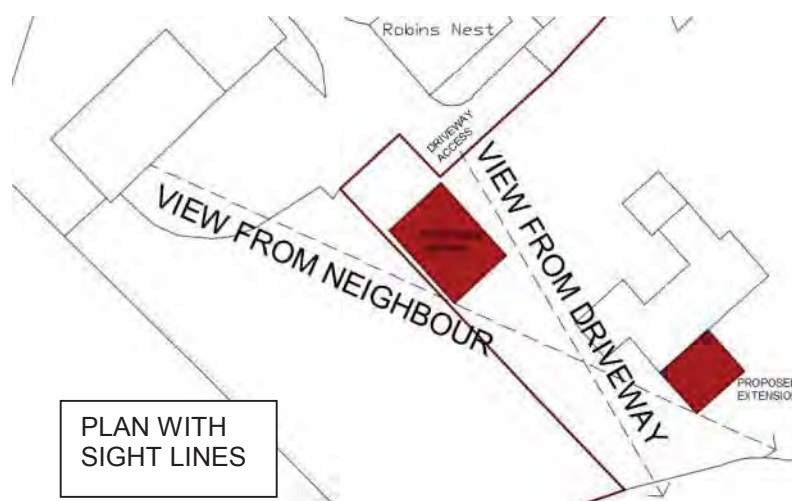
PLANNING APPLICATION REF : 0242/H/22

Brief Summary of works:

It is not our professional view that the proposed extension falls within the limiting guidelines set out in the following statement

Policy DES 1 (Design Principles) of the West Lothian Local Development Plan 2018 states that all development proposals will require to take account of and be integrated with the local context and built form. It also states there should be no significant adverse impact on adjacent buildings or streetscape in terms of scale, massing, design or amenity.

Primarily it is noted that no part of the proposed extension can be seen from any public road or footpath and is wholly within the site owned by our client. Any view from any direction into the site is restricted by heavily planted mature trees and shrubs and high natural stone walls of previous buildings which are retained on the boundary line. There is no public road or public footpath from where the rear of the property can be seen and there is no vantage point to view the proposed extension. Views of the proposed gable wall from the driveway access into the site is blocked by the existing house gable wall and existing single storey extension on the north west corner of the original house. There is no view from the adjacent neighbouring property.



The proposed materials are to be of a high standard with the use of natural stone to match the existing property of the existing house. The single storey extension is regarded as being subservient to the original house which has been extended several times with the most recent addition being a full width flat roof dormer. These have been approved by West Lothian Council and we see no reason why the addition of a further extension can not be approved. It is our opinion that the original house form is maintained and we do not agree that the proposed extension detracts or diminishes from the original house form. The SW proposed gable wall only is high to allow protection from weather/wind and it does rise higher than the existing eave line of the original house. Because of this it is additionally proposed that the original natural stone quoins will remain visible and the stone skew cope will remain in place to ensure that the original corner of the original house can be seen and unchanged. We are of the opinion that this will allow the original form of the gable wall to be seen clearly.



EXISTING SINGLE STOREY EXTENSION RESTRICTS VIEWS OF THE PROPOSED EXTENSION-1



EXISTING SINGLE STOREY EXTENSION RESTRICTS VIEWS OF THE PROPOSED EXTENSION-2



EXISTING VIEW OF REAR OF PROPERTY WHERE PROPOSED EXTENSION IS LOCATED



PROPOSED EXTENSION CAN NOT BE SEEN FROM ANY PUBLIC ROAD OR FOOTPATH DUE TO PROPOSAL BEING LOCATED AT REAR OF HOUSE



We do not agree that the proposal detracts from the original character of the original property nor do we agree that the works are visible and we request that this is taken into account and that the planning application refusal be overturned and the proposal approved in this instance.

For and on behalf of HLP ARCHITECTURE

SIGNATURE..... *hLp achitecture*



DATE.....**21 October 2022**.....



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 0242/H/22

PROPOSAL Extension to house and erection of a detached double garage

LOCATION Old Clapperton Hall, East Calder, West Lothian, EH52 5PE,
(GRID REF: 308694, 668874)

APPLICANT Mr Craig Young, Old Clapperton Hall, East Calder, West Lothian,
EH52 5PE

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:
02.08.2022

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 0242/H/22, for the reason(s) set out as follows:

- 1 The proposed works do not integrate with the existing property in terms of scale and design and it is considered that the proposed works will appear dominant in relation to the dwelling to the detriment of the building's character and appearance. This proposal is therefore contrary to West Lothian Local Development Plan, Policy DES1 (Design Principles) and the guidance given in the House Extension and Alteration Design Guidelines, 2020.

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 - 0242/H/22

Docquetted Number	Description	Drawing Number
1	Location Plan	2201-001
2	Site Plan	2201-002REVA
3	Floor Plan (Existing)	2201-003
4	Floor Plan (Existing)	2201-004
5	Existing Elevations	2201-005REVA
6	Existing Elevations	2201-006REVA
7	Site Plan	2201-007REVC
8	Floor Plan (proposed)	2201-008REVE
9	Floor Plan (proposed)	2201-009REVE
10	Proposed Elevations	2201-010REVD
11	Proposed Elevations	2201-011REVD
12	Sections	2201-012REVC
13	Proposed Elevations	2201-013REVB
14	Floor Plan (proposed)	2201-014

HANDLING REPORT

Ref. No.:	0242/H/22	Email:	lucy.hoad@westlothian.gov.uk
Case Officer:	Lucy Hoad	Tel No.:	
Ward:	East Livingston & East Calder	Member:	Cllr Damian Doran-Timson Cllr Carl John Cllr Danny Logue Cllr Veronica Smith

Title	Extension to house and erection of a detached double garage (Grid Ref: 308694,668874) at Old Clapperton Hall, East Calder, West Lothian, EH52 5PE
Application Type	Local Application
Decision Level	Delegated List
Site Visit	24.05.2022
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

Extension to house and erection of a detached double garage

Representations

None

Consultations

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

Consultee	Objection?	Comments	Planning Response
Transportation	No objections		

Policies Considered

Policy Title	Policy Text
DES1 - Design Principles	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. Development proposals must also accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance.

Officer Assessment

The property is a traditional detached stone cottage which sits in a large site within a small building group located in a rural estate. The property has been extended in the past to include small additions to north west elevation and box dormer to south east roof plane.

The application seeks to extend on the property on the south east elevation. The applicant was requested to reduce the footprint, mass and scale of the addition but no acceptable plans have been received to date.

This is a modest building with a simple form and layout. The addition is proposed to the south east elevation of the property extending out on the line of the existing gable. The expanse of the wall leading from the gable overwhelms the scale of the building and the applicant was asked to pull the development off the gable and align with the dormer. This would allow the existing gable to be read as such, with exposure of skews. Other suggestions made in order to break up the blank wall included provision of an opening and use of glazing or railings around the entire balcony rather than stone at the gable.

Whilst it could be argued that the large box dormer has an impact on the character and appearance of the property to a degree, the current proposals are out of keeping with the property in terms of mass and scale and are not visually acceptable. The overall effect of the development is one of dominance in relation to the appearance of the main dwelling.

Policy DES 1 (Design Principles) of the West Lothian Local Development Plan 2018 states that all development proposals will require to take account of and be integrated with the local context and built form. It also states there should be no significant adverse impact on adjacent buildings or streetscape in terms of scale, massing, design or amenity.

This proposal is contrary to policy DES1 (Design Principles) and the council's planning guidance House Extension and Alteration Design Guidelines 2020. It is recommended permission is refused.

Conclusions and Reasons for Decision

The proposed works do not integrate with the property in terms of scale and design and it is considered that the proposed works will appear dominant in relation to the dwelling to the detriment of the building's character and appearance. This proposal is therefore contrary to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide, 2020. It is recommended that this application is refused planning permission.

List of Review Documents

Drawings schedule:

Annex 1, Schedule of Plans - 0242/H/22

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1	Location Plan	2201-001
2	Site Plan	2201-002REVA
3	Floor Plan (Existing)	2201-003
4	Floor Plan (Existing)	2201-004
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9	Floor Plan (proposed)	2201-009REVE
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11	Proposed Elevations	2201-011REVD
12	Sections	2201-012REVC
13	Proposed Elevations	2201-013REVB
14	Floor Plan (proposed)	2201-014

Other relevant documents:

West Lothian Local Development Plan, 2018;

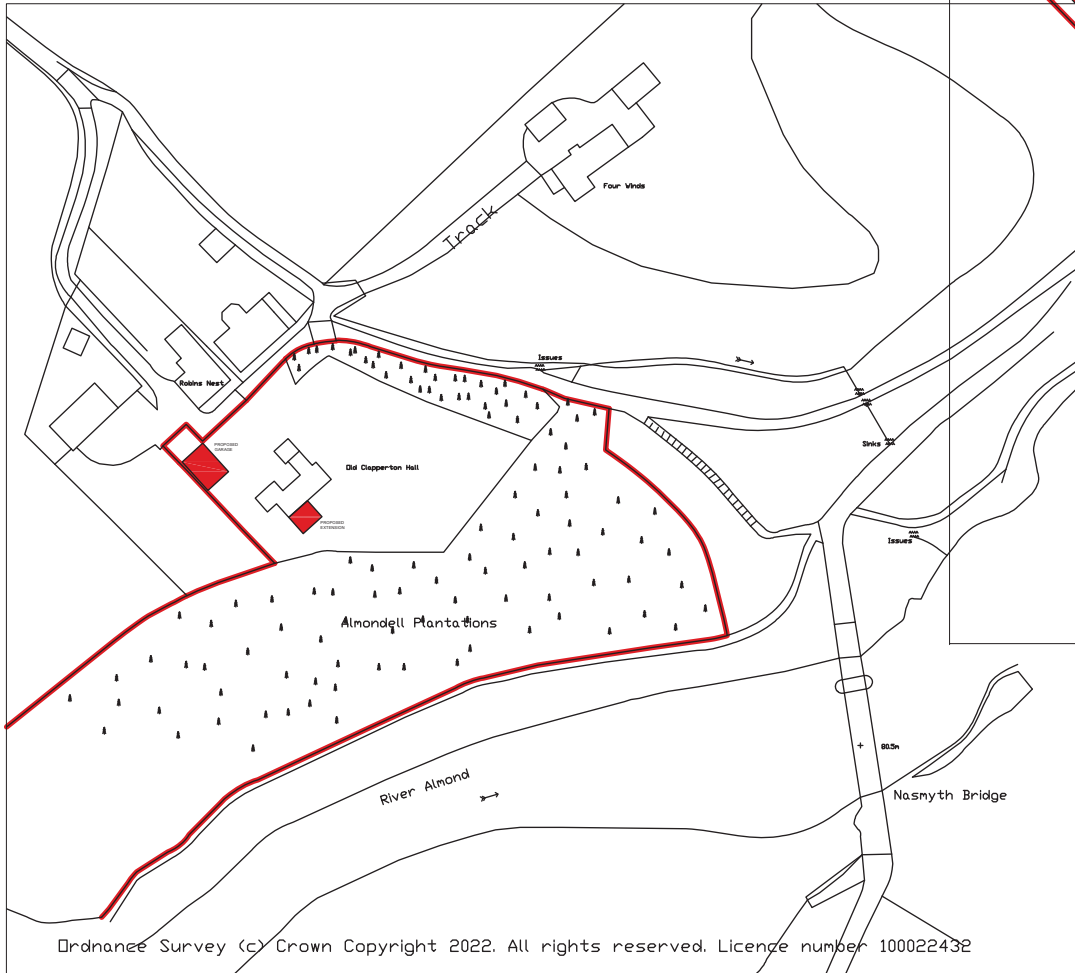
Case Officer: Lucy Hoad

Date: 02/08/2022

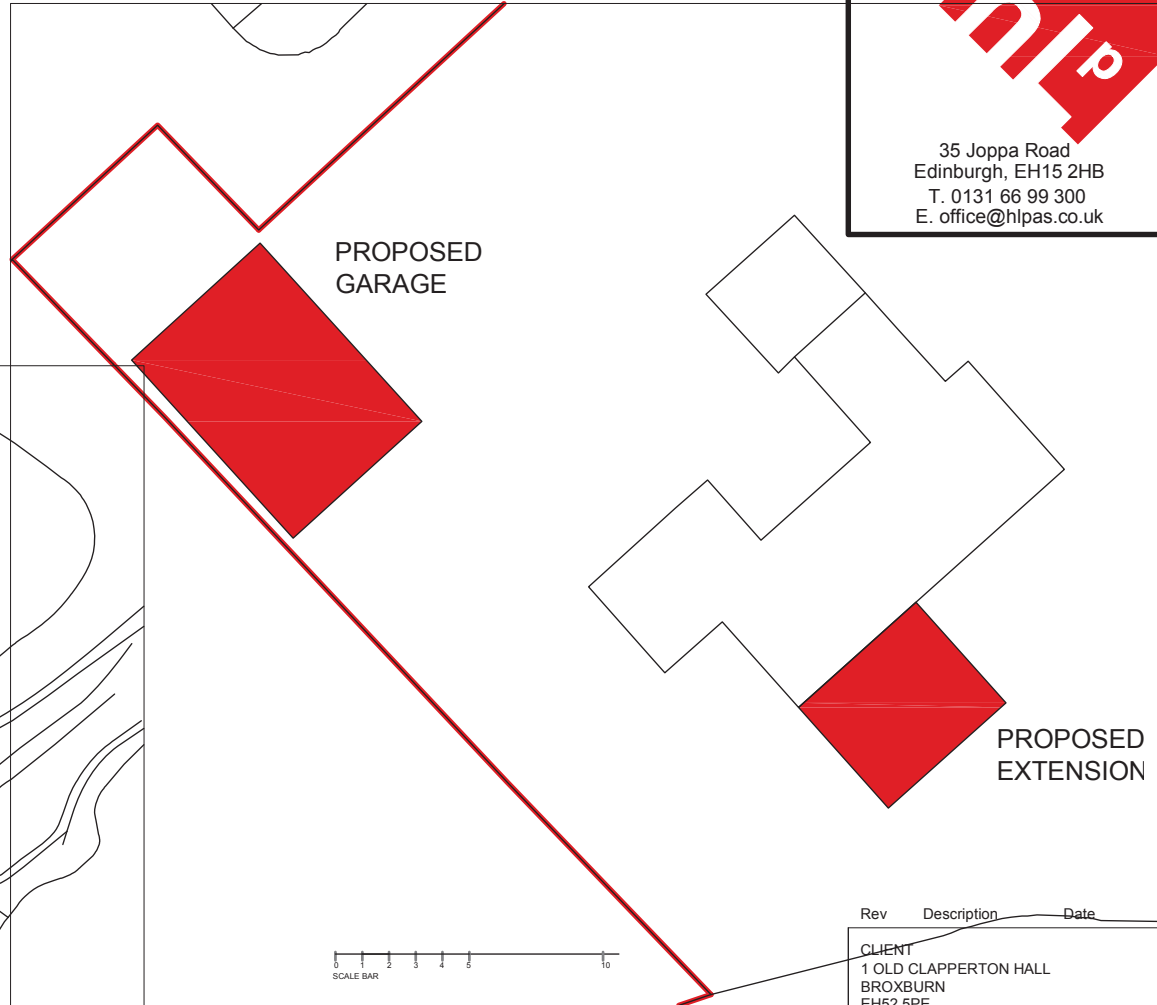


35 Joppa Road
 Edinburgh, EH15 2HB
 T. 0131 66 99 300
 E. office@hlpas.co.uk

LOCATION PLAN 1:1250@A3



Ordnance Survey (c) Crown Copyright 2022. All rights reserved. Licence number 100022432



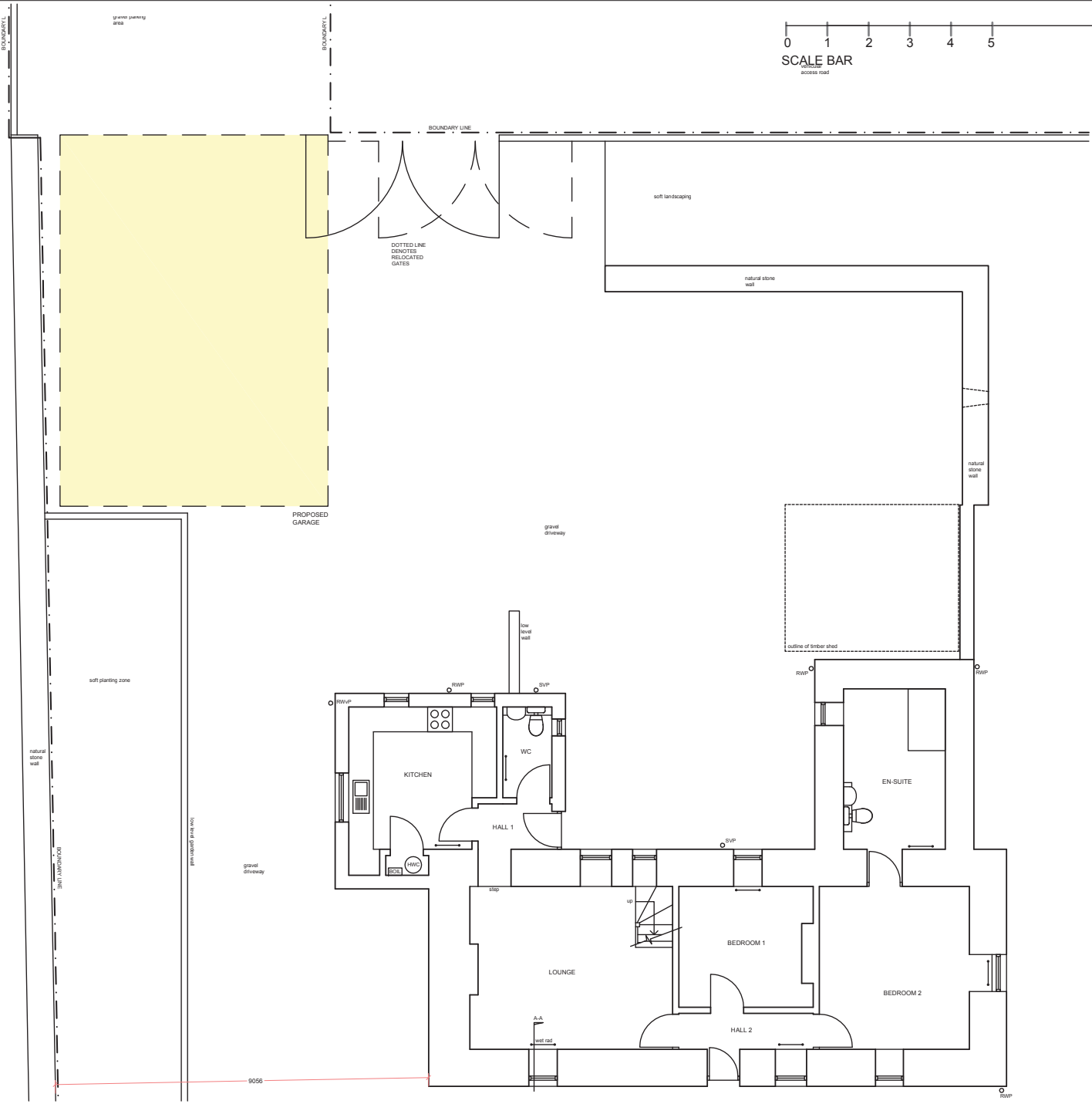
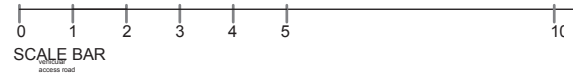
BLOCK PLAN 1:200@A3

- Notes
- Contractors not to scale from this drawing
 - All dimensions to be taken on site prior to manufacture or ordering of any materials or components as they may differ from written dimensions
 - These drawings are not to be used as construction drawings without prior agreement with hLp Architecture
 - Dimensions notified on this drawing may vary due to existing site conditions. Contractor to notify the Client prior to proceeding where dimension adjustment required.

Rev	Description	Date
CLIENT	1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LoTHIAN	
TITLE LOCATION PLAN BLOCK PLAN		
Date	MARCH 2022	
Drawn	RTL	Checked
Scale	AS NOTED @ A3	
Drwg No	2201-001	Rev
© hLp architecture 2022		



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 Edinburgh, EH15 2HB
 T. 0131 66 99 300
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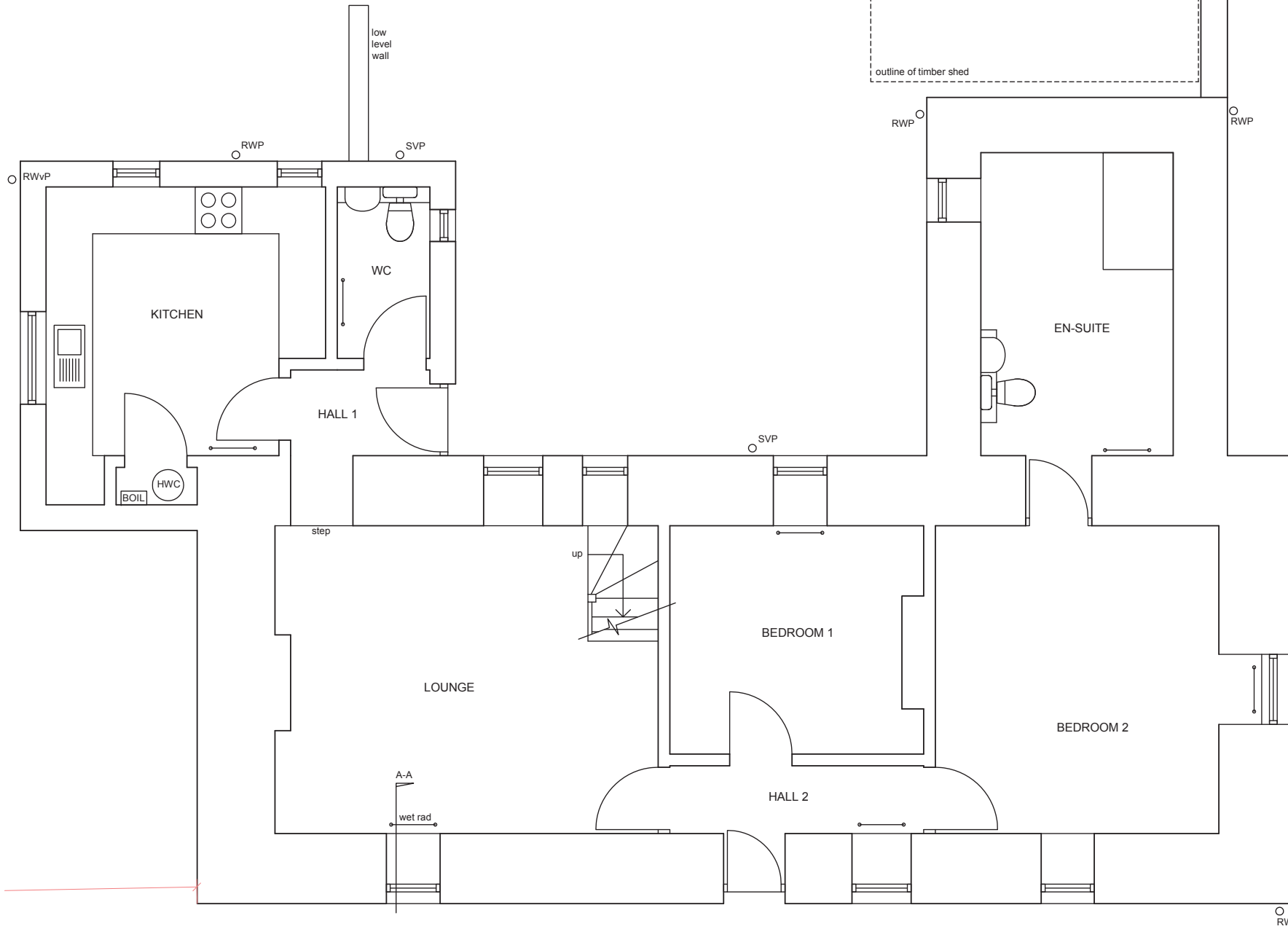


- Notes
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 3. These drawings are not to be used as construction drawings without prior agreement with hLp Architecture
 4. Dimensions notified on this drawing may vary due to existing site conditions. Contractor to notify the Client prior to proceeding where dimension adjustment required.

Rev	Description	Date
CLIENT 1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LOTHIAN		
TITLE EXISTING PART SITE PLAN		
Date	JANUARY 2022	
Drawn	RTL	Checked
Scale	1:100 @ A3	
Drwg No	2201-002	Rev A
© hLp architecture 2022		



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 Edinburgh, EH15 2HB
 T. 0131 66 99 300
 E. office@hlpas.co.uk



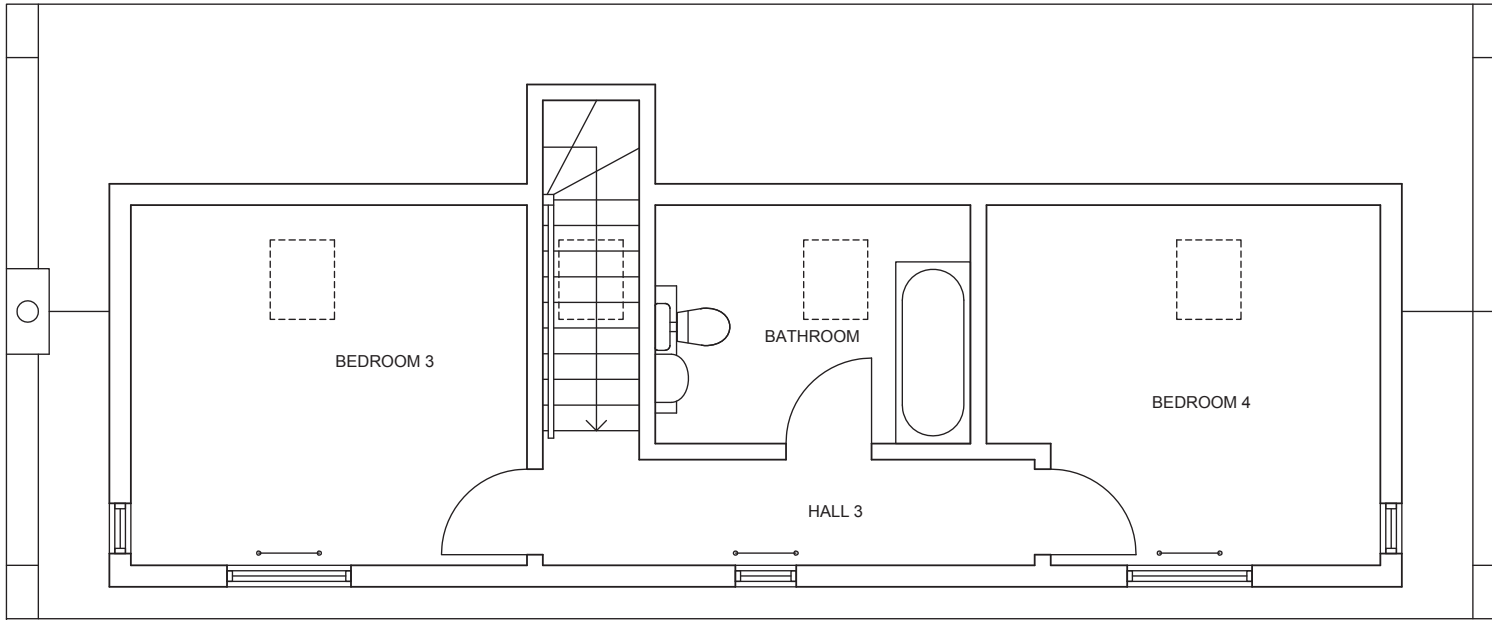
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Rev	Description	Date
CLIENT 1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LoTHIAN		
TITLE EXISTING GROUND FLOOR PLAN		
Date	JANUARY 2022	
Drawn	RTL	Checked
Scale	1:50 @ A3	
Drwg No	2201-003	Rev
© hLp architecture 2022		



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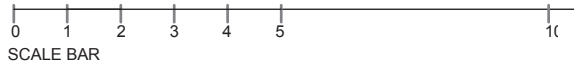
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Rev	Description	Date
CLIENT 1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LOTHIAN		
TITLE EXISTING FIRST FLOOR PLAN		
Date	JANUARY 2022	
Drawn	RTL	Checked
Scale	1:50 @ A3	
Drwg No	2201-004	Rev
© hLp architecture 2022		



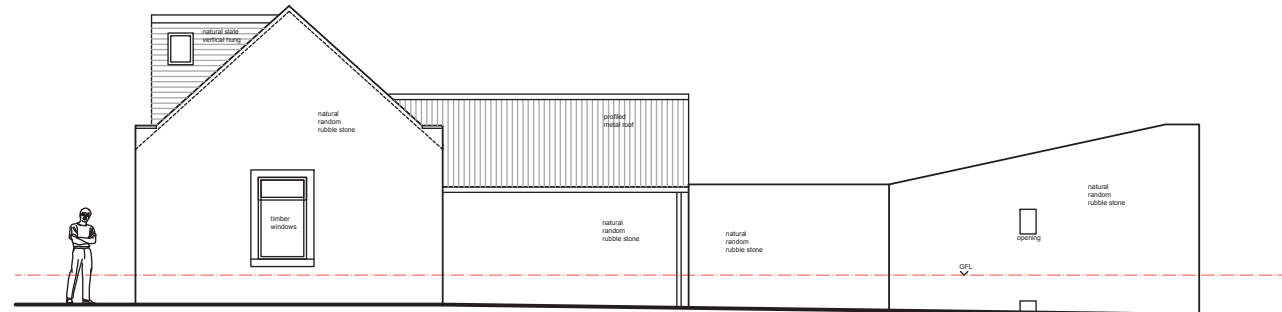
35 Joppa Road
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 T. 0131 66 99 300
 E. office@hlpas.co.uk



EXISTING NORTH ELEVATION



EXISTING SOUTH ELEVATION



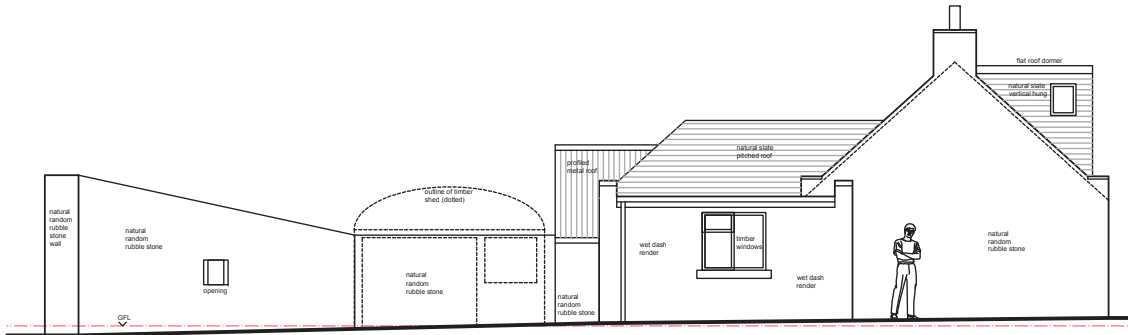
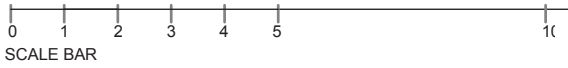
EXISTING WEST ELEVATION

- Notes
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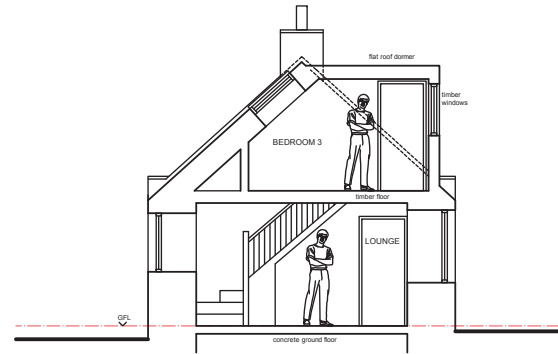
Rev	Description	Date
CLIENT 1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LoTHIAN		
TITLE EXISTING ELEVATIONS		
Date	JANUARY 2022	
Drawn	RTL	Checked
Scale	1:100 @ A3	
Drwg No	2201-005	Rev A
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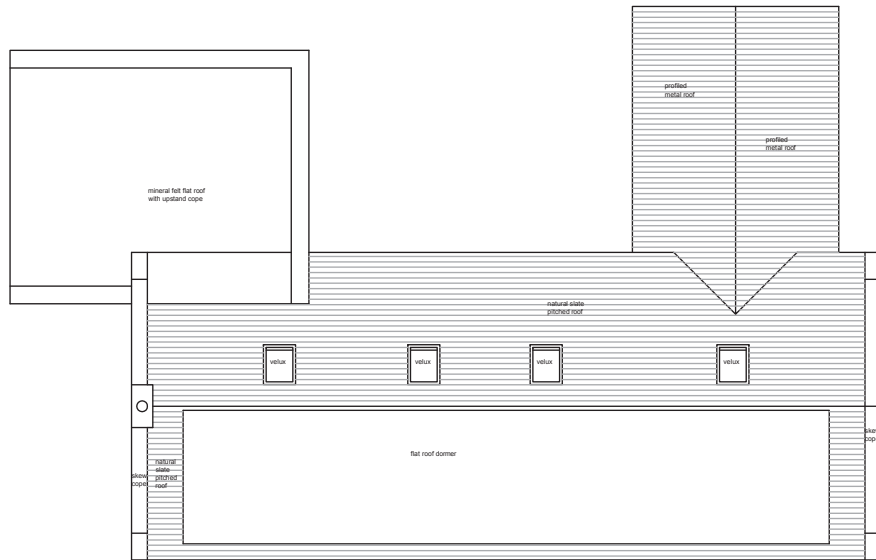
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EXISTING EAST ELEVATION



EXISTING SECTION A-A



EXISTING ROOF PLAN

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Rev	Description	Date
CLIENT 1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LoTHIAN		
TITLE EXISTING EAST ELEVATION EXISTING SECTION A-A EXISTING ROOF PLAN		
Date	JANUARY 2022	
Drawn	RTL	Checked
Scale	1:100 @ A3	
Drwg No	2201-006	Rev A
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Rev	Description	Date
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CLIENT	1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LoTHIAN	
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TITLE	PROPOSED GARAGE	
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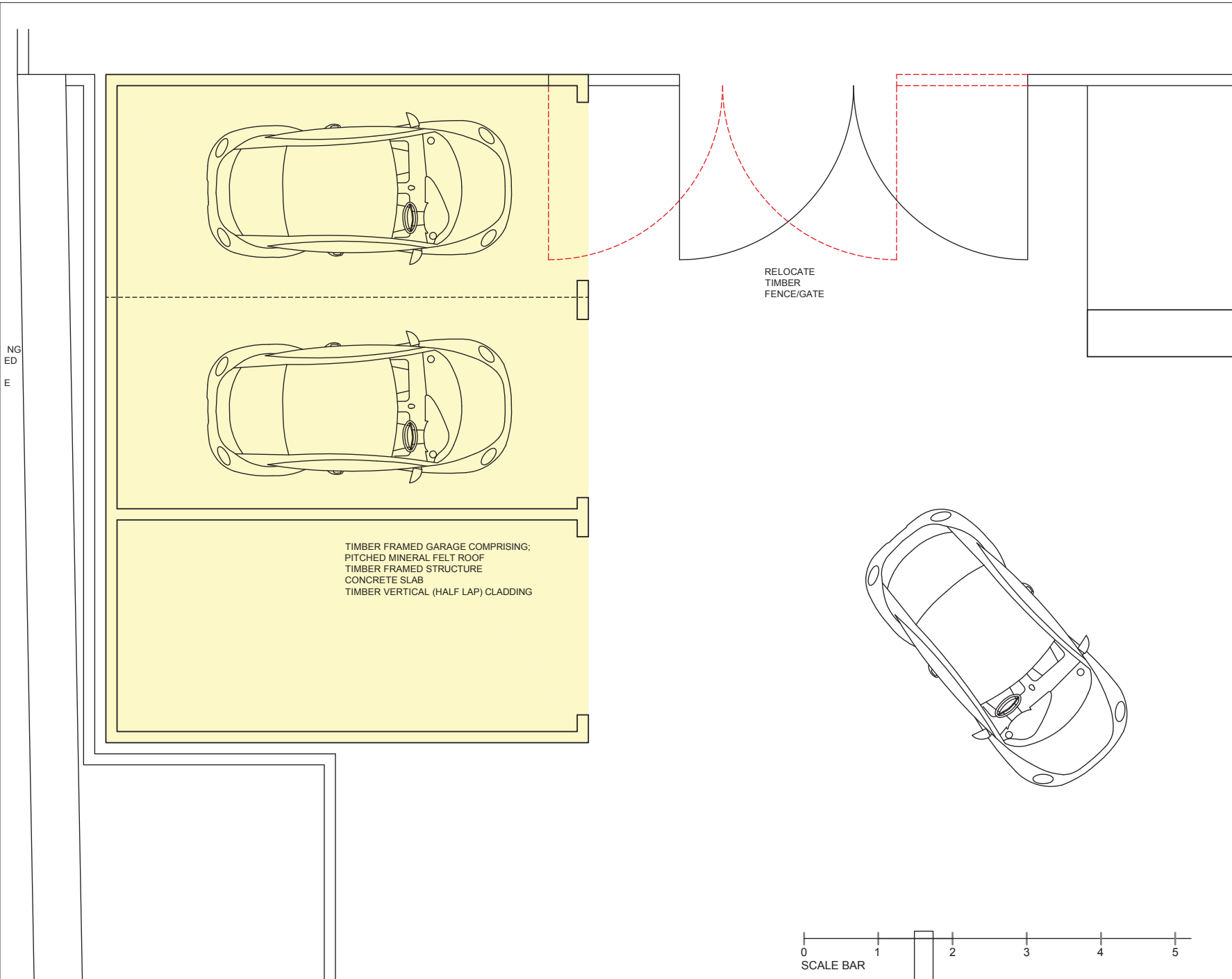
Date	JANUARY 2022	
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Scale	1:50 @ A3	
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Drwg No	2201-007	Rev C
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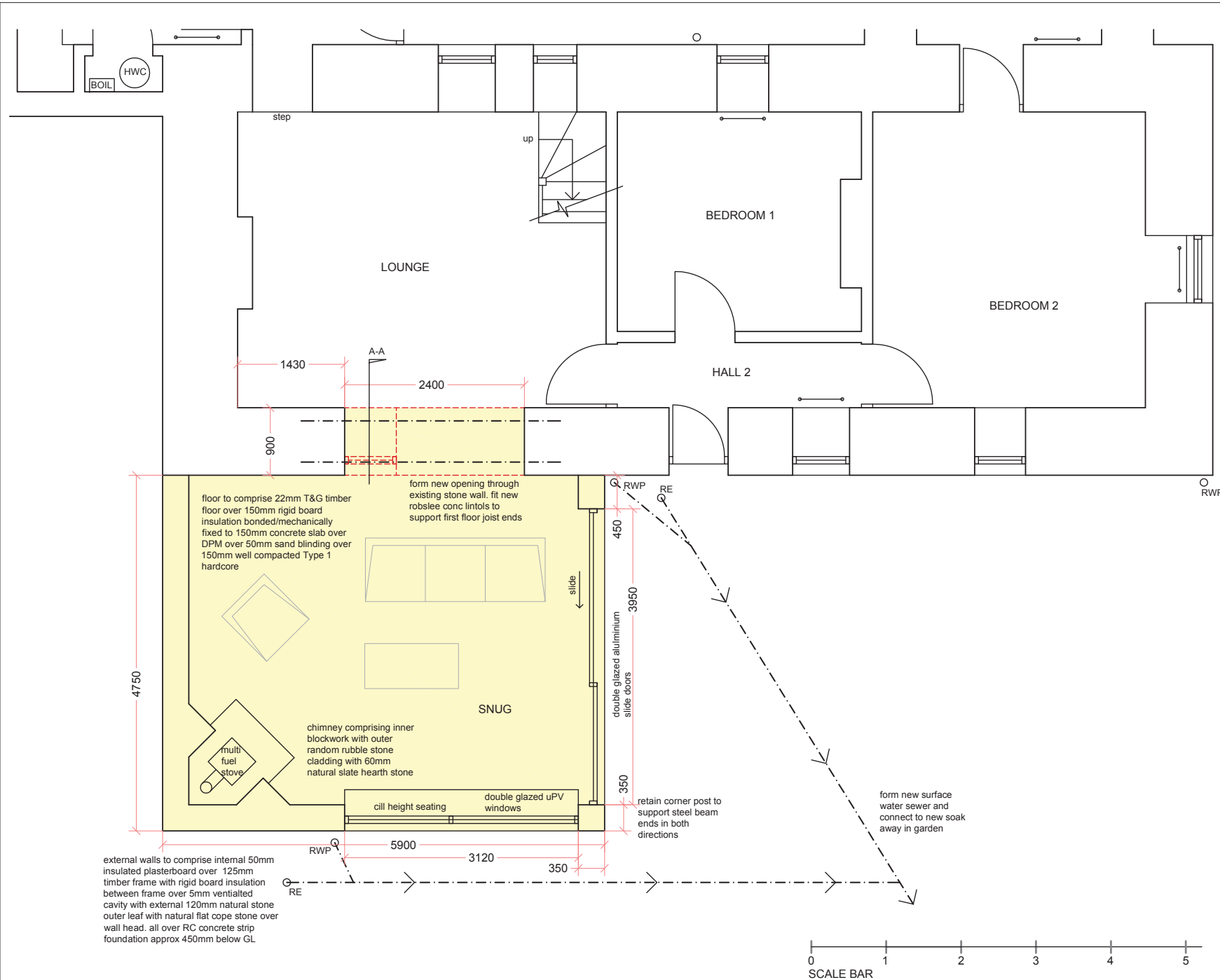
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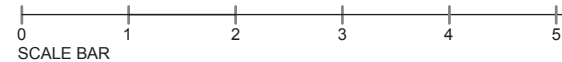
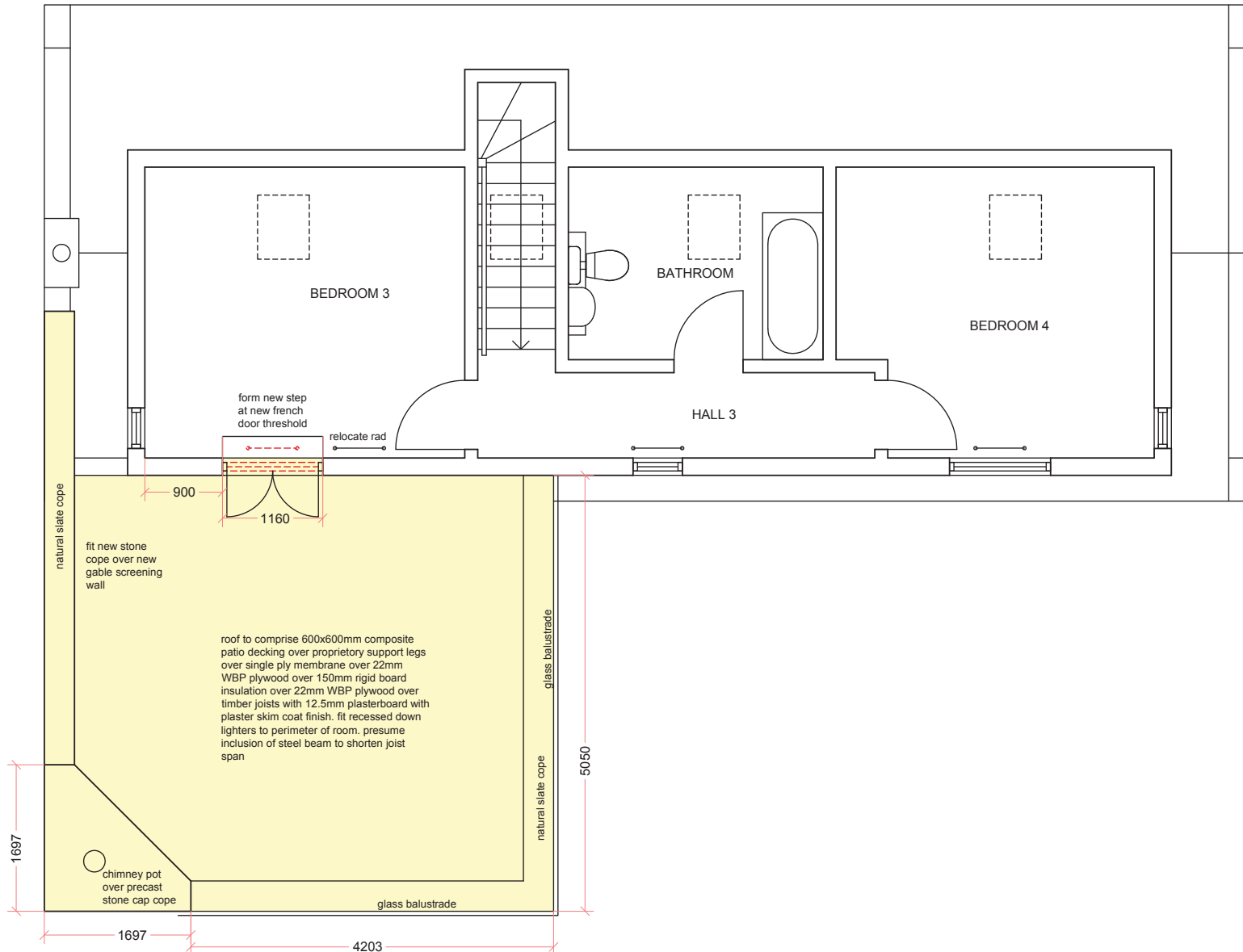


Rev	Description	Date
	CLIENT 1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LOTHIAN	
TITLE PROPOSED PART GROUND FLOOR PLAN		
Date	JANUARY 2022	
Drawn	RTL	Checked
Scale	1:50 @ A3	
Drwg No	2201-008	Rev E
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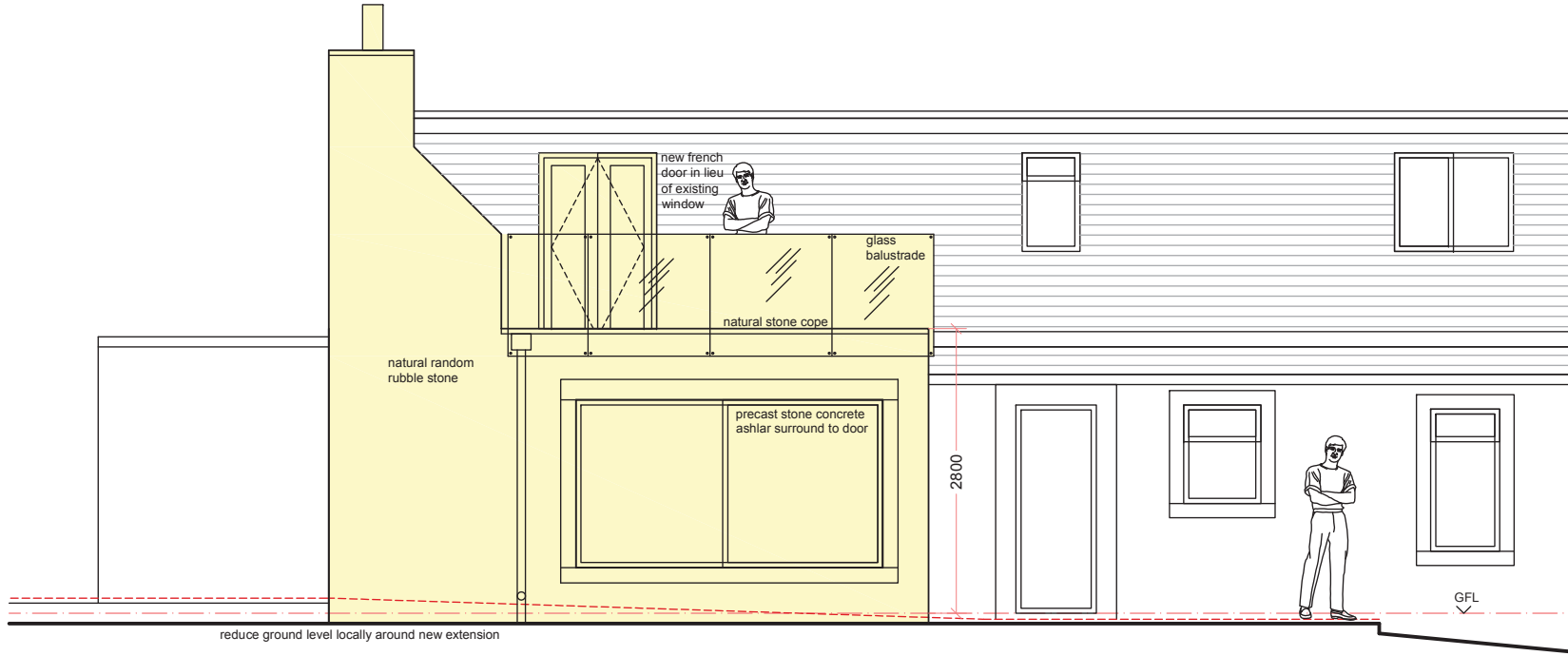
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Rev	Description	Date
	CLIENT 1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LOTHIAN	
TITLE PROPOSED FIRST FLOOR PLAN		
Date	JANUARY 2022	
Drawn	RTL	Checked
Scale	1:50 @ A3	
Drwg No	2201-009	Rev E
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PROPOSED SOUTH ELEVATION

- Notes
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Rev	Description	Date
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CLIENT	1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LOTHIAN	
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TITLE	PROPOSED SOUTH ELEVATION	
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Date	JANUARY 2022	
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Drawn	RTL	Checked
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Drwg No	2201-010	Rev	D
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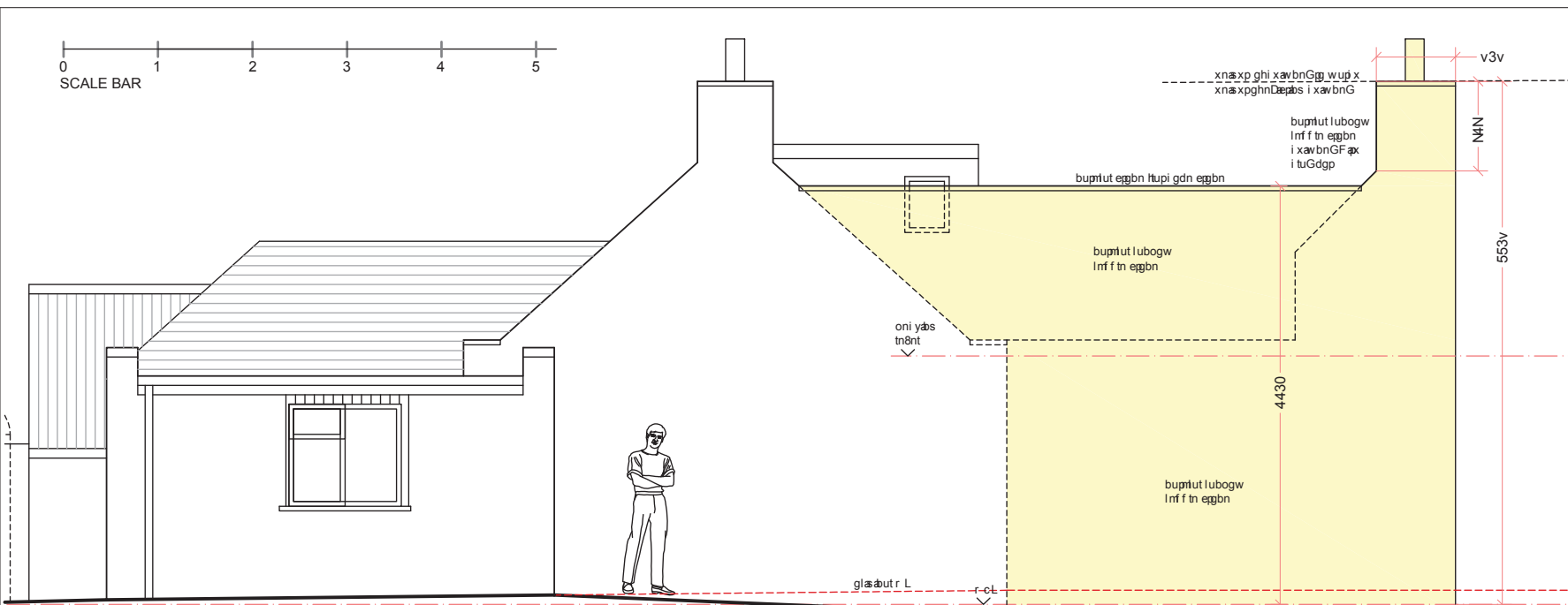
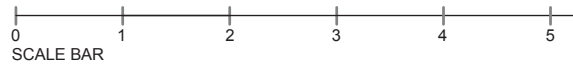
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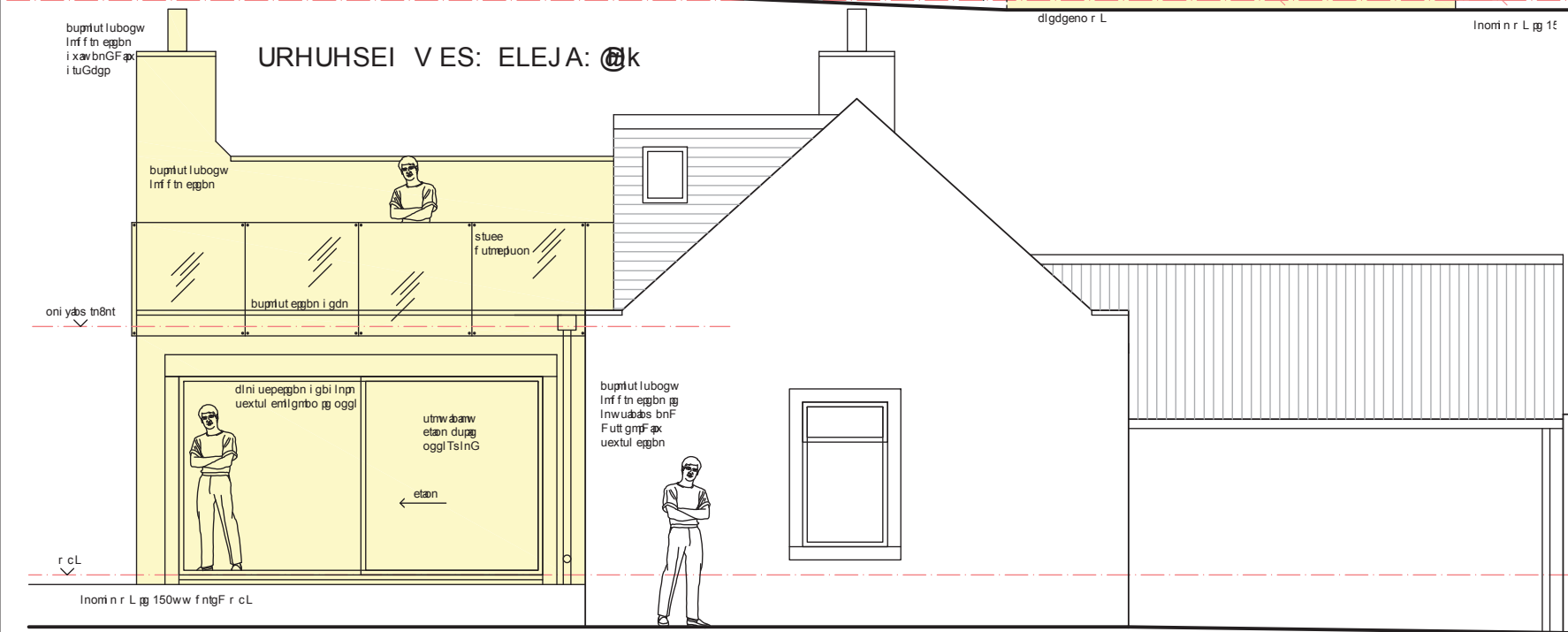
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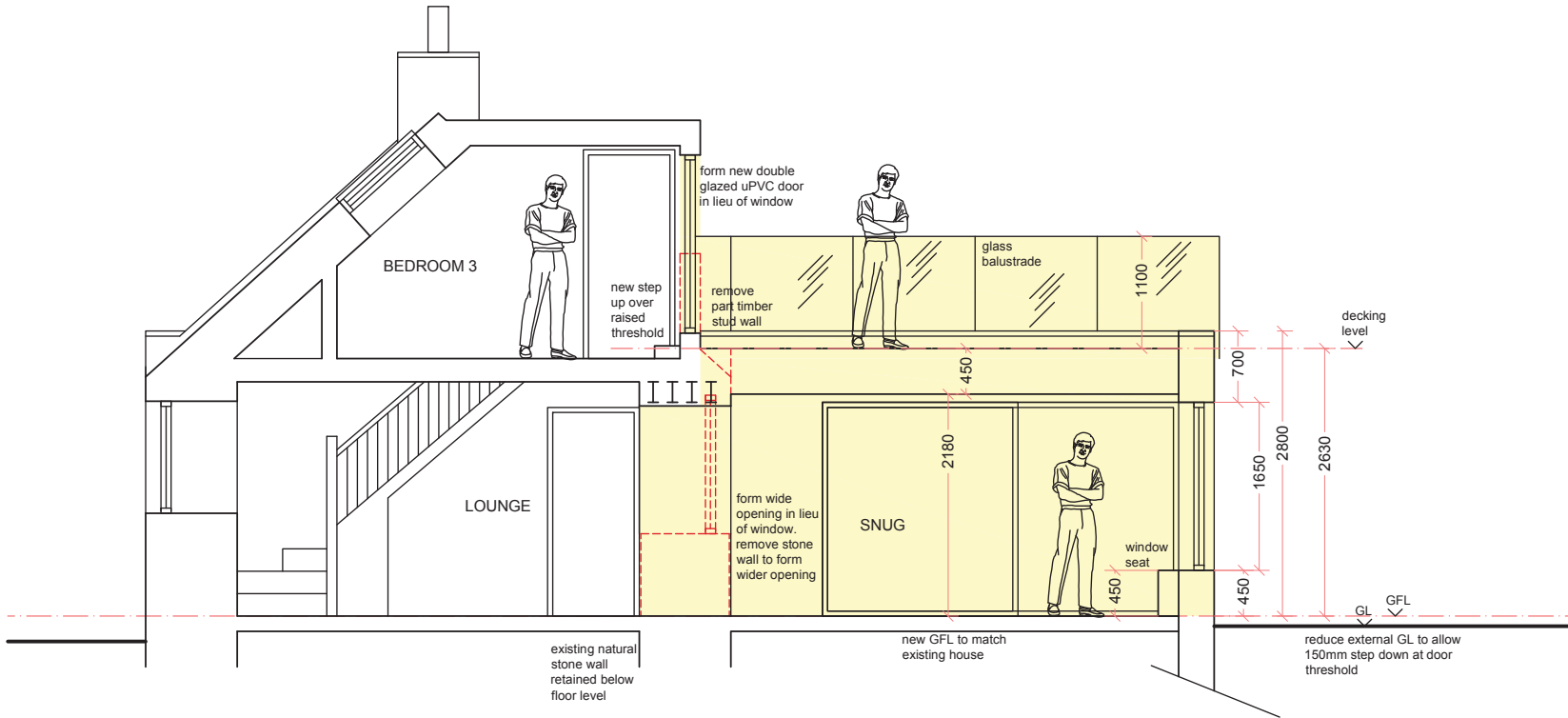
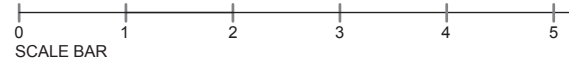
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Rev	Description	Date
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CLIENT	1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LoTHIAN	
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TITLE	PROPOSED SECTION A-A	
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Date	JANUARY 2022	
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Drawn	RTL	Checked
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Scale	1:50 @ A3	
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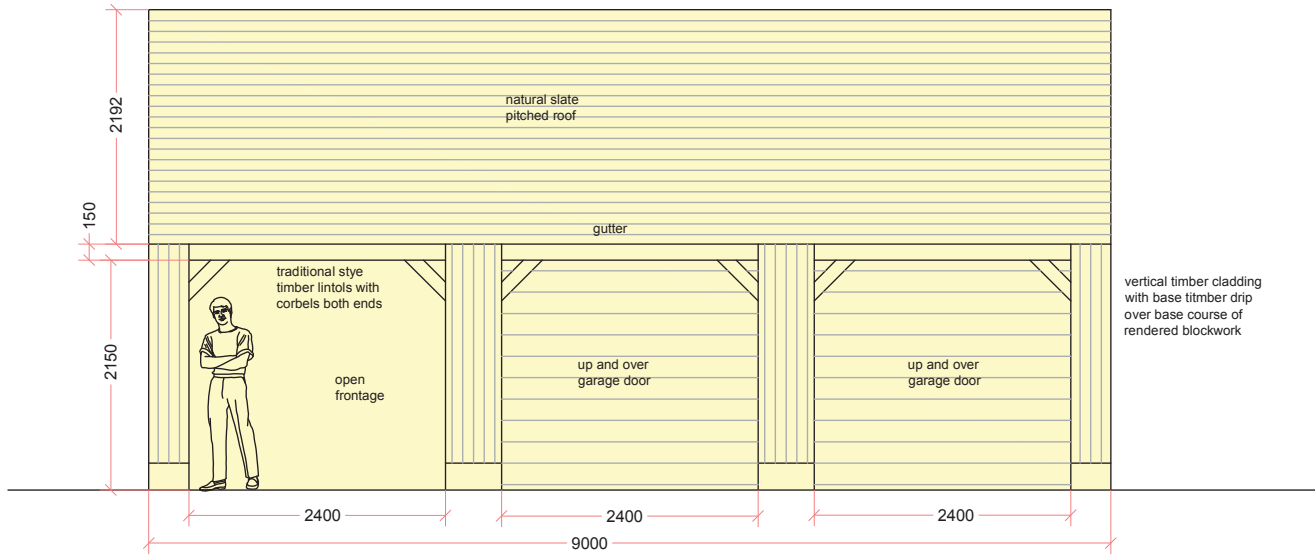
Drwg No	2201-012	Rev	C
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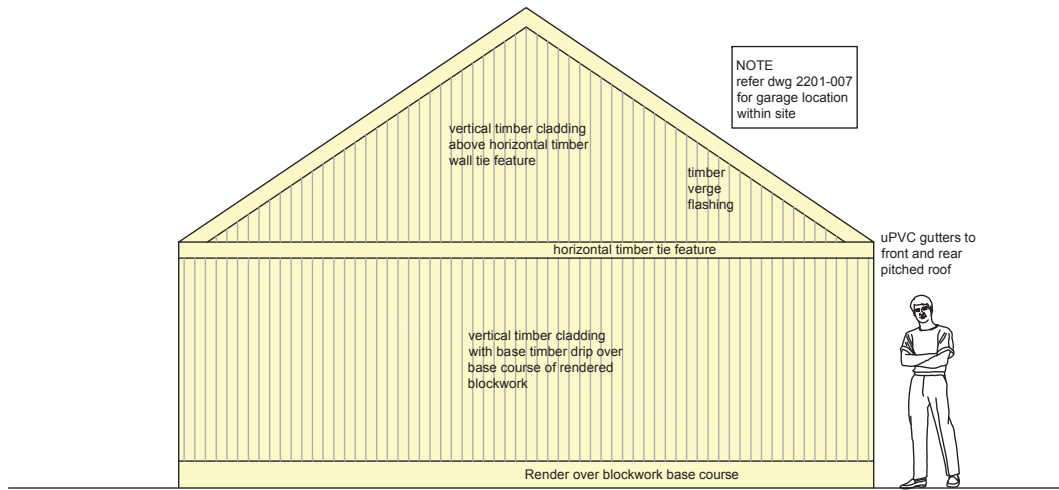


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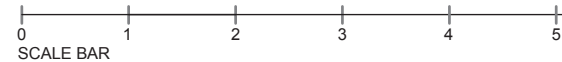
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PROPOSED FRONT ELEVATION



PROPOSED GABLE ELEVATIONS



Rev	Description	Date
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CLIENT	1 OLD CLAPPERTON HALL BROXBURN EH52 5PE WEST LOTHIAN	
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TITLE	PROPOSED GARAGE ELEVATIONS	
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Date	FEBRUARY 2022	
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Drawn	RTL	Checked
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Scale	1:50 @ A3	
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Drwg No	2201-013	Rev	B
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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 0242/H/22

PROPOSAL Extension to house and erection of a detached double garage

LOCATION Old Clapperton Hall, East Calder, West Lothian, EH52 5PE,
(GRID REF: 308694, 668874)

APPLICANT Mr Craig Young, Old Clapperton Hall, East Calder, West Lothian,
EH52 5PE

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:
02.08.2022

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 0242/H/22, for the reason(s) set out as follows:

- 1 The proposed works do not integrate with the existing property in terms of scale and design and it is considered that the proposed works will appear dominant in relation to the dwelling to the detriment of the building's character and appearance. This proposal is therefore contrary to West Lothian Local Development Plan, Policy DES1 (Design Principles) and the guidance given in the House Extension and Alteration Design Guidelines, 2020.

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 - 0242/H/22

Docquetted Number	Description	Drawing Number
1	Location Plan	2201-001
2	Site Plan	2201-002REVA
3	Floor Plan (Existing)	2201-003
4	Floor Plan (Existing)	2201-004
5	Existing Elevations	2201-005REVA
6	Existing Elevations	2201-006REVA
7	Site Plan	2201-007REVC
8	Floor Plan (proposed)	2201-008REVE
9	Floor Plan (proposed)	2201-009REVE
10	Proposed Elevations	2201-010REVD
11	Proposed Elevations	2201-011REVD
12	Sections	2201-012REVC
13	Proposed Elevations	2201-013REVB
14	Floor Plan (proposed)	2201-014

HANDLING REPORT

Ref. No.:	0242/H/22	Email:	lucy.hoad@westlothian.gov.uk
Case Officer:	Lucy Hoad	Tel No.:	
Ward:	East Livingston & East Calder	Member:	Cllr Damian Doran-Timson Cllr Carl John Cllr Danny Logue Cllr Veronica Smith

Title	Extension to house and erection of a detached double garage (Grid Ref: 308694,668874) at Old Clapperton Hall, East Calder, West Lothian, EH52 5PE
Application Type	Local Application
Decision Level	Delegated List
Site Visit	24.05.2022
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

Extension to house and erection of a detached double garage

Representations

None

Consultations

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

Consultee	Objection?	Comments	Planning Response
Transportation	No objections		

Policies Considered

Policy Title	Policy Text
DES1 - Design Principles	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. Development proposals must also accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance.

Officer Assessment

The property is a traditional detached stone cottage which sits in a large site within a small building group located in a rural estate. The property has been extended in the past to include small additions to north west elevation and box dormer to south east roof plane.

The application seeks to extend on the property on the south east elevation. The applicant was requested to reduce the footprint, mass and scale of the addition but no acceptable plans have been received to date.

This is a modest building with a simple form and layout. The addition is proposed to the south east elevation of the property extending out on the line of the existing gable. The expanse of the wall leading from the gable overwhelms the scale of the building and the applicant was asked to pull the development off the gable and align with the dormer. This would allow the existing gable to be read as such, with exposure of skews. Other suggestions made in order to break up the blank wall included provision of an opening and use of glazing or railings around the entire balcony rather than stone at the gable.

Whilst it could be argued that the large box dormer has an impact on the character and appearance of the property to a degree, the current proposals are out of keeping with the property in terms of mass and scale and are not visually acceptable. The overall effect of the development is one of dominance in relation to the appearance of the main dwelling.

Policy DES 1 (Design Principles) of the West Lothian Local Development Plan 2018 states that all development proposals will require to take account of and be integrated with the local context and built form. It also states there should be no significant adverse impact on adjacent buildings or streetscape in terms of scale, massing, design or amenity.

This proposal is contrary to policy DES1 (Design Principles) and the council's planning guidance House Extension and Alteration Design Guidelines 2020. It is recommended permission is refused.

Conclusions and Reasons for Decision

The proposed works do not integrate with the property in terms of scale and design and it is considered that the proposed works will appear dominant in relation to the dwelling to the detriment of the building's character and appearance. This proposal is therefore contrary to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide, 2020. It is recommended that this application is refused planning permission.

List of Review Documents

Drawings schedule:

Annex 1, Schedule of Plans - 0242/H/22

Docquetted Number	Description	Drawing Number
1	Location Plan	2201-001
2	Site Plan	2201-002REVA
3	Floor Plan (Existing)	2201-003
4	Floor Plan (Existing)	2201-004
5	Existing Elevations	2201-005REVA
6	Existing Elevations	2201-006REVA
7	Site Plan	2201-007REVC
8	Floor Plan (proposed)	2201-008REVE
9	Floor Plan (proposed)	2201-009REVE
10	Proposed Elevations	2201-010REVD
11	Proposed Elevations	2201-011REVD
12	Sections	2201-012REVC
13	Proposed Elevations	2201-013REVB
14	Floor Plan (proposed)	2201-014

Other relevant documents:

West Lothian Local Development Plan, 2018;

Case Officer: Lucy Hoad

Date: 02/08/2022



OPERATIONAL SERVICES
ROADS & TRANSPORTATION
DEVELOPMENT MANAGEMENT & TRANSPORTATION PLANNING

ROADS & TRANSPORTATION CONSULTATION RESPONSE TO PLANNING APPLICATION

This proposal is (tick as appropriate)	
Acceptable without conditions	<input checked="" type="checkbox"/>
Acceptable with conditions noted below	<input type="checkbox"/>
Not acceptable & should be refused	<input type="checkbox"/>
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"/>

Signing Off	
DM & TP Officer Roads & Transportation	Donald Ashwood
DM & TP Manager Roads & Transportation	
Date Issued to Development Management Officer	12 May 2022

Recommendation & Proposed Conditions	From a Roads & Transportation view, this application is approved no conditions.
--------------------------------------	---

DM Case Officer	Lucy Hoad	Applicant	Mr Craig Young
Application Ref	0242/H/22	Date Issued	19 April 2022
Proposal	Extension to house and erection of a detached double garage		
Location	Old Clapperton Hall, East Calder, EH52 5PE		

Legislation & Guidance Applicable (tick as appropriate)	
Roads (Scotland) Act 1984	<input type="checkbox"/>
Designing Streets	<input type="checkbox"/>
SCOTS National Roads Development Guide	<input type="checkbox"/>
SUDS for Roads	<input type="checkbox"/>
Sewers for Scotland	<input type="checkbox"/>

Constraints (tick as appropriate)	
Public Footpath / Rights of Way	<input type="checkbox"/>
Core Path Plan	<input type="checkbox"/>
Control of Advertisements (Scotland) 1984	<input type="checkbox"/>
Residential Development Guide 2018	<input type="checkbox"/>

Other (please specify)	
------------------------	--

Site Description	Existing property located within a rural setting. Access is by means of a private road. Proposals are unlikely to generate any additional traffic therefore will not affect the local public road network.
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	No. Site is located in a rural setting and is accessed by means of a private road.
Is there a footway or footpath connecting the site to the existing adopted road network	No
Drawings & documents assessed	2201-001 – Location & Block Plans 2201-003 – Existing Ground Floor Plan 2201-004 – Existing First Floor Plan 22021-007 Revision C – Proposed Garage 2201-008 Revision E – Proposed Part Ground Floor Plan 2201-009 Revision E – Proposed First Floor Plan 2201-002 Revision A – Existing Part Site Plan 2201-014 – Proposed Garage Floor Plans
Does Road Layout comply with WLC Standards	N/A
Does Parking comply with WLC Standards (including disabled provision)	Yes

DATA LABEL: PUBLIC

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	N/A
Site History including any previous planning applications	N/A

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

Draft Conditions 0242/H/22

1. Part 1

No development shall commence until the precise external materials to be used on the roofs and walls of the extension and garage hereby approved are submitted to, and agreed in writing by, the planning authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason To integrate the development with the surrounding area, in the interests of visual amenity.

This planning permission will lapse on the expiration of 3 years from the date of this decision notice, unless the development has been commenced before that date.

Reason: This is the standard three-year period stipulated by the Town and Country Planning (Scotland) Act 1997 (as amended).

Informatives

Notification of the start and completion 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 and again once the development is completed. 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. Failure to provide the above information may lead to enforcement action being taken. Forms which can be used for this purpose can be found using the following link:

<https://www.westlothian.gov.uk/article/33097/Initiation-of-Development>

<https://www.westlothian.gov.uk/article/33098/Completion-of-development>

Duration of consent:

This planning permission elapses on the expiry of a period of 3 year (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiry.

How to challenge the council's decision

If your application was for a local development and was determined by an officer appointed by the council and you disagree with the decision or with conditions which have been attached, you can apply for a review of the decision/conditions by the council's Local Review Body. In all other cases, if you disagree with the decision you can seek an appeal of the decision/conditions to the Scottish Government Planning and Environmental Appeals Division. You can find information on these processes at

<https://www.westlothian.gov.uk/article/33128/Decisions-Reviews-and-Appeals>

Additional consents:

It is the developer's responsibility to obtain all necessary consents prior to commencing works.

Potentially Contaminated Land

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>

Advisory note to developer - SGN

There are a number of risks created by built over gas mains and services; these are:

Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.

Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.

Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.lineearchbeforeudig.co.uk/> to assess any risk associated with your development and
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details: Phone 0800 912 1722 / Email plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>

Further information can also be found here <https://www.sgn.co.uk/help-and-advice/digging-safely>.

SGN personnel will contact you accordingly.