



West Lothian Council (Planning)

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

15 November 2018

A meeting of the **West Lothian Council (Planning)** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Wednesday 21 November 2018** at **10:30am** or at the conclusion of the West Lothian Planning Committee.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Confirm Draft Minutes of Meeting of West Lothian Council (Planning) held on Wednesday 22 August 2018 (herewith).

Public Items for Decision

5. Application No.0636/P/18 - Planning permission in principle for residential development with access, landscaping, SUDS and associated infrastructure at land south of Sibbalds Brae and 50m to the West of Falside Crescent, Bathgate (herewith)

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**

DATA LABEL: Public

MINUTE of MEETING of the WEST LOTHIAN COUNCIL (PLANNING) of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 22 AUGUST 2018.

Present – Provost Tom Kerr (Chair), Depute Provost Dave King (Vice Chair), Councillors Alison Adamson, Stuart Borrowman, William Boyle, Harry Cartmill, Pauline Clark, Tom Conn, David Dodds, Lawrence Fitzpatrick, Peter Heggie, Chris Horne, Charles Kennedy, Sarah King, John McGinty, Dom McGuire, Cathy Muldoon, George Paul, Kirsteen Sullivan, David Tait and Damian Timson

Apologies – Councillors Diane Calder, Janet Campbell, Angela Doran, Bruce Fairbairn and Andrew McGuire

Absent – Councillor Frank Anderson, Robert De Bold, Jim Dickson, Carl John, Peter Johnston, Andrew Miller and Moira Shemilt

1. DECLARATIONS OF INTEREST

Agenda Item 6 (App No.0057/P/18) – Councillor Lawrence Fitzpatrick declared that he was a council appointed representative to the West of Scotland Archaeology Service, who were a statutory consultee, but would participate in the item of business; and

Agenda Item 6 (App No.0057/P/18) – Councillor Damian Timson declared that he was a council appointed substitute representative to the West of Scotland Archaeology Service, who were a statutory consultee, but would participate in the item of business.

2. MINUTE

West Lothian Council (Planning) confirmed the Minute of its meeting held on 25 April 2018. The Minute was thereafter signed by the Provost.

3. APPLICATION NO.0057/P/18

West Lothian Council (Planning) considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0057/P/18	Planning permission in principle for a 6.5ha residential development and associated access, engineering works and landscaping on land at Clarendon Farm, Linlithgow	To refuse planning permission in principle for the proposed residential development

Decision

To refuse planning permission for the reasons set out in the report and for the additional reason that there would be a loss of amenity for those existing residents in Clarendon Road.

WEST LOTHIAN COUNCIL (PLANNING)

Report by Head of Planning, Economic Development & Regeneration

1 DESCRIPTION AND LOCATION

- 1.1 Planning permission in principle for residential development with access, landscaping, SUDS and associated infrastructure at Land south of Sibbalds Brae and 50M to the west of Falside Crescent, Bathgate

2 DETAILS

Reference no.	0636/P/18	Owner of site	Mr D W Dalling Weslo Housing Management
Applicant	Hallam Land Management Ltd	Ward & local members	Bathgate Willie Boyle Harry Cartmill Charles Kennedy John McGinty
Case officer	Tony Irving	Contact details	01506 282410 tony.irving@westlothian.gov.uk

3 PRE-DETERMINATION HEARING

- 3.1 West Lothian Council Planning Committee has heard a report prepared by the Head of Planning, Economic Development & Regeneration relating to a planning application for permission in principle for residential development at Land south of Sibbalds Brae and 50M to the west of Falside Crescent, Bathgate. The decision on a major development such as this, which is significantly contrary to the development plan, can only be discharged by the full council and not by a committee of the council.

4 SUMMARY AND CONCLUSIONS

- 4.1 The application site comprises a greenfield site on the western edge of Bathgate. The site is located outwith the settlement envelope of Bathgate as defined in the Local Development Plan (LDP). The LDP also shows the site as being within the countryside belt.
- 4.2 The site is not allocated for residential development in the LDP and would extend urban development into a part of the countryside which is subject to special protection by its designation as countryside belt.
- 4.3 The proposal would constitute unjustified development in the countryside and an unjustified incursion into the countryside belt. It would fail LDP criteria for permitting development in the countryside and in the countryside belt.

- 4.4 The applicant argues that there is not a five year effective housing land supply in West Lothian and this is justification to allow release of the site for housing. The council's position is that this is not the case and it is achieving a five year effective housing land supply in terms of the requirements of Strategic Development Plan 1 and also in terms of the emerging Strategic Development Plan 2.
- 4.5 There is insufficient education capacity at Windyknowe Primary and at Armadale Academy to serve the proposal. The required education infrastructure at these schools has no committed funding and it has not been shown by the applicant that the required infrastructure is capable of being delivered.
- 4.6 In summary, the proposal conflicts with the development plan and there are no material considerations that outweigh the presumption against residential development at this location.

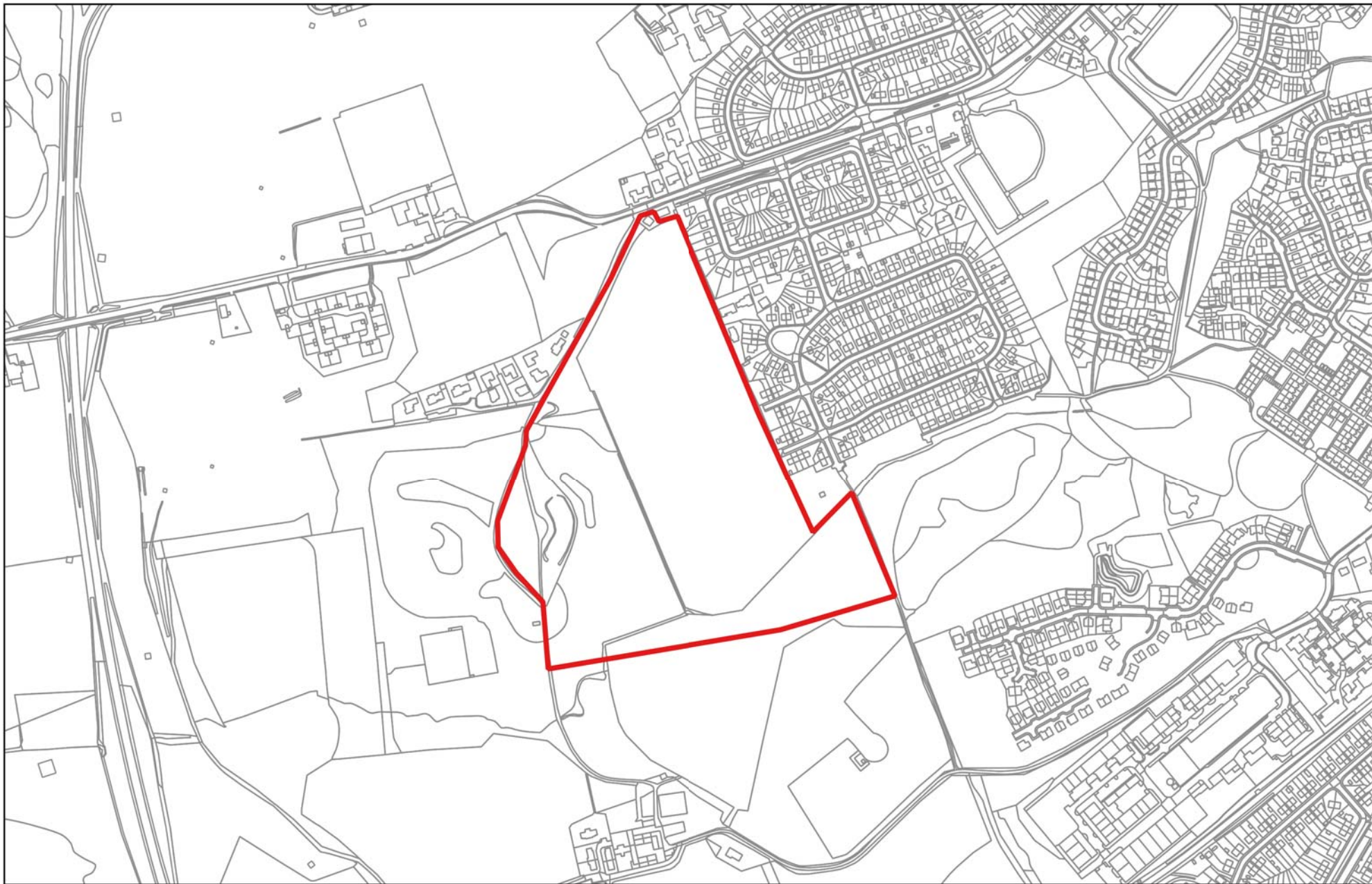
5 RECOMMENDATION

- 5.1 It is recommended that planning permission in principle for the proposed residential development be refused for the reasons attached to this report.

6 ATTACHMENTS

- Location plans
- Indicative site masterplan
- Draft reasons for refusal

Craig McCorriston
Head of Planning, Economic Development & Regeneration Date: 21 November 2018







INDICATIVE CAPACITY : 185 UNITS

- 1

Single vehicular access point from Sibbalds Brae
- 2

Primary 'loop' street
- 3

Pedestrian priority axis
- 4

Green / Blue corridor
- 5

Wildflower meadow
- 6

Interpretive signage / art
- 7

Extensive area of accessible parkland
- 8

Wetland
- 9

Attenuation basin
- 10

Viewpoint eastward where long distance views are afforded of the distant hills
- 11

Existing planting
- 12

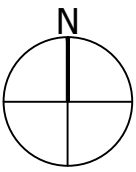
Proposed planting
- 13

Boardwalk
- 14

Enhance existing hedgerow
- 15

Boulders, timber stumps and logs as natural play areas
- 16

Informal mown grass path



Project
Sibbalds Brae,
Bathgate
Drawing Title
Indicative Masterplan

Date	Scale	Drawn by	Check by
01.10.18	1:1,000@A1	CT	MW
Project No	Drawing No	Revision	
28848	02	J	

Draft reasons for refusal 0636/P/18

1. A five year effective housing land supply is being maintained in West Lothian in terms of the Strategic Development Plan for Edinburgh and South East Scotland 2013 (SDP1) and in terms of the emerging replacement Strategic Development Plan for Edinburgh and South East Scotland (SDP2). There is no housing land supply requirement to justify the release of the application site for residential development and thus SDP1 policy 7 and West Lothian Local Development Plan 2018 policy HOU2 do not apply.
2. The application site is located within the countryside and is not allocated for housing. The proposal constitutes unjustified development in the countryside as it fails to meet any of the criteria for allowing housing development in the countryside in West Lothian Local Development Plan 2018 policy ENV2.
3. The application site is located within the countryside belt. The proposal constitutes an unjustified incursion into the countryside belt as it fails to meet criteria (a), (b) and (d) for allowing development in the countryside belt in West Lothian Local Development Plan 2018 policy ENV7.
4. There is insufficient education capacity at Windyknowe Primary and at Armadale Academy to serve the proposal. Extensions at both schools would be required and there is no committed funding for this, nor has the applicant demonstrated that extensions are capable of being delivered. The proposal is thus contrary to West Lothian Local Development Plan 2018 policy INF1.