



Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

8 September 2020

A meeting of the **Development Management Committee** of West Lothian Council will be held within the **Webex Virtual Meeting Room** on **Wednesday 16 September 2020** at **10:00am**.

For Chief Executive

BUSINESS

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, declarations of interest in any urgent business and consideration of reports for information.

The Chair will invite members to identify any such reports they wish to have fully considered, which failing they will be taken as read and their recommendations approved.

Public Session

4. Confirm Draft Minutes of Meeting of Development Management Committee held on Wednesday 12 August 2020 (herewith)

Public Items for Decision

5. Application No.0434/FUL/20 - Alteration to raise filling station canopy from 3.8m to 4.8m high (underside of canopy) at Newton Filling Station, 3 Main Street, Newton (herewith)

6. Application No.0205/MS/20 - Approval of matters specified in conditions for the erection of 52 houses on land north of Fauldhouse Road (B7010), Longridge (herewith)
7. Application No.0252/P/20 - Planning permission in principle for a 7ha residential development with associated access, servicing and landscaping at Land at Appleton Parkway Roundabout, School House Road, Elburn, Livingston (herewith).
8. Application No.0347/FUL/20 - Application for a part change of use from agricultural shed to dog training facility with associated works (in retrospect) at Site West of Linburn Road, Kirknewton, West Lothian (herewith)
9. Application No.0375/P/20 - Application under Section 42 to develop land without complying with condition 2b (approval of details of means of access to all buildings) and condition 2h (approval of a design statement) of planning permission 0689/P/17 for class 4 business use, class 5 general industrial use and class 6 storage/distribution use at Five Sisters Business Park, West Calder, West Lothian (herewith)
10. Application No.0413/H/20 - Erection of a shed and decking (in retrospect) at 53 Elburn South Road, Elburn (herewith)
11. Application No.0424/H/20 - Extensions to house and construction of raised decking at Glencroft, Woodend (herewith)
12. Application No.0425/H/20 - Formation of a dormer window at 3 Newpark Mews, Bellsquarry. (herewith)
13. Application No.0430/H/20 - Two storey extension to house and erection of a porch at 1 Bankton Drive, Murieston (herewith)

Public Items for Information

14. Consider list of delegated decisions on planning applications and enforcement actions for 7August to 4 September 2020 (herewith)
15. Appeals -
 - (a) Application 0025/H/20: Raising of Roof to Form First Floor Accommodation at 50 Kirk Road, Bathgate, EH48 1BP - Appeal submitted
 - (b) Application 0340/P/19: Planning permission in principle for a residential development (with Environmental Impact Assessment) at Land at Wilcoxholm Farm, Linlithgow, EH49 - Appeal submitted
 - (c) Application 1240/FUL/19: Erection of A Multi-Arts Workshop/Rehearsal Centre Including Accommodation and Associated Works at Colzium Cottage, Kirknewton, EH27 8DH

- Appeal dismissed

- (d) Enforcement case ENF/0226/19: The Alleged Erection of An Outbuilding and The Operation of a Manufacturing Business from The Outbuilding at 3 Strathlogie, Westfield, Bathgate, EH48 3DA - Appeal dismissed
- (e) Application 1175/A/19: Display Of 3 Illuminated Wall Mounted Billboard Signs at Whitburn Road, Bathgate, EH48 1HH - Appeal allowed

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

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

This form is to help members. It is not a substitute for declaring interests at the meeting.

Members should look at every item and consider if they have an interest. If members have an interest they must consider if they have to declare it. If members declare an interest they must consider if they have to withdraw.

NAME	MEETING	DATE

AGENDA ITEM NO.	FINANCIAL (F) OR NON- FINANCIAL INTEREST (NF)	DETAIL ON THE REASON FOR YOUR DECLARATION (e.g. I am Chairperson of the Association)	REMAIN OR WITHDRAW

The objective test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.

Other key terminology appears on the reverse.

If you require assistance, please ask as early as possible. Contact Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk, James Millar, Governance Manager, 01506 281695, james.millar@westlothian.gov.uk, Carol Johnston, Chief Solicitor, 01506 281626, carol.johnston@westlothian.gov.uk, Committee Services Team, 01506 281604, 01506 281621, committee.services@westlothian.gov.uk

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

“...whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor”

The General Exclusions

- As a council tax payer or rate payer or in relation to the council’s public services which are offered to the public generally, as a recipient or non-recipient of those services
- In relation to setting the council tax.
- In relation to matters affecting councillors’ remuneration, allowances, expenses, support services and pension.
- As a council house tenant, unless the matter is solely or mainly about your own tenancy, or you are in arrears of rent.

Particular Dispositions

- As a member of an outside body, either appointed by the council or later approved by the council
- Specific dispensation granted by Standards Commission
- Applies to positions on certain other public bodies (IJB, SEStran, City Region Deal)
- Allows participation, usually requires declaration but not always
- Does not apply to quasi-judicial or regulatory business

The Specific Exclusions

- As a member of an outside body, either appointed by the council or later approved by the council
- The position must be registered by you
- Not all outside bodies are covered and you should take advice if you are in any doubt.
- Allows participation, always requires declaration
- Does not apply to quasi-judicial or regulatory business

Categories of “other persons” for financial and non-financial interests of other people

- Spouse, a civil partner or a cohabitee
- Close relative, close friend or close associate
- Employer or a partner in a firm
- A body (or subsidiary or parent of a body) in which you are a remunerated member or director
- Someone from whom you have received a registrable gift or registrable hospitality
- Someone from whom you have received registrable election expenses

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within WEBEX VIRTUAL MEETING ROOM, on 12 AUGUST 2020.

Present – Councillors Charles Kennedy (Chair), Tom Kerr, Stuart Borrowman, William Boyle, Tom Conn, Lawrence Fitzpatrick, George Paul and David Tait

Apologies – Councillor Pauline Clark

1. DECLARATIONS OF INTEREST

Agenda Items 7 (App No.0333/FUL/20) and 9 (App No.0370/LBC/20) – Councillor Stuart Borrowman declared an interest in that the applicant(s) for the applications has asked him to refer the applications to committee, which he agreed to do but as he had not commented on the merits of either application he would participate in the items of business; and

Agenda Items 5 (App No.1026/FUL/18) and 6 (App No.1027/P/18) - Councillor Lawrence Fitzpatrick declared an interest in that he was a council appointed member of the West of Scotland Archaeology Service, who were a statutory consultee on the application, but would participate in the item of business.

2. ORDER OF BUSINESS

The Chair, having inviting members to identify any reports marked “Public Items for Information” that they required further detail on, Councillor Stuart Borrowman advised committee that he had questions in relation to Agenda Item 12(c).

3. MINUTE

The committee approved the minute of its meeting held on 8 July 2020. The minute was thereafter signed by the Chair.

4. APPLICATION NO.1027/P/18

Councillor Wille Boyle took no part in the consideration of the following item of business as he was late getting connected to the virtual meeting and therefore had not heard all the merits of the application.

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning a report as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
1027/P/18	Planning permission in principle for residential development at Site	Refuse planning permission

Y4, Mossend, West
Calder

The committee then heard Mr Graeme Patrick, of the Walker Group, speak in support of the application.

Decision

To approve the terms of the report and refuse planning permission.

5. APPLICATION NO.1026/FUL/18

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning a report as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
1026/FUL/18	Erection of 65 houses (as varied from 67 houses) with associated access, SUDS, open space and landscaping at Site K, Mossend, West Calder	Refuse planning permission

The committee then heard Mr Graeme Patrick, of the Walker Group, speak in support of the application.

Decision

To approve the terms of the report and refuse planning permission

6. APPLICATION NO.0333/FUL/20

The committee 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>
0333/FUL/20	Change of use from public open space to private garden ground and extension to house at 8 Leishmann Court, Blackridge	Refuse planning permission

The committee then heard Mr Barry Sturrock, the applicant's agent, speak in support of the application.

Motion

To grant planning permission, with conditions delegated to the Development Management Manager, as the loss of amenity was marginal

- Moved by Councillor Stuart Borrowman and seconded by Councillor David Tait

Amendment

To approve the terms of the report and refuse planning permission

- Moved by the Chair and seconded by Councillor Lawrence Fitzpatrick

A roll call was taken. The result was as follows :-

Motion

Stuart Borrowman
David Tait

Amendment

Willie Boyle
Tom Conn
Lawrence Fitzpatrick
Charles Kennedy
Tom Kerr
George Paul

Decision

Following a vote, the amendment was successful by 6 votes to 2 (with 1 member absent) and was agreed accordingly.

7. APPLICATION NO.0346/H/20

Councillor George Paul took no further part in the meeting from this item of business onwards.

The committee 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>
0346/H/20	Extension to house at 8 Etna Court, Armadale	Refuse planning permission

The committee then heard Mr Dan Henderson, the applicant's agent and Mrs Margaret Eveleigh, on behalf of the applicant, both speak in support of the application.

Decision

To continue the application for two cycles (October meeting) to allow for further dialogue on design matters between the applicant and the planning authority.

8. APPLICATION NO.0370/LBC/20

The committee 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>
0370/LBC/20	Listed Building Consent for demolition of former nursery building at Academy street, Armadale	Refuse Listed Building Consent

The committee then heard from Mr Stuart Amos, the applicant's agent, speak in support of the application

Decision

To continue the application in order to allow the applicant to consult an independent conservation accredited engineer, known to be acceptable to Historic Environment Scotland, to assess the building and produce a condition survey which was to be returned to the council by the end of the year.

Councillor Willie Boyle having moved an alternative position which did not receive a seconder had his dissent to the decision record.

9. APPLICATION NO,0473/P/20

The committee 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>
0473/P/20	Planning permission in principle for the erection of a house at 88 Pumpherston Road, Uphall Station	Refuse planning permission in principle

The committee then heard from Mr Grahame Heatlie, the applicant and Mr Euan Robertson, the applicant's agent.

Decision

To approve the terms of the report and refuse planning permission

10. LIST OF DELEGATED DECISIONS

The Head of Planning, Economic Development and Regeneration had delegated powers to issue decisions on planning applications and enforcement action.

A list (copies of which had been circulated) of delegated and enforcement action for the period 3 to 31 July 2020 was submitted for the information of the committee.

Decision

To note the list of delegated decisions and enforcement action.

11. APPEALS

The committee noted that the following appeal, submitted to Scottish Ministers had been dismissed :-

Ref No.

Proposal

ENF/0223/19

Removal of all alleged imported garden waster from the site; removal of all alleged imported branches from the site; carry out a vegetation cut back to the satisfaction of the planning authority at land at Nevis Drive, Murieston

The committee noted the following appeal, submitted to Scottish Ministers, had been withdrawn

Ref no.

Proposal

ENF/0003/20

Alleged unauthorised erection of a post and wire fence enclosing an area of open space into the adjacent agricultural field at land at Cathlaw House, Torphichen.

The committee noted that the following appeal, submitted to Scottish Ministers, had been allowed :-

Application no.

Proposal

0821/PO/19

Modification of planning obligation relating to planning permission 1044/P/08 to remove A801 dualling contributions at land at Armadale

Station, Station Way, Armadale

Councillor Stuart Borrowman as previously advised took the opportunity to seek clarity on the financial implications of the appeal having been allowed for Application No.0821/PO/19 and what would happen next

The Head of Planning, Economic Development and Regeneration undertook to provide all members of the committee with an update on the matter in due course.

Decision

1. To note the list of appeals; and
2. To agree that the Head of Planning, Economic Development and Regeneration provide all the members of the committee with further information relating the appeal being allowed for Application No.0821/PO/19



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Alterations to raise filling station canopy from 3.8 m to 4.8 m high (underside of canopy) at Newton Filling Station, 3 Main Street, Newton, EH52 6QE

2 DETAILS

Reference no.	0434/FUL/20	Owner of site	Motor Fuel Group
Applicant	Motor Fuel Group	Ward & local members	Linlithgow Councillor Tom Kerr Councillor Tom Conn Councillor David Tait
Case officer	Matthew Watson	Contact details	01506 283536 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Tait

3 RECOMMENDATION

Grant planning permission.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application proposes raising the filling station canopy from 3.8 m to 4.8 m high. These measurements are taken at the underside of canopy. The overall height is proposed to be raised to 5.7 m at the top of the canopy.

History

- 4.2 0737/FUL/09: Installation of jet wash and concrete pad, Refused, 31/12/2009
- 4.3 0442/FUL/09: Installation of jet wash and concrete pad, Refused, 24/07/2009
- 4.4 0265/A/98: Replacement of existing filling station signage, Approved, 28/05/1998

5. REPRESENTATIONS

5.1 Two representations have been received, both of which object to the proposal. All representations are attached to this report.

5.2 A summary of representations is located in the table below.

Comments	Response
<ul style="list-style-type: none"> Raising the canopy will increase accessibility for HGVs and increase noise Visual impact 	<ul style="list-style-type: none"> This is an existing petrol station with no restrictions on the type of vehicles using the facility. It would not be appropriate to control the type of vehicles using the petrol station through this planning application. The increase in height is modest and is acceptable visually. See the 'Design and Residential Amenity' section below for more detail.

6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
Environmental Health	N/A	Unable to provide comment.	Noted.

7. ASSESSMENT

7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

7.2 The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Development Plan (2018).

7.3 The relevant development plan policies are listed below:

Plan	Policy	Assessment	Conform ?
West Lothian LDP	DES 1 Design principles	<p>This policy states that development proposals are required to integrate with their local context and not have an adverse impact on amenity.</p> <p>The proposal is acceptable in visual terms and will not harm residential amenity. The proposal complies with Policy DES 1 of the LDP.</p>	Yes

Design and Residential Amenity

- 7.4 Policy DES 1 (Design principles) of the West Lothian Local Development Plan, 2018 (LDP) requires new development to integrate with its local context and not have a significant adverse impact on amenity.
- 7.5 In terms of visual impact, the increase in height of the canopy is modest and will not result in the canopy being of a greater height than surrounding residential properties. The proposed increase in height sufficiently integrates with its local context and the proposal complies with Policy DES 1 in this respect.
- 7.6 In terms of impact on amenity, the light spillage diagram in the submitted Light Spill Study shows the light spillage in relation to the higher canopy stays within the confines of the petrol station and will not adversely affect neighbouring properties. The proposal complies with Policy DES 1 in this respect.
- 7.7 Overall, the proposal is acceptable in visual terms and in terms of the impact on residential amenity.

8. CONCLUSION AND RECOMMENDATION

- 8.1 In summary, the application is acceptable in terms of visual impact and residential amenity and complies with Policy DES 1 (Design principles) of the West Lothian Local Development Plan.
- 8.2 Overall, and in the view of the above, it is recommended planning permission is granted.

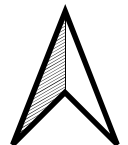
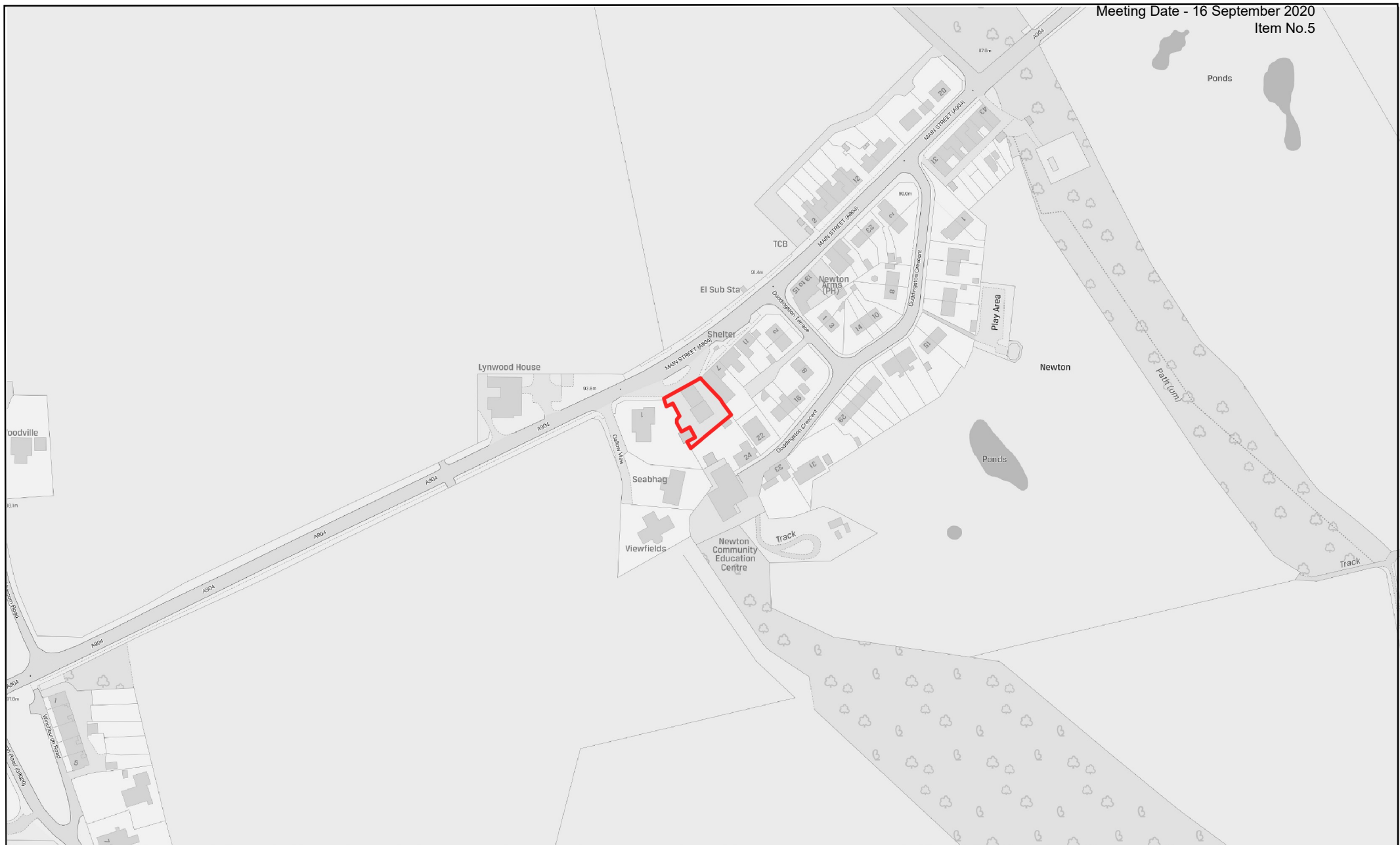
9. BACKGROUND REFERENCES & ATTACHMENTS

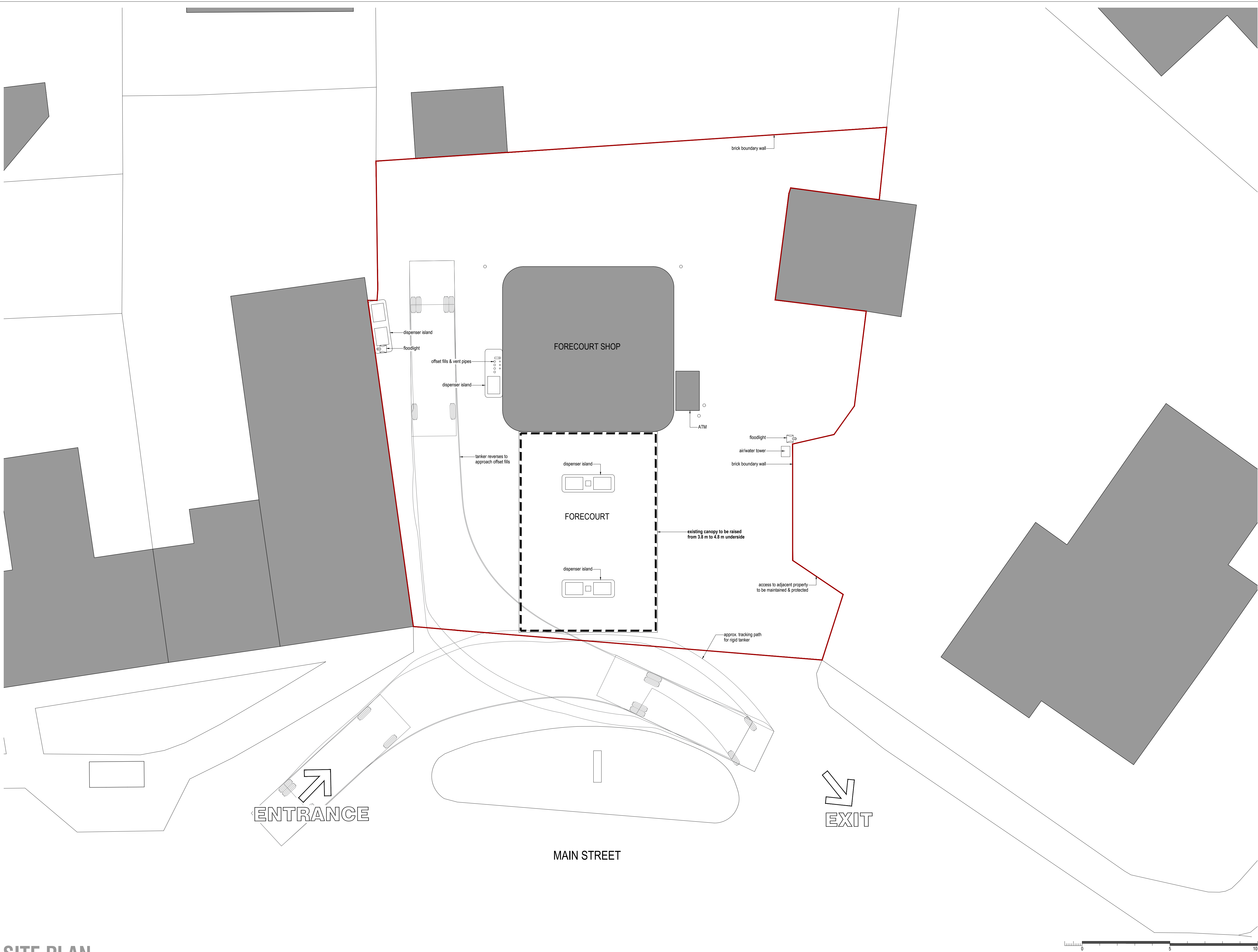
- Location Plan;
- Site Plan;
- Representations;
- Member Referral Form.

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 16 September 2020





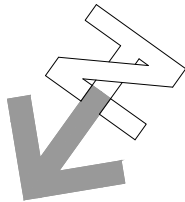
SITE PLAN

REVISIONS:

REV	NOTE	DATE
a	Canopy heights clarified. Tanker tracking added	July 20

NOTES:

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PLANNING
APPLICATION
NEWTON 20

CLIENT **mfg**
motor fuel group

PROJECT FORECOURT CANOPY RAISE
FROM 3.8 m TO 4.8 m

ADDRESS NEWTON SERVICE STATION
3 MAIN STREET
NEWTON VILLAGE
WEST LOTHIAN EH52 6QE

TITLE EXISTING AND PROPOSED SITE PLAN

SCALE 1:100 @ A1 JOB NO 19855-19

DRAWN JAMES THOMPSON DWG NO PA02a

DATE 18.03.2020

CHECKED DATE REVISION DATE

08.07.2020

ADCOCK ASSOCIATES

ELTA HOUSE, BIRMINGHAM ROAD, STRATFORD UPON AVON CV37 9AQ
enquiries@adcockassociates.co.uk Tel: +44(0)1789 414202 Fax: +44(0)1789 207141

DESIGN ARCHITECTURE PROJECT MANAGEMENT

Comments for Planning Application 0434/FUL/20

Application Summary

Application Number: 0434/FUL/20

Address: Newton Filling Station 3 Main Street Newton West Lothian EH52 6QE

Proposal: Alterations to raise filling station canopy from 3.8 m to 4.8 m high (underside of canopy)

Case Officer: Matthew Watson

Customer Details

Name: Mr Paul Pacitti

Address: 1 Main Street Newton West Lothian

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Hi there,

I object to the planning proposal to raise the filling station canopy. This will make it far more noticeable from our property and make the outlook from within our property and our Garden unsightly. The other consideration is it will make the garage more accessible for larger noisy vehicles to use the Garage for fueling!. There is already way to much noisy traffic passing through the village and this would only add to that and the thought of heavy vehicles pulling in next door to use these facilities creating more noise and fumes doesn't bode well!

Your assistance in this matter would be appreciated.

Kind regards

Paul Pacitti

Comments for Planning Application 0434/FUL/20

Application Summary

Application Number: 0434/FUL/20

Address: Newton Filling Station 3 Main Street Newton West Lothian EH52 6QE

Proposal: Alterations to raise filling station canopy from 3.8 m to 4.8 m high (underside of canopy)

Case Officer: Matthew Watson

Customer Details

Name: Mr Simon Garnett

Address: 31 Main Street Newton

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There is currently an issue with a large volume of HGV traffic in Newton. This is an ongoing issue which is actively being pursued by Newton Community Council in order to establish what can be done to reduce the volume of traffic generally in the village, but with a particular focus on HGV traffic, which is causing an increasingly detrimental effect on the wellbeing of residents.

Increasing the height of the roof of the filling station would seem to be a move intended to increase the accessibility of the filling station to HGVs. This will only serve to increase the volume of HGV traffic in the village at a time when, as outlined, attempts are being made to reduce this type of traffic in the village.

☒ LOCAL MEMBER REFERRAL REQUEST ☒

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days and by 12 noon at the latest.

The planning application details are available for inspection on the council's web site at <http://planning.westlothian.gov.uk/WAM133/searchsubmit/performanceOption.do?action=search>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p>Application Reference Number</p> <p>0434/FUL/20</p> <p>.....</p> <p>Site Address</p> <p>Newton Filling Station, 3 Main Street, Newton, West Lothian, EH52 6QE (Grid Ref: 309147,677613)</p> <p>.....</p> <p>.....</p> <p>Title of Application</p> <p>Alterations to raise filling station canopy from 3.8 m to 4.8 m high (underside of canopy)</p> <p>.....</p> <p>.....</p> <p>Member's Name</p> <p>Cllr David Tait</p> <p>Date 31/7/2020</p> <p>.....</p>	<p>Applicant Request..... <input type="checkbox"/></p> <p>Constituent Request..... ✓</p> <p>Other (please specify)..... <input type="checkbox"/></p>

Development Management Committee

16 September 2020

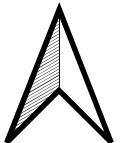
Item No 5: Application No.

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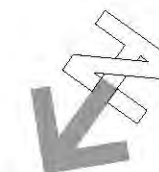
REVISIONS:

REV	NOTE	DATE
a	Canopy heights clarified	July '20

NOTES:

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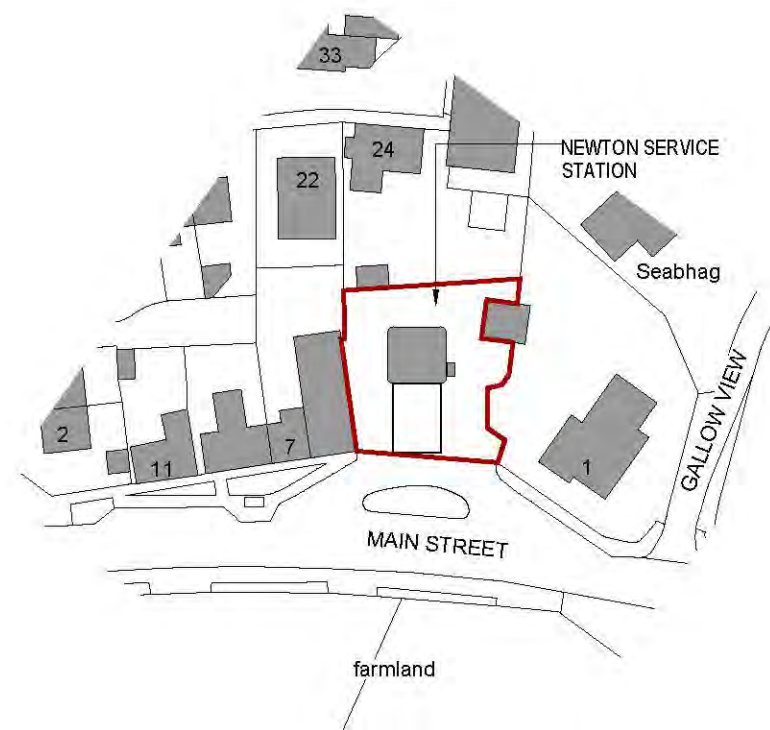
Site Area	706 m ² 0.07 ha
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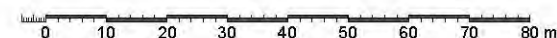
PLANNING APPLICATION
NEWTON 2020

CLIENT	mfg motor fuel group
PROJECT	FORECOURT CANOPY RAISE FROM 3.8 m TO 4.8 m
ADDRESS	NEWTON SERVICE STATION 3 MAIN STREET NEWTON VILLAGE WEST LOTHIAN EH52 6QE
TITLE	LOCATION PLAN & BLOCK PLAN
SCALE	As Noted @ A3
JOB NO	19855-19
DRAWN DATE	JAMES THOMPSON 18.03.2020
DWG NO	PA01a
CHECKED DATE	PATRICK EVES 09.07.2020

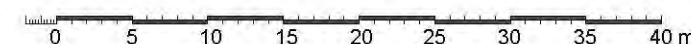
ADCOCK ASSOCIATES
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enquiries@adcockassociates.co.uk Tel: +44(0)1799 414202 Fax: +44(0)1799 267741
■ DESIGN ■ ARCHITECTURE ■ PROJECT MANAGEMENT ■

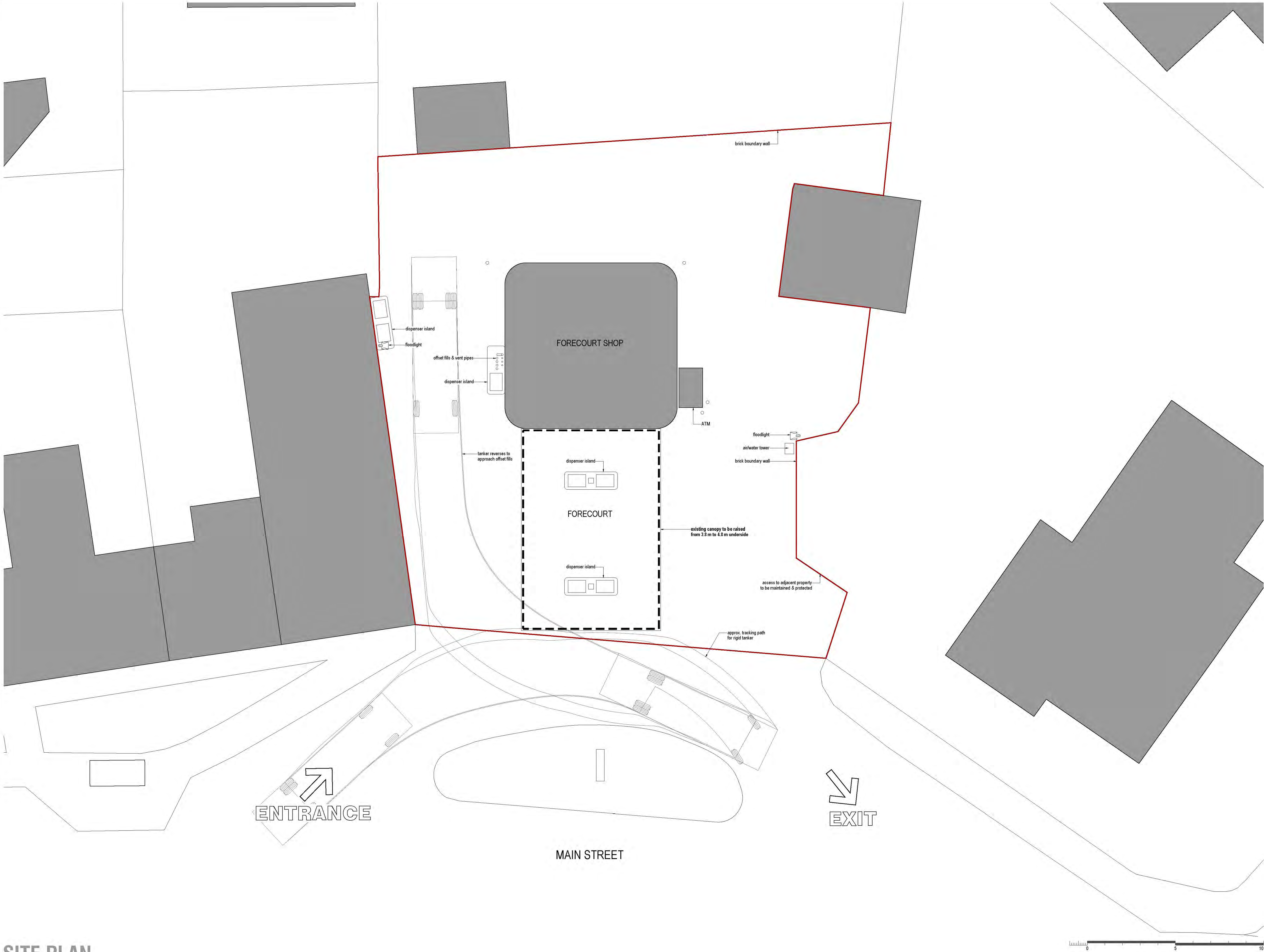


LOCATION PLAN 1:1250



BLOCK PLAN 1:500





SITE PLAN

REVISIONS:

REV	NOTE	DATE
a	Canopy heights clarified. Tanker tracking added	July 20

NOTES:

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PLANNING
APPLICATION
NEWTON 20

CLIENT

mfg
motor fuel group

PROJECT

FORECOURT CANOPY RAISE
FROM 3.8 m TO 4.8 m

ADDRESS

NEWTON SERVICE STATION
3 MAIN STREET
NEWTON VILLAGE
WEST LOTHIAN EH52 8QE

TITLE

EXISTING AND PROPOSED SITE PLAN

SCALE

1:100 @ A1

JOB NO

19855-19

DRAWN

JAMES THOMPSON

DWG NO

PA02a

DATE

16.05.2020

CHECKED

PATRICK EVES

DATE

06.07.2020

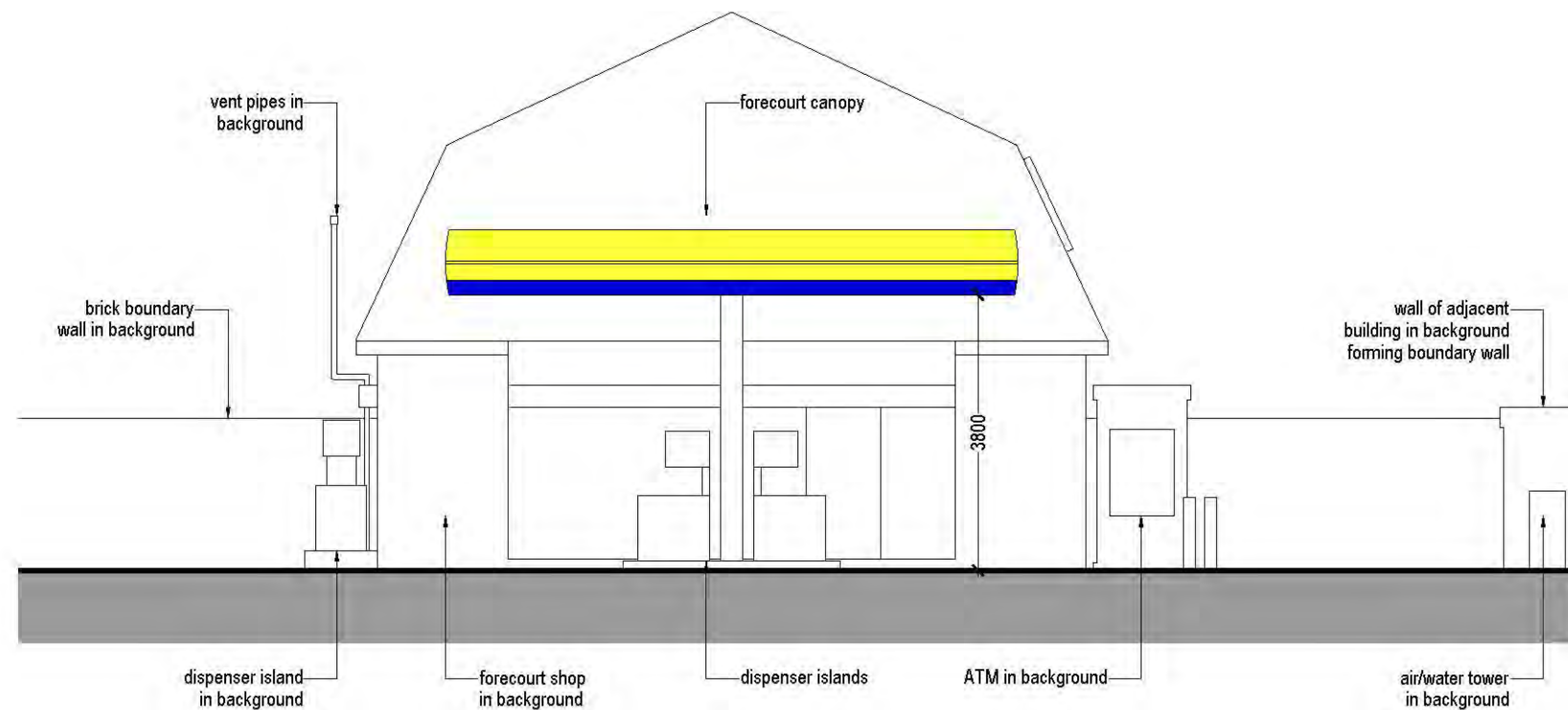
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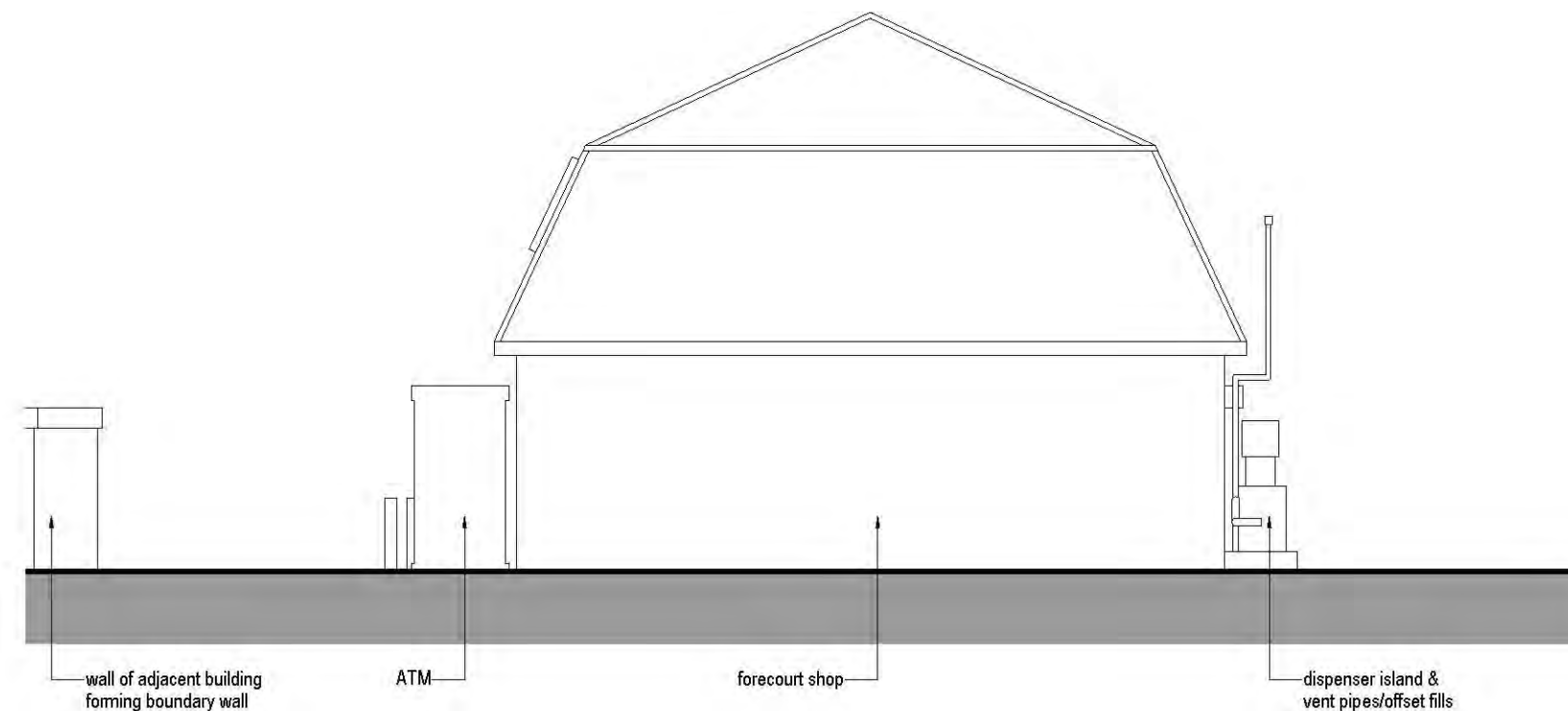
DESIGN

ARCHITECTURE

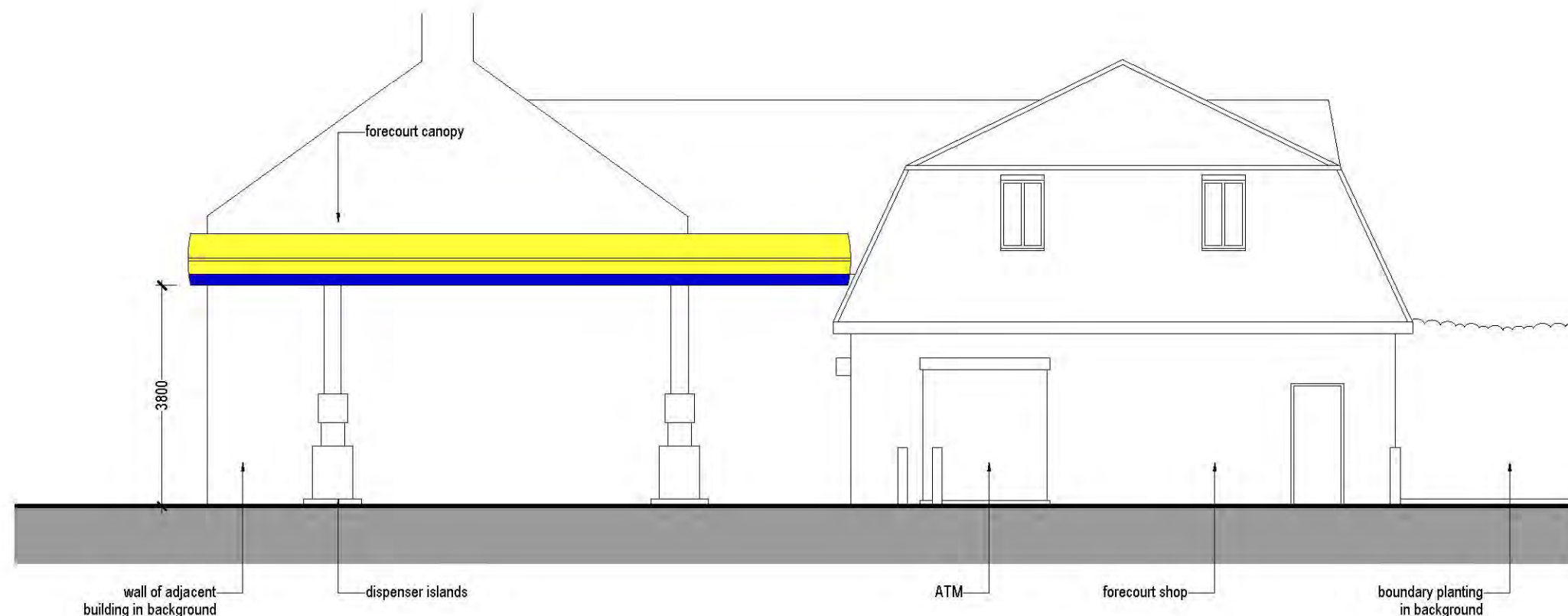
PROJECT MANAGEMENT



NORTHEAST ELEVATION



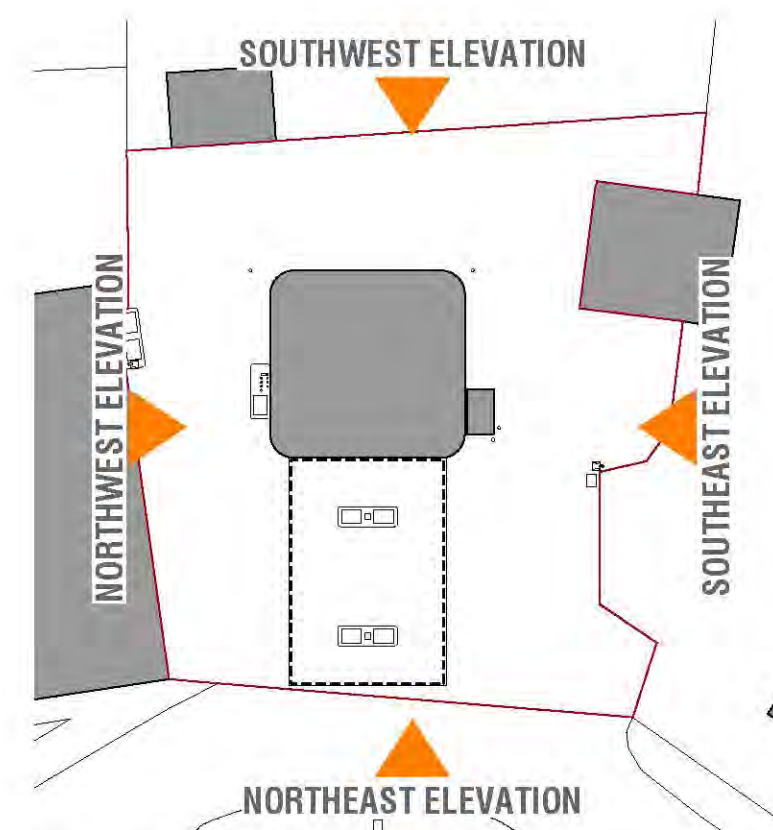
SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHWEST ELEVATION



KEY PLAN NTS

REVISIONS:

REV	NOTE	DATE

NOTES:

Hard copy prints may not scale accurately. All levels are in metres and dimensions in millimetres and unless specified otherwise. To be read in conjunction with all other relevant drawings and specifications. Based in part on data supplied by Ordnance Survey. License number 100031961

PLANNING APPLICATION
NEWTON 2020

CLIENT **mfg**
motor fuel group

PROJECT FORECOURT CANOPY RAISE
FROM 3.8 m TO 4.8 m

ADDRESS NEWTON SERVICE STATION
3 MAIN STREET
NEWTON VILLAGE
WEST LOTHIAN EH52 6QE

TITLE EXISTING ELEVATIONS

SCALE 1:100 @ A2	JOB NO 19855-19
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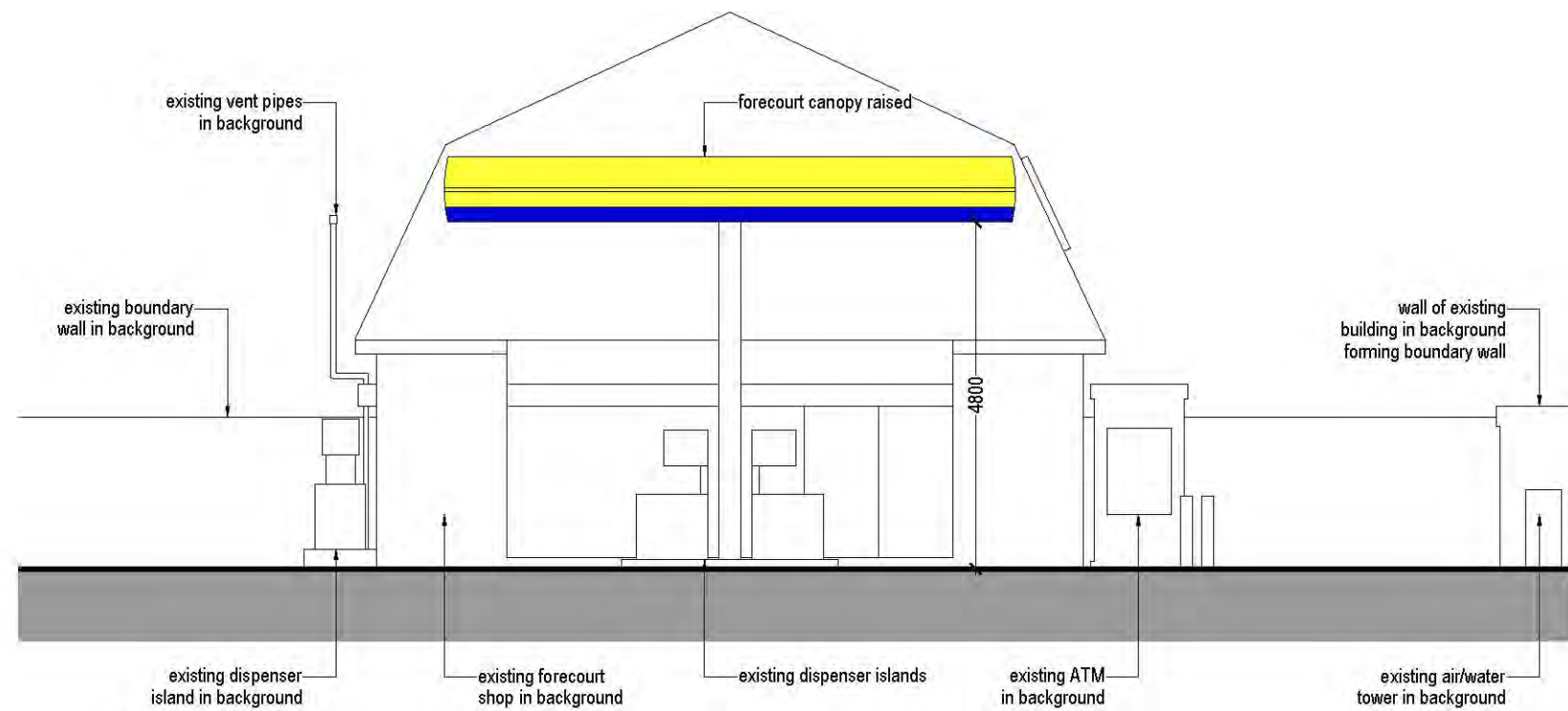
DRAWN DATE 18.03.2020	DWG NO PA03
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CHECKED DATE	REVISION DATE
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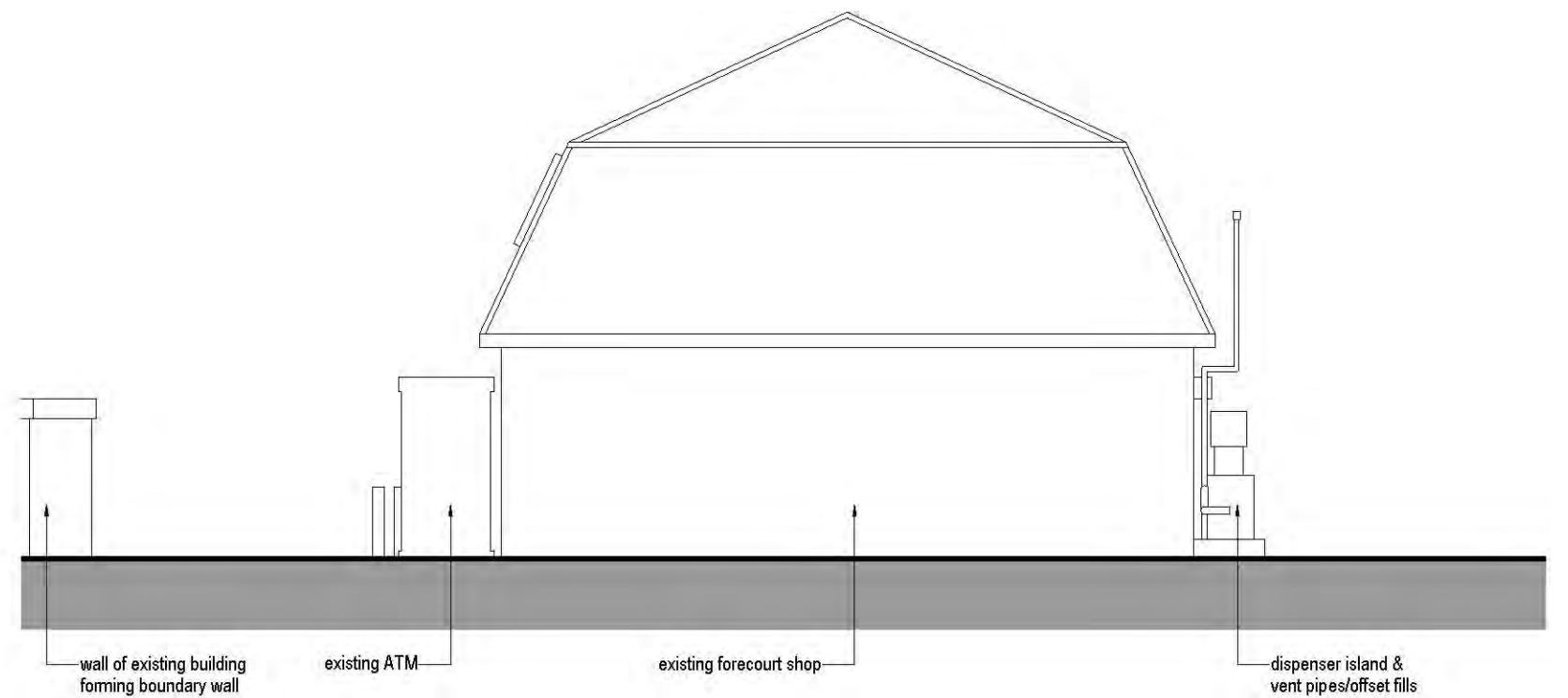
ADCOCK ASSOCIATES

ELTA HOUSE, BIRMINGHAM ROAD, STRATFORD UPON AVON CV37 0AQ
enquiries@adcockassociates.co.uk Tel: +44(0)1789 414202 Fax: +44(0)1789 267741

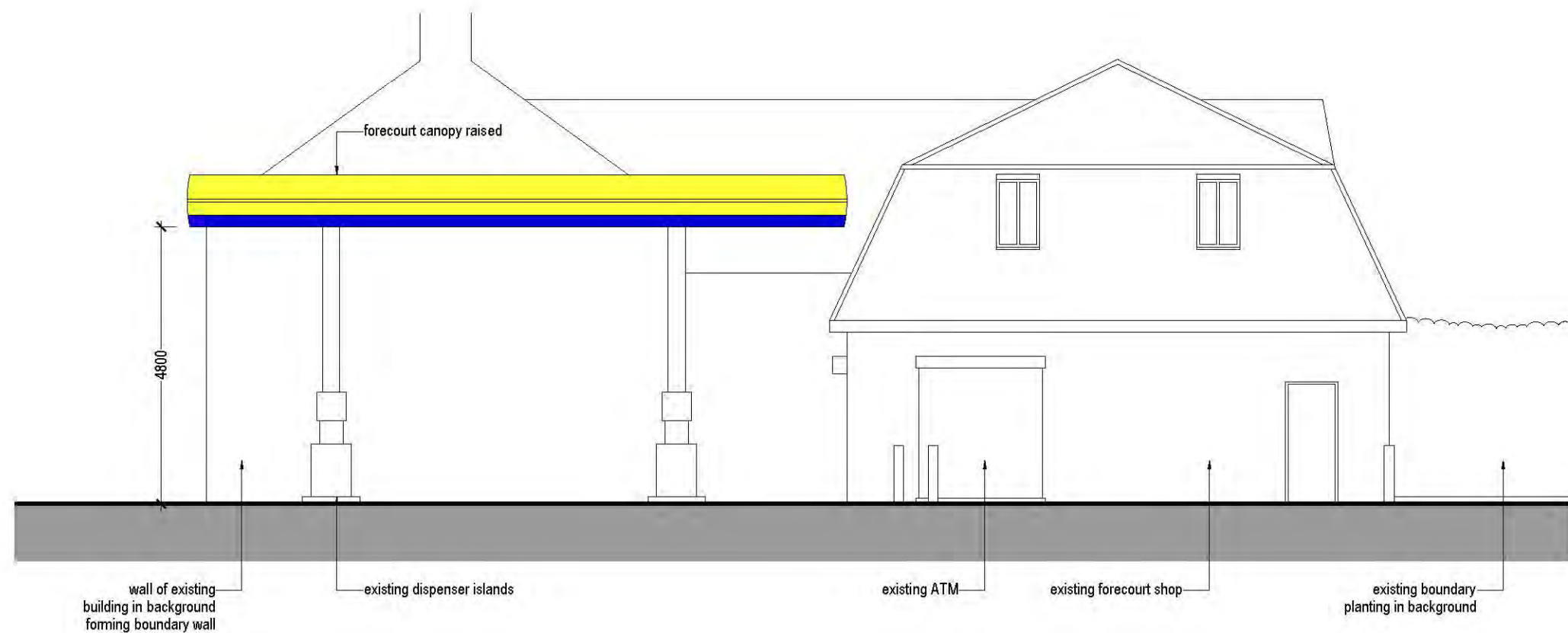
■ DESIGN ■ ARCHITECTURE ■ PROJECT MANAGEMENT ■



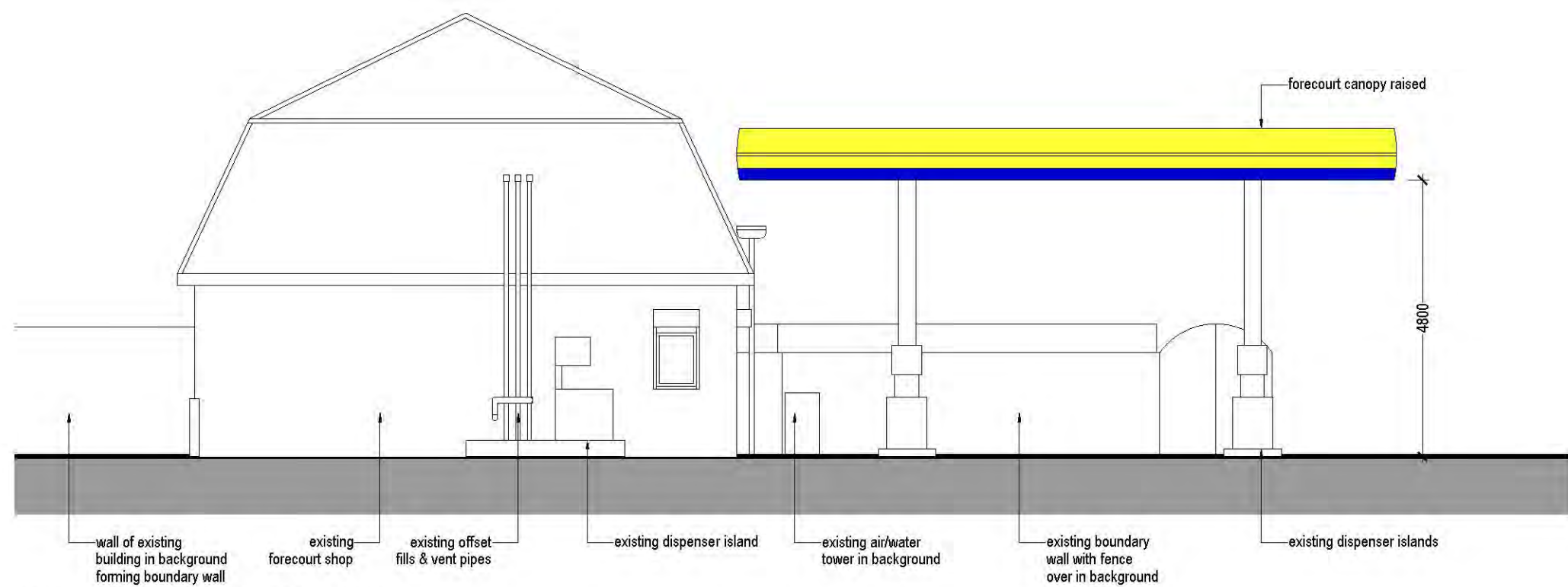
NORTHEAST ELEVATION



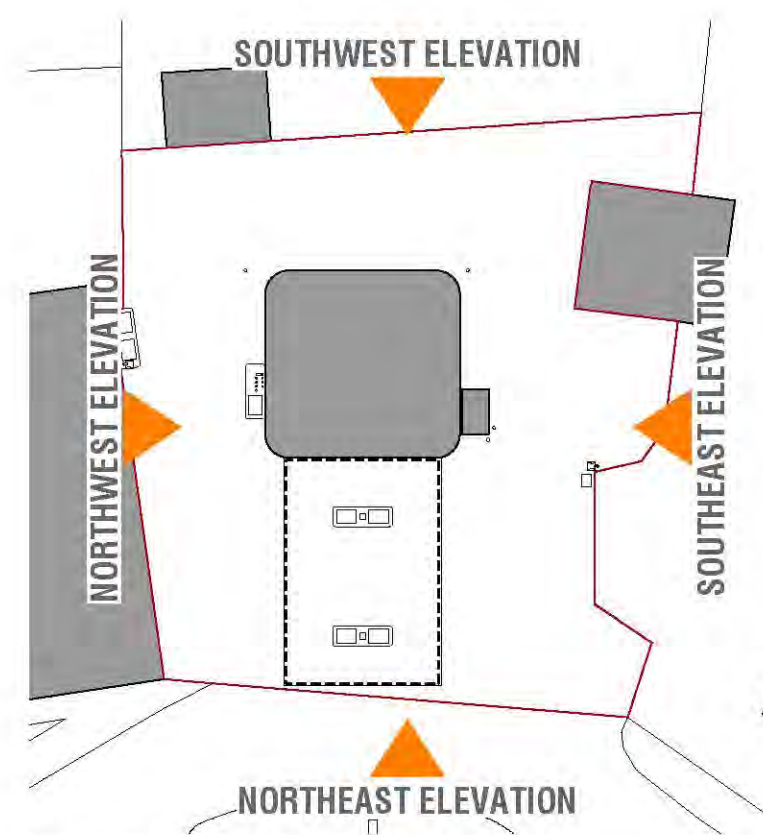
SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHWEST ELEVATION



KEY PLAN NTS

REVISIONS:

REV	NOTE	DATE

NOTES:

Hard copy prints may not scale accurately. All levels are in metres and dimensions in millimetres and unless specified otherwise. To be read in conjunction with all other relevant drawings and specifications. Based in part on data supplied by Ordnance Survey. License number 100031961

PLANNING APPLICATION
NEWTON 2020

CLIENT	mfg motor fuel group		
PROJECT	FORECOURT CANOPY RAISE FROM 3.8 m TO 4.8 m		
ADDRESS	NEWTON SERVICE STATION 3 MAIN STREET NEWTON VILLAGE WEST LOTHIAN EH52 6QE		
TITLE	PROPOSED ELEVATIONS		
SCALE	1:100 @ A2	JOB NO	19855-19
DRAWN DATE	JAMES THOMPSON 18.03.2020	DWG NO	PA04
CHECKED DATE		REVISION DATE	
ADCOCK ASSOCIATES <small>ELTA HOUSE, BIRMINGHAM ROAD, STRATFORD UPON AVON CV37 0AQ enquiries@adcockassociates.co.uk Tel: +44(0)1789 414202 Fax: +44(0)1789 267741</small>			
DESIGN ARCHITECTURE PROJECT MANAGEMENT			









DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Approval of matters specified in conditions for the erection of 52 houses on land north of Fauldhouse Road (B7010), Longridge

2 DETAILS

Reference no.	0205/MSC/20	Owner of site	Greentown Heartlands
Applicant	O'Brien Properties Ltd	Ward & local members	Fauldhouse and the Breich Valley Councillor Pauline Clark Councillor David Dodds Councillor Cathy Muldoon
Case officer	Mahlon Fautua	Contact details	01506 282426 mahlon.fautua@westlothian.gov.uk

Reason for referral to Development Management Committee: More than 5 objections received.

3 RECOMMENDATION

Grant approval of matters specified in conditions subject to conditions.

4. DETAILS OF THE PROPOSAL AND BACKGROUND
--

- 4.1 Approval of matters specified in conditions (MSC) is sought for the erection of 52 houses at Fauldhouse Road, Longridge. The application site is 1.98 hectares in area and greenfield land.
- 4.2 Residential development bounds the site to the east with countryside surrounding the site predominantly to the south and west.
- 4.3 The proposed residential development is provided through a simple loop-road layout with a new junction onto Fauldhouse Road towards the south western corner of the site. The proposed houses are a mix of single and two-storey units mostly terraced and semi-detached dwellings.
- 4.4 A sustainable drainage (SUDs) basin is proposed in the south eastern corner of the site.

Application History

- 4.5 0493/P/02 - Outline planning permission (Heartlands Development). Granted 10/5/06
- 4.6 0555/FUL/14 - Application under Section 42 to vary condition 1 of planning permission 0493/P/02 to extend the period for submission of reserved matters/validity of the permission. Granted 21/12/15
- 4.7 0553/FUL/14 - Application under Section 42 to vary conditions 56-69 of planning permission 0493/P/02 relating to open space play provision and public art. Granted 21/12/15
- 4.8 0318/P/20 - Application under Section 42 to develop land without complying with condition 23 (drainage) of planning permission 0555/FUL/14 for Heartlands mixed use development to allow for the production and submission of overall foul and surface water drainage strategy and flood strategy documents. Granted 07/07/20

5. REPRESENTATIONS

- 5.1 The application was subject of statutory publicity and a total of 10 objections were received, including a petition signed by 43 people.
- 5.2 The application was re-notified because of a variation to the layout and a further 37 representations were received.
- 5.3 A total of 47 representations have been received; 45 objections and 2 in support of the application. The representations and petition are attached to this report.
- 5.4 This is a brief summary of the representations received.

Objecting Comments	Response
Land ownership is incorrect on the application form.	Noted. This has been rectified by the applicant and the correct owners at the time of the application (Greentown Heartlands) have been notified of the application. At the time of this report, the applicant has confirmed that they are now the owner of the site.
Water supply is insufficient in the area.	Not a material planning matter. The developer will need to obtain the necessary consents from Scottish Water before the development can proceed.
Contrary to LDP Policy HOU 4	Policy HOU 4 applies to new market housing developments. This is an application for approval of matters within the Heartlands outline permission, so HOU

	4 does not apply as the proposed development would be subject to the existing planning obligations.
Impact on wildlife.	<p>The site is not subject to any wildlife designations.</p> <p>The applicant would require to comply with the relevant wildlife legislation.</p>
Traffic impact, road safety at Curling Pond Lane and Chicane.	<p>A transport assessment has been submitted with the application and has been reviewed by WLC Roads & Transportation.</p> <p>This is assessed in section 7 below.</p>
Impact on primary school, local infrastructure and amenities in Longridge.	<p>WLC Education Planning do not raise any objection.</p> <p>The proposed development would be subject to the existing planning obligations.</p>
The requirement for infrastructure (education) and amenities have not been delivered by the Heartlands development.	<p>This is enforced separately to this application. Nonetheless, in terms of the traffic capacity, the proposed development would not trigger the delivery of the proposed distributor road.</p> <p>A transport assessment has been submitted with the application that addresses this matter and has been reviewed by WLC Roads & Transportation.</p>
Concerns of flooding and drainage.	<p>A drainage statement has been submitted with the application and has been reviewed by WLC Flood Risk Management.</p> <p>This is assessed in section 7 below.</p>
Ground stability/risk from former mining activities.	<p>With respect to coal mining, the site is located in a development low risk area. The applicant undertook a phase 2 intrusive site investigation.</p> <p>This is assessed further in sections 6 and 7 below.</p>
Higher density than surrounding developments.	This is assessed in section 7 below.
Impact on Amenity/Noise/Loss of light.	This is assessed in section 7 below.
Lack of open space.	The site has access to two local parks and it is proposed that the impact on these facilities would be addressed in the open space strategy as part of the Heartlands development.
Negative effect on house prices.	Not a material planning matter.
Access to Scottish Water reservoir tank.	Access to the tank is incorporated into the proposed road.

6. CONSULTATIONS

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

Consultee	Objection	Comments	Planning Response
WLC Roads & Transportation	No	The layout and design largely meets requirements but some revision is required to street design.	Noted. It is recommended that any committee approval is subject to satisfactory street design being achieved.
WLC Education Planning	No	Education matters have been dealt with in the Heartlands legal agreement.	Noted.
WLC Environmental Health	No	If the application is granted, it is recommended that conditions are attached in relation to: <ul style="list-style-type: none"> Controlling construction noise Residential drainage 	Noted. There is no noise attenuation required for the proposed housing with respect to the exiting road noise environment.
WLC Flood Risk Management	No	Initially sought clarification on flooding. Upon the submission of further information, the outstanding matters were clarified and accepted.	Noted.
WLC Open Space	No	The proposed development would reduce the quantity standard for active open space. On site provision is the first preference. The next option is to improve existing play areas.	Noted. To address the active open space requirement, it has been agreed that the existing local play area is refurbished. However, the open space obligation for this site will be addressed in the open space strategy for the Heartlands development.

Consultee	Objection	Comments	Planning Response
WLC Waste Services	No	Initially pointed out concerns over the layout in particular bin collection points.	Noted. The applicant has made changes to the layout to address these points.
Contaminated Land Officer	No	Technical clarifications have been sought in relation to the applicant's intrusive investigation.	Noted. The applicant has submitted a revised site investigation to address these points.

7. ASSESSMENT

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Development Plan, 2018.
- 7.3 The relevant development plan policies are listed below:

Policy	Policy Summary	Assessment	Conform
West Lothian Local Development Plan, 2018 (LDP) Policy HOU 1 – Allocated Housing Sites	This policy states that residential development on sites allocated for housing is supported in principle.	The proposal is for housing and is therefore acceptable in principle.	Yes
West Lothian Local Development Plan, 2018 (LDP) Policy DES 1 – Design principles	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.	The scale and form of the proposed development is not detrimental to the local context and built form. See further assessment in 'Design Principles' section below	Yes
West Lothian Local Development Plan, 2018 (LDP) Policy TRAN 1 – Transport Infrastructure	Development will only be permitted where transport impacts are acceptable.	WLC Roads & Transportation has not objected to the number of houses proposed on grounds of traffic impact.	Yes, subject to conditions

Policy	Policy Summary	Assessment	Conform
West Lothian Local Development Plan, 2018 (LDP) Policy INF 1 - Infrastructure Provision and Developer Obligations	The council will seek developer obligations in accordance with Scottish Government guidance to mitigate the development's individual or cumulative impacts upon infrastructure, including cross-boundary impacts. Any such obligations will be concluded prior to the issue of planning permission.	The proposal development is part of the Heartlands development and therefore subject to the existing developer obligations.	Yes
West Lothian Local Development Plan, 2018 (LDP) EMG 2 – Flooding	When considering proposals for development, the council will adopt a precautionary approach to the flood risk from all sources.	Appropriate mitigation and design measures can be implemented to ensure that neither the site nor the surrounding properties are affected by flooding.	Yes
West Lothian Local Development Plan, 2018 (LDP) EMG 3 – Sustainable Drainage	Developers may be required to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development.	A drainage assessment has been submitted with the application. Treatment and attenuation is proposed through a SUDS basin.	Yes
West Lothian Local Development Plan, 2018 (LDP) EMG 6 – Vacant, Derelict and Contaminated Land	Where it is suspected by the council that a development site may be contaminated, the developer will be required to undertake a site investigation.	A site investigation has been submitted with the application which concludes that the site is a Characteristic Situation 1 site and there is no significant source, intact pollutant linkages present and therefore remedial works are not required to mitigate gas levels.	Yes This has been peer reviewed by council's CLO and subject to further technical clarifications.
West Lothian Local Development Plan, 2018 (LDP) NRG 1a – Low and Zero Carbon Generating Technology	At least 10% of the current carbon emission reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies.	The proposal involves low and zero-carbon generating technologies. This is set out in the design and access statement and accepted. This detail would be also approved in any building warrant application.	Yes

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

Principle of Development – Site Allocation and Heartlands Development

- 7.5 The site is part of the Heartlands development which benefits from outline planning permission.
- 7.6 Policy HOU 1 of the LDP states that 'sites listed in Appendix 2 of the Plan and shown on the Proposals Map are allocated as housing sites which contribute to meeting the LDP housing land requirements' and that 'Development of housing on these sites will be supported in principle'.
- 7.7 The application site is allocated for housing development in the LDP Proposals Map as site H-LR 2. Appendix 2 of the LDP lists the application site as having an indicative capacity for 30 units.
- 7.8 This application proposes the erection of 52 houses. The capacity stated in Appendix 2 of the LDP is indicative and does not prevent development for larger or smaller numbers of houses coming forward. In accordance with the council's Supplementary Statutory Guidance – Residential Development Guide, the proposed development would be deemed to be medium density.
- 7.9 WLC Roads & Transportation has not objected to the number of houses proposed on grounds of traffic impact.
- 7.10 The increase from the notional 30 house capacity in the LDP to the 52 houses proposed in this application is considered to be acceptable in view of the above.
- 7.11 The suitability of the site for housing has been assessed in detail through the LDP examination process and the principle of housing development has been established on this site. Therefore, the principle of housing development on the application site has already been established through the Heartlands outline permission and also is compliant with policy HOU 1.

Design and Layout

- 7.12 Policy DES 1 (Design Principles) of the LDP requires that all development proposals take account of and be integrated with the local context and built form.
- 7.13 The proposed development is medium density in accordance with the Supplementary Guidance – Residential Development Guide (RDG). Medium density as per the RDG is 30 units per hectare, the proposed development is around 26 per hectare. The surrounding area is varied in terms of its age and density and has a mix of bungalows and two-storey dwellings. The proposed development is generally consistent with the surrounding housing density and would not be incongruous to the development to the east of the site. Therefore, the proposed development would be of a scale that would not be detrimental to the local context and built form.
- 7.14 The proposed internal road layout has been designed to consider designing streets principles with the use of shared surfaces around the entire loop road.

- 7.15 In terms of assessing the proposals against the criteria of policy DES 1, the following is relevant:
- a. As set out above, there will be no adverse impact as a result of scale, massing and layout. In terms of amenity, the proposed development complies with building separation distances prescribed in the Residential Development Guide in order to avoid any adverse privacy and dominance impact.
 - b. The site is not within a designated special landscaped area or conservation area.
 - c. The application site is within a 5-minute walk of Main Street. The B7010 serves a bus route for local and regional bus services with a bus stop close to the site.
 - d. The site has access to two local parks and it is proposed that the impact on these facilities would be addressed in the open space strategy as part of the Heartlands development.
 - e. The proposal involves low and zero-carbon generating technologies. This is set out in the design and access statement and accepted. This detail will be required to be approved in any building warrant application.
 - f. The proposed development does not result in any significant adverse impact on the water environment. Flooding and drainage are further assessed below.
 - g. There will not be any significant adverse effects on air quality. In terms of the Residential Development Guide, the proposed development includes the required electric vehicle charging capabilities and has access to public transport.
 - h. The site is located in a development low risk area in terms of the Coal Authority database.
- 7.16 Overall the proposed development satisfactorily complies with the design principles set out in policy DES 1.

Traffic Impact

- 7.17 The proposal includes 52 new houses which would create new traffic movements that could potentially have an adverse impact on the surrounding road networks.
- 7.18 Policy TRAN 1 of the LDP states that development will only be permitted where transport impacts are acceptable. WLC Roads & Transportation has assessed the proposed development and transport statement submitted with the application and has not objected to the number of houses proposed on grounds of traffic impact.
- 7.19 Therefore, there is no reason to refuse the application based on transport impacts as measures can be implemented by the developer to address any potential traffic problems.
- 7.20 The proposed road geometry requires some revision to satisfy requirements but this doesn't affect the substance of the layout or position of homes. These revisions can be achieved prior to the issuing of any decision.

Impact on Infrastructure

- 7.21 Policy INF 1 of the LDP requires developer obligations to mitigate the development's individual or cumulative impacts upon infrastructure, including cross-boundary impacts.
- 7.22 The proposed development of the site is subject to the obligations set out in the existing legal agreement for the Heartlands development.

Flooding and Drainage

- 7.23 Policy EMG 2 of the LDP states that when considering proposals for development, the council will adopt a precautionary approach to the flood risk from all sources. Policy EMG 3 of the LDP requires developers to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development.
- 7.24 A Drainage Impact Assessment (DIA) has been submitted with the application which sets out the SUDs strategy which includes an attenuation basin before discharging from the site at the greenfield or pre-development release rate.
- 7.25 WLC Flood Risk Management has reviewed the DIA and accept its findings and recommendations and advises that a further flood risk assessment of the site is not necessary.

8. CONCLUSION AND RECOMMENDATION

- 8.1 In summary, the proposed development is acceptable in principle as the site is part of the approved Heartlands outline permission and is supported by the development plan, in particular policy HOU 1 of the West Lothian Local Development Plan. Additionally, the proposed development would be of a medium density and is compatible with the surrounding built form. Furthermore, the existing road network can accommodate the proposed development.
- 8.2 Consequently, and in view of the above, it is recommended that approval of matters specified in conditions is granted, subject to conditions. It is further recommended that the road geometry be to the satisfaction of officers prior to any permission being issued.

9. ATTACHMENTS

- Draft Conditions of Consent
- Location Plan
- Site Plan
- Representations

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 16 September 2020

Draft Conditions of Consent - APPLICATION 0205/MSC/20

1. Prior to any work beginning on site an updated contaminated land site investigation and risk assessment must be completed and a written report submitted to and approved in writing by the planning authority.

Reason: To confirm that remediation of the site is not necessary.

2. Prior to development commencing on site, the details of landscaping including soft and hard surfaces shall be submitted to and approved in writing by the planning authority. It shall include details of plant species, sizes, planting distances, methods of protection and, notwithstanding the details on the approved drawings, details of all paving/hard surfacing and means of enclosure. It shall comply with BS 3936-1 Nursery stock - Part 1: Specification for trees and shrubs and BS 4428 - Code of practice for general landscape operations (excluding hard surfaces).

The landscaping shall be implemented in the first planting season following any residential unit being occupied, or completion of the development, whichever is sooner.

The new planting shall be maintained for a minimum period of five years until it becomes established. Any trees which within a five year period following completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species unless the planning authority gives written consent to any variation.

Reason: To ensure proper implementation of the planting proposals in the interest of the amenity of the site and the area as a whole.

3. Prior to the commencement of development, a plan showing all common areas and details of the body who will own and maintain the common areas, together with a schedule of maintenance works, has been submitted to and approved in writing by the planning authority.

Thereafter the common areas shall be maintained in accordance with the details as approved.

Reason: To enable full consideration to be given to those details which have yet to be submitted, in the interests of visual and environmental amenity.

4. Prior to the commencement of development, full details and samples of the materials to be used as external finishes on all buildings and for all roads, parking and hardstanding areas shall be submitted to and approved by the planning authority, and the development shall be carried out strictly using those approved materials.

Reason: To enable full consideration to be given to those details which have yet to be submitted, in the interests of visual and environmental amenity.

5. Prior to the commencement of development, details of the height and finishes of all walls, fences and other means of enclosure shall be submitted of the written approval of

the planning authority. Once approved, these details shall be implemented prior to occupation of the houses.

Reason: To enable consideration of these details which have yet to be submitted and in the interests of privacy and amenity.

6. Surface water from the development shall be treated and attenuated by a sustainable drainage system (SUDS) in accordance with the Drainage Assessment prepared by indev consult dated May 2019.

Reason: To minimise the cumulative effects of surface water and diffuse pollution on the water environment.

7. Prior to the commencement of development, details of electric charging points shown on the approved site plan shall be submitted to and approved in writing by the planning authority. Plans should also detail who will be responsible for managing and maintaining charging infrastructure and this should include arrangements for managing access to EV charging spaces and arrangements for paying for the electricity used during charging.

Thereafter, the approved details shall be installed prior to the occupation of the relevant houses.

Reason: To comply with the requirements of the Air Quality Planning Guidance, in the interest of sustainability.

8. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: To ensure necessary measures should any potential archaeological features are encountered.

9. No house shall be occupied until all roads, footways, footpaths and visitor parking have been constructed and lit to the adoptable standard of the Council as roads authority.

Reason: To ensure necessary measures should any potential archaeological features are encountered

10. The following restrictions shall apply to the construction of the development:

Noise (Construction)

- Any work required to implement this planning permission that is audible within any adjacent noise sensitive receptor or its curtilage shall be carried out only between the

hours of 0900 and 1800 Monday to Friday and 0900 and 1300 on a Saturday and at no time on a Sunday. This includes deliveries and operation of on-site vehicles and equipment.

- No generators shall be audible within any residential properties between the hours of 2000 and 0900.

Noise (Vehicles/Plant)

- All site vehicles (other than delivery vehicles) must be fitted with non-tonal broadband reversing alarms.
- Heavy goods vehicles shall not arrive or leave the site except between the hours of 0900 and 1700 Monday to Friday and 0900 and 1300 on a Saturday. No heavy goods vehicles shall arrive or leave the site on a Sunday.

Vibration (Construction)

- Where piling or other significant vibration works are likely during construction which may be perceptible in other premises, measures must be in place (including hours of operation) to monitor the degree of vibration created and to demonstrate best practice.
- Prior to any piling or other significant vibration works taking place, a scheme to minimise and monitor vibration affecting sensitive properties shall be submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Site Compound

- The development shall not begin until the location and dimensions of any site compound have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Waste

- Effective facilities for the storage of refuse, building debris and packaging shall be provided on site. The facilities shall be specifically designed to prevent refuse, building debris and packaging from being blown off site. Any debris blown or spilled from the site onto surrounding land shall be cleared on a weekly basis. For the purposes of this condition, it shall be assumed that refuse, debris and packaging on surrounding land has originated from the site if it is of the same or similar character to items used or present on the site.

Reason: In the interests of visual and environmental amenity.



- KEY:
- Application Boundary
 - AC Access Street and Shared Private Driveways, Asphalt (coated chip)
 - AR Feature Junctions, Asphalt (red chips)
 - A Service zones / footpaths, Asphalt
 - B1 Shared Surface Lanes, Pedesta Bracken Blocks (or similar), delineation to services zone
 - B2 Private Driveway & Parking, Pedesta Natural Blocks (or similar)
 - PF Private Footpaths, Paving Flags, Natural Colour
 - Permeable Landscaping eg Bark Chippings with ground cover planting e.g. Pachysandra terminalis or Juniperus squamata 'Blue Carpet'
 - Public Open Space
 - Private Green Space

- Proposed 1.2m high timber fence with gates
- Proposed 1.8m high timber fence
- Brick feature wall

EVCP Electric Vehicle charging point

Platt to back door

L Street Lighting

VP Visitor Parking (with minimal line markings delineating spaces)

RC Refuse Collection Point

RS Refuse Storage on hard paving

House Types

Type 1 - 2 Bed, 4 Person two story.
16 houses
Gross Internal Area = 78.867m²

Type 2 - 3 Bed, 5 Person two story.
9 houses
Gross Internal Area = 92.973m²

Type 3 - 4 Bed, 7 Person two story.
3 houses
Gross Internal Area = 127.677m²

Type 4 - 2 Bed, 4 Person one story.
24 houses
Gross Internal Area = 67.775m²



KEY: Application Boundary
1.74Ha (4.29 Acres)

Meeting Date - 16 September 2020
Item No.6

These drawings are subject to future design development. All drawings should be referenced to separate BW notes.

All dimensions are to be checked on site prior to construction and any discrepancies reported to the information originator(s).

Unless stated otherwise, these designs shown are subject to detailed site surveys, investigations & legal definition, CDM regulations and the approval of the relevant Local Authority, Statutory Undertakers, Fire Officers, Engineers and any other design specialists.

This design is copyright of FourWard Architecture & Masterplanning Ltd. project specific and confidential. No part of the design is to be used or copied in any way without the express prior consent of FourWard Architecture & Masterplanning Ltd.

Any areas shown are approximate only at the current state of design. Areas may be affected by future design development and construction tolerances. Take account of these factors before planning any financial or property development purpose or strategy and seek confirmation of latest areas before decision making.

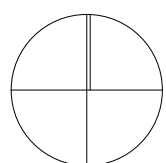
To ensure complete coordination during construction all drawings must be read in conjunction with Firm Foundations Technical Guidelines 0.4 & Housing for Varying Needs Design Guide as well as relevant information provided by Architecture, Civil / Structural Engineers, M&E Engineers, and all other specialist consultants or sub-contractor's drawings, specifications and information. Any discrepancies reported to the information originator(s).

In abeyance & subject to further design development:
Site services TBC - GAS, ELECTRIC, WATER location of services entering site and building, ASHP & GAS BOILER positions TBC, GAS & ELECTRIC METER LOCATIONS TBC SE to confirm location of all movement joints. (Brick, Insulated render system, any other location where required)

Health and Safety Notes

- Fall from height hazard eliminated due to self cleaning Solar PV's 'Active Glass' or other self cleaning coating required to be applied to the outside face upon manufacture. All the homes tilt and turn casements external and internal faces can be cleaned from the inside and have been designed to have a protective barrier 800mm above finished floor level.
- All windows to have opening restrictors and locks.
- Fall from height due to any maintenance required such as gutter cleaning. Not fully eliminated as gutters will require to be cleaned out periodically. Access should never be by the householder for any purpose. Separate risk assessments should be carried out by the professional roofer/ tradesperson / scaffolder prior to accessing the roof.
- Danger of hitting unknown Services within the ground. Not fully eliminated as Site Services Investigations to be completed prior to works commencing on site. Risk of hidden/unknown services within the ground being missed from site investigations. Further information should be sought from SE.

N



0 10 20 30 40
Scales @ A1
1:500

RevID	Issue Name	Rev Date	Issue-Info	Status	Approved by
09	Road Amendment for planning	21/08/2020	CM	03	NW
08	Draft Road Amendment	20/08/2020	CM	03	NW
07	Amendments to planning application	07/08/2020	CM	03	NW
06	Amendments to planning application	15/05/2020	CM	03	NW
05	Amendments to planning application	11/05/2020	CM	03	NW

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Project
Longridge

Stage
03 Developed Design

Layout Title

Proposed Site Plan

Drawing Number

023-20001 - ST-03

Rev

09

Date

21/08/2020

RESIDENTS OF LONGRIDGE

Rashierigg Place
Curling Pond
Cottages on Fauldhouse Road

WE I would like to object to the current proposed building project at the back of Rashierigg Place on the Fauldhouse Road. O'Brian construction is building this on behalf of Cain Housing Association. Ref: 0205/MSC/20 Land North of Fauldhouse Road, Longridge, West Lothian. Planning Permission code: 0553/P/14 for proposed 52 houses.

WE I would like the following objections to be addressed before any further works continue:

Amenities – There very little local amenities to support the development of these new houses. 1 convenience shop and 1 take away shop.

Noise Pollution – This is a very quiet community and the extra housing would create additional noise meaning at some point cause the 'significant observed adverse effect' level boundary to be crossed. This would create a change in the community's behavior.

Local School Longridge/Fauldhouse – has already been extended to accommodate population, there is no further room for expansion available. Classrooms are also composite to accommodate the increasingly added growth in the community. *DATA AVAILABLE TO SUPPORT INFRASTRUCTURE*

Wildlife – This is one of the main objections to the planning application is the protection of the wildlife of Buzzards, Kestrels, Foxes who frequent the area, this will be damaged and will impact the animal's wellbeing.

Road Safety – Increased traffic and additional road safety concerns with additional junctions being added.

Design and Layout/Height of Buildings - Loss of light due to height of building going along the back of the houses in Rashierigg Place.

Name	Address	Signature	Date
BRYAN MCCAG.			19/03/2020.
BRENDA BRADIE			19/03/2020
IAN H. BRADIE			19/3/20
DAVID DICK			19/03/20
MONA KNOLL			19/03/20
STIG WALSH			19/03/20
D. Evans			19/03/20
M. Laidler			19/03/20
C. BRANNON			19/3/20
K. [Signature]			19/3/20.
GARY BRANNON			19/3/20
ANTHONY THOMAS.			19/03/2020
M. THOMAS			19.3.20
L. Doyle			19/3/20
G. NELSON			19.03.20
EVELYN WEIR			19/03/20
Andrew Toland			19/3/20
Sarine Toland			19/3/20
KENNY STEVENSON			19/3/20
CAROLY J STEVENSON			19/3/20
Sandra Whyte			19/3/20

Name	Address	Signature	Date
David Burycock			20.3.20
E. CURRIE			20.3.20
FRANK WYNN			20.3.20
Ct Hamilton			19.3.20
D PATTERSON			19.3.20
M BALLANTYNE			19/3/20
K STONE			
NICOLA BRADIE			19/3/20
PATRICIA BOYLE			19/3/20

Name	Address	Signature	Date
LEIGH HENDERSON			19/3/20
MICHAEL BOYLE			19.3.20
MACS ALEXANDER			19.3.20
Gordon Alexander			19/03/20
Paul + Laura			19/03/20
Kirstine Meek			19/3/20
ROBERT B. MOORE			19/3/20
ELONA MOORE			19.3/20
Lynsey Humphrey			19/3/20
Karen Gardner			19/3/20
TOM GARDNER			19/3/20
Andrew Gardner			19/03/20
Matthew Gardner			19/03/20

From: [REDACTED]
To: [Fautua, Mahlon](#)
Subject: 0205/MS/20
Date: 24 March 2020 09:00:40

Good morning Mahlon.

Thanks for your patience. Please find below my observations.

Stay safe.

Gordon

I refer to the above application. I wish to object to the nature, scale and design of this application and make the following observations.

1. Land Ownership.

The applicant states on the land ownership certificate that it owns all of the land subject to this application. According to Registers of Scotland, it does not. Nor does there appear to be an application pending for registration of the planning subjects being transferred to the applicant. It refers in its report H9, Longridge to having control of the land, and agreements being reached. However, as you will be aware, a misdeclaration of this nature is a criminal offence. It also invalidates an application. Please have this addressed.

2. Flood Risk.

West Lothian Council's Local Development Plan (LDP) requires that a flood risk assessment is carried out for this site. This should be carried out at the earliest opportunity. There is a real risk of flooding in this area, and local houses are already affected by surface water build-up. The flood risk map provided in the design guide is rudimentary at best, and no reliance can be placed upon it.

3. Drainage Impact.

The LDP allocation also requires a drainage impact assessment is carried out. There is no information in relation to this. Capacity in the existing infrastructure should not be assumed, given historical issues surrounding upgrading the treatment works in order to service Heartlands.

4. Scottish Water.

Capacity within the local network ought not be assumed, and the outcome of the assessment requires careful scrutiny. I would also strongly urge that Scottish Water's standard responses are not simply accepted, given the water pressure issues experienced in the locality, as well as infrastructure maintenance issues leading to leaks and bursts in recent years.

5. Education.

There are ongoing capacity issues in local schools. The council's school capacity methodology is fundamentally flawed, and has been for many years, following a bizarre decision not to follow the advice of Counsel about flaws within its policy and methodology. Recent planning appeal decisions finding the council's land supply

arrangements to be deficient will undoubtedly adversely impact the assumed capacity. The education capacity issues should be fully assessed before this proposal is allowed to proceed. Moreover, the Heartlands project has repeatedly failed to deliver, and the council has failed to call upon it to fulfil the requirements of the section 75 agreement entered into in respect of education capacity in the area. Given the very low level of planning contribution burden on the Heartlands project as a whole, it would be prudent for the council to look again at those obligations.

6. SUDS.

The SUDS basin is shown detailed on p89. No further information is provided about measures to secure the SUDS basin. This is essential to protect children and vulnerable people, both living in the development and adjacent to it. No further information has been provided in relation to the claimed advice from SEPA and Scottish Water. This advice should be submitted as part of the application, particularly where the proposed density has dramatically increased from the number of units indicated in the LDP.

7. Traffic Impact.

The development will undoubtedly create additional traffic. The current roads serving Longridge and Fauldhouse are in atrocious condition. What measures do the developer and council intend to take to improve the roads infrastructure to deal with this increased demand? A traffic impact assessment should be required for this development at the entrance to a small village, particularly in view of the proposed increased housing density.

8. Housing Density.

Page 43 of the H9 document explains the rationale for housing densities of 30 units per hectare. The applicant argues that this is medium density as defined in SPG, and as the site is part of a wider strategic allocation than, say, the Armadale CDA, higher density housing is acceptable. I would respectfully suggest that is patent nonsense. Indicative housing densities are exactly that: indicative. There is a site specific allocation in this case.

The determination of what is an acceptable housing density involves many other factors, including the existing built environment, available resources and infrastructure, utilities, ground conditions, and most importantly, the land allocation with the LDP. The current proposal has more to do with maximising profit, than any of the other prosaically claimed objectives to justify increased density. The allocation within the LPD is for 30 houses. It has remained a low-density allocation over many years, and remains so. There is no legitimate justification provided for an increase in density of 70%.

The applicant further claims justification as a result of H-LR 2 being part of a “wider strategic allocation”, namely Heartlands. That is a disingenuous and inaccurate representation. While the site is part of the outline boundary site, it cannot readily be argued that it fully integrates with the wider Heartlands masterplan. The site is not well integrated to the wider Heartlands site. To the north it cannot be better linked as the ground conditions, position of utilities and other factors prevent this. To the west, there is no further housing planned within the Heartlands Masterplan. It is therefore very much a stand-alone site in its current context. As such, there is nothing to justify higher

density other than a profit-driven exercise.

For these reasons, all the points made at (2) to (7) above need to be considered in light of the proposed increased density.

9. Design.

The design principles espoused in the H9 report do not sit easily with the aspirations of the LDP and Scottish Planning Policy. The proposed houses are a jarringly discordant feature, when set against the semi-rural character of the existing area and its housing. The sketches give an appearance of attractive new-build housing set in a virgin, rural landscape. That is not the reality. It would befit an application of this nature to have artist's impressions set against the physical characteristics of the community into which this development is proposed to be shoe-horned.

In any event, the intention to force as many houses as possible from this site is the clear objective. The key elements of planning and design generally have been disregarded. This has led to the unimaginative house designs seen in this application. The designs are uninspiring, and contribute to a feel of concentration camp blocks. The colour scheme is completely at odds with the neighbouring houses on three sides.

The council has made much of design at other locations nearby, requiring rigorous levels of design compliance, and even then still refuses applications. The Heartlands Masterplan suggests no further housing to the west of this site. That means this will be the gateway housing at the entrance to a small, well designed and well-integrated village setting. This incongruous development will adversely impact the village of Longridge.

10. Scale and Massing.

The scale and massing of the blocks is not in keeping with the existing housing. In particular, the two storey blocks are clearly used as a buffer between the existing housing to the north and east. That is a peculiarly unacceptable design proposal in light of the applicant's claims of integration with the existing village. This type of buffering is not supported by Scottish Planning Policy, nor the aspirations of the LDP. The design as currently proposed will also give rise to potentially significant overshadowing to the eastern houses, and the cottages to the south.

11. Buffer zone.

The landscape buffer and planting to the eastern and northern boundaries (p44) should be continuous around the north east corner of the site, and completely along the northern boundary to the site's boundary with the water tank. This will protect to some extent the privacy of the existing dwellings. It is a serious design flaw to have a new public area introduced, hard to the boundary fence of existing private dwellings. Sufficient screening to at least 1.8m high and a minimum suitable width should be provided. I am conscious that planted areas can give rise to anti-social behaviour in those environs, but nevertheless a sensitive and effective design could be accomplished. I would also note that as currently indicated on page 44, the northern boundary buffer zone appears undeliverable to the extent indicated, if the plot layouts on page 54 are accurate. The block 8 northern boundary runs at a diagonal approximately ESE-WNW, giving an almost triangular space between the back gardens and the northern boundary.

This does not accord with the buffer indicated in a rectangular shape.

12. Plot size.

The applicant has provided information regarding the building-to-plot size ratios, and contends these meet the current guideline. Could the applicant please provide further information on the methodology? As things currently stand, I have difficulty understanding how a building footprint of, for example, 76sqm on a 185sqm plot meets the required ratio. In fact, it appears based on the current information that few if any of the houses meet the standards. I accept this may simply be a matter of presentation.

13. Noise.

West Lothian Council has been rigorous over recent years in its treatment of housing development next to roads. In view of its approach very recently to developments in Breich and East Whitburn, what steps has it taken to ensure the open window standards can be met, particularly with the houses closest to the main road. I would respectfully remind the council that noise sensitive receptors should not be placed in closed proximity to noise generating uses, unless it is satisfied open window noise standards can be met. Might it not be prudent to obtain a noise assessment?

14. SEPA

See comments above regarding SUDS, flood risk and drainage. What are the results of consultation with SEPA on these issues? I note references in the applicant's supplementary submission to various reports and consultations, which I address further below.

15. Scottish Water

Similarly to (14) above, what are the results of consultations with Scottish Water? There are known issues in the vicinity, with intermittent water pressures dropping. There is also the historical flooding issues from what is believed to be broken or damaged water supply infrastructure between the water tank and the existing Rashierigg Place houses. What further steps have been taken to examine this issue, and how it might be addressed if the proposed development might have an exacerbating effect on that flooding or infrastructure issue?

16. Coal Mining

Given recent exploratory works, can the council confirm that satisfactory mining reports have been obtained?

Supplementary Report.

The applicant has submitted a supplementary report. It outlines the extensive history of the Heartlands development, of which this site forms part. I find the report disingenuous, and frankly borders on an abuse of process.

The Heartlands development is not a Core Development Area (CDA). It is, as indicated in the Local Development Plan (LDP), a strategic land allocation. The LDP has been particularly careful not to refer to Heartlands as a CDA, but as a "strategic allocation". The reason for this is that Heartlands has never aspired to being a CDA. To be so allocated would carry additional burdens

and commitments in terms of developer contributions. As the applicant will know, the Heartlands development has escaped those contributions in significant part by not being a CDA. To claim the benefits, presumptions and relaxations in planning policy bestowed on a CDA now, is both breathtakingly hypocritical and entirely unacceptable.

I have no objections to development in this location. It is a long-standing allocation withing the LDP and the former West Lothian Local Plan. But there it stops. The applicant has twisted current planning policy to suit its own objectives. There is no support whatsoever for the intensification of this site by increasing the number of units by 70%. Despite the long planning history of the Heartlands development, at no time has this site been brought forward, until it was needed to deliver social housing development required by the Heartlands affordable housing quota.

The applicant cites the various reports previously submitted in general terms relating to the Heartlands proposal. None of these has been updated to accommodate the current site characteristics and circumstances. None of those reports were done in the context of a site-specific proposal of 52 units. This must be revisited.

The applicant claims the benefits of being a CDA, with none of the costs and restrictions. Without any hint of irony, the supporting statement fleetingly refers to Scottish Government guidance on the delivery of affordable housing, but then goes on to say the site should be viewed in the wider Heartlands context, despite the current site's remoteness from any other planned housing. The object of this application is clear. Scottish Planning Policy, the LDP and SPG require delivery of affordable housing in suitable numbers from developers. Those polices require developments to be of mixed tenure. In other words, affordable housing should be integrated within the overall development.

While policy also allows delivery of serviceable land away from the development site in limited circumstances, what this application seeks to do is to deliver the affordable housing within the strategic site, but away from the private housing. That is an abuse of policy. The references to legal agreements are nothing more than window dressing. The applicant knows, or ought to know that s75 agreements are subordinate to planning policy: they are merely a tool after the decision making process to aid and regulate delivery of projects.

What is asked for here is a development that is:

- a. Contrary to the Local Development Plan;
- b. Contrary to Scottish Planning Policy; and
- c. Contrary to the spirit and ethos of Core Development Areas, which the applicant seeks to hijack.

The purpose? It seeks to allow higher profits to be disgorged from the Heartlands project, by delivering the less socially and economically desirable element of affordable housing away from the more profitable private housing, and in far greater density than has ever been proposed for the application site. The higher density then allows an even larger part of the affordable housing burden on Heartlands to be discharged, so even more profit for the landowners and housebuilders is the result.

The council should not set aside the principles in its own policy to accommodate the financial

aspirations of land owners at the expense of the existing community. If the development must go ahead, and there is no good reason why it should in its current form, then let it be at the density provided for in the LDP. That would allow the urgent remodelling and redesign of the uninspiring housing. Alternatively, and in keeping with Scottish Planning Policy, the council should require that the applicant and/or landowners deliver a mixed tenure development of affordable homes and private houses, both at Longridge and in Heartlands generally.

To support the contention that the ambitions I have outlined do follow a pattern, I refer the council to previous attempts by the Heartlands project's owners to remove all affordable housing requirements by offering a commuted sum. I would refer to the council's Executive Committee decision of 16th. June 2008. It is clear from the report that the project's owners not only wanted to "buy out" the affordable housing commitment for the consented housing, but looked also to avoid the provision with future development. Tellingly, the committee report also referred to the lack of contributions Heartlands needed to make, that it would undoubtedly have to make if it was truly assigned as a CDA.

I stress again that I have no objection to development of this site, so long as it is: well-designed; served by suitable infrastructure; accords with national and local planning policy; integrates well with the existing housing and community; and delivers on the legitimate expectations of those living in close proximity to the site. Rarely have I observed a proposal that fails so miserably on all fronts.

I would appreciate if the points I have highlighted requiring clarification or further reports are addressed and made public via the council's planning portal, to allow further comment before a decision is taken.

Regards,

Gordon Beurskens.

ABW Consultants Ltd.,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This message, together with any attachments, is sent subject to the following statements:

1. It is sent in confidence for the addressee only. It may contain legally privileged information. Unauthorised recipients are requested to preserve this confidentiality and to advise the sender

West Lothian Council
Planning Department
Civic Centre
Livingston
EH54 6FF



Planning Application; 0205/MSC/20

For the attention of the Case Officer;

Dear Sir / Madam

Reference:

PLANNING APPLICATION; 0205/MSC/20 For the erection of 52 houses with landscape and associated work

I write in connection with the above planning application. I have examined the plans and I know the site well. I wish to object strongly to the development of these houses in this location.

My main objection is the vast amount of wildlife that will be affected by this development. For example there are Buzzards and Kestrels nesting in this area. There are also foxes and other wildlife;

Please note:

Buzzards nest in trees, in woods, on farmland, moors or scrub. The nest is usually made from twigs and lined with moss and bracken. Frequently, the same nest is used year after year.

Kestrels, like many other birds of prey, don't build their own nests but tend to use ready-made sites such as forks in trees, holes in cliffs and buildings and the abandoned nests of other birds. They readily accept artificial nest sites and will often use them year after year.

Foxes - One of the biggest overall threats to the survival of the fox is that their natural habitat continues to be taken away. They do adapt to changes but they can't when they continue to result in them not having territory and not having food. Finding mates can be difficult when territory is taken away as well.

The proposed buildings of 52 dwellings in this area will have a huge impact on the animals who use this area to live, feed and breed.

In addition, there is not a GP or Dentist in the village of Londgrige. Residents who already live in the village must go to either Fauldhouse or Whitburn to access these important

facilities and if you haven't got access to a car to get you to appointment and must rely on the public transport, which is not fit for purpose.

There should also be concerns raised as to the local school. Has the school got the capacity for a large intake of new pupils?

As you must be aware West Lothian Council have recently built a new cycle path which according to the plans is now going to have a road through it. This will surely effect people whilst walking, jogging or cycling. The safety of residents and their children must be a paramount expectation from any local authority.

Yours Sincerely

Ann Davies

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0553/P/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr William Anderson

Address: 9 Rashierigg Place Longridge Bathgate

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This will be the ruin of an environmentally friendly area which will have a negative impact upon the bird and wildlife. 52 houses into such a small area is ludicrous as there will be very little space for children to play. I feel having a sewage area with grass on top is not a healthy prospect. If every household has 2 children how does the Longridge school cope with such a large influx of new students. Where are they going to get all the medical services they may require as it is presently very difficult to get an appointment at the local G.P. The main thoroughfare for vehicles is over the walking/cycle path. An accident waiting to happen. I strongly urge you to reconsider. Thank you.

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0553/P/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr Ewan Brannan

Address: 23 Rashierigg plsce longridge whitburn

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I would like to formally object to the plans in place for new development.

My house and garden borders the proposed land which is proposed to be the sight for the new development.

I think the development will have a negative affect on the local area being that the house prices will likely lower, the environment and local wildlife will be affected and the local amenities not being fit to cater for a further 200 people in the community.

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0553/P/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr Derek Vint

Address: 8 Fauldhouse Road Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I would like to make several holding objections. Firstly this site is part of the heartlands development. As yet the infrastructure and amenities which were to be built have as yet not been. The council through the planning department should not allow any more new sites to be started until such infrastructure and amenities are established. Secondly the road layout at present would not be safe for access and egress to the new site. The road layout should be altered to a safer layout. Thirdly the water supply is at present low to the present homes on the Fauldhouse road. At times the pressure is unable to supply enough pressure to allow for showering with an electric shower. A solution to this should be found before allowing new dwellings to be built. I am available any time time to discuss the points raised. I would also like to suggest a public meeting to discuss/ display the proposals made by Cairn.

Comments for Planning Application 0205/MSC/20

Application Summary

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Proposal: Approval of matters specified in conditions of planning permission 0553/P/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr William J Moore

Address: 18 Curling Pond Lane Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I designate as a neighbour as I live in Curling Pond Lane.

My main objections are as follows..

1. The existing road layout at the top of Curling Pond Lane has been a hazard and complained about many times in the past. The chicane and the narrowing of the road can be dangerous when turning into Curling Pond from either direction.
2. The proposed plan which is circa 2014 does not take this into consideration with an access to Sewage area at the narrowed area, and from the development access onto the Fauldhouse road adjacent to the chicane.
3. The development is dense, and not in keeping with the surrounding developments. This needs a rethink.
4. The Scottish water access to the reservoir tank atop the ridge is lost in this development. Are they aware of this ?
5. A solution would be to create a roundabout at top of Curling Pond Lane which would also have access to this development and internally to the Sewage area. A complete relook at the development layout is therefor required.
6. A question to be answered is why the 2014 application was never instigated and therefor we assume rejected.
7. Longridge is a village with one shop, not a town, and honestly this application is totally out of character.

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0553/P/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Dr Stig Walsh

Address: 13 Rashierigg Place Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer West Lothian Council to my previous written objections to the earlier planning permission proposal for the plot H-LR 2, that was carried forward from the original WLLP. I note with some concern that the H-LR 2 proposal was for a capacity of 30 houses in the 16.8 Ha area, and that the new proposal seeks to build 52 houses in this plot.

My original objections centred on a) provision of facilities in Longridge; b) weight of traffic on the busy and dangerous B7010; c) quality of land (i.e., underlying coal works and drainage issues) and d) loss of wildlife habitat, already pressured by the Heartlands developments. These issues were deemed to have been mitigated by proposed measures, although I notice that p. 220 of the WLLDP 2018 document states that drainage, flooding, waste-water and past mining issues had not been fully assessed when that document was written.

My original concerns are heightened by the addition of 22 extra houses in such a small area. Assuming each home houses a family of four, this plot will hold ~208 people with attendant vehicular traffic onto the B7010, and usage of utilities, especially waste-water usage, which was already noted as a potential issue in the WLLDP 2018 report.

The ground in this area remains waterlogged for most of the year, and although flood risk at this elevation is probably insignificant, it should be noted that the area of ground made impermeable to rain by the erection of structures (with small gardens) will likely increase water saturation in adjacent land. It will also increase runoff to lower-lying areas such as Whitburn and lower-Longridge. My garage floor is wet due to ground saturation, most likely exacerbated by poor drainage measures put in place when the ground was prepared. Damage to property may result from increased ground water displacement which, if traced to the new development, could result in

legal action. This should not be dismissed lightly; many of the houses built later in the Rashierigg Place development are higher-end properties owned by professional families with the resources to pursue legal action.

The risk posed by the underlying coal field should also not be lightly dismissed. I am a geologist, and I know that surface fires can spread to subsurface carbon deposits unless they have been adequately capped. My understanding is that this was done for the Rashierigg Place development, but the undisturbed land of H-LR 2 will require this for safety reasons - house fires could ignite underlying deposits through heat conduction. Flammable gasses may also be released, and there may also be a risk of subsidence due to collapse of old workings. The rocks underlying the plot belong to the Carboniferous Passage Formation, which directly underlies the Coal Measures. I have identified lignite in cuttings close to the H-LR 2 plot, and there is an active open cast coal extraction site to the north of the site. My professional advice would be to conduct a careful geological survey.

Comments for Planning Application 0205/MSC/20

Application Summary

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Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0553/P/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr Neil Humphrey

Address: 2 Curling Pond Lane Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I feel I must raise objection to this proposed development. For every material consideration mentioned there will be a direct negative consequence as a result of this build. The area is currently used, lockdown not considered for the time being, by scores of dog walkers. The road leading to the proposed junction frequently floods making the already bizarrely malevolent driving behaviour of the people that travel through the forced junction even more incomprehensible. Seriously, this junction is already an absolute nightmare. It is most commonly used as a starting grid for little laps around the Fauldhouse area in addition nobody understands how to use the chicane and frequently find themselves in a game of chicken or a 3 way Mexican stand off with other road users.

This part of West Lothian is teeming with protected wildlife. I've stayed in close proximity to the site for 10 years. In that time I have seen or encountered buzzards, hawks, oyster catchers, foxes, owls, rabbits, bats, frogs, toads, field mice, bank voles and weasels. There is also a large and hugely varied bird population in the area. Building 30 houses would have a huge impact on a great number of protected species. The field behind my home is directly opposite the site so the same animals that I've seen from my back door will be using or living off of this habitat.

Longridge Primary school is already under-staffed. It currently doesn't even have permanent HT in position. The park next to the school is in a reasonable state of repair but the new section was left unfinished and is still unfinished. The area around the park is already strewn with litter. Whitburn Academy is also stretched for staff and this will continue to be a problem due to the continuing housing development at Heartlands.

In Longridge you can only reach two services on foot. The shop which is small and shuts early. The chip shop which is likely to close in a few months anyway. There's little or no amenities. Nothing else can be reached on foot.

Comments for Planning Application 0205/MSC/20

Application Summary

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Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr William J Moore

Address: 18 Curling Pond Lane Longridge

Comment Details

Commenter Type: Parish Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sirs,

My comments still remain as previously noted. The chicane on the Fauldhouse road is a danger to residents of Curling Pond Lane when turning in from Fauldhouse approach. This issue could be aggravated by the access from the new development. The road stretch from Fauldhouse to this position is a racetrack at times and with these two aspects a considered look at this is needed.

An exit from the development opposite Curling Pond on to a mini roundabout should be considered. The chicane (Road narrowing) should be removed .

Comments for Planning Application 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Dr Stig Walsh

Address: 13 Rashierigg Place Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is my 3rd written objection to building development on the H-LR-2 site. Since submitting my last objection, my concern about a number of aspects of the proposal has risen.

1. Increase of traffic on the B7010. We have noticed that drivers approach the traffic calming measures aggressively and often at speed along the long straight from Fauldhouse, aiming to clear the western constriction before west-bound traffic from Longridge can enter the calming measure. We have witnessed many near misses there, and extra traffic joining the road west of the calming measures will exacerbate this risk. Original plans for the Curling Pond development included a mini roundabout at the Curling Pond Lane junction. Such a roundabout system would arguably be safer but, if adopted, would likely require a redesign of the development as the access road to H-LR-2 would need to be situated where the SUDs facilities are currently planned (i.e., opposite Curling Pond Lane).

2. Mains water pressure. Houses built during the first phase of Rashierigg Place development were mostly fitted with break-tank/auxiliary pump systems due to inadequate mains water pressure. The pressure was rectified some years ago. An extra 52 properties on land adjacent to Rashierigg Place will place extra pressure on mains supply, and I would insist of receiving a firm guarantee that there will be no water pressure reduction in the Rashierigg Place development.

3. Ground saturation. Although site assessments indicate that flood waters will drain from H-LR-2 to the west (i.e., away from Rashierigg Place), the report also notes that longer-term monitoring of water saturation indicated no rapid refreshment of waters and that the underlying glacial clays possibly lack a gravel aquifer under the site. I remain concerned that existing ground water saturation in the Rashierigg Place development will be exacerbated, especially given that an

increase in made-ground in the plot will reduce the former green-field water storage capacity.

4. Pressure on amenities. As publicised in the West Lothian Courier (11/06/20), the increase in planned house numbers in H-LR-2 from the earlier proposals will result in a significant population influx (a conservative 156 based on three-person occupancy of 52 houses). I understand that Longridge Primary School is already at or close to capacity, and amenities consist of just one shop/post office and a single takeaway. The pub closed many years ago. Investment in village amenities and infrastructure is required, or existing residents of Longridge as a whole will be negatively impacted. Has this been factored in by WLC?

5. Potential loss of light to the rear of houses 17, 15, 13 and 11 Rashierigg Place. I note that a landscape planting is planned along the rear boundary of these houses. I would be grateful for an assurance that this will not comprise tall greenery that might exclude light to the rear of these properties if left unmanaged in the future.

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Lord Don Kilgallon

Address: Ingleneuk cottage School road Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The council can't keep the village tidy as it is just now, overgrown, roads are a disgrace, any inch of green land you want to build social housing, what about the people who actually want a house and keep it clean and tidy, people who contribute something to society, instead giving to junkies and the type of people who have no interest in working and living off of the tax payer

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Miss Charlie Gray

Address: 41 Kirk Brae Longridge Bathgate

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I neither anyone I know have received notification about this building. The school I believe is already at capacity certainly the flow of traffic through the village is high enough without adding more to it, how many more children need to die on the main road before this is taken into account! the plans show very narrow roads that are likely to cause more accidents along an already very thin road. There are not enough facilities to support 51 new houses. This will use up what little green areas we have left that are accessible to the public. The village is fractured from the addition of houses at curling pond lane and Rashier Rigg it is certainly not the same village it once was full of families and community spirit people were everyone knew everyone else houses were primarily given to other family members of existing villagers now they are given to anyone and indeed the instances of nonsense have risen, there was a stabbing last week for goodness sake from a family that have been here a few months! People are now suspicious of people they do not know quite rightly so. I am a member of our community association my family has been here since the village was conceived and even I am thinking of moving due to how the village has changed. Our community centre is already not fit for purpose since someone took the decision to add it to the side of the school public access is very limited as is space which is only going to get worse due to new rules around covid 19 so how do you propose adding another 51 houses so god knows how many people that is is going to benefit the village as a whole? Local dentists and doctors are already full

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Bernadette Gray

Address: 2 Kirk brae Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There are not enough spaces in our school to support new children and how come I never received ANY paperwork with regards to this, I would think I should have?

There are not enough shops here resources will be used quicker that won't allow older residents that are dependent on these supplies to receive them.

There is no community spirit as houses get offered to anyone, will priority be given to people that are already on the waiting list who's family come from here? prob not and are these houses social/Council houses or private houses for people to buy I've no idea as I've not received any paperwork I've spoken to various residents and NOT ONE has had anything through the door so to have a proposed deadline of the 31st just 3 days away is ludicrous. We have had new people move into the village in the last 3 to 6 months that have brought drugs and trouble we do not need any more of that thank you.

There will be far too much disruption caused by the building of these houses along an already massively busy and congested road

Comments for Planning Application 0205/MSC/20

Application Summary

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Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Maria Brown

Address: 94 Rashierigg Place Longridge Bathgate

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a small village with limited facilities. To add more houses to this would not be beneficial. The location of the houses / access road is not ideal. I think it would put added pressure on the roads and increase the traffic, something I am already concerned about.

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

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Case Officer: Mahlon Fautua

Customer Details

Name: Mr Peter Brown

Address: 94 Rashierigg Place Longridge Bathgate

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Small village - concerned that this will put pressure on local services.

Moved here for a quiet setting. This could add pressure to schools, local amenities, etc.

Higher volume of traffic, works access, noise, disturbance to the wildlife in the fields / forest.

Don't want a busy housing estate taking up green land. Already well utilised by the villagers, dog walkers, etc.

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Deborah Hislop

Address: 29 Rashierigg Place Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Not enough consultation and too many houses proposed for this site.

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

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Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Amy Moore

Address: 5 Rashierigg Place Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: not enough space in the primary school for this number of houses. Concern over price of my property being affected if this is social housing and an already busy road becoming even more congested

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Miss Kellie Weir

Address: 20 Kirk Brae Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the houses being built. Due to a small village like longridge not being able to cope with extra traffic, extra school places etc!

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

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Case Officer: Mahlon Fautua

Customer Details

Name: Mr Scott Elliott

Address: 93 Curling Pond Lane Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Donna Paterson

Address: 60 rashierigg place Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Longridge is a small village which I don't think could accommodate another 52 families. The school would not have enough space and the education of the children in Longridge would maybe suffer from this.

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Shona Jamieson

Address: 16 main st Longridge West lothian

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am absolutely not in support of any social housing being built nor have I been made aware until longridge community association alerted the village residents including myself.

The schools are not large enough to cope with an Influx of new children. Longridge is only a tiny school with 3 or 4 teachers. This will have a detrimental effect on the private houses and values. This village does not have enough amenities and facilities to accommodate such a number of new residents. There is 1 tiny village shop and 1 coop in fauldhouse which especially in these unprecedented times is already under stocked to support the needs of current residents locally.

Comments for Planning Application 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs bernadrtte gray

Address: 2 kirk brae longridge west lothian scotland

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: not enough space for more people in longridge the school is at a capacity that it is full to much traffic will be horrendous our schemes are full of cars when they drop there kids off at school you dont know who would get the houses could be drug addicts or even worse paedofiles cause council dont check who they put into houses and even worse the roads would be so busy there has been so many deaths on that road i do not want any more houses built there it would have been nice to be informed but no council done it on the sly everybody should have recieved a letter

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Miss Emma Easton

Address: Gardner Crescent Bathgate

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mr Darren McWilliams

Address: 5 Cults Road Whitburn Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to these plans. As a local neighbour this would have a negative impact on the surrounding area, including wildlife habitats.

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Gail Nelson

Address: 70 Rashierigg Place Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Longridge does not have the infrastructure to accommodate 52 houses which could potentially house over 200 people. Roads can be chaos in winter due to traffic from surrounding villages having to pass through the village to get to main Livingston road and also M8 motorway. Building is already taking place in Curling Pond which in my opinion is needed in order to finish the estate. This in itself will cause more traffic on the roads which as above Longridge is not equipped for.

Also, there is no doctors surgery, the nearest being Whitburn or Fauldhouse. This means travel by bus or car is necessary.

To build the access road right through the cycle path is an absolute scandal. Kids might come flying along the cycle path not realising the road is there. This is a serious accident waiting to happen.

Water pressure isn't really at its best never mind adding another 52 houses to the mix.

The design of the houses does not mix with the exciting estates.

Comments for Planning Application 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Gemma Hamilton

Address: 62 Rashierigg Place Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: School capacity is already full with no options available to extend. Also water pressure

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mr Andrew Harrison

Address: 79 curling pond lane Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Longridge is a very small village which has no amenities to offer

That should be resolved before adding more people to the village

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Ms Maleeka Kashyap

Address: 79 Curling Pond Lane Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Longridge is a small community, and adding additional stress on its resources is unreasonable. Community development plans should be the present norm, rather than real estate. While it is a major thoroughfare town, a lot of issues need to be addressed before that many new families can be absorbed including simple things like health centre access, schooling, and police patrols. Maybe the focus should be on upgrading the present infrastructure.

Comments for Planning Application 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mr Alan McKechnie

Address: 15 northfield crescent Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Too much congestion in a small village.

Massive reduction in utilities i.e water pressure, sewage system not capable of handling as many houses and roads not fit for purpose. School is definitely not big enough.

Comments for Planning Application 0205/MSC/20

Application Summary

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Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Miss Cheryl Sanderson

Address: 3 Ridge Court Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Hello,

I just think that's far too many houses for that small area of land, with an extra 200 odd people, Longridge wouldn't be able to cope, the school is so small and the extra traffic it would bring! The traffic and speed of drivers through the village is already ridiculous!

Going by the plans, the houses are so packed in together, cars will be all over the place!

If this is social housing, it may bring a lot of trouble into the village, that wouldn't be able to cope with!

Thanks

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Miss Megan Donnelly

Address: 25 Kirk Brae Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Longridge is a lovely small close knit community and whilst I understand the urgent need for housing developments I feel that this would have a negative impact on the community. Losing green space is for one a major concern, then there is the amount of traffic that would be in the area. Whilst it may boost our local shop and chip shop economically it could also cause a lot of disruption and noise pollution during development. Houses are already being built up from the heartlands so I do not understand the need for further development in the village. Also we currently have a lot of residents in the village with pets specifically dogs and adding to the village would likely cause an increase to the number of dogs which means an increase in use of foot traffic in our green space likely to cause further damage to our woodland area and field. Solely on the concern for diminishing Green space available to the community without travel I am in objection to this development

Comments for Planning Application 0205/MSC/20

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Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr David Taylor

Address: 61 Northfield Crescent Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Firstly as the chairperson for the community association we weren't notified in anyway about this which is very disappointing as we are held in high respect in the village of Longridge. Also lots of people in the village didn't know about this either, bearing in mind we have an ageing population in our village so many would know unless they had post correspondence, this includes people this development would directly effect.

Secondly our Village school is already at capacity and stretched without the addition of even more people and this should be taken in to account before any further development in our Village.

Our roads are also busy enough again without the addition of even more traffic with people already complaining about traffic volume and speed not to mention lack of parking at the very limited amenities that we have. On that note our amenities are already very limited without addition of more people, all surrounding doctors are pushed to capacity with longer waiting times to get appointments as it is.

As Chairperson for the Community Association of Longridge I would like this objection to be taken serious and further discussion on this development is required with the people of the village.

Regards

David Taylor

Chairperson

Longridge Community Association

Comments for Planning Application 0205/MSC/20

Application Summary

Application Number: 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Roslyn Taylor

Address: 61 Northfield Crescent Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As far as I am aware Longridge Primary School is already almost at capacity so the addition of an extra 52 houses means likely to be AT ALEAST 52 extra children requiring school places?

This would pose even more of a problem for people already living in the village in trying to get spaces for their children without the addition of more!

The school has already had an extension so not likely to get another one either.

Also there is the issue of traffic.

Longridge is already very busy traffic wise - on the main roads with LOTS of lorries etc passing through, as well as on the top Longridge to Fauldhouse Road where this development is to come out onto.

The village also currently only has very limited amenities so more residents means more need for additional amenities surely before considering adding more properties??

Comments for Planning Application 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Pauline Macmillan

Address: 101 Curling Pond Lane Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am deeply concerned about the increased volume of traffic that will come into the village as a result. The entry roads into this village are not the safest with a fatal collision happening just this weekend. The road between Longridge and Fauldhouse can be a dangerous one particularly in times of bad weather. It can already be a challenge getting out of Curling Pond Lane at peak times, this will increase it.

I am concerned about the capacity at the school. I am concerned that children walking to and from their houses to get the bus to high school with the increased volume of traffic at peak time.

Comments for Planning Application 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mr James Gompertz

Address: 113 Curling Pond Lane Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The planned development area is a popular dog walking spot, and is home all manner of wildlife. Areas like this are becoming increasingly more rare, and with it the wildlife that inhabits these areas.

The road that this development would connect to is already prone to congestion during rush hour, and with the addition of further homes on the opposite side of the road to the Curling Pond development the road would become even further congested and disruptive to the neighborhood.

The people in this area, myself and my neighbors, have opted to live here due to how close and undisturbed the countryside is. A further development would drive people seeking to live in this area away.

Finally, there simply aren't the amenities in the area to accommodate a further development. The longridge village only has a small convenience store with post office, and a fish and chip shop. These are already struggling to cope with the capacity of the village.

I very strongly object to the planned development.

Comments for Planning Application 0205/MS/20

Application Summary

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Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr Andrew Lindsay

Address: 21 Rashierigg Place Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Water supply is not sufficient, many residents in the Rashierigg area suffer from low pressure. A significant increase to the water demand will have detrimental effect.

There are outstanding issues with the existing water tank (behind Rashierigg properties), as this has been reported to be leaking, resulting in high water levels in the surrounding area, resulting in flood risk.

Upon inspection of the West Lothian Strategic Flood Risk Assessment 2014

https://www.westlothian.gov.uk/media/4801/Strategic-Flood-Risk-Assessment-SFRA-/pdf/Strategic_FloodRiskAssesment-Aug2014.pdf?m=635472409818770000

There are a number of issues raised referencing a need for a Full Risk Assessment by SEPA of areas including but not restricted to Curling Pond Lane, Longridge Fauldhouse Road, Crofthead Farm

This report details the following issues in Longridge

Curling Pond Lane - "Drainage issues - issues on Longridge Road, where properties are flooding."

Longridge Fauldhouse Road - "Critical drainage problems in existing development of Curling Pond Land"

Crofthead Farm - "A Flood Risk Assessment and Drainage Assessment are required for this site primarily due to land drainage issues from the site as per the councils requirements"

This is a particularly concerning as an email correspondence has been uploaded to this application 'FW: Longridge H9 - 0205/MS/20 - [OFFICIAL]' stating as follows (from director Douglas Kirby) that no such assessment is required

..."As discussed we do not believe a full FRA is required and have included further consideration of the overland flow routes, and anecdotal information regarding flows from the adjacent site on the B7010. The simple index approach is also included with respect to the surface water treatment"

Further notes of concern include open space percentage for Longridge residents will no longer meet the minimum requirements once the proposed development is complete.

The road layout does not lend its self to more development along the Fauldhouse road. There have been no plans presented yet to mitigate any additional risk.

Comments for Planning Application 0205/MS/20

Application Summary

Application Number: 0205/MS/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr Andrew Lindsay

Address: 21 Rashierigg Place, Longridge, Bathgate, West Lothian EH47 8AT

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

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Application Number: 0205/MSC/20

Address: Land North Of Fauldhouse Road Longridge West Lothian

Proposal: Approval of matters specified in conditions of planning permission 0555/FUL/14 for the erection of 52 houses with landscape, access and associated works

Case Officer: Mahlon Fautua

Customer Details

Name: Mr Stuart Lindsay

Address: 28 Rashierigg Place Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It is my understanding that the plans submitted for development to the west of Rashierigg Place are to include waste tanks which will need to be emptied periodically due to the already overtaxed sewage system within Longridge. I along with my neighbours do not want to be subjected to the stench and intrusiveness of this development.

Our already in demand water supply cannot maintain steady pressure levels. Adding further properties will put more put us under more strain. It is also my understanding that the reservoir in the proposed area of development is in dire need of repair as a result the water table has risen in the surrounding area creating a marshland environment in many places.

An area which is in need of attention is the half-hearted traffic calming measures on Fauldhouse Road. The speed bumps are ignored and traffic islands more often than not end up with near miss head-on collisions. I would rather see these traffic calming measures improved with crossing facilities in this area and the cycle path completed to extend to the walkway on Fauldhouse Road.

Comments for Planning Application 0205/MS/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Samantha Lindsay

Address: 28 Rashierigg Place Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As a long standing resident of Rashierigg Place, Longridge I am first dismayed that the proposed plans to erect houses on the adjacent land on Fauldhouse Road was not communicated to every resident not only in Longridge but Rashierigg Place itself. To not have been notified of the intended plans to build is a failure on West Lothian council to follow building and planning legislation and regulations to inform all residents that will be effected by proposed plans. This is not only a breach of the legislation but also verging on neglect of the Council duty and I will be seeking civil advice from the ombudsman and a solicitor with regards to appeal procedures for the council failure to notify residents.

As it stands Longridge is a low decile catchment area for the local school and nursery and currently is under funded and cannot provide the appropriate support for the children that currently attend. The purpose plans to extend social housing is going to put further strain and pressure on the local community and school, affecting attainment levels and having a detrimental impact on the education of the children. There are no proposed plans to extend or provide further funding to the school and this in itself is unacceptable. The current water pressure to the Rashierigg and curling pond area is severely affected by the existing water tank which is know to be leaking into the water table which is situated under the land Rashierigg Place is built on and the new proposed houses. This causes an issue with flooding on a yearly basis within the Rashierigg and curling pond estates and the building of further houses will have a greater detrimental effect to the already non existent drainage.

The West Lothian Strategic Flood Risk Assessment 2014

https://www.westlothian.gov.uk/media/4801/Strategic-Flood-Risk-Assessment-SFRA-/pdf/Strategic_FloodRiskAssesment-Aug2014.pdf?m=635472409818770000

Has previously raised the aforementioned issues I have documented plus further recommended

an urgent risk assessment to be conducted by SEPA for the areas of Rashierigg Place, Curling Pond Lane, Fauldhouse Road and Crofthead Farm. This to date has not been conducted and more concerning than the lack of follow up to the risk assessment is the email correspondence that has been uploaded stating this urgent risk assessment is no longer required:'FW: Longridge H9 - 0205/MSD/20 - [OFFICIAL]' stating as follows (from director Douglas Kirby) that no such assessment is required

..."As discussed we do not believe a full FRA is required and have included further consideration of the overland flow routes, and anecdotal information regarding flows from the adjacent site on the B7010. The simple index approach is also included with respect to the surface water treatment"

This is a further neglect of duty on West Lothian Council part.

Fauldhouse and Longridge Road does not have capability to support increase traffic volume and further deaths can be expected if commuter volume increases.

Comments for Planning Application 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Deborah Flanagan

Address: 11 Rashierigg Place Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the resurrection of houses that will be directly behind my garden. Not only shall I no longer have any privacy, but there will be fewer grass areas to allow children to play and walk my dog. The roads into Longridge cannot cope at present with the amount of traffic. It was a fine example at the weekend where an accident meant the only main road in and out was closed, farm roads and B roads would not support any additional traffic. Should 52 houses be built many households have more than one car. The wildlife that roam the field would also be threatened.

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Kayleigh Brand

Address: 32 Rashierigg place Longridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I don't feel there are enough local amenities to support more housing in longridge, we have one shop, one take away and one small school. We also already have a lot of heavy traffic passing through the village and on the Fauldhouse road there isn't a set of traffic lights making it unsafe for people to cross at the best of times never mind more houses being built and in turn causing more traffic.

Comments for Planning Application 0205/MSC/20

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Case Officer: Mahlon Fautua

Customer Details

Name: Mr Derek Vint

Address: 8 Fauldhouse Road Longridge West Lothian

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to make a holding objection. Whilst I do not have any issues in principle to this development, there are issues I believe the council should address before allowing. Firstly this site is part of the heartlands development and as such certain infrastructure was proposed initially to be in place at this stage in the development. There was also a golf course to be built as part of this development. None of this has happened as yet . The council should use its power to halt any further development until this is completed. Secondly . The road layout needs to be changed to allow safer access and egress to vehicles for this site. The present chicanes on the Fauldhouse road only add to an acceleration in speed of cars to exit the village ahead of cars entering the village. There is also a safety issue regarding pedestrians at this point particularly young children when crossing the road. Thirdly . As a neighbouring property we have seen a drop in our water pressure as a result of new developments in the area. Those developments are still not complete, but once they are I am worried as to the effect on the water supply to our property. At present we do not have enough pressure to have a shower at peak times. I would also like to have some feedback from the council regarding the report from the open space officer in regard to the last application. He stated in his report that there would not be the percentage of open/ public space within Longridge required if the quantity of houses were allowed to be built. Could you tell me what has changed to allow this development to be considered now. Many thanks

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mr Justin Reynolds

Address: 40 Rashierigg Place Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs Pauline Foley

Address: 95 curling pond lane Longridge West Lothian

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I'm concerned like a lot of residents are about the build proposal "are the houses council?"
"where is the golf course going to be now?"

I've only bought here as I wanted a bought area with little to no council house near by.

The golf course should add value to my house not council houses lower my value for prospect buyers in the future.

I would prefer if anything it's kept as a green space.

I'm concerned about the school capacity and increased traffic on Main Street, Fauldhouse road and the School Road as well as the new road layout being narrow at curling pond lane and flood planes as well as the entrance to Curling pond lane already has issues exiting and entering the street. Fauldhouse road is dangerous and more needs done to slow drivers down on this road as it is. The entrance in to Longridge from Whitburn road has at least three crashes a year that I know of and in winter months this can be completely closed due to snow and ice the road to Fauldhouse is the same so to put more houses more traffic would be just plain stupid

Comments for Planning Application 0205/MSC/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Mrs janine Morrison

Address: 1 Northfield Meadows Longridge

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I would like to object as the waste from that side of Longridge comes down the hill and through my garden. My front garden has been flooded with sewage on several occasions there is no way the current system could handle so many additional premises without it impacting on my house.

Comments for Planning Application 0205/MS/20

Application Summary

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Case Officer: Mahlon Fautua

Customer Details

Name: Dr Monja Knoll

Address: 13 Rashierigg Place Longridge Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have the following objections:

- Whitburn Academy was flagged as having capacity issues in the scoping exercise for the original 30 house development. It is not clear whether capacity for the other schools in the catchment area has been assessed with this expanded (52-house) proposal. This issue impacts existing Longridge families with school children; they must compete for school places. Given the pandemic & need for class size reduction, crowded classes cannot be considered. The planning proposal will put pressure on the existing resources. Are the council planning to increase spending on education, teachers & school places to accommodate this? What guarantees are given to parents that their children will not be disadvantaged?
- Simon Scott identified that Longridge already falls well below the minimal standard of open space. The possible addition of 226 people in such a small area in the proposed development will drastically reduce open space access. It is well-established that access to green spaces is important for mental health; a reduction of this in a small community is problematic. What measures will be put in place before the building of the houses? Guarantees for space after will not suffice, as we know council spending can change.
- Presently, our catchment area is Whitburn Health Centre, which is already under pressure with the addition of the Heartlands development. Another 226 patients will put more strain onto the centre (it is already difficult to get appointments & the pandemic will not have helped). Will the council put into place measures to make sure that healthcare provisions are sufficient in Longridge for the additional residents?

My concerns on how this planning procedure was handled:

- Only the bare minimum of people that the council is required to notify seem to have been notified (i.e. houses in line of sight). As spaces & school provision were identified as problematic, all

residents impacted by this should have been notified. Regardless of legal requirements, the council works for & is elected by the people in the village & has an obligation to notify us of such a big change. Surprisingly, Longridge Community Association was not kept informed either.

- The 1st notification of the 52-house amendment was sent shortly before lockdown with less than 21 days notification from receipt of letter to deadline. The recent amendment was even shorter (10 days). This makes it hard for residents to give feedback, especially those using letters. It looks like the council made it purposely difficult for residents to register concerns.

- The Design & Access statement is contradictory about whether this is affordable homes or social housing. This difference is important regarding amenities, access to Whitburn for the new residents or increase in traffic/cars. It's unclear why this has not been stated clearly, but more importantly the existing residents cannot provide informed objections if they don't know the facts.

From: [REDACTED]
To: [Fautua, Mahlon](#)
Subject: 0205/MS/20
Date: 31 August 2020 12:02:31

Mahlon,

Thanks you for circulating the proposed revised layout for the above application. My comments follow.

[REDACTED]

[REDACTED]

Revised Application

Scottish Planning Policy, together with supplementary planning guidance issued by this council taken together, support the integration of social housing within the development to which it relates. I accept that it is arguable that as this site is within the overall planning framework for Heartlands, it is part of the development to which it relates. However, it relates to the development only in so far as its initial and long-retained allocation within the West Lothian Local Plan and its successor West Lothian Local Development Plan, is maintained. It is not acceptable that its density is arbitrarily increased, solely to allow the developer's profit driven agenda, and to the detriment of other communities.

Put simply, if there is nothing wrong with the proposed layout and density, then incorporate it within the overall design for private housing in Whitburn. We both know there is much wrong with the layout and density, but the first priority for those involved here has always been lining the pockets of the developer, and in some cases, their own. And despite that agenda to line their own pockets and those of their colleagues, some of them still remain in senior posts with an input in this further insult to the people of Longridge.

In fact, putting this development in Longridge, particularly with increased density runs contrary to the principles espoused in HOU4. The Whitburn and Blackburn ward has a higher need than Fauldhouse and Breich Valley for affordable housing. This allocation should be provided in accordance with policy where it is most needed.

The Revised Layout

The revised layout is now worse than before, and is a significantly more detrimental plan for those neighbouring properties in Rashierigg Place. In particular, the open space previously provided as a buffer between number 23 Rashierigg Place has all but been removed. It has now been allocated as private garden ground and car parking. That is unacceptable. I have previously accepted that this development was always known to be within the long term plans for the area. However, the unwarranted increased density has resulted in a design that is unacceptable. It results in cramming, and will adversely impact those neighbouring properties whose investment and improvements to their homes over many years will now be undermined by bad planning.

The applicant claims “the allocation [in the Local Development Plan] does not represent development densities appropriate to the local context”. That is patent nonsense. The local developments permitted in the immediate vicinity of this proposal are significantly lower than those proposed. The overall Rashierigg site has 62 homes on a site almost double the size of the proposal site being promoted for 52 homes. The ratio for Curling Pond Lane makes the claims even more ludicrous, given it’s significant lower ratios. The applicant’s arguments are spurious at best. The LDP development density for this site are entirely appropriate and in keeping with the local context.

The appellant should be directed to the other constraints identified for this site. For example, they claim there are no anticipated utility issues, but they have not confirmed this. There are already well-known infrastructure issues with the water supply, with leaks emanating from long-known breaks and leaks in piping. This has been an issue for decades. Moreover, water pressure drop-off and supply interruptions are common. Still, no rigorous approach has been applied. I refer you to my original comments.

Summary

I do not intend to waste any energy trying to persuade those who will ultimately take this decision that it would be wrong to grant this application. Many of them don’t care. Others are too corrupt to care. More still are too far embedded in the mire of fraud and personal corruption that was created many years ago to deliver this project. One day, some decent people might stand up for what is right. Until then, bad things will continue to happen to good people, and decent communities.

Gordon Beurskens.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



DATA LABEL: PUBLIC

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development & Regeneration

1 DESCRIPTION AND LOCATION

Planning permission in principle for a 7ha residential development with associated access, servicing and landscaping at Land at Appleton Parkway Roundabout, School House Road, Eliburn, Livingston.

2 DETAILS

Reference no.	0252/P/20	Owner of site	Network Rail
Applicant	Network Rail	Ward & local members	Livingston North Cllr Alison Anderson Cllr Andrew Miller Cllr Dom McGuire Cllr Robert De Bold
Case officer	Steven McLaren	Contact details	01506 282404 steve.mclaren@westlothian.gov.uk

Reason for referral to committee: Objection from Eliburn Community Council and referred by Councillor Anderson

3 RECOMMENDATION

3.1 Grant planning permission subject to conditions and Section 75 legal agreement.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

- 4.1 Planning permission in principle is sought for a 7ha residential development on vacant land in Eliburn, Livingston. The site is accessed off Appleton Park Roundabout and Old School Road. The site lies with Houstoun Road to the south, a mature tree belt and the Livingston North railway line to the north, mature tree belt to the east and a site currently being developed by Bellway Homes beyond. To the west of the site lies the old Schoolhouse and School House Road which leads to a pedestrian route over the railway line to Deans South.
- 4.2 The old Schoolhouse is the only residential property adjacent to the site with other residential properties either lying north of the site across the railway line or new houses under construction to the east.
- 4.3 The site was originally allocated as employment land by Livingston Development Corporation (LDC) and this allocation was carried forward to the West Lothian Local Plan, 2009 following the wind up of LDC. The use of the land for employment purposes was retained in the draft West Lothian Local Development Plan (LDP) however, during the LDP examination process the Reporter amended the allocation of the site to residential.

- 4.4 The site is therefore allocated in the adopted West Lothian Local Development Plan, 2018 as H-LV 34 and for an anticipated 125 units
- 4.5 An earlier application had been submitted for both this site and the unallocated land to the west which is bound by Barracks Roundabout. This earlier application (Ref: 1083/P/19) was withdrawn and the applicant has chosen to focus development on the allocated site.

5 REPRESENTATIONS

- 5.1 The application was subject to statutory publicity and four representations were made, three objections and one neutral comment.
- 5.2 The representations are summarised below. Copies of the full representations are attached to this report.
- 5.3 It is noted that Mr & Mrs Sommerville have raised concerns regarding the Covid-19 situation and that it is difficult to access/read documents online. A request was made to Network Rail to provide printed versions of documents to Mr & Mrs Sommerville but again due to lockdown and staff working from home, this was not possible. It is acknowledged that this is a difficult situation for many people but given that there is no indication when face to face committees will be able to resume in the office, it is reasonable to bring forward the application for consideration at this time. Mrs & Mrs Sommerville have however submitted a detailed objection and there are no reasons not to present the application to committee.

Objecting Comments	Response
Western boundary too close to the old Schoolhouse.	The layout plan is indicative only and it can be conditioned that at the detailed application stage a larger off-set is provided to protect both residential amenity and to retain a wildlife corridor.
Impact of noise on the residents of the old Schoolhouse have been ignored.	Once a development is complete, noise from residents in the estate will be minimal, especially where a larger off-set can be provided.
Existing bunds should be enhanced.	This will be dependent on any detailed layout but it is unlikely that increasing bunds on the west of the site will be required.
Wildlife survey not completed with due diligence.	It is acknowledged that there is wildlife in the area, including deer. This is an allocated development sites and any developer will be required to carry out an updated wildlife assessment prior to construction and maintain/protect habitat where possible.
There are no drawings of the proposed houses.	This is an application for permission in principle. House type details will form part of a later detailed application.
Access gate on School House Road will need to be relocated.	There is no issue with the re-location of this gate further west to continue to protect the adjacent residents from unnecessary vehicle traffic to their property.
Eastern boundary of development too close to woodland with potential impact on existing trees.	This is an application for permission in principle. The location of the proposed houses is indicative. Any detailed layout will be required to comply with minimum standards set out in council guidance and trees will require to be protected in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. It is inevitable that some trees will require removal in order to develop the allocated site and tree planting will be required as part of a detailed landscaping plan.
Impact on residential amenity.	There will be minimal impact on residential amenity

	given the separation distances between old Schoolhouse and any houses within the site. There is also a dense mature tree belt to the east and south sides of old Schoolhouse.
Exclusion of old Schoolhouse from maps and excluding name of road.	Plans do show the existing property and the name of the road is not a material planning consideration.
Continued use of Appleton Parkway as address.	This is not a material planning consideration.
Impact on protected species and their habitat.	The development of any green field site will have the potential to impact on biodiversity. Any trees which will require to be removed will need to be further assessed for protected species as will the remainder of the site prior to a site start. An updated habitat survey will require to be submitted as part of any detailed planning application.
Traffic congestion resulting in increased air and noise pollution.	This is an allocated development site and had for a significant time been set aside as employment land, recently being re-designated for residential purposes. The development of any land will result in greater vehicle movement. The requirement for electric vehicle (EV) charging points to be provided and the uptake of EV overall will off-set pollution in the longer term.
Impact on health care, schools and other services.	Developer contributions are required for education and the issue of health care provision was considered at the LDP stage where the NHS had an opportunity to comment on the proposed plan.
Site was never intended for residential use as LDC set it as employment.	The Reporter at the LDP examination took various factors into account including housing land allocation. The use of the site for residential was therefore a decision by the Reporter and forms part of the adopted LDP.
Poor ground conditions for developing the site.	A phase 1 site investigation report has been prepared and has been reviewed. A phase 2 site investigation report will need to be submitted with any future detailed application and this will set out a remediation strategy to handle any contamination or ground gas from the site. The stability of the ground for development and the type of foundations required will be a matter for Building Standards.
Location of existing gas pipeline.	There is a 5m wayleave for a gas pipeline which runs at the north of the site, to the south of the mature tree belt, and down the east side of old Schoolhouse. There is no development proposed within this 5m buffer.
Impact of construction traffic and parking of construction vehicles adjacent to Old School House.	The relocated gate to School House Road will prevent construction vehicles parking near Old Schoolhouse and a condition will be used restricting construction times.
Positive comments submitted regarding landscaping and the overall design. Comments made on landscape maintenance, use of solar, insulation and car use.	The layout as submitted is indicative and may change at a detailed stage as the proposals are speculative. All new houses require solar panels to be installed, house insulation is a building standards matter and EV charging is now a requirement in all new developments to encourage the uptake of electric cars.

6 CONSULTATIONS

6.1 The consultations are summarised below. The full consultations are contained in the application file.

Consultee	Objection	Comments	Planning Response
Environmental Health	No	No objections to the principle of the development however an updated NIA will be required taking specific house designs and site levels into consideration. The section of site closest to Houstoun Road is most affected by potential noise issues and the revised NIA will be required to address this. Electric Vehicle (EV) charging point will be required.	Noted, a condition will be used requiring an updated and house type/layout specific assessment is submitted at the detailed stage. A condition will be used to ensure EV charging is designed into the development.
NETS & Land Services	No	There needs to be clear delineation between private and public spaces, good footpath connections to existing play areas, strong landscaping with possible community food growing or community garden space. Developer contributions will be required towards upgrading of active play areas and improving access.	Noted. This is an indicative layout and any detailed submission will be accompanied with a detailed landscaping plan. Developer contributions will be collected through a Section 75 legal agreement.
Education Planning	No	No objections. Developer contributions required towards RC Secondary.	Noted. Contribution will be collected through a Section 75 legal agreement.
Edinburgh Airport	No	No objections.	Noted
Flood Risk Management	No	No objections. An updated DIA will be required at the detailed planning application stage and will require to provide details of the method proposed to attenuate surface water.	Noted. A revised DIA will be conditioned and required at the detailed stage.
Transportation	No	No objections. Technical comments made regarding road width, traffic calming and parking.	Noted. This is an indicative layout. Any detailed layout will require to comply with Transportation standards and further consultation will be carried out at that time.
Contaminated Land Consultant	No	No objections. The Phase 1 site investigation report has been reviewed and is considered to be acceptable. A Phase 2 site investigation will require to be submitted as part of a detailed planning application.	Noted. A condition will be used which requires the submission of a Ph2 SI with a detailed application. Further consultation will be carried out at that stage.

7 PLANNING POLICY ASSESSMENT

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.2 The development plan comprises of the Strategic Development Plan for Edinburgh and South East Scotland (SES plan) and the West Lothian Local Development Plan, 2018 (WLLDP).

WLLDP Policy	Policy Summary	Assessment	Conform
DES1 – Design principles	This policy seeks to ensure developments are designed and integrated with the local context and should have no significant adverse impacts on the local community and enhance the environment through quality of design; there is no significant adverse impact on adjacent buildings, landscape character, built heritage, habitats or species.	The proposal is for the principle of developing land allocated in the adopted WLLDP for 130 units. The indicative layout and landscape strategy demonstrate the type and scale of development which can be achieved. The details of house types, levels and final layout will be assessed at the detailed application stage.	Yes
HOU1 – Allocated housing sites	This policy identifies housing sites which contribute towards meeting housing land requirements to 2024.	The site is designated as housing site H-LV23 in the adopted WLLDP.	Yes
HOU2 – Maintaining an effective housing land supply	This policy seeks to ensure an effective 5 year supply of land for housing	The site is designated as housing site H-LV23 in the adopted WLLDP, thus contributing to the effective housing land supply.	Yes
HOU4 – Affordable housing	This policy requires developers to make provision for affordable housing and identifies levels of contribution in key areas.	Livingston is classified as a priority 1 area in terms of affordable housing requirement. 25% of the total number of units proposed will be provided as on-site affordable housing. Provision is required through a planning obligation.	Yes
INF1 – Infrastructure provision	This policy seeks to ensure infrastructure provision is fully committed and necessary works are capable of implementation or phasing to manage demand.	All developer contributions for the site will be collected through a Section 75 legal agreement, unless on site provision is required, in which case this will be set out in the legal agreement.	Yes
TRAN1 – Transport infrastructure	This policy seeks to ensure that development will only be permitted where transport impacts are acceptable. This will be established where appropriate, through a Transport Assessment which covers all modes of transport and has been approved by the council.	A transport assessment was submitted and no issues were raised by Transportation.	Yes

WLLDP Policy	Policy Summary	Assessment	Conform
TRAN2 – Transportation contributions and associated works	This policy requires developers to provide or contribute towards, the provision of travel improvements including traffic and environmental management measures	Transportation has not required developer contributions towards travel improvements.	Yes
TRAN3 –Core paths and active travel	This policy seeks to develop an active travel network to promote sustainable travel including walking, cycling, scooting and running.	The development site links with the well-established footpath network in this part of Livingston and leads to Livingston North railway station, schools, shops and established play areas.	Yes
ENV5 – Soil sustainability plans	An assessment of soils on all sites over 1ha is required.	A soils sustainability plan will require to be submitted as part of the detailed application stage. Given this application to establish the principle of the development, no plan has been submitted at this stage.	No
ENV9 – Woodland, forestry, trees and hedgerows	This policy has a presumption against development adversely affecting woodlands unless there is a proven locational need and where a sustainable environmental gain through replacement and additional tree planting appropriate to the area is provided.	The development is on vacant land allocated for residential development. A tree survey has been carried out and whilst there will be the loss of some trees, mostly low grade and of the self-seeded variety, landscaping will be required to augment the existing mature tree belts which will remain to the north and east of the site.	Yes
ENV10 – Protection of urban woodland	This policy seeks to protect trees in the urban environment.	Trees not requiring removal will be protected in accordance with BS 5837:2012 Trees in relation to Design, Demolition and Construction during construction.	Yes
ENV20 – Species protection and enhancement	This policy seeks to ensure the protection of protected species and to consider mitigation where required	An ecology survey has been carried out and does not indicate a significant impact on any protected species. There was no evidence of badgers at the site and whilst there is scope for bats, the development will not have a significant detrimental impact. There was no specific impediment to the development of the site. Given the field survey was carried out in March 2019, an updated ecology survey will be required as part of a detailed application.	Yes
ENV32 – Archaeology	This policy states that development will not be permitted where it would adversely affect an identified regionally or locally important archaeological or historic site or its setting.	There has been no request for archaeological of the site however, the adjacent site was subject to an archaeological assessment and it would be prudent to seek the advice of the council's Archaeologist on whether investigation was warranted.	No
ENV34 – Art and development	In accordance with the council's <i>Public Art Strategy</i> and related Supplementary Guidance, developers of major	This matter can be secured through a planning obligation.	Yes

WLLDP Policy	Policy Summary	Assessment	Conform
	residential and public buildings will be required to fund or contribute to the cost of works of art appropriate to the setting.		
NRG1 – Climate change and sustainability	This policy relates to the reduction of greenhouse gas emissions through a wide range of measures designed to mitigate and adapt to climate change is a strategic over-arching set of principles sustainable forms of transport: walking and cycling, public transport, rail, park and ride and water-borne traffic; directing new developments to locations accessible by a choice of modes of transport and which specifically encourage walking, cycling, and public transport in preference to the private car; and encouraging more sustainable forms of transport and active travel. Sustainable design and development will be promoted.	The site connects with existing footpath infrastructure and electric vehicle charging points are required in accordance with the council's supplementary guidance and as conditioned by Environmental Health.	Yes
NRG1a – Low and Zero Carbon Generating Technology	This policy relates to demonstrating that all new buildings will provide at least 10% of the current carbon emission reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies.	The developer will be required to submit a statement demonstrating compliance with this requirement. This can be dealt with through a condition.	Yes
NRG2 – Solar roof capacity requirements	This policy seeks to ensure that new properties are constructed with solar roof capacity from the outset.	The developer is required to provide roof mounted solar panels. This can be dealt with through a condition.	Yes
EMG2 - Flooding	This policy seeks to prevent development which would have a significant probability of being affected by flooding or would increase the probability of giving rise to flooding.	The site does not lie adjacent to a water course and is therefore not at risk of flooding in this regard.	Yes
EMG3 – Sustainable drainage	This policy seeks to ensure that drainage from sites is handled in accordance with the council's supplementary guidance and that surface water from the site does not adversely impact on the water infrastructure.	A drainage strategy report has been prepared and will require to be updated at the detailed stage when the numbers of units, finalised layout and site levels are known. A condition can be used to ensure compliance with council requirements.	Yes

WLLDP Policy	Policy Summary	Assessment	Conform
EMG5 - Noise	This policy seeks to ensure that developments are not located adjacent to noise sensitive premises or that noise sensitive premises are protected from excessive noise	A Noise Impact Assessment has been carried out and assessed by Environmental Health. Whilst the report sets out mitigation, assumptions have been made with regards to the development. Environmental Health does not object to the principle of the development but requires that an updated NIA is submitted with the detailed application. The indicative design may have to be altered to ensure compliance with the council's Statutory Guidance: Planning and Noise	In Part
EMG6 - Vacant, derelict and contaminated land.	This policy seeks to ensure that developers undertake suitable site investigation work to determine whether the site is contaminated and bring forward suitable remediation for the proposed end use. Remedial works to be agreed with the council which should also address any adverse impact on controlled waters.	A Phase 1 site investigation report was prepared and a peer review of its findings was carried out. The report concluded that Phase 2 site investigation should be carried out at the detailed application stage. This can be controlled through condition.	Yes

The council's statutory Supplementary Guidance: Residential Development Guide and Planning & Noise are also applicable and sets out space standards and design requirements which will require to be met at the detailed stage.

8 ASSESSMENT

- 8.1 The proposal is for planning permission in principle for the development of an allocated housing site for residential purposes. The access to the site is from an established roundabout on Houstoun Road and leading into School House Road. This access is also used by the only residential property adjacent to the site and a number of objections/concerns have been raised by the residents regarding the development and these points have been summarised in section 5 above.
- 8.2 The site has been allocated for development since Livingston Development Corporation was the planning authority and recently repurposed during the Local Development Plan examination process for residential purposes. The use of the site for residential is therefore established and accords with policies HOU1 and HOU2 of the adopted LDP and as a result, development of this site will provide 25% affordable housing in accordance with policy HOU4.
- 8.3 Concern has been raised over the impact of noise from the development and the proximity of the development on the western side to old Schoolhouse. Any construction site will generate noise but conditions are used to limit the timing of noise generating works in order to protect the amenity of residents. There is a landscape buffer to the east of old Schoolhouse and the indicative plan shows houses no less than 17m from the property boundary of old Schoolhouse.
- 8.4 This separation distance is sufficient in terms of privacy standards as set out in the statutory supplementary guidance: Residential Development Guide however, an area of open space is shown to the front of houses identified as plots 1 to 7. This part of the site could be reconfigured to leave a larger area of existing landscape buffer as informal open space with access to the woodland to the rear. This reconfiguration

would not impact on the deliverability of the development and would protect existing landscaping and provide a wider wildlife corridor to the mature tree belt to the north of the site, linking with Barracks Strip and woodland behind the ongoing Bellway development to the east. There are also no house type drawings as the application is for the principle of the development.

- 8.5 It has been stated that the wildlife study has not been carried out with due diligence. An Ecological Impact Assessment was carried out by AECOM on behalf of the applicant. The survey was carried out by qualified ecologists and the report is detailed. Nevertheless, due to the passage of time, an updated report will be required at the detailed application stage to ensure that no protected species have occupied the site in the intervening period. This will be controlled by condition.
- 8.6 Similarly, concern has been raised regarding the impact of the development on trees and the established tree belts. Barracks Strip to the east of the site lies out with the application site and is not affected and the mature woodland strip to the north is similarly unaffected. A detailed tree survey has been prepared and has identified that the majority of individual trees or groupings of trees which require removal are Category C (low quality) or Category U (very low quality). These trees are not protected by a Tree Preservation Order (TPO) and could be removed by the land owner in any case. Remaining trees will be protected from damage and tree planting will be required as part of the site development.
- 8.7 Concern has also been raised regarding poor ground conditions for developing the site. A Phase 1 desk top site investigation report has been carried out and recommends an invasive Phase 2 site investigation is carried out at the detailed application stage. The purpose of these reports is to ascertain whether there are any contaminants in the ground or if there are any other factors which may be detrimental to the health of residents, such as ground gas. Where these are factors, a remediation method statement is required to be submitted for consideration and approval. Whether the ground conditions are suitable for building is a matter for the developer in conjunction with Building Standards.
- 8.8 Comments have been made about services including the location of a gas pipeline. There is a 5m buffer either side of this pipeline and the development does not encroach on this. It is the developer's responsibility to carry out development close to pipelines in accordance with the operator's requirements.
- 8.9 Environmental Health does not object to the principle of the development but does object to the indicative layout. Due to the proximity of Houstoun Road at the south of the site, there is the potential for excessive road noise to impact adversely on the amenity of these residents and would be contrary to the council's guidance, Planning and Noise. Whilst a Noise Impact Assessment has been carried out, Environmental Health is of the view that a further NIA will be required at the detailed stage when specific house types, ground levels and mitigation measures are designed in order to comply with policy EMG5. This can be controlled through condition and it should be noted that the adjacent Bellway site to the east required substantial changes in layout and house design to meet these requirements.

9 SUMMARY AND CONCLUSIONS

- 9.1 This is a residential development site as identified in the adopted West Lothian Local Development Plan, 2018. The development of the site is therefore in accordance with the provisions of the development plan.
- 9.2 Matters of a detailed nature such as house types, final layout, noise mitigation measures, ground assessment and drainage will be required through conditions including an updated ecology survey.

- 9.3 Concerns raised by objectors regarding technical matters have been addressed through the submission of detailed reports, some of which will require to be updated at the detailed application stage, and further assessed.
- 9.4 This site has lain vacant for decades and it is inevitable that over that time, windblown self-seeded trees and shrubs have established on the site and as a result many of these trees or groupings of trees within the development area will require removal. The mature tree belts to the north and east of the site which lie out with the development site are not affected.
- 9.5 The direct impact of the development, particularly when complete, will have minimal impact on the residents at Old School House given the different access arrangements and landscape buffer. Conditions will be in place to protect amenity during construction.
- 9.6 There are no material considerations which indicate that planning permission should not be granted and the recommendation is therefore to grant planning permission subject to a Section 75 legal agreement (Heads of Terms attached) and the planning conditions set out below.

10 ATTACHMENTS

- Draft condition
- Heads of Terms
- Location Plan
- Indicative Site Layout
- Representations
- Local member referral request

Craig McCorriston
Head of Planning, Economic Development & Regeneration
Date: 16 September 2020

DRAFT CONDITIONS - APPLICATION 0252/P/20

- 1 No development granted under the terms of this planning permission in principle shall commence until plans and particulars of the under-noted matters have been submitted to, and approved in writing by, the planning authority. Thereafter, the development shall be carried out in accordance with that approval.

Application for approval of any such matters (approval of matters specified in a condition or "MSC application") shall be made in accordance with the additional provisions and requirements of the further conditions set out in this permission in principle.

Matters for Approval:

a) Plans of existing and proposed buildings, roads, footpaths, including connections to existing path networks and underpasses, safe routes to school, cycle routes, pedestrian crossing provision, car and cycle parking, classification of streets, servicing areas, including bin storage and recycling facilities and walls/fences/boundary treatments.

b) Plans, sections and elevations of all buildings and the type and colour of all external materials.

c) Existing and proposed ground levels and proposed finished floor levels and sections through the site, detailing areas of the site in particular where the ground level is proposed to be raised and by what degree.

d) Hard and soft landscaping details, including formal and informal open space, details of the design of the public open spaces; the location of all proposed new trees, hedges and shrubs; a schedule of plants to comprise species, plant size and proposed number/density.

e) An updated Habitat Survey/Ecology Report and wildlife surveys with specific attention given to any protected species which may have occupied the site in the interim period.

f) Tree survey, tree canopy and tree protection plans for the woodland trees bounding the north, east and south of the site. Details of proposed tree works and mitigation measures where necessary, ensuring that no buildings lie within 11.5m of the crown spread of any trees.

g) Updated Drainage and Flood Risk Assessments and a drainage strategy which fully details the treatment and attenuation of surface water and drainage arrangements, including foul drainage.

h) A Phase 2 Contaminated Land Site Investigation Report including interpretive report and remediation strategy where necessary.

i) Updated Noise Impact Assessment which takes into account noise from the public road on the west of the site and details of any mitigation measures where necessary.

j) Archaeological Investigation Report and details of mitigation measures where necessary.

Reason To enable the council as planning authority to assess those details which have yet to be submitted.

- 2 The residential development hereby approved shall be designed in accordance with the council's Supplementary Guidance: Residential Development Guide with a mix of house types throughout the site. Mainstream market housing shall include a variety of house types, not exceeding 3 storeys in height, and include the use of terraced, semi-detached and detached houses. The use of single storey (bungalow) properties shall also be included in semi-detached and detached designs within the housing mix, to the satisfaction of the planning authority.

Reason To ensure an innovative design of development which caters for a broad spectrum of mainstream market home owners.

- 3 Further to condition 2 above, a development comprising predominately of detached 3, 4 and 5 bedroom detached houses will not be acceptable. Semi-detached, terraced houses and bungalows shall not be provided solely within the affordable housing area of the site.

Reason: To ensure the developer caters for a broad range of home owners and demographics and to satisfy the council's broad vision of good quality housing design and range of affordability

- 4 A variety of materials shall be considered for the house type wall finishes on the site. Details of the house finishes and material samples shall be submitted for the consideration and written approval of the planning authority.

Reason To ensure a high quality of development and to integrate the development into the surrounding area.

- 5 The design of the layout shall ensure that the housing is not fully inward looking and shall be orientated to present frontages to roads, footpaths and public open spaces where practicable. The north west corner of the site showing plots 1 to 7 and an area of open space on the indicative layout plan (not approved) shall be reconfigured to face east onto the main access to the site. Unless otherwise agreed in writing with the planning authority, a 50m buffer shall be retained between the development and the boundary with Schoolhouse to the west.

The design of the road and footpath layout, parking and connections with existing infrastructure shall be carried out in accordance with the following requirements from the council's Transportation section:

- a. Access to the surrounding path network will be required tie in with the adopted path network towards Deans South and linking with the pedestrian underpass to the south east corner. A link shall be provided to the north east corner along with informal paths linking with the adjacent informal open space;
- b. Footway/cycleway access only to be 3m wide;
- c. Designing Streets requirements are to have a maximum of 80 meters road section in straight lines before bends/change of direction;
- d. Parking standards are 1 off road space for up to 3 bed properties and 2 off road spaces for 4 or more bed properties. There shall be 50% visitor parking;
- e. The access gate at the entrance to School House Road shall be relocated to the east in consultation with the residents of Schoolhouse, ensuring that pedestrian access is retained to the footpath link with Deans South.

Reason To ensure that the parking, footpath and road infrastructure meets the council's standards and requirements, to retain a wider wildlife corridor through the site which links with open space and woodland to the south and to ensure the residents of Schoolhouse continue to enjoy an established environment and retain a secure access to their property.

- 6 A detailed landscaping plan shall be submitted showing the location, type and number of species to be planted within the development. The tree planting proposed shall complement the adjacent woodland and be appropriate to enhance the existing wildlife character of the area. The landscaping plan shall detail informal footpaths within the retained woodland and include the 50m buffer on the western periphery of the site.

Reason In the interest of the visual amenity of the area and to augment the existing established wildlife habitat.

- 7 Unless otherwise agreed in writing with the planning authority, no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeological Service, and approved by the planning authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the planning authority in agreement with the West of Scotland Archaeological Service.

Reason To ensure any archaeology which may be present at the site is properly recorded and preserved in accordance with current guidance.

- 8 A further Noise Impact Assessment shall be submitted for the consideration and written approval of the council. Any future developer shall ensure that the noise impact on the site from the railway line and Houstoun Road is assessed and mitigation measures brought forward in line with the council's Supplementary Guidance: Planning and Noise. Noise from Houstoun Road and any proposed mitigation measure may dictate the house type, design and layout. Excessively high acoustic fencing in its own right as a means of mitigation is unlikely to be acceptable therefore a range of measures may require consideration including landscape bunds, fencing and bespoke house types.

Reason To ensure that the new properties on the site are not adversely affected by noise from the adjacent public road or railway and in the interest of long term public health.

- 9 While developer contributions will be collected through a planning obligation towards active play areas, the developer is encouraged to look at simple, low maintenance features within the site which can be used for active play by children such as boulder or log features.

Reason To ensure the development provides small local features suitable for active play/learning and predominately for younger children to mix and play within the development and in the interest of health and wellbeing.

- 10 The Flood Risk and Drainage Report prepared by AECOM and dated March 2020 shall be updated or a fresh report submitted which takes into account comments from the council's Flood Risk Management section including an uplift in attenuation storage from 30% to 35%, an account to be taken of locally heavy soil types, details of how areas of localized water accumulation will be tackled and that the drainage system for the site will be vested in Scottish Water. The report shall also provide a sensitivity analysis on the proposed layout to demonstrate a 1:200 year event will have no adverse effect on property forming part of the development or elsewhere, to the satisfaction of the planning authority.

Reason To ensure surface water within the site is appropriately handled in accordance with the council's drainage strategy and to ensure the site and surrounding area is protected from surface water flooding.

- 11 Contaminated land assessment shall be carried out in accordance with the following requirements:

Part 1

Prior to any work beginning on site a contaminated land site investigation and risk assessment must be completed and a written report submitted to and approved in writing by the planning authority. The site investigation and risk assessment must be undertaken by suitably qualified, experienced and competent persons. The written report of the findings must include:

- i) A Phase 2 report incorporating a survey of the extent, scale and nature of contamination, and an updated conceptual model of the site;
- ii) An assessment of the potential risks;
- iii) An appraisal of remedial options, and proposal of the preferred options(s).

This must be conducted in accordance with the Environment Agency's Contaminated Land Report 11, Model Procedures for the Management of Land Contamination, CLR11.

If it is concluded by the written report that remediation of the site is not required, and this is approved in writing by the planning authority, then Parts 2 and 3 of this Condition can be disregarded.

Part 2

Prior to any work beginning on site, a detailed Remediation Statement to bring the site to a condition suitable for the intended use by removing unacceptable risks to all relevant and statutory receptors, must be submitted to and approved in writing by the planning authority. The Remediation Statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Remediation Statement must ensure that the site will not qualify as contaminated land under Part2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development.

Part 3

The approved Remediation Statement must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the agreed remediation. The planning authority must be given two weeks written notification of the commencement of the remediation works.

Following completion of the measures identified in the approved Remediation Statement, a Verification Report that demonstrates the effectiveness of the remediation carried out must be prepared. The Verification Report must be submitted to and approved in writing by the planning authority prior to commencement of the new use of the land.

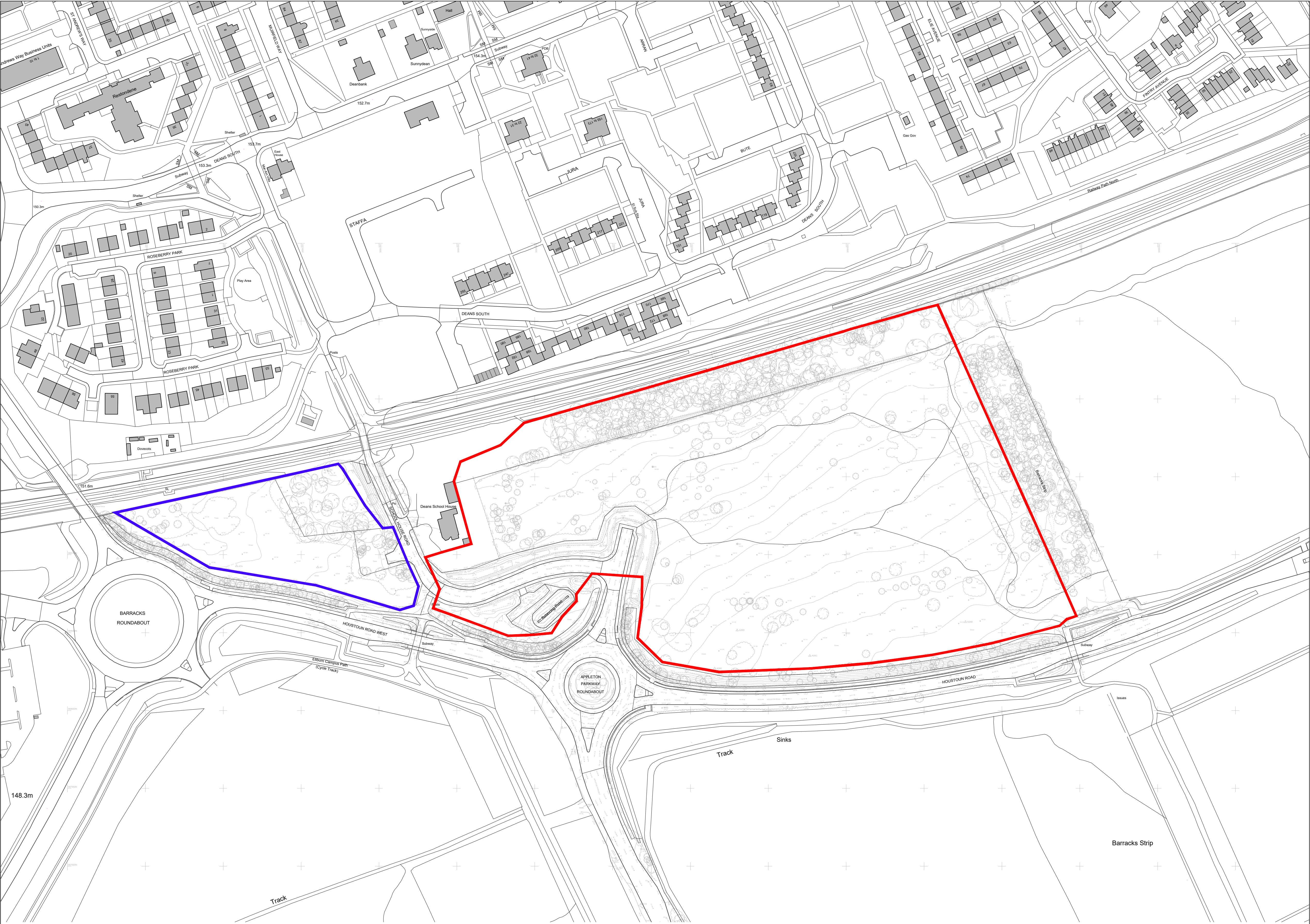
Reason To ensure that the site is fully assessed for ground contamination and remediated in accordance with the council's requirements and to ensure the application site is suitable for the end use as a residential development site.

- 12 Electric vehicle charging points shall be provided for in curtilage properties at a rate of 1 in 6 and for out of curtilage parking spaces which are dedicated for residential properties also at a rate of 1 in 6. Electric vehicle charging points are not required for visitor parking bays.

Reason To encourage the use of non-carbon emission vehicles in line with the council's current requirements and in the interest of the reduction of pollution and promoting cleaner air within the development and surrounding area.

Draft Heads of Terms

Policy Title	Policy Text
Affordable Housing	Livingston is a priority 1 area for affordable housing and requires to be provided on site at 25% of the overall development.
Cemetery Provision	A contribution of £35 per house/flat is required. Indexation to RICS BCIS Q1 2006 (228)
Denominational Secondary Education Contribution	A contribution of £1,983 per house/flat is required. Indexation to RICS BCIS Q1 2010 (209)
Pub Art	Public Art contributions for residential – 50 units or more - £250 per unit. Indexation to RICS BCIS Q2 2017 (307)
Play Area Contribution	Play area contributions for housing: One bedroom - £390 per unit, Two or three bedrooms - £1,955 per unit, Four or more bedrooms - £2,345 per unit. Indexation to RICS BCIS Q2 2016 (282)

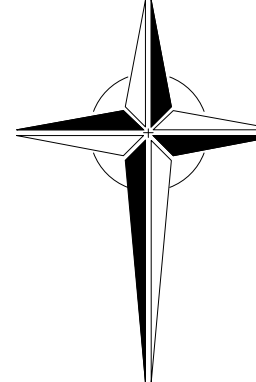


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REV	DESCRIPTION	DRAWN	CHD.	DATE
A	AMENDMENTS FOLLOWING FEEDBACK FROM PLANNING.	EG	CM	12.03.2020



NORTH



— SITE BOUNDARY
— LAND WITHIN APPLICANT'S OWNERSHIP

ema
architects + masterplanners

42 CHARLOTTE SQUARE
EDINBURGH
EH2 4HQ
E INFO@EMA-ARCHITECTS.CO.UK T 0131 247 1450
W WWW.EMA-ARCHITECTS.CO.UK

AECOM (EDINBURGH)
APPLETON PARKWAY
LIVINGSTON

DRAWING 1.2
EXISTING SITE PLAN

SCALE / SIZE 1:1250 / A1	DATE / DRAWN 08.10.19 / EG	PROJ. TYPE RESIDENTIAL	SHEET No. / No. SHEETS 1 / 1
DRAWING REFERENCE 18189(PL)001-A			
ISSUE PURPOSE FOR DISCUSSION		WORK STAGE FEASIBILITY	
FILE CLASSIFICATION (PL)SERIES		FILE REFERENCE 18189(PL)001	

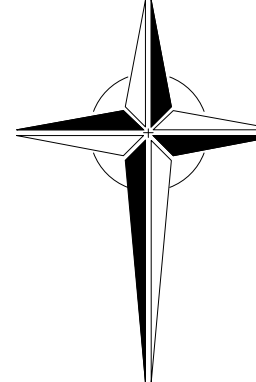


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REV	DESCRIPTION	DRAWN	CHKD	DATE
A	AMENDMENTS FOLLOWING FEEDBACK FROM PLANNING.	EG	CM	12.03.2020



NORTH



- SITE BOUNDARY
- AFFORDABLE
- - - PROPOSED TREE REMOVALS
- EXISTING WOODLAND
- PROPOSED TREES / PLANTING
- GAS MAIN WAYLEAVE

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AECOM (EDINBURGH)
APPLETON PARKWAY
LIVINGSTON

DRAWING 1.3
PROPOSED SITE LAYOUT

18189 Proposed Residential Development, Viability Mix for AECOM Appleton Parkway, Livingston Schedule of Accommodation					
To be read with Site Layout Plan -		18189(PL)002	12/03/2020	v1.4	
SITE 1					
PRIVATE HOUSING					
	DESCRIPTION	AREA	NOS	TOTAL	Achieved %
TYPE A	3 BED END-TERRACE	856	2	1,712	3%
TYPE B	3 BED MID-TERRACE	856	4	3,424	5%
TYPE C	3 BED SEMI-DETACHED	946	2	1,892	3%
TYPE D	4 BED DETACHED INT GARAGE	1,152	6	6,912	8%
TYPE E	4 BED DETACHED INT GARAGE	1,205	9	10,845	12%
TYPE F	4 BED DETACHED DET GARAGE	1,248	4	4,992	5%
TYPE G	4 BED DETACHED DET GARAGE	1,475	6	8,850	8%
TYPE H	3 BED SEMI-DETACHED	1,005	4	4,020	5%
TYPE J	3 BED DETACHED	1,200	18	21,600	23%
TYPE K	3 BED END-TERRACE	1,100	16	17,600	21%
TYPE L	3 BED MID-TERRACE	1,100	7	7,700	9%
TOTAL PRIVATE			78	89,547 sqft	100%
AFFORDABLE					
TYPE A	3 BED END-TERRACE	856	6	5,136	22%
TYPE B	3 BED MID-TERRACE	856	6	5,136	22%
TYPE C	3 BED SEMI-DETACHED	946	10	9,460	37%
TYPE J	3 BED DETACHED	1,200	2	2,400	7%
TYPE K	3 BED END-TERRACE	1,100	2	2,200	7%
TYPE L	3 BED MID-TERRACE	1,100	1	1,100	4%
TOTAL AFFORDABLE			27	19,732 sqft	100%
COMBINED TOTAL:			105	109,279 sqft	
Site Area (gross Ha)				6.379	hectares
Site Area (net overall Ha)				3.020	hectares
Site Area (gross acres)				15.763	acres
Site Area (net overall acres)				7.463	acres
Density				14,644	sqft/acres
Dwellings/Acres				14.1	units/acre

Comments for Planning Application 0252/P/20

Application Summary

Application Number: 0252/P/20

Address: Land At Appleton Parkway Roundabout School House Road Eliburn Livingston West Lothian

Proposal: Planning permission in principle for a 7ha residential development with associated access, servicing and landscaping

Case Officer: Steven McLaren

Customer Details

Name: Mr Stephen Egan

Address: 69 Aller Place Eliburn Livingston

Comment Details

Commenter Type: Parish Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Eliburn Community Council would like to object to this application on the grounds that the West boundary is too close to the 'Old Schoolhouse' and we feel that there needs to be a defined solution to mitigate the noise and intrusion of this new development, to that end the 'bunds' that exist on the West and North edges of the proposed site should either be enhanced or remain untouched. Additionally, we have concerns that the wildlife survey has not been completed with due diligence, foxes and roe deer are seen regularly at this site. During the original consultation the developer was unable to confirm that the 'artists impressions' of the proposed layout were what was really being proposed and there are no drawings of the proposed dwellings. The Community Council accepts that this area is zoned for housing within the adopted area plan but have concerns that the needs of the residents of the 'old schoolhouse' (e.g. no assessment on the noise of the proposed housing impacting them) have been totally ignored. The access gate at the entrance to Schoolhouse road will need to be relocated to maintain a vehicular barrier from the site entrance to the Schoolhouse.

Comments for Planning Application 0252/P/20

Application Summary

Application Number: 0252/P/20

Address: Land At Appleton Parkway Roundabout School House Road Eliburn Livingston West Lothian

Proposal: Planning permission in principle for a 7ha residential development with associated access, servicing and landscaping

Case Officer: Steven McLaren

Customer Details

Name: Mr Harry Harris

Address: 28 Primrose Place Eliburn Livingston

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed eastern boundary of properties is so close to the existing woodland that it would have an adverse effect on the existing woodland area. The eastern woodland is a notable habitat and is nearly native as identified in the ecological impact assessment. With the proposed boundary so close to the existing woodland, the existing woodland is not sufficiently protected. It is not reasonable to see that either during construction or when new residents take ownership, that the existing trees will not be damaged as they are so close to the proposed property line.

The existing eastern property line is likely to result in damage to an area of nearly native trees. As such, the proposed eastern boundary interferes with the requirements for tree protection as per the Town and Country Planning (Scotland) Act 1997, as amended by Planning etc (Scotland) Act 2006 and the associated duty to protect biodiversity as specified in the Nature Conservation (Scotland) Act 2004.

Robert & Maureen Sommerville
SCHOOLHOUSE
NO 1 SCHOOLHOUSE ROAD
ELIBURN
LIVINGSTON
EH54 7AA
Home [REDACTED]
Mobile [REDACTED]

West Lothian Council Development Management
FAO Mr Steven Mc Laren
West Lothian Civic Center Howden South Road Howden Livingston EH54 6FF

Objection to the Planning Application 0252/P/20

Ref your notification of an application for land at SCHOOLHOUSE ROAD which is the official title of the access road to our house ie. Schoolhouse which was built in 1915 and has now existed for 104 years. Therefore it is well known and documented in the area. Although previously called Main Street before Houston Road West was constructed.

I am making contact to record that myself and my wife, who are [REDACTED] We have no access to support from outside agencies on this matter.

We are being ignored by the applicant and therefore with our [REDACTED] due to the current Covid 19 restrictions, we are very concerned in the way we, as the only house and people in this location, and are therefore most affected by the proposal. We are not the best on computer operation and have insisted repeatedly when we were able to call at the Civic Centre we are only happy to be supplied with print drawings and all studies / reports regarding what is classed as a major application. We would request this application be postponed till a later date to give us time to inspect the detailed application (if we ever get it in a form we can read). We note that following contact from concerned friends that the applicant Network Rail keep referencing Land at Appleton Parkway Roundabout and by doing so trying to pretend our house does, not even exist,, are we to assume the applicant is going to change the name of our road!?

We have of course previously objected to this same type of attempt by the applicants. When our house was excluded from the drawing and was not mentioned in the submission (again Network Rail have failed to supply detailed drawing and surveys in print of a large scale to allow us to see clearly the proposals near to our house) We did raise this matter with yourself, the last time they applied.

West Lothian Planning Department were required to consider our concerns of unsuitable proposals or over development, that will affect our amenity near our home. Clearly as we have told the applicant, when she came to our home, we did not think they had even tried to address the effect on our lives when they put the proposal forward. To the West of our house we have letters from them on the past stating they would retain the turning area opposite our house as it would only be a turning area.

We did attend the previous local meeting in the (Livingston Station Community Center)
STRANGELY THE RECOGNITION OF A NAME OF THE FORMER VILLAGE,
WHEN THEY ARE TRYING TO EXCLUDE THE EXISTANCE OF OUR HOME
IE LIVINGSTON STATION SCHOOL HOUSE

On the previous application, when we put our concerns regarding this proposal to the applicant we were surprised to see the concerns we raised were totally ignored. and the main agent from Network rail Properties then stopped returning my calls regarding the proposals
This time there are no contact email address or telephone numbers supplied

We meet a number of people at the previous Pre Planning meeting ,
we are told that there are a number of changes on this application that still affect us
With the current Covis Pandemic restrictions on social gathering and lack of access to the Civic Centre , where we might have been able to view the drawing
Members of Eliburn Community Council who are aware of our house and are also surprised to see the proposed development and were surprised to learn that we have previously expressed our concerns to Network Rails personnel and our concerns are not being addressed
Further meetings with the Full Community Council members gave us some reassurance of support in trying to make changes to the high handed approach of the applicant
We raised concerns regarding the wildlife including Deer Foxes Badgers Buzzards Hawks Owls and rare around the area Blue Jays and also to a colony of Bats which roost in our house ;we are happy they do so , but their flight to collect food , out into the road foot way and land/ trees around our house will be severely affected ,should the trees be felled, the summer roosting sites of the bats will be destroyed
With the proposal to to build many houses on site 1 causing noise and disturbance to these animals which are protected by Law
We now hear the applicant could not find evidence of Bats in the area ,
We would like to see an independent Bat group carry out a proper survey
We would also request a survey of the water storage area to assess Water Voles which were previously seen there and in the stream running from the Deans Railway wood South to the Reservoir (Called the Nell Burn)
With mentions of Greater Crested Newts once common here ,these also need to be surveyed
This whole are4a is used by breeding Owls to source food

If this proposal were to go ahead the Houston Road West road will become further congested and air and noise pollution will be vastly increased to all users in the country side and beyond
When we look at this location between two large roundabouts, where traffic congestion is common, with stop/ start traffic and two busy bus stops , the traffic flow in this area can only get worse , we are surprised that no one is concerned over the air and noise pollution the new residents and footway users will be subjected to major air pollution
Even with Lidl going ,there will still be major movements of HGV lorries in this road way
Has a air quality monitoring excise taken place ?
A major un addressed problem with all the new housing developments along Houston road is the sheer numbers of people who will require Doctors Surgeries. Schools etc and the current practice of developers to make a payment to cover this requirement , surely even with the current situation we

need more infrastructure to cope with the influx of more people

After all this area was never intended for housing as it was zoned by LDC for low density high amenity single story employment use properties, the main reason for this low density was purely down to the Geological structure under this area of land

The Middleton hall Fault Line is well recorded and multiple sits or issues a ie collapses of mine workings, were recorded on Ordinance Survey Maps before the start of the new town

No surprise that both of the Mining Operators who worked under this field have records of major shallow and massive deep mining works

The National Coal Board (The Coal Authority) and Scottish Oils have multiple unsupported mining tunnels, shale working where huge caverns were left (where do you think all the Red shale bings came from) They have been identified by deep drilling in this site, a numbers of drilling operations had been carried out in the past years

by LDC then later by Scottish Enterprises, when they tried to get industrial companies involved, the bad mining reports were one reason why many companies did not take up use of the land in the past

We are told there is no mention of the huge under ground workings by Scottish Oils in the new application

In the middle 70s, we saw many housing developments in the East end of Whitburn called Glenburn Gardens and Glenisla Court, homes which were built on land under mined by the National Coal Board but no shale workings, many home owners found they were unable to get a mortgage or loan on the property, this went on for many years causing major difficulties for many of the home owners

We are concerned the proposed new houses will be to close to us and would require the buffer zone clear of the Large Diameter Gas main, be extended to 10 metres

We also note the proposed footpath on our South boundary? , why, there is already a footpath in place

What proposals are in place to stop contractors and unauthorised vehicles traveling West along Schoolhouse road and parking near our house, there by causing noise pollution

OVER THE PAST NUMBER OF YEARS WE HAVE ATTEMPTED TO STAY INVOLVED IN THE DEVELOPMENT PROPOSED NEAR OUR HOUSE AND HAVE HAVE NUMEROUS ASSURANCES IN WRITING FROM HEADS OF THE PLANNING DEPARTMENT, THAT WE WOULD HAVE OUR AMENITY PROTECTED, ONLY TO FIND LATER HEADS OF THE DEPARTMENT FAIL TO EVEN RECOGNISE WE EXIST

Please note we are unable to access drawings and reports on the computer in writing posted to the house only

Mr Robert Sommerville Mrs Maureen Sommerville

Robert & Maureen Sommerville
SCHOOLHOUSE
NO 1 SCHOOLHOUSE ROAD
ELIBURN
LIVINGSTON
EH54 7AA
Home [REDACTED]
Mobile [REDACTED]

West Lothian Council Development Management
FAO Mr Steven Mc Laren
West Lothian Civic Center Howden South Road Howden Livingston EH54 6FF

Mrs Nicola Slaven Network Rail
151 St Vincent St Gasgow G25NW

Objection to the Planning Application 0252/P/20
Ref your notification of an application for land at SCHOOLHOUSE ROAD

A number of proposed items require to be clarified

Proposed houses far too close to our house / Proposed footpath is too close to our house

No details as to secure fencing South and East of our house ie clear of bund / trees ,that are to be retained

Will further tree / shrubs planting take place to further the reduction of noise

Will the barrier/ gate be moved to the East side of the SUDS pond ,to exclude Contractors Builders Deliveries Vehicles and Site Compound and non Schoolhouse traffic parking or blocking our access or creating noise and disturbance to us

No Batching Cement / Storage Silo or Mixers to be sited near our house

Exclusion on 7 Days working on Proposed Development

Clarification on School House/ Station Yard Entrance , as the this access to our land is currently included on our title? As per sale to us by Network Rail Residual Properties

We were assured that if this access was to be taken by Network Rail for Track Electrification Works that we would be provided with a new unrestricted access ! As per the Act of Parliament put in place by the Scottish Government.

We do of course realise this a Application In principle , but feel we must sort out these items before the land is sold on to a developer

We have been told that when we purchased the Station Yard that Network Rail Properties sold us the land without clarifying the Title with the Land Register, thereby they sold it with a Defective Title.

By selling or offering to sell land they included in the sale, but had no Legal Title; to do so

Now Network Rail are once again the Title holder of land they sold to us and we wish to have our Title to that land included back on our titles

We tried repeatedly through our solicitor Caesar & Howie Bathgate, to get this sorted, in the past Network Rail Residual Properties refused to reply

We are now faced with the possibility that Network Rail will want to sell / transfer this land and thereby we would lose our right to land which was sold by Network Rail to us, but now they may want to sell it again to a developer.

We have requested that this should be sorted out and feel we may have to request from a Court of Law that (An injunction) be served/ put in place, to stop any sale / transfer / lease or change in ownership i.e. Sale or Transfer/Lease should be stopped till this is addressed / resolved.

As we have already raised these items with Mr E Freeman / Mrs N Slaven when they visited our home, before the Public Consultation event in Livingston Station Community Centre and once again had no reply / response

We feel now is the time to record our surprise and dismay at the way Network Rail's various departments have failed to deal with the whole sorry affair

We wish to have discussions to resolve these matters and our concerns.

Mr Robert Sommerville / Mrs Maureen Sommerville

Comments for Planning Application 0252/P/20

Application Summary

Application Number: 0252/P/20

Address: Land At Appleton Parkway Roundabout School House Road Eliburn Livingston West Lothian

Proposal: Planning permission in principle for a 7ha residential development with associated access, servicing and landscaping

Case Officer: Steven McLaren

Customer Details

Name: Mr Dean Swift

Address: Glen Cottage Charlesfield Lane Livingston

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Except for the usual problems of healthcare, education provision, low density (hence not energy efficient), producing more commuting, I find the scheme itself quite good if implemented as the proposals indicate. The landscape section is extremely strong and should result in a proper landscape scheme. It mentions maintenance by skilled operatives etc., I will believe this when I see it. I hope it happens. The layout provides a pleasing urban form for this type of development. There were no elevations on the drawing list?

The is a large submission on the environment, which although does a through job analysing the site does not mention the overall impact on the environment i.e. car transportation, use of solar panels, insulation of houses, source of heating, etc.



Development Management

WEEKLY LIST OF APPLICATIONS RECEIVED

☒ LOCAL MEMBER REQUEST FORM ☒

Weekly List for the week commencing
23rd March 2020

Members wishing further information on any of the applications in the attached Weekly List of Planning Applications or wishing any application to be referred for determination to the Development Management Committee are asked to complete and return this form to Wendy McCorriston, Development Management Manager, as soon as possible and no later than:


13th April 2020

PLEASE NOTE:

The planning application details will also be available for inspection within the Planning & Building Standards web site by clicking on the link below.

<https://planning.westlothian.gov.uk/online-applications/search.do?action=advanced>

We are trying to encourage people to use the web site as much as possible so you may wish to inspect the application online rather than make a request for a paper copy.

Action Required (please tick ✓)	Application Number 0252/P/20
✓ Contact me to discuss these proposals	
✓ Refer this application to the Development Management Committee	Member Councillor Alison Adamson
<input type="checkbox"/> Other (please specify)	Signed 
	Dated 02.04.2020

My reasons for this action are: Community Engagement required

Development Management Committee

16 September 2020

Item No 7: Application No. 0252/P/20

Planning permission in principle for a 7ha residential development with associated access, servicing and landscaping.

Land at Appleton Parkway, Roundabout School House Road,
Eliburn, Livingston







0252/P/20 - Land at Appleton Parkway Roundabout - Livingston

Development Management - West Lothian Civic Centre - EH54 6FF

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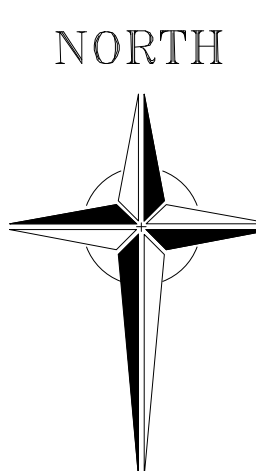
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IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT ALL MATERIALS USED DURING CONSTRUCTION CARRY A CE MARKING.

REV	DESCRIPTION	DRAWN	CHKD	DATE
A	AMENDMENTS FOLLOWING FEEDBACK FROM PLANNING.	EG	CM	12.03.2020



- SITE BOUNDARY
- AFFORDABLE
- PROPOSED TREE REMOVALS
- EXISTING WOODLAND
- PROPOSED TREES / PLANTING
- GAS MAIN WAYLEAVE

ema
architects + masterplanners

42 CHARLOTTE SQUARE
EDINBURGH
EH2 4HQ
E INFO@EMA-ARCHITECTS.CO.UK T 0131 247 1450
W WWW.EMA-ARCHITECTS.CO.UK

AECOM (EDINBURGH)
APPLETON PARKWAY
LIVINGSTON

DRAWING 1.3
PROPOSED SITE LAYOUT

SCALE / SIZE 1:1250 / A1	DATE / DRAWN 08.10.19 / EG	PROJ. TYPE RESIDENTIAL	SHEET No. / No. SHEETS 1 / 1
DRAWING REFERENCE 18189(PL)002-A			
ISSUE PURPOSE FOR DISCUSSION		WORK STAGE FEASIBILITY	
FILE CLASSIFICATION (PL)SERIES		FILE REFERENCE 18189(PL)002	

18189 Proposed Residential Development, Viability Mix for AECOM Appleton Parkway, Livingston Schedule of Accommodation					
To be read with Site Layout Plan -		18189(PL)002	12/03/2020	v1.4	
SITE 1					
PRIVATE HOUSING					
	DESCRIPTION	AREA	NOS	TOTAL	Achieved %
TYPE A	3 BED END-TERRACE	856	2	1,712	3%
TYPE B	3 BED MID-TERRACE	856	4	3,424	5%
TYPE C	3 BED SEMI-DETACHED	946	2	1,892	3%
TYPE D	4 BED DETACHED INT GARAGE	1,152	6	6,912	8%
TYPE E	4 BED DETACHED INT GARAGE	1,205	9	10,845	12%
TYPE F	4 BED DETACHED DET GARAGE	1,248	4	4,992	5%
TYPE G	4 BED DETACHED DET GARAGE	1,475	6	8,850	8%
TYPE H	3 BED SEMI-DETACHED	1,005	4	4,020	5%
TYPE J	3 BED DETACHED	1,200	18	21,600	23%
TYPE K	3 BED END-TERRACE	1,100	16	17,600	21%
TYPE L	3 BED MID-TERRACE	1,100	7	7,700	9%
TOTAL PRIVATE			78	89,547 sqft	100%
AFFORDABLE					
TYPE A	3 BED END-TERRACE	856	6	5,136	22%
TYPE B	3 BED MID-TERRACE	856	6	5,136	22%
TYPE C	3 BED SEMI-DETACHED	946	10	9,460	37%
TYPE J	3 BED DETACHED	1,200	2	2,400	7%
TYPE K	3 BED END-TERRACE	1,100	2	2,200	7%
TYPE L	3 BED MID-TERRACE	1,100	1	1,100	4%
TOTAL AFFORDABLE			27	19,732 sqft	100%
COMBINED TOTAL:			105	109,279 sqft	
Site Area (gross Ha)				6.379	hectares
Site Area (net overall Ha)				3.020	hectares
Site Area (gross acres)				15.763	acres
Site Area (net overall acres)				7.463	acres
Density				14,644	sqft/acres
Dwellings/Acres				14.1	units/acre

INDICATIVE
LAYOUT SHOWING
DEVELOPMENT
POTENTIAL.

FOR INFORMATION
PURPOSES ONLY

AREA SUBJECT TO CONDITION
REQUIRING LARGER
SEPARATION WITH OLD
SCHOOLHOUSE



Existing tree belt to
east of
Shchoolhouse



Looking towards
north east corner of
the site



Looking east across
the site with
Houstoun Road to
the right



Looking west
across the site
towards
Schoolhouse



Looking north
towards the existing
tree belt (railway
line beyond)



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Application for a part change of use from agricultural shed to dog training facility with associated works (in retrospect) at Site West of Linburn Road, Kirknewton, West Lothian.

2 DETAILS

Reference no.	0347/FUL/20	Owner of site	Mr Paul Mackay
Applicant	Mr Paul Mackay	Ward & local members	East Livingston & East Calder Councillor Timson Councillor Anderson Councillor John Councillor King
Case officer	Claire Johnston	Contact details	Phone 01506 282312 Email Claire.johnston@westlothian.gov.uk

Reason for referral to Development Management Committee: Community Council Objection

3 RECOMMENDATION

Grant Planning Permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application proposes a part change of use of an agricultural shed to a dog training facility with associated works (in retrospect).
- 4.2 The agricultural shed subject to this change of use application was granted planning permission in August of 2018. At the time of the application, the applicant advised that the shed at times would be used for the training of their own personal farm and gun dogs as well as the storage of agricultural machinery and hay.
- 4.3 In September 2019, Planning Enforcement were made aware that the applicant was using the shed to train more than their own farm and gun dogs and that there was a number of people visiting the site with their dogs for training events. On investigating the allegations, officers found that the owner does store agricultural equipment, such as a tractor, and hay but also uses the shed as an internal training area for dogs, including farm, gun and agility training in the evening and weekends. On this basis, the owner was advised to apply for a part change of use to regulate the use as a training facility.

History

- 4.4 **0472/FUL/19** - Erection of 510 sqm agricultural shed. Granted Planning Permission - 18.08.2019
- 4.5 **1245/FUL/19** - Erection of a house with double garage and associated access and landscaping. Refused Planning Permission - 31.01.2020

5. REPRESENTATIONS

- 5.1 Three objections were received on this application, one from Kirknewton Community Council and two from members of the public.
- 5.2 A summary of representations is located in the table below.

Comments	Response
<ul style="list-style-type: none"> Use change has already occurred and been in use for approx. 2 years for the training of dogs. If application is refused, the shed should be removed from site. 	<ul style="list-style-type: none"> This application is for the change of use of the existing shed which was approved in retrospect on the 13.08.2019. If the committee were minded to refuse permission, the council could not require the removal of the shed from site. The council is aware that the shed has been used for the training of dogs for a period of time prior to this application. Through enforcement action the council was able to establish that the use of the shed for this purpose was of a scale which required a part change of use application. The shed is not wholly used for the training of dogs, the applicant also uses the shed to store his agricultural machinery.
<ul style="list-style-type: none"> Road Safety concerns relating to the access being so close to the junction with Linburn Road 	<ul style="list-style-type: none"> WLC Transportation was consulted on this application and found it acceptable, subject to conditions relating to the upgrading of the access including being surfaced and kerbed and the applicant obtaining a road permit for the works to the adopted road.
<ul style="list-style-type: none"> No details provided with regards to water table, power generation, private water supply, public facilities being provided or removal of waste from site. 	<ul style="list-style-type: none"> These details are not necessary to assess the change of use of this structure.
<ul style="list-style-type: none"> Plans were not drawn accurately. 	<ul style="list-style-type: none"> On contacting the appointed agent, they re-surveyed the site and provided amended drawings.

6. CONSULTATIONS

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

Consultee	Objection	Comments	Planning Response
WLC Transportation	No	Acceptable with condition and notes regarding requirement for a road permit.	Noted. Condition can be seen in Draft Condition attachment.

7. ASSESSMENT

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Development Plan, 2018.
- 7.3 The relevant development plan policies are listed below:

Policy	Policy Summary	Assessment	Conform ?
West Lothian Local Development Plan, 2018 (LDP) Policy DES 1	All development proposals will require to take account of and be integrated with the local context and built form. Developments will be required to comply with criteria in the policy.	The proposed change of use integrates successfully with the rural location.	Yes
West Lothian Local Development Plan, 2018 (LDP) Policy ENV3	Development in the countryside will only be permitted where the following guiding principles are considered: a. the development is justified for agriculture, horticulture, forestry, countryside recreation or tourism or other rural business use;	This proposal is an acceptable rural business use and can be used in conjunction with the principle use of the shed which is for agriculture, storage of machinery and hay.	Yes

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

Proposed part change of use

- 7.5 The applicant has applied for a part change of use as they intend to continue to use the shed for machine, tractor and hay storage, however, are seeking to extend the dog training use to allow the shed to be utilised in evenings and weekends as a dog training facility when required.

- 7.6 A use involving numerous dogs is unlikely to be acceptable in a settlement due to the noise and disturbance. It is accepted that the existing shed is an acceptable location to host internal dog training without concerns for amenity relating to matters such as noise.
- 7.7 The proposal does not include any alterations to the existing shed. It will remain with an agricultural appearance which is expected within the countryside.
- 7.8 On site there is an existing area of hardstanding and the applicant has proposed ten parking spaces for when the shed is being used for dog training events.

Existing Agricultural shed

- 7.9 As noted above, the agricultural shed subject to this part change of use application was granted planning permission in August 2018. Representations received on the application suggest that if planning permission was to be refused that the council should take enforcement action to have the shed also removed from the site.
- 7.10 As the shed has planning permission in its own right, there is no remit for the council to require the removal of this structure from the site.
- 7.11 As the proposal is in retrospect, if committee refuses planning permission, enforcement action can be taken to cease use of the shed as a dog training facility and have the original use of agriculture reinstated.

8. CONCLUSION AND RECOMMENDATION

- 8.1 In summary, the part change of use of the existing agricultural shed to a dog training facility does not have any significant impact on the surrounding countryside and is found to be an acceptable rural business use.
- 8.2 Consequently, and in view of the above, it is recommended that planning permission is granted.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Condition and Reason
- Location Plan
- Representations

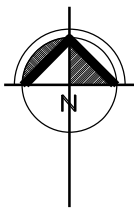
Plans and a photo showing the inside of the shed are available in the accompanying slide presentation pack.

Craig McCorriston
Head of Planning, Economic Development and Regeneration **Date: 16.09.2020**



Draft Condition – 0347/FUL/20

1. Within 3 months of the date of this permission, the existing access shall be upgraded with radius kerbs round to the boundary fence and the first 6m of the access being constructed with sub base road stone and surfaced with a bituminous material, all to the satisfaction of the planning authority.

Reason : In the interest of Road Safety



SITE AREAS
-EXISTING-
Total Area - 13336 Sqm or 1.33 Ha
Application Site - 2183.0 Sqm or 0.21 Ha
Remainder - 11153.0Sqm or 1.11 Ha

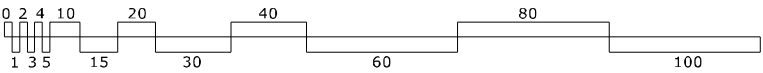
-  Denotes boundary of Application Site
-  Denotes Land under ownership of applicant



2 Existing
NTS Aerial location

REV.	DATE	DRAWN	DESCRIPTION
------	------	-------	-------------

REVISIONS



CLIENT: Mr Paul Mackay		
JOB: Proposed Agricultural building Camps Junction North, Kirknewton		
DRAWING: Location Plan		
DRAWNER	JOB NO 0020	DR NO PL01
DATE Nov 17	REV.	SCALE 1:1250



ROBERTSON ARCHITECTURE
& DESIGN

1 Existing
1:1000 Location Plan



Claire Johnston
Planning officer
West Lothian Council
Civic Centre
Howden South Road
Livingston
EH54 6FF

16 June 2020

Dear Ms Johnston

Planning Application 0347/FUL/20

This building was originally built without planning approval as an agricultural shed for the training of sheep dogs. It has been used by the applicant for the training of all types of dogs in breach of the retrospective planning approval which was given on 13th August 2019, planning application 0472/FUL/19. The farming community would not require shed to train sheepdogs because the training is carried out in fields and on hill ground with other animals.

With this current application it would suggest that this was the original objective to get round planning regulations.

The land on which it was built is classed as agricultural land in accordance with the local Development Plan and therefore should NOT be reclassified. Development of this land is against the local development plan Policy ENV1 which if approved could lead to coalescence which is also part of this policy. The first step of coalescence in this area was the planning approval for the development at 11b Humble, Planning Application 0636/FUL/19.

The entrance to the site is on a dangerous bend and due to the approval given by the planning committee for the development at 11b Humble for retirement homes this road will be used by a substantial number of additional vehicles when the development is completed. This will increase the danger for other users of this road.

In the application there is no mention of any surveys being carried out or approved with regard to the water table and the removal of wastewater etc.

This applicant has already submitted an application for 3 houses, Planning Application 1245/FUL/19 on this land and subsequently withdrew it. Kirknewton Community Council objected to the proposed development as per our letter dated 22nd January 2020.

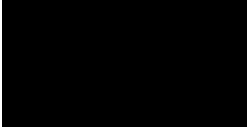
Kirknewton Community Council strongly objects to this shed being re-classed as it sets a very dangerous precedent for agricultural land being designated for building. Indeed we would go further and recommend that the building be removed from site as it is currently being used in breach of the retrospective planning approval which was given by a delegated officer as it was not put before the planning committee. It appears that this applicant disregards planning procedures and relies on West Lothian Council giving retrospective planning permission to achieve his objectives.

Kirknewton Community Council fully supports West Lothian Council's local Development Plan which seeks to protect agricultural land and the country side and avoids coalescence.

We expect that West Lothian Council will take into consideration our strong objection to this application.

Yours sincerely

Kirknewton Community Council



14th June 2020

West Lothian Council
Livingston

FAO Claire Johnston, Planning officer

Dear Sirs

Part change of use from agricultural shed to dog training facility with associated works (in retrospect)
Site West Of Linburn Road, Kirknewton, West Lothian
Application 0347/FUL/20

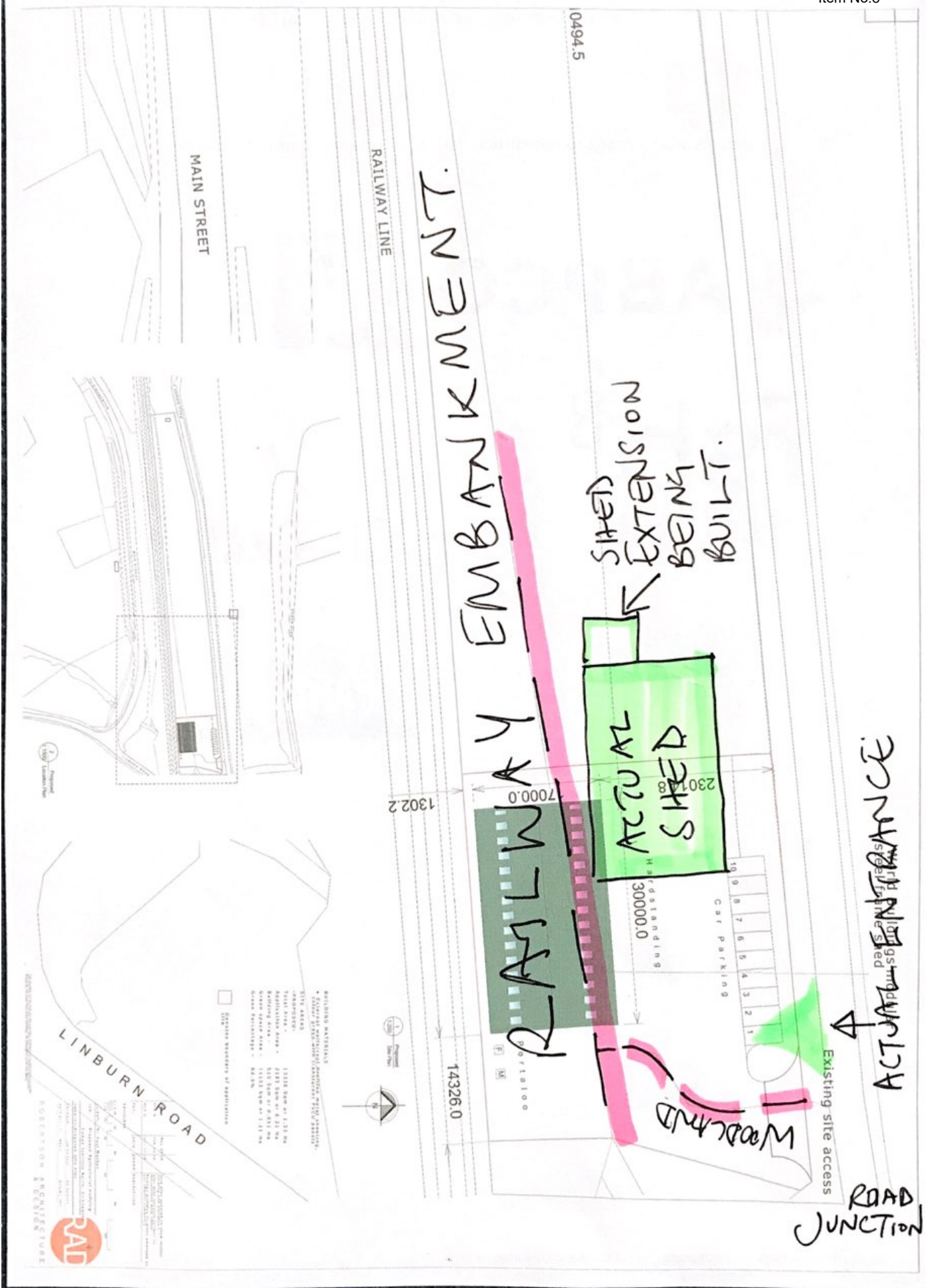
I hereby object to the above application.

The objection is made on the following grounds :-

1. Access for this use is onto a dangerous corner on the public road and very close to the road junction with Linburn Road.
2. The use is likely to generate a number of vehicle journeys/movements in an inappropriate location.
3. The shed location on the plans submitted is incorrect and misleading in that it is shown being sited further back from the public road than it actually is, the access is shown incorrectly, and the parking too. The shed is being shown as being mostly sited on the railway embankment and outwith the applicants ownership. (see sketch attached).

Yours faithfully

M Hall



Comments for Planning Application 0347/FUL/20

Application Summary

Application Number: 0347/FUL/20

Address: Land At Camps Junction Kirknewton West Lothian

Proposal: Part Change of Use – Agricultural shed to dog training facility

Case Officer: Claire Johnston

Customer Details

Name: Mr Robert Graham

Address: 10 Humbie Holdings Kirknewton

Date: 06/16/20

Comment Details

Commenter Type: Member of Public

Stance: Objection to the Planning Application

There are a number of elements to this application which justify an objection.

- 1) The facility has now been in use for the training of pet dogs for around 2 years. There are a number of reports within the Humbie Holdings community of 'close shaves' with vehicles associated with the site due to the site's entrance being so close and blind to the junction with the Kirknewton to the A71 road.(Linburn Road). If approved the access requires repositioning to reduce this hazard. This is of particular relevance to the likely increase in traffic from the development at 11B Humbie Holdings
- 2) The application justifies the existing building and its associated functions as being agricultural for an 'agricultural holding'. However the working land area is measured as less than the official definition of an 'agricultural holding' and therefore to use that to justify the building, etc. is misleading the Council.
- 3) The application states that processing of surface water drainage is not being addressed. As this is a building of considerable roof size this is seen as questionable.
- 4) As this building could now be used by the general public rather than 'agricultural personnel', are toileting and hand-washing facilities being addressed – and again what drainage facilities are in place?
- 5) As power generation is on-site, has this been approved by the Authority as safe for the public ?
- 6) The application states that a private water supply is to be used. Doesn't SEPA have to approve such now?. As this site is on high ground a well is unlikely and extraction from the nearby stream is not allowed, which suggests the carrying in of water which is questionable legally or, as has been posited locally, the connection is to a water trough supply rather than the public supply.
- 7) The building was originally classified as being justified for the agricultural purpose of training sheep dogs. I am advised that the norm for this is running the dog to be trained with mature dogs and sheep – there has never been sheep on this land.

8) Humble Holdings consists of 18 properties as homes. In the past 4 years the Council have had 3 retrospective planning applications for this area for illegal buildings and the community regards this as totally unacceptable. In consideration of this and the questionable legality of this building at all, it is requested that this application is rejected and the building removed from the site.

— XXX —

Development Management Committee

16 September 2020

Item No : Application No. 7yO

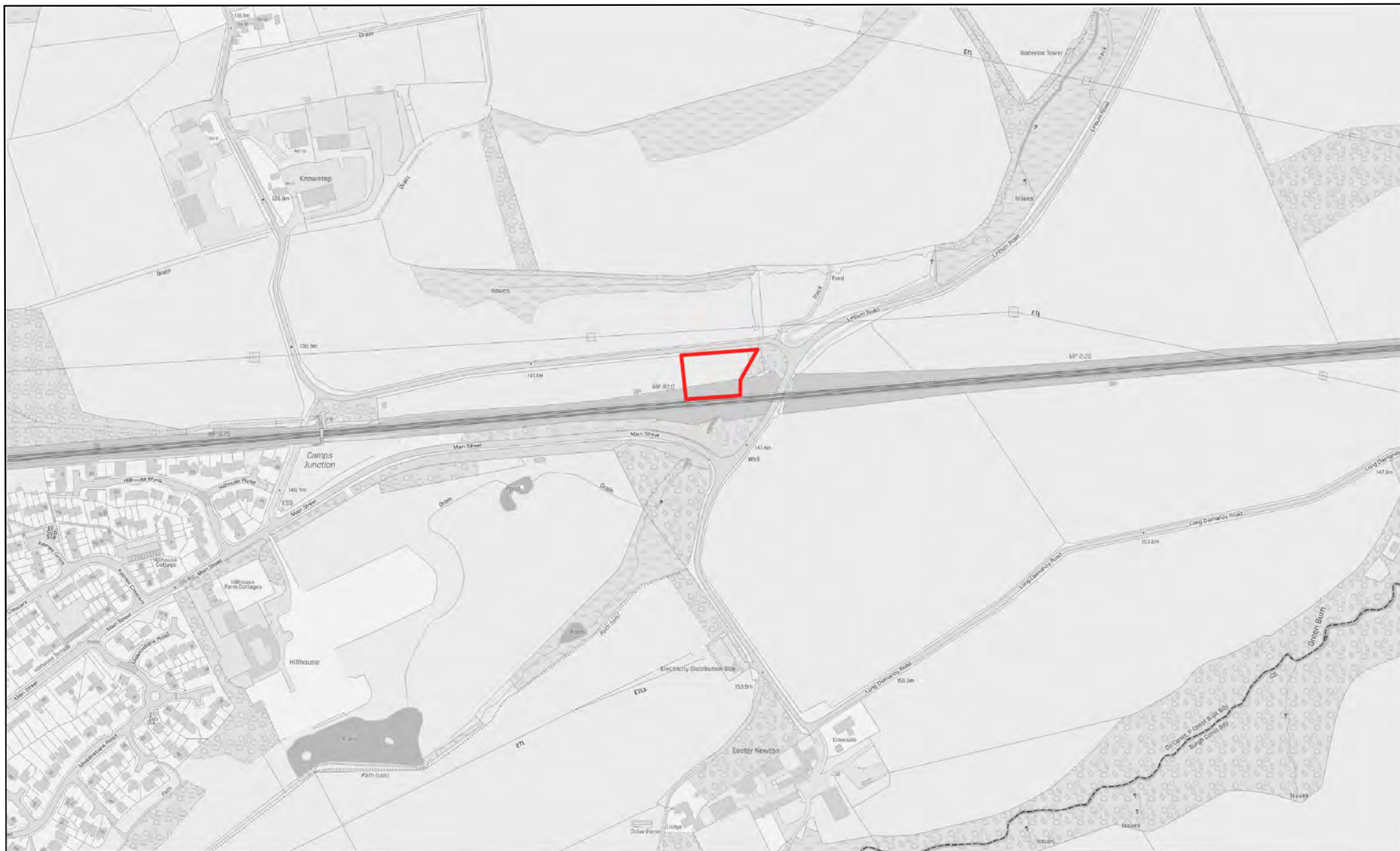
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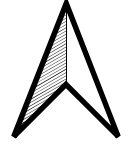

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 West Lothian Council	0347/FUL/20 - Site West of Linburn Road - Kirknewton		
	Development Management - West Lothian Civic Centre - EH54 6FF (c) Crown copyright and database right 2020 OS Licence number 100037194	<div style="display: flex; justify-content: space-between; align-items: center;"> 0 100 200 </div> 	

'World Buildings' modular steel frame shed

~~Existing site access~~

10	9	8	7	6	5	4	3	2	1
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C a r P a r k i n g

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H a r d s t a n d i n g

P o r t a l o o

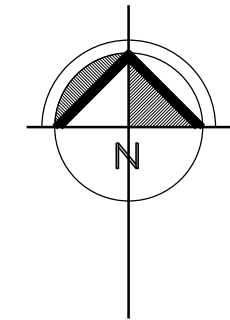
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31970.4

RAILWAY LINE

1
1:200

Proposed
Site Plan



BUILDING MATERIALS

- External walls/roof Profiled metal sheeting, colour green with translucent PVCU panels

SITE AREAS

Total Area - 13336 Sqm or 1.33 Ha

Application Area - 2770 Sqm or 0.27 Ha

Building Area - 510 Sqm or 0.051 Ha

Green space Area - 10.566 Sqm or 1.05 Ha

Green Percentage - 80.0%

 Denotes boundary of application site

MAIN STREET

GOGAR BURN

MAIN STREET

2 Proposed
1:1500 Location Plan

REV	DATE	DRAWN	DESCRIPTION
REV D	Jun 20 19		Site plan updated to show consolidation of OS 1 site plans with show location
REV C	May 29 19		Site plan updated to show visitor parking and portaloos
REV B	Feb 18 19		Site plan updated further to discussions with client
REV A	Dec 17 18		Romney building location amended per clients comments
REV.	DATE	DRAWN	DESCRIPTION

REVISIONS

02 JUN 19 20 40 60 80 100

JUN 19 JUL 19

CLIENT: Mr Paul Mackay

JOB: Proposed Agricultural building,
Campus Junction North, Kirknewton

DRAWING: Proposed Site Plan

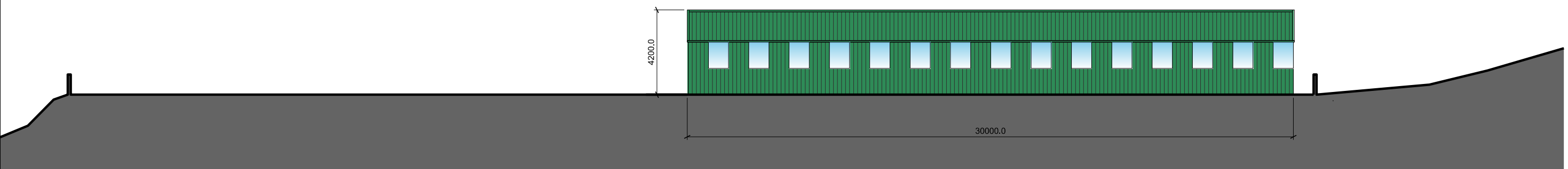
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DATE Nov 17 REV D SCALE: 1:200

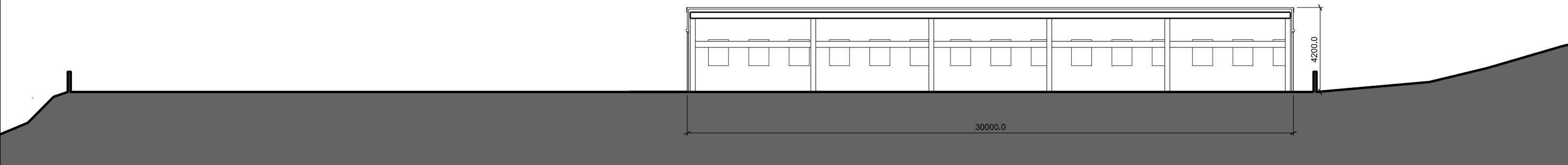
ROBERTSON ARCHITECTURE
& DESIGN



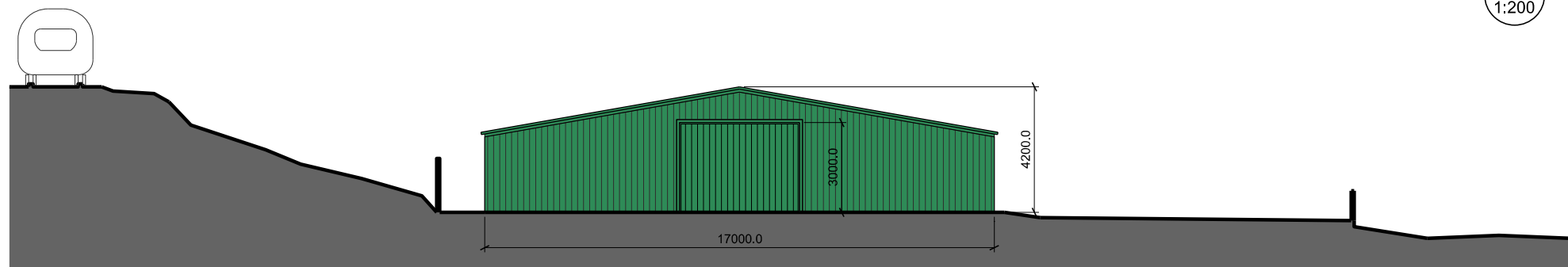
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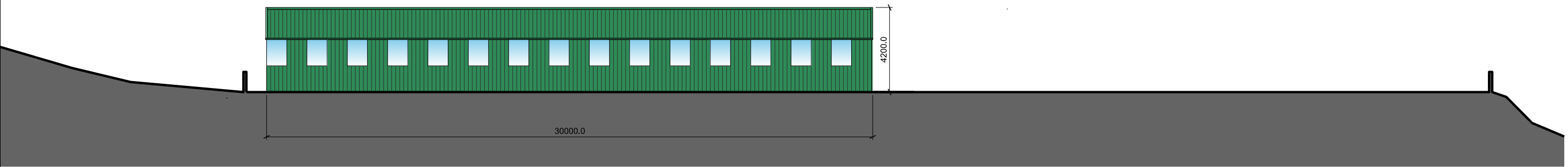
9
1:200
Proposed
North Elevation



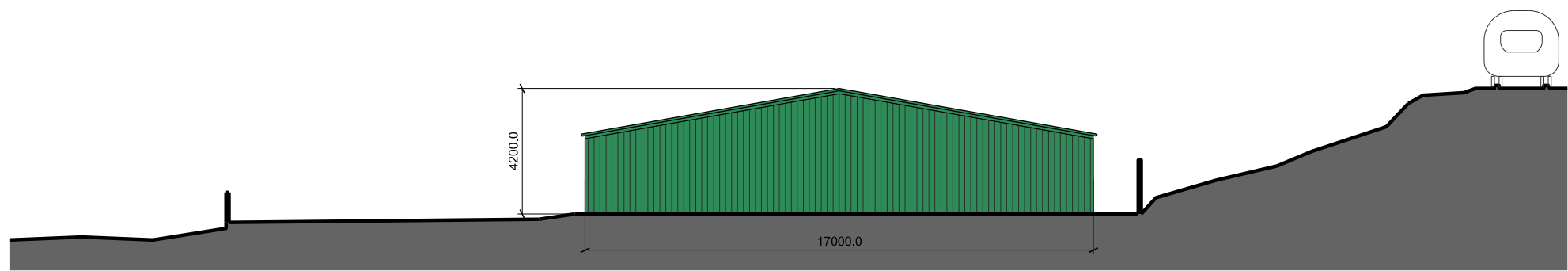
8
1:200
Proposed
Section A-A



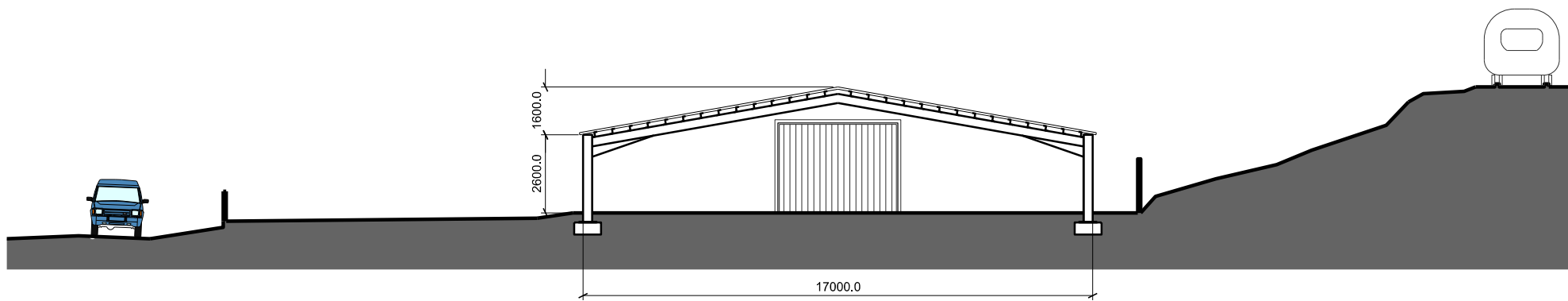
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1:200
Proposed
East Elevation



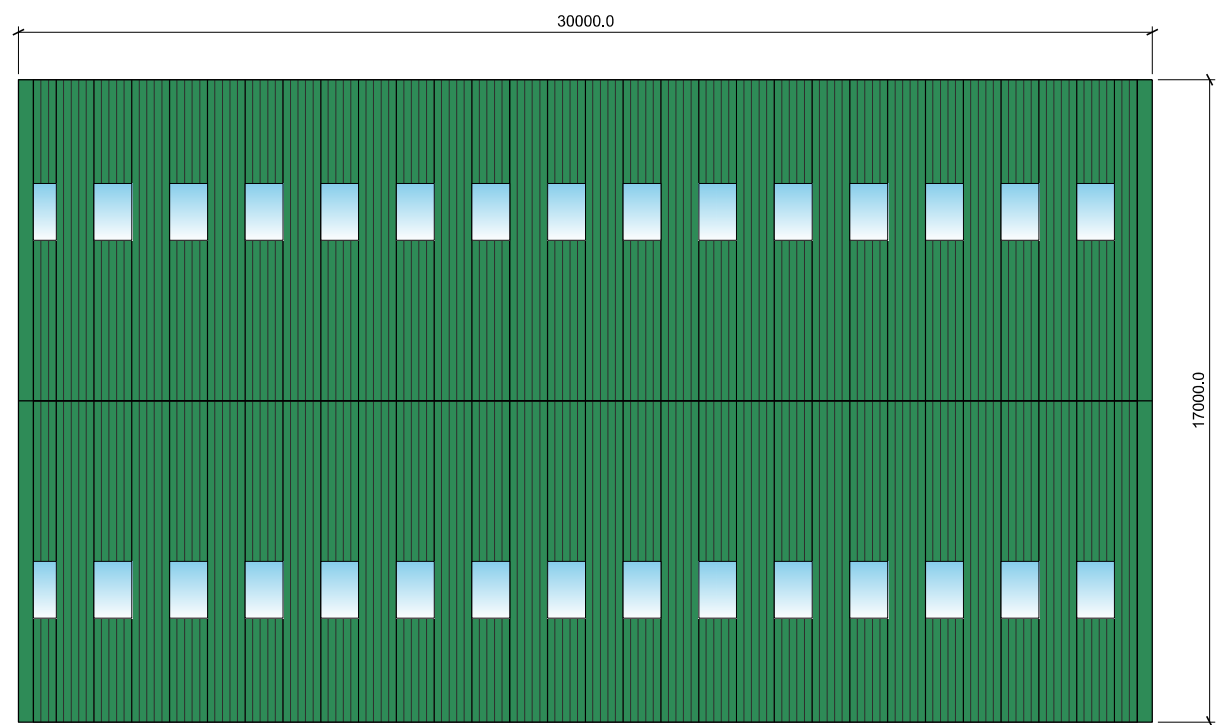
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1:200
Proposed
South Elevation



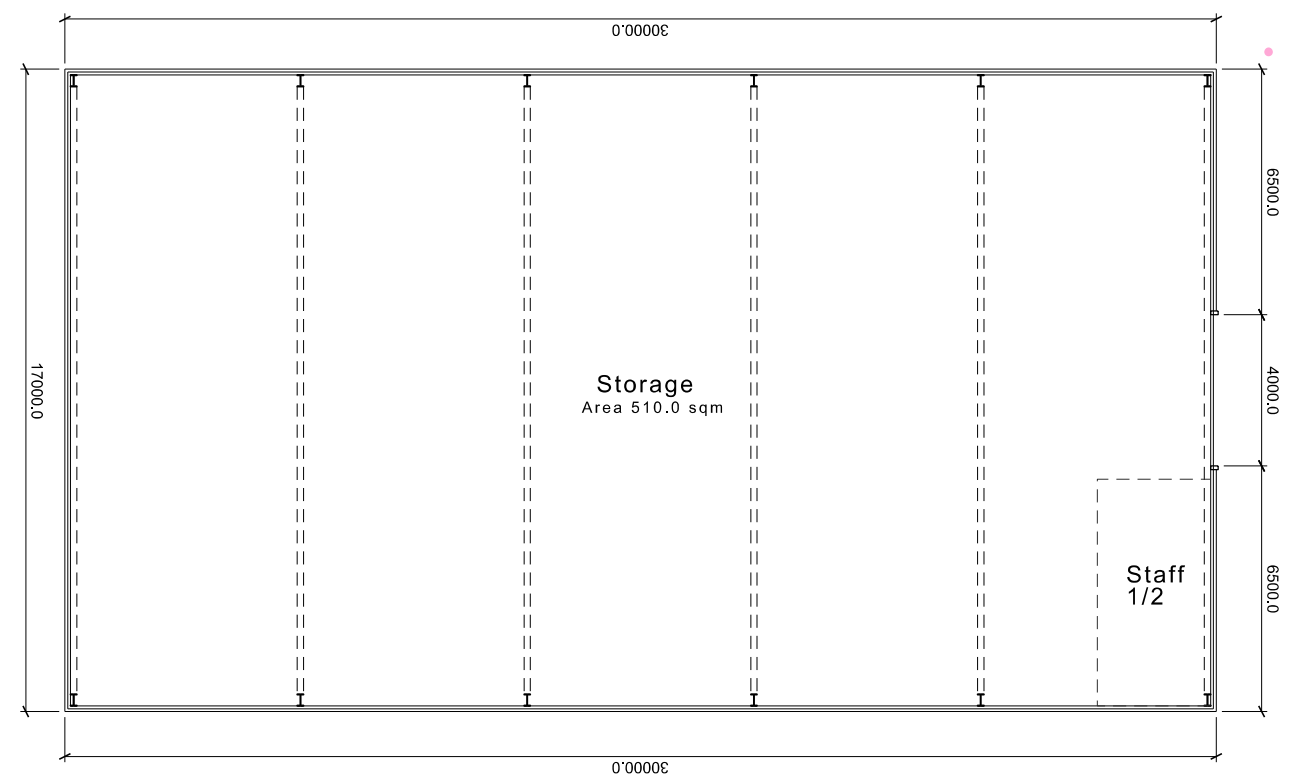
5
1:200
Proposed
West Elevation



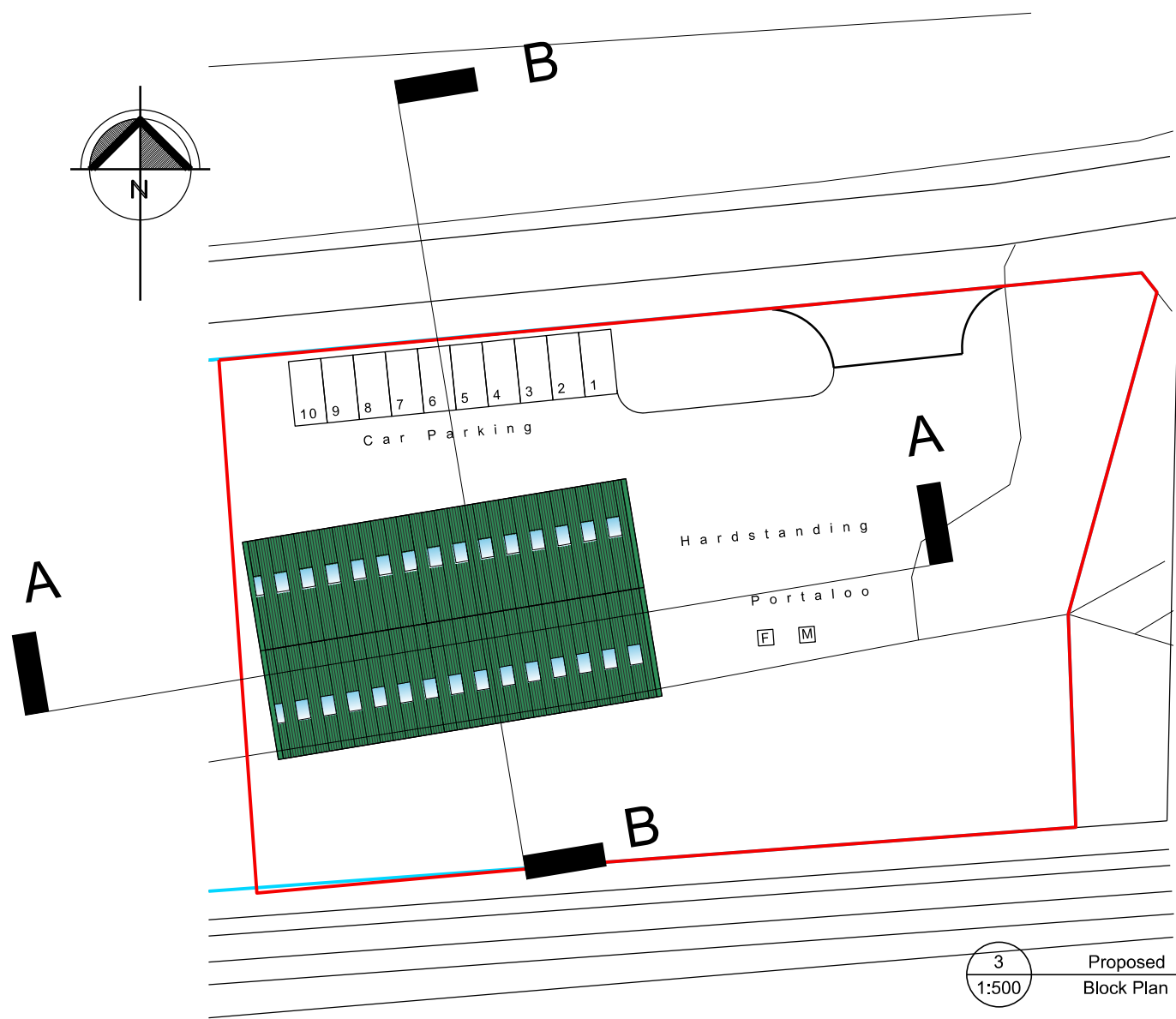
4
1:200
Proposed
Section B-B



2
1:200
Proposed
Roof Plan



1
1:200
Proposed
Floor Plan



3
1:500
Proposed
Block Plan

MATERIALS SPECIFICATION
External walls - Profiled metal cladding colour green
Rainwater goods - UPVC gutters and down pipes colour black

REV.	DATE	DRAWN	DESCRIPTION
REV B	Jun 20	ER	Info updated to match site plan
REV A	May 20	ER	Staff area noted

REV.	DATE	DRAWN	DESCRIPTION
REV B	Jun 20	ER	Info updated to match site plan
REV A	May 20	ER	Staff area noted

REVISIONS

0 2 4 10 20 40 60 80 100

1 3 5 15 30 60 100

CLIENT: Mr Paul Mackay
JOB: Proposed Agricultural building
Camps Junction North, Kirknewton
DRAWING: Plans, sections & elevations
DRAWN: JOB NO 0020 DR NO PL04
DATE: May 20 REV B SCALE: 1:200

ROBERTSON ARCHITECTURE & DESIGN







DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

- 1.1 Application under Section 42 to develop land without complying with condition 2b (approval of details of means of access to all buildings) and condition 2h (approval of a design statement) of planning permission 0689/P/17 for class 4 business use, class 5 general industrial use and class 6 storage/distribution use at Five Sisters Business Park West Calder, West Lothian.

2 DETAILS

Reference no.	0375/P/20	Owner of site	JJ Land Purchases Ltd
Applicant	JJ Land Purchases Ltd	Ward & local members	Fauldhouse and the Breich Valley Councillor Pauline Clark Councillor David Dodds Councillor Cathy Muldoon
Case officer	Kirsty Hope	Contact details	01506 282 413 kirsty.hope@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Jim Dickson

3 RECOMMENDATION

- 3.1 Refuse planning permission.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application under Section 42 is to develop land without complying with condition 2b (requires approval of details of means of access to all buildings) and condition 2h (requires approval of a design statement) of planning permission 0689/P/17 for class 4 business use, class 5 general industrial use and class 6 storage/distribution use.
- 4.2 The site is allocated within an employment area boundary in the West Lothian Local Development Plan. The site is located east of the Five Sisters Bing which is a Scheduled monument and is accessed via the B7015.

History

- 4.6 0689/P/17 - Application under Section 42 to develop land without complying with condition 3 (details to be submitted as part of approval of matters application) previously attached to planning permission in principle 0782/P/14 for class 4 business use, class 5 general industrial use and class 6 storage/distribution use. Granted 2 November 2017.
- 4.7 LIVE/0782/P/14 - Planning permission in principle for class 4 business use, class 5 general industrial use and class 6 storage/distribution use. Granted 26 January 2015.
- 4.8 Live/0495/PAC/13 - Proposal of application notice for planning permission in principle for class 4 business use, class 5 general industry use and class 6 storage and distributions use.
- 4.9 LIVE/0358/P/09 – Planning permission in principle for Class 4 business use, class 5 general industry use and class 6 storage and distribution use. Granted 16 April 2010.
- 4.10 LIVE/0453/P/02 – Outline planning permission for the formation of employment sites and premises for Business, General Storage/Distribution (classes 4, 5 and 6) Uses, associated infrastructure, leisure and landscape works. Granted 13 February 2003.

5. REPRESENTATIONS

- 5.1 Three representations in total were received, the full documents are contained in the application file.
- 5.2 A summary of representations is located in the table below.

Comments	Response
<ul style="list-style-type: none"> Inaccuracies and blank parts of the application form. 	<ul style="list-style-type: none"> There is enough information submitted to allow the application to be assessed.
<ul style="list-style-type: none"> No access details provided - condition 2b 	<ul style="list-style-type: none"> Noted. The application is for the omission of this condition. See assessment below.
<ul style="list-style-type: none"> Neighbour notification letter from WLC is inaccurate plan showing site location. 	<ul style="list-style-type: none"> Noted. All neighbours within 20m boundary if the site were notified.
<ul style="list-style-type: none"> Confirm no development proposed on field East of Oakbank Cottages or North and South of City Farm. 	<ul style="list-style-type: none"> This proposal is only considering the previous conditions of planning permission 0689/P/17.
<ul style="list-style-type: none"> Copy of previous objections to applications - 0689/P/17, 0782/P/14 and 0358/P/09. 	<ul style="list-style-type: none"> Noted. Each application is considered on its own merits.
<ul style="list-style-type: none"> Difficulty understanding the proposal plans. 	<ul style="list-style-type: none"> Noted.
<ul style="list-style-type: none"> Does not wish for this development to go ahead as this is a rural location. 	<ul style="list-style-type: none"> Noted. This proposal has already gained planning permission 0689/P/17.

Comments	Response
<ul style="list-style-type: none"> Road safety and traffic concerns. 	<ul style="list-style-type: none"> Noted. Roads and Transportation has no objection to the proposal.
<ul style="list-style-type: none"> Utilise existing buildings in WLC rather than building new units in the countryside. 	<ul style="list-style-type: none"> Noted. However, this site has been allocated for industrial use and already has planning permission.
<ul style="list-style-type: none"> Environmental Impact on trees, hedges and river. 	<ul style="list-style-type: none"> Noted. This assessment is purely based on the conditions and not the full proposal.
<ul style="list-style-type: none"> Noise impact to neighbouring residents. 	<ul style="list-style-type: none"> Noted. This assessment is purely based on the conditions and not the full proposal.
<ul style="list-style-type: none"> Preserve existing farmland/agriculture. 	<ul style="list-style-type: none"> Noted. However, this site has been allocated for industrial use and already has planning permission.
<ul style="list-style-type: none"> Mineshafts and potential methane gas risks of collapse. 	<ul style="list-style-type: none"> Noted. This assessment is purely based on the conditions and not the full proposal.
<ul style="list-style-type: none"> No benefit to the local setting by the proposals. 	<ul style="list-style-type: none"> Noted. However, employment would benefit the area and this site is identified within the LDP.
<ul style="list-style-type: none"> Previous Freeport demise. 	<ul style="list-style-type: none"> Noted. Previous sites success on retailing is not a material planning consideration against this application.

6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
WLC Roads and Transportation	Yes	Removing condition 2b does not allow Roads to advise on the appropriateness of the access layout.	Noted.
Environmental Health	No	None	Noted.
West of Scotland Archeology Service	N/A	No comments received.	Noted.

7. ASSESSMENT

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

Plan	Policy Summary	Assessment	Conform ?
West Lothian Local Development Plan (LDP) (2018) Policy DES 1 – 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.	The site is suitable for business use and is allocated for employment area within the LDP.	Yes
West Lothian Local Development Plan (LDP) (2018) EMP1 - Safeguarding and Developing Existing employment Land	The council is supportive of sustainable economic growth and regeneration. Existing employment land (and premises) for Class 4 business, Class 5 general industry and/or Class 6 storage and distribution uses which is identified in chapter 6 and shown on the proposals map are safeguarded for employment.	The proposed development is for class 4, 5 and 6 use classes.	Yes
West Lothian Local Development Plan (LDP) (2018) EMP3 - Employment development outwith settlement boundaries	Proposals for new small scale business development on sites out with settlement boundaries (including the re-use and conversion of existing farm and industrial buildings) will	The development has been allocated for employment use within the LDP.	Yes

Plan	Policy Summary	Assessment	Conform ?
	be supported subject to meeting criteria a-h.		
West Lothian Local Development Plan (LDP) (2018) ENV3- Other Development in the Countryside	Development in the countryside will only be permitted subject to the proposal meeting criteria a-e.	No detrimental impact on the countryside.	Yes
West Lothian Local Development Plan (LDP) (2018) ENV7 - Countryside Belts and Settlement	The strategic purposes of Countryside Belts are to: a. maintain the separate identity and visual separation of settlements; b. protect the landscape setting of settlements; c. promote public access to green space for informal recreation; and d. enhance landscape and wildlife habitat.	No detrimental impact on the countryside belt.	Yes
West Lothian Local Development Plan (LDP) (2018) ENV9 - Woodland, Forestry, Trees and Hedgerows	There will be a presumption against development adversely affecting woodlands unless there is a proven locational need and where a sustainable environmental gain through replacement and additional tree planting appropriate to the area is provided and accords with the Scottish Government "Control of Woodland Removal" policy (2009) and the Forestry Commission Scotland's policy "The right tree in the right place" (2010).	No detrimental impact on the woodland.	Yes

Plan	Policy Summary	Assessment	Conform ?
West Lothian Local Development Plan (LDP) (2018) ENV33 - Scheduled Monuments	There is a presumption against development which could have an adverse impact on a scheduled monument, or the integrity of its setting.	A planning condition can be used to secure a programme of archaeological works, if consented.	In part – if conditioned.
West Lothian Local Development Plan (LDP) (2018) NRG1 - Climate Change and Sustainability	The reduction of greenhouse gas emissions through a wide range of measures designed to mitigate and adapt to climate change is a strategic over-arching set of principles which will be promoted by having the statutory requirements of The Climate Change (Scotland) Act 2009	A planning condition can be used to secure, if consented.	In part – if conditioned.
West Lothian Local Development Plan (LDP) (2018) NGR1a -Low and Zero Carbon Generating Technology	Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emission reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement.	A planning condition can be used to secure, if consented.	In part – if conditioned.
West Lothian Local Development Plan (LDP) (2018) NRG2 - Solar Roof Capacity Requirements	All new residential, commercial and industrial buildings must have a minimum installed solar roof capacity.	A planning condition can be used to secure, if consented.	In part – if conditioned.

Plan	Policy Summary	Assessment	Conform ?
West Lothian Local Development Plan (LDP) (2018) EMG2 - Flooding	When considering proposals for development, the council will adopt a precautionary approach to the flood risk from all sources, including coastal, water course (fluvial), surface water (pluvial), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted impacts of climate change.	No details submitted at this stage. Flooding information would be required to be submitted at the detailed stage.	In part - if conditioned
West Lothian Local Development Plan (LDP) (2018) EMG3 - Sustainable Drainage	Developers may be required to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development.	No details submitted at this stage. Flooding information would be required to be submitted at the detailed stage.	In part – If conditioned
West Lothian Local Development Plan (LDP) (2018) EMG6 - Vacant, Derelict and Contaminated	Where it is suspected by the council that a development site may be contaminated, the developer will be required to undertake a site investigation, to the satisfaction of the council.	No site investigation was carried out however a planning condition can be used to secure, if consented.	In part – if conditioned.
West Lothian Local Development Plan (LDP) (2018) EMG5 - Noise	There is a presumption against developments that are: a. likely to generate significant amounts of noise being located close to noise sensitive developments such as existing or proposed housing; or b. residential or other noise sensitive developments being close to noisy land use.	The proposed works are not considered to cause detrimental impact with regards to noise given the distance to neighbouring residential properties.	Yes

Also relevant is the following policy documents:

Circular 4/1998: The Use of Conditions in Planning Permissions
Planning Advice Note 68: Design Statements
Planning and Noise Supplementary Guidance
Flooding and Drainage Supplementary Guidance
Development in the Countryside Supplementary Guidance
Development on Contaminated Land Supplementary Planning Guidance

- 7.4 As this application is made under Section 42 of the 1997 planning act, the council is only required to consider the question of the conditions subject to which permission should be granted.
- 7.6 The applicant has applied for the same development as previously granted by permission 0689/P/17 but without complying with conditions 2(b) and 2(h). These conditions require details relating to the means of access to all buildings and a design statement to be submitted for the approval of the planning authority before works commence.
- 7.7 With regard to condition 2(b) (details of the means of access to all buildings), which would include footpaths, roads and the access to buildings/parking, these details are required and this condition is necessary in order to fully assess the detailed layout of any proposed development. Roads and Transportation have objected to the removal of this condition.
- 7.8 The applicant contends that the requirements of condition 2(b) can be solely controlled by other non-planning legislative requirements. This is not the case and not accepted by planning officers. It is also not agreed that this condition is unnecessary or indeed ultra vires. Condition 2 (a) requires details of the siting, design and appearance of all proposed buildings and it is not accepted that this would include details of all roads, footways and other means of access to those buildings, hence the need for condition 2(b) to be applied.
- 7.9 With regard to condition 2(h) (design statement), while a design statement has been provided with this application, it gives a fairly high-level design overview which supplements details shown on the associated masterplan.
- 7.10 The detailed layout and design of the proposed development will be the subject of future application(s) and it is considered necessary that a design statement/guide forms part of the future submission(s) in order to provide design parameters for the development in order to achieve an overall high design quality and assist with place making principles.
- 7.11 Both conditions meet the 6 tests for the use of conditions in Circular 4/1998, namely that they are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 7.12 The applicant has also requested that the time limit to begin any new permission be extended to 5 years instead of the statutory 3 years. No justification is given for this and there is no need for this given that the development is not particularly complex.

8. CONCLUSION AND RECOMMENDATION

- 8.1 The requirements of condition 2(b) and 2(h) are necessary in order to fully assess any subsequent detailed/MSD application proposals for the site and meet the necessary tests set out in Circular 4/1998. Therefore, it is recommended that this application under Section 42 of the 1997 planning act be refused.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Reason for Refusal
- Location Plan
- Aerial Plan
- Representations
- Local Referral Form

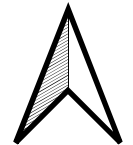
Craig McCorriston

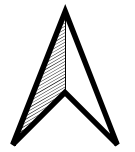
Head of Planning, Economic Development and Regeneration **Date: 16 September 2020**

DRAFT REASON FOR REFUSAL – APPLICATION 0375/P/20

Reason for refusal

The requirements of both condition 2(b) and 2(h) are necessary, in order to fully assess any subsequent detailed/MSC application proposals for the site and meets the 6 tests set out in Circular 4/1998.





Comments for Planning Application 0375/P/20

Application Summary

Application Number: 0375/P/20

Address: Five Sisters Business Park West Calder West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 2b (requires approval of details of means of access to all buildings) and condition 2h (requires approval of a design statement) of planning permission 0689/P/17 for class 4 business use, class 5 general industrial use and class 6 storage/distribution use

Case Officer: Kirsty Hope

Customer Details

Name: Mr Kevin Brunton

Address: 4 Oak Bank Cottages Westwood West Calder

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Please refer to email of 05/06/2020 and attached letter (to planning@westlothian.gov.uk) with objections highlighted within.

Our main objection remains to the location of the proposed reed bed and the impact smells from the septic tank overflow would have on the environment for the residents of Oak Bank Cottages. The Objector notes that, should a reed bed still be required as part of this development as opposed to connection to a public sewage system (as also proposed by the Applicant), that a more appropriate location would be at the bottom of the slope to the south-east of the current proposed position and still adjacent to the Breich Water for discharge.

The objections are summarised as follows:

1. The reed bed will result in odours to the residents of Oak Bank Cottages (however note that the reed beds were not part of the Planning Application Granted in Principle)
2. Contradictory/missing information within "Application.pdf" around explanation to why 5 year extension requested; Access and Parking say "0" car parking on site (realistic?); Water supply and drainage arrangements states connection to existing public sewer (is there one and if so why need a reed bed?); fuller explanation of "All types of Non Housing Development - Proposed New Floorspace" is incomplete
3. Condition 2b has not been addressed on vehicular access within the site to each of the building

properties (and assume site entrance is only via the proposed new roundabout adjacent the existing gate lodge entrance)

4. West Lothian Planning letter dated 18 May 2020 Location Plan is not accurate in that the shown site boundary includes the privately owned Oak Bank Cottages housing and garden areas

5. There is no information on the "stand alone" field to the east of Oak Bank Cottages or to the north and South of City Farm. We assume no development in this fields is planned under this Planning Application.

In summary, the objection comments made above are already included in the following correspondence, the content of which we would appreciate could be considered for any future full Planning Application and the required accompanying reports/statements:

1. Objection to Planning Application 0689/P/17 (letter dated 25th September 2017)
2. Objection to Planning Application 0782/P/14 (letter dated 28th November 2014)
3. Objection to Planning Application 0358/P/09 (letter dated 1st June 2009)

Comments for Planning Application 0375/P/20

Application Summary

Application Number: 0375/P/20

Address: Five Sisters Business Park West Calder West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 2b (requires approval of details of means of access to all buildings) and condition 2h (requires approval of a design statement) of planning permission 0689/P/17 for class 4 business use, class 5 general industrial use and class 6 storage/distribution use

Case Officer: Kirsty Hope

Customer Details

Name: Mrs Rhoda Lawton

Address: 8 Oakbank Cottages Westwood West Calder

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The lack of clarification on the map as to where which parts of the proposal would be positioned is not easy for the lay reader to comment on.

I chose to live in the rural setting at Oakbank Cottages over 3 decades ago. I wish to remain living in the rural setting & do not wish work units, a wind turbine, deer larders or recycling / vehicle crushing units in the field behind my house or nearby.

The Five Sisters is a heritage site often used by the Council in it's signage & as such should not have any further development around them. The field behind Oakbank is in a flood plain, has no main gas or sewars. The road network & infrastructure is hardly able to cope with the increased traffic & traffic from local bus companies & caravan storage companies. Crossing the road from our Cottages to the country pathways is dangerous at the best of times.

The proposed Gavieside Farm development If passed will lead to other facilities being developed which includes Industrial Units , retail, school and housing. Again public services & network improvement won't directly improve the situation for existing local residents on the B7015.

The council has to consider utilising the numerous empty work units and buildings within West Lothian before developing anymore units.

There is also the environmental impact of such building and destruction of the trees, hedges, river life and noise impact from 'vehicle crushing' centre. The fields beside Oakbank and City Farm Road are rich agricultural land being utilised by local farmers. We need to preserve our farmland & associated employment for the next generation working in agriculture. The land around the Five Sisters is known to have many mine shafts & the potential risks of methane gas build up and risk of infill & collapse.

People are paying hundreds of thousands to move into new housing in the local communities and

are keen to have natural paths and rural settings to exercise & cycle in (as recently proven in the lockdown) the roadway & public paths have been very popular over the past 11 weeks. In short I see no benefit to the local setting by this proposal. I resent the beauty of what little countryside we have left being removed from us and the natural inhabitants of the land, river & air.

Historically the area needs to preserve the memory of the past industry but not blight the land with modern industry which could be homed in existing units in the West Lothian area. The younger generation will travel to where the employment is but the B7015 has no public transport connections or pavement. The road including the single track bridge at Oakbank will not be able to cope with the increased capacity of vehicles.

We lived through the white elephant of 'Freeport' and saw it's demise so no need to let history repeat itself and further destroy our landscape. Save the planet, reduce, recycle & reuse existing facilities in West Lothian. Thank you.

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

4 Oak Bank Cottages
Westwood
West Calder
EH55 8PR

5th June 2020

Objection to Planning Permission at Five Sisters Business Park, Westwood, West Calder, EH55 8PR
Application Number 0375/P/20

To whom it may concern

We acknowledge that Planning Permission in Principle was granted (with 8 Conditions) on 2nd November 2017 (0689/P/17) along with the associated Location Plan 08053/P(2-)02C and Planning Layout 08053/P(2-)01F.

Our main objection remains to the location of the proposed reed bed and the impact smells from the septic tank overflow would have on the environment for the residents of Oak Bank Cottages. The Objector notes that, should a reed bed still be required as part of this development as opposed to connection to a public sewage system (as also proposed by the Applicant), that a more appropriate location would be at the bottom of the slope to the south-east of the current proposed position and still adjacent to the Breich Water for discharge.

We are writing to object to the above proposed development for the following reasons:

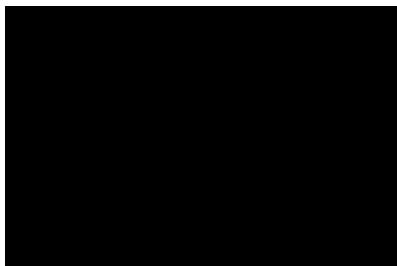
1. The reed bed to the north-east of the site will result in sewage odours to the residents of Oak Bank Cottages to both their indoor living areas and garden areas to the south-east of the houses shown on Plan 08053/P(2-)01F. We note that the reed bed is currently excluded from the Planning Approval in Principle (not included within Condition 1)
2. Contradictory/missing information remains within "Application_pdf" dated 09/05/2020 namely:
 - a. Page 1 **Description of Proposal Cont.** No "why" explanation to 5 year extension request is provided
 - b. Page 4 **Access and Parking.** Although Applicant acknowledges new access to/from public road, they have stated that there will be "0" vehicle parking spaces proposed on the site. The Objector does not believe this to be a realistic proposition for the proposed 16,612m² of floorspace over 20 premises (refer "Design Statement"). There is currently no public transport provision on the B7015 to allow the workforce to commute without using their own vehicular transport
 - c. Page 4 "**Water Supply and Drainage Arrangements**" states the planned sewage connection is to the existing public drainage network. If this is the case, this is not shown on any plans to date. Also if connecting into a current public sewer (presence unknown by the Objector), why do the proposed plans also need a septic tank connecting to the reed bed noted in 1 above?

- d. Page 5 “**All Types of Non Housing Development – Proposed New Floorspace**” does not provide a fuller explanation in the “Don’t Know” text box (appears only o have added an *)
3. The “Justification email to WLC 6 May 2020 pdf” (from Pearson Chartered Surveyors) fails to address WLC Condition 2b. We assume the sole means of vehicular access will be from the proposed new roundabout adjacent the existing Gate Lodge entrance (e.g. no new entry is proposed from the existing City Farm entrance, if so we would object). The Building Warrant will only show perimeter access into the proposed buildings and not the vehicular means of access to the buildings. We would expect that a road layout within Zones 1, 2 and 3 would have been made available with this application to address Condition 2b.
4. West Lothian Council Planning letter dated 18 May 2020 Location Plan is not accurate in that Oak Bank Cottages is included within the overall site boundary. We assume this is a clerical error and the site boundary under the ownership of the applicant is that shown on 08053/P(2-)01F and approved in principle for development only in Zones 1, 2 and 3 red hatched areas
5. There is no information related to any proposed development in the “stand alone” field to the east of Oak Bank Cottages or to the north and south of City Farm. We assume that there is no development proposed in these fields under this Planning Application and thus no further objection is made at this time

In summary, the objection comments made above are already included in the following correspondence, the content of which we would appreciate could be considered for any future full Planning Application and the required accompanying reports/statements:

1. Objection to Planning Application 0689/P/17 (letter dated 25th September 2017)
2. Objection to Planning Application 0782/P/14 (letter dated 28th November 2014)
3. Objection to Planning Application 0358/P/09 (letter dated 1st June 2009)

Yours faithfully



Kevin Brunton
BEng CEng MICE NEBOSH

Comments for Planning Application 0375/P/20

Application Summary

Application Number: 0375/P/20

Address: Five Sisters Business Park West Calder West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 2b (requires approval of details of means of access to all buildings) and condition 2h (requires approval of a design statement) of planning permission 0689/P/17 for class 4 business use, class 5 general industrial use and class 6 storage/distribution use

Case Officer: Kirsty Hope

Customer Details

Name: Mr Kevin Brunton

Address: 4 Oak Bank Cottages Westwood West Calder

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We received an "Amended Plans Submitted" letter dated 05 June 2020, however the location plan attached to the letter is still incorrect in that the area from the B7015, Oak Bank Cottages houses and their gardens should not be included in the application site boundary.

We would expect the site boundary to look more like that shown on Drawing 08053/P(2-)-02C Location Plan.

No changes could be found to any amended plans in this application.

☒ LOCAL MEMBER REFERRAL REQUEST ☒

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days and by 12 noon at the latest.

The planning application details are available for inspection on the council's web site at <http://planning.westlothian.gov.uk/WAM133/searchsubmit/performanceOption.do?action=search>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p>Application Reference Number</p> <p>.....0375/P/20.....</p> <p>Site Address</p> <p>Five Sisters Business Park, West Calder, West Lothian, , (Grid Ref: 301006,664398)</p> <p>Title of Application</p> <p>JJ Land Purchases Ltd</p> <p>Member's Name</p> <p>Cllr Jim Dickson</p> <p>Date</p> <p>.....28/07/2020.....</p>	<p>Applicant</p> <p>Request.....✓ <input type="checkbox"/></p> <p>Constituent Request..... <input type="checkbox"/></p> <p>Other (please specify)..... <input type="checkbox"/></p>

Development Management Committee

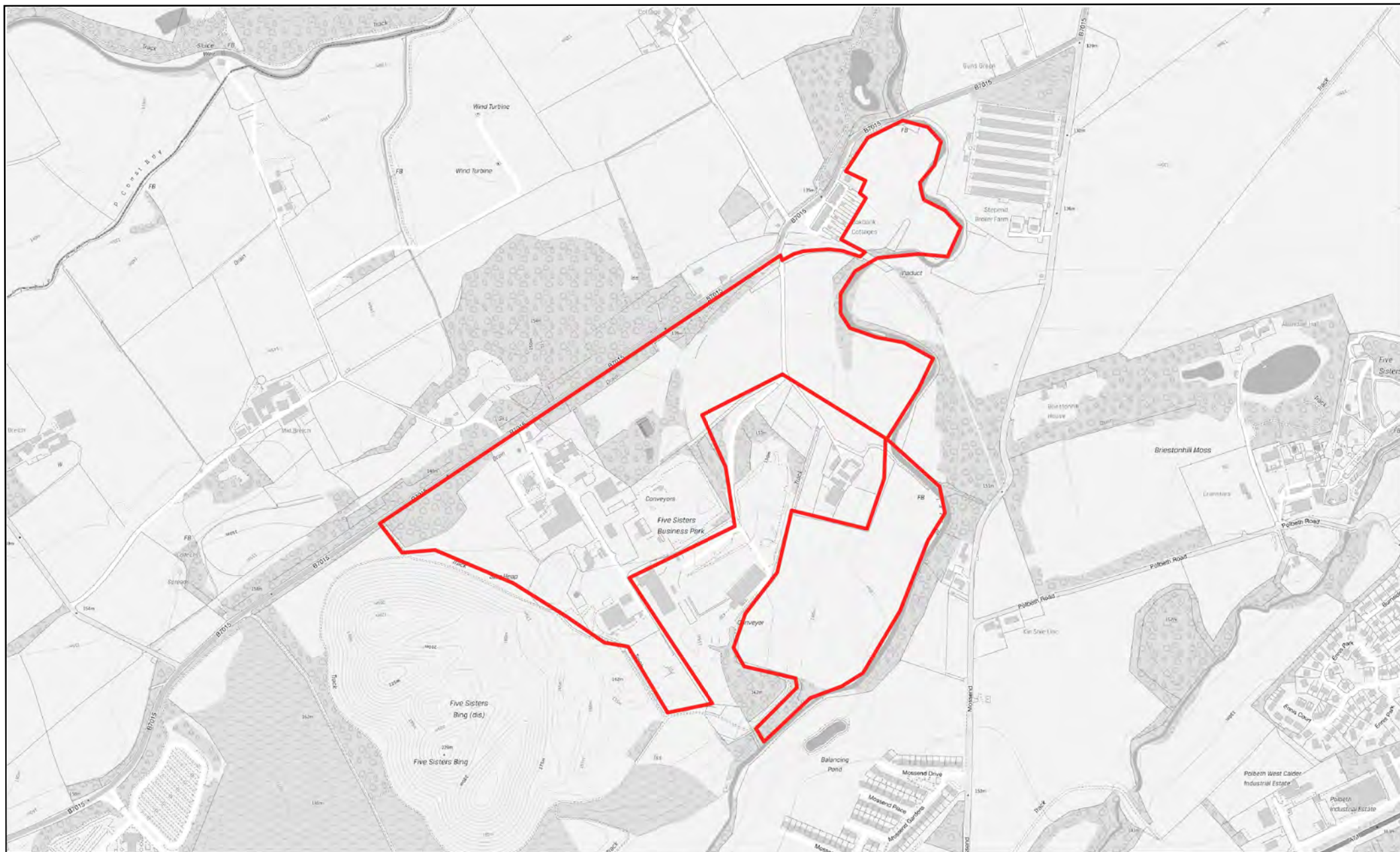
16 September 2020

Item No : Application No. h

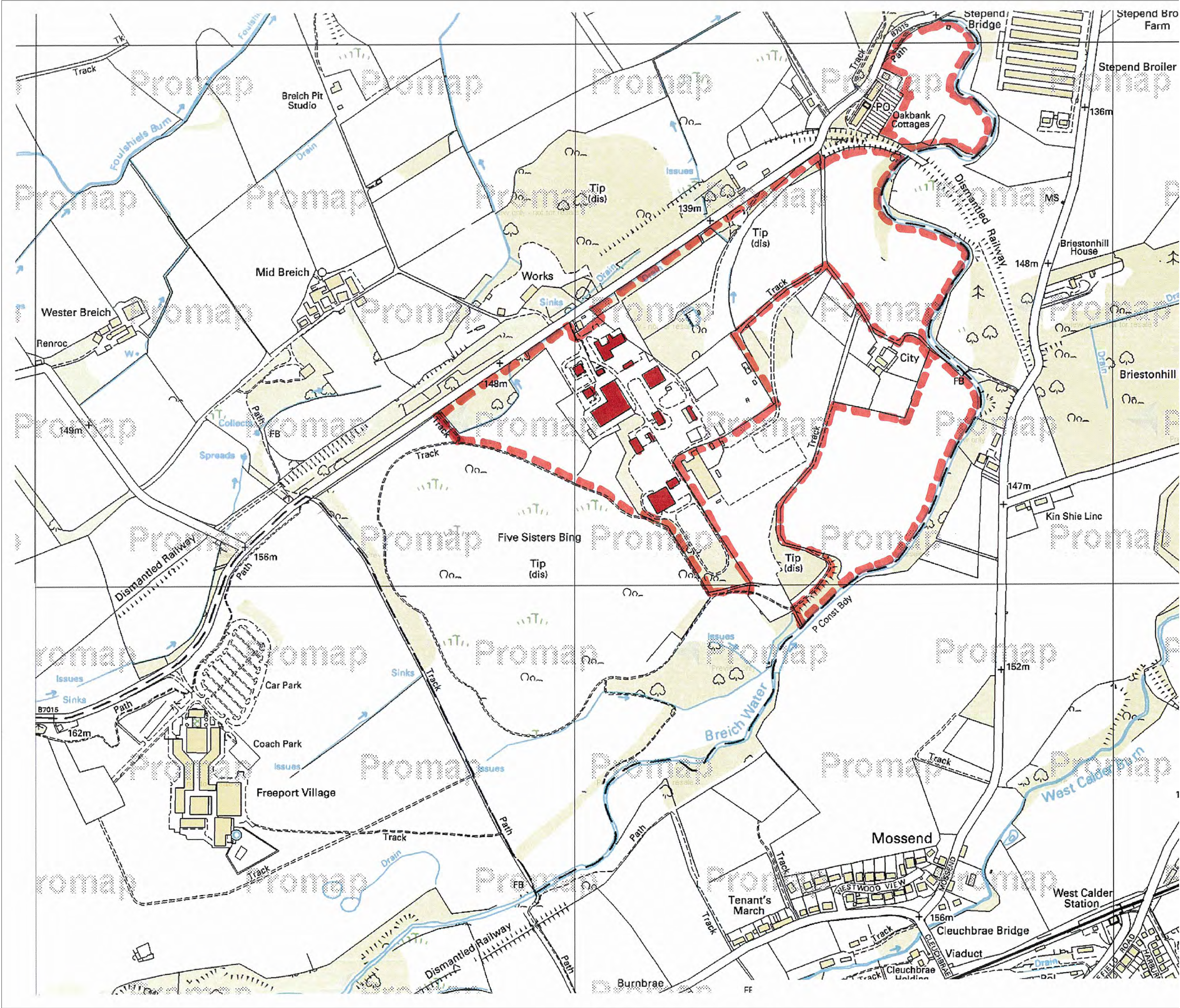
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Unless otherwise assigned, the copyright of this drawing is reserved by Slorach Wood Architects and is issued with the caveat that it is not copied or disclosed to any third party, either wholly or in part, without the written permission of Slorach Wood Architects.
Variations and modifications to work shown in this drawing should not be carried out without written permission of Slorach Wood Architects, who accept no liability whatsoever for alterations made to this drawing by any third party other than themselves.
All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004.
All works to comply with the relevant Codes of Practice and British Standards and shall be carried out to the highest standard of craftsmanship by skilled and qualified persons of the respective trades and in accordance with good building practice.
The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations.
Do not scale from this drawing at any time. Use figured dimensions only. All setting out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancies reported to the architect immediately.
All dimensions are to the structure and exclude any plaster/plasterboard finishes.

C	BOUNDARY LINE AMENDED	OCT '14
B	BOUNDARY LINE AMENDED + GREEN	OCT '14
A	LAYOUT AMENDED; RURAL HOUSING REMOVED	SEPT '09
status		PLANNING
drawing	08053 / P(2-)02C	scale 1:5000(A1) 1:10000(A3)
plotted		ref. AK
project		FIVE SISTERS BUSINESS PARK, WESTWOOD
title		LOCATION PLAN
slorach wood architects		
contact		
The Station Master's Office, Dalmeny Station South Queensferry, EH30 9JP Tel. 0131 319 1260 Fax. 0131 319 1239 email: info@slorachwoodarchitects.com		



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1. DESCRIPTION

Erection of a shed and decking (in retrospect) at 53 Eliburn South Road, Eliburn.

2. DETAILS

Reference no.	0413/H/20	Owner of site	Ms Dorothy Cairns
Applicant	Ms Dorothy Cairns 53 Eliburn South Road, Eliburn, Livingston, West Lothian, EH54 6SP	Ward & local members	Livingston North Councillor Alison Adamson Councillor Dom McGuire Councillor Robert De Bold Councillor Andrew Miller
Case officer	Rachael Lyall	Contact details	01506 281110 Rachael.Lyall@westlothian.gov.uk

Reason for referral to Development Management Committee: Local Member Request by Councillor Andrew Miller

3. RECOMMENDATION

3.1 Refuse Planning Permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The shed measures 3.048m x 3.048m and is 2.591m in overall height to the ridgeline of the mono-pitch roof. However, the development has been constructed on a raised decking which measures 0.419m from the lowest ground level.
- 4.2 The shed has been constructed using timber and features a windows and door on the elevation which faces the neighbouring boundary to the east and overlooks the applicants decking and rear garden. The shed also features a window in the side elevation which faces the applicant's property.
- 4.3 It was advised that the shed should be relocated and the orientation should be revised so that it is not located on top of the existing deck and does not face directly into the neighbouring property. The relocation of the shed would also reduce the overall height and the visual amenity impact on the area as the shed would then not be visible from the street. However, the applicant confirmed that the shed is unable to be relocated.

History

- 4.4 No relevant site history. However, it should be noted that the application is a result of a previous enforcement case (ENF/0117/20)

5. REPRESENTATIONS

- 5.1 One representation received.
- 5.2 A summary of representations is located in the table below.

Comments	Response
<ul style="list-style-type: none"> Impact on natural lighting, Impact on privacy. 	<ul style="list-style-type: none"> The proposed works will overshadow the neighbouring properties to the east and north. It is considered that the proposed extension directly overlooks the neighbouring property to the east.

6. CONSULTATIONS

- 6.1 No consultation were required to be undertaken.

7. ASSESSMENT

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

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018) Policy DES1 Design Principles	This policy states that development proposals are required to integrate with their local context. Development proposals should have no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity.	<p>The siting of the shed on top of raised decking results in a development which can be seen from the street scene which detrimentally impacts upon the visual and residential amenity of the area.</p> <p>The shed has a significant adverse impact on the adjacent property to the east in terms of overshadowing and overlooking.</p>	No

7.4 The determining issues of the application are listed below:

Determining Issue 1 – Impact on Visual Amenity

- 7.5 The rear garden features a boundary fence, however the boundary fence does not sufficiently screen the existing shed. In addition, the existing and neighbouring rear gardens are quite open with minimal screening between and as a result, the development has a significant impact on the visual amenity as it will appear prominent within the rear garden and will be visible from the street scene. It is to be noted that no other sheds of this scale are located within this development, therefore the proposed shed does not integrate with the surrounding area and will have a detrimental impact on the visual amenity of the street and neighbouring rear gardens.
- 7.6 West Lothian Councils Local Development Plan states that there should be no significant adverse impact on adjacent buildings or streetscape and the House Extension and Alteration Design Guidelines 2015 state that developments should be of a scale that does not dominate the existing property or your neighbours houses and should not detract from the appearance of the dwelling or surroundings.

Determining Issue 2 – Impact on Residential Amenity

- 7.7 The orientation and location of the shed, results in significant overlooking to the east and overshadowing to the east and north. As a result, the development is having a significant and detrimental impact on the residential amenity.
- 7.8 West Lothian Council's House Extension and Alteration Design Guidelines 2015 states that Garages, garden sheds / huts and other outbuildings should be positioned to ensure that the amenity of any neighbours' houses or gardens is protected. This shed is located on top of a decking which significantly adds to the overall and detrimental impact and is not positioned in a location which respects the residential amenity.

8. CONCLUSION AND RECOMMENDATION

- 8.1 The shed is of a dominating scale, in which the added height of the decking beneath, adds to the overall domineering effect in which the works adversely affect the visual and residential amenity. The garden shed also directly overlooks the neighbouring property to the east and overshadows the neighbouring properties gardens to both the north and east to a significant extent.
- 8.2 This proposal is therefore contrary to West Lothian Council's Local Development Plan's Design Principles (DES 1) Policy and does not follow the appropriate guidance given in the House Extension and Alteration Design.
- 8.3 It is recommended that this application is refused planning permission.

9. BACKGROUND REFERENCES & ATTACHMENTS

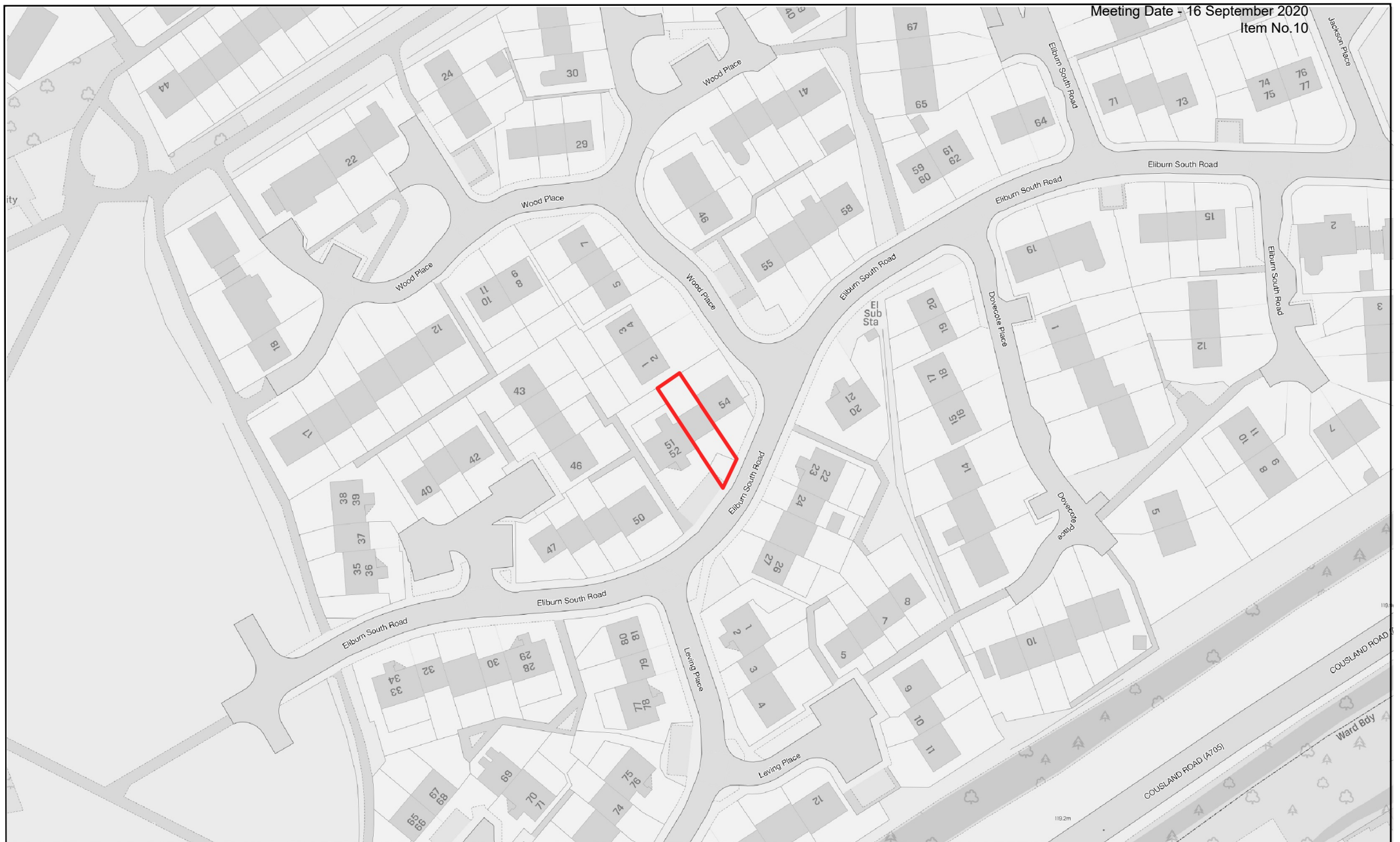
- Location Plan
- Representations

- Draft Reasons for Refusal
- Local Member Request Form

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 16th Sept. 2020

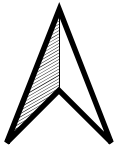


0413/H/20 - 53 Elburn South Road - EH54 6SP

Development Management - West Lothian Civic Centre - EH54 6FF

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I would like to put forward an objection to the above with the following statement:

My sunlight and privacy are negatively impacted upon by the construction set on a very high platform.

Ref: 0413/H/20

Draft Reasons for Refusal

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

(1) The garden shed by virtue of its size, scale and location, has a significant detrimental impact on both the visual amenity of the area and the residential amenity in terms of overlooking and overshadowing. The application is therefore, contrary to West Lothian Council's Local Development Plan's Design Principles (DES 1) Policy and does not follow the appropriate guidance given in the House Extension and Alteration Design Guide. It is recommended that this application is refused planning permission.

LOCAL MEMBER REFERRAL REQUEST £

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days and by 12 noon at the latest.

The planning application details are available for inspection on the council's web site at <http://planning.westlothian.gov.uk/WAM133/searchsubmit/performanceOption.do?action=search>

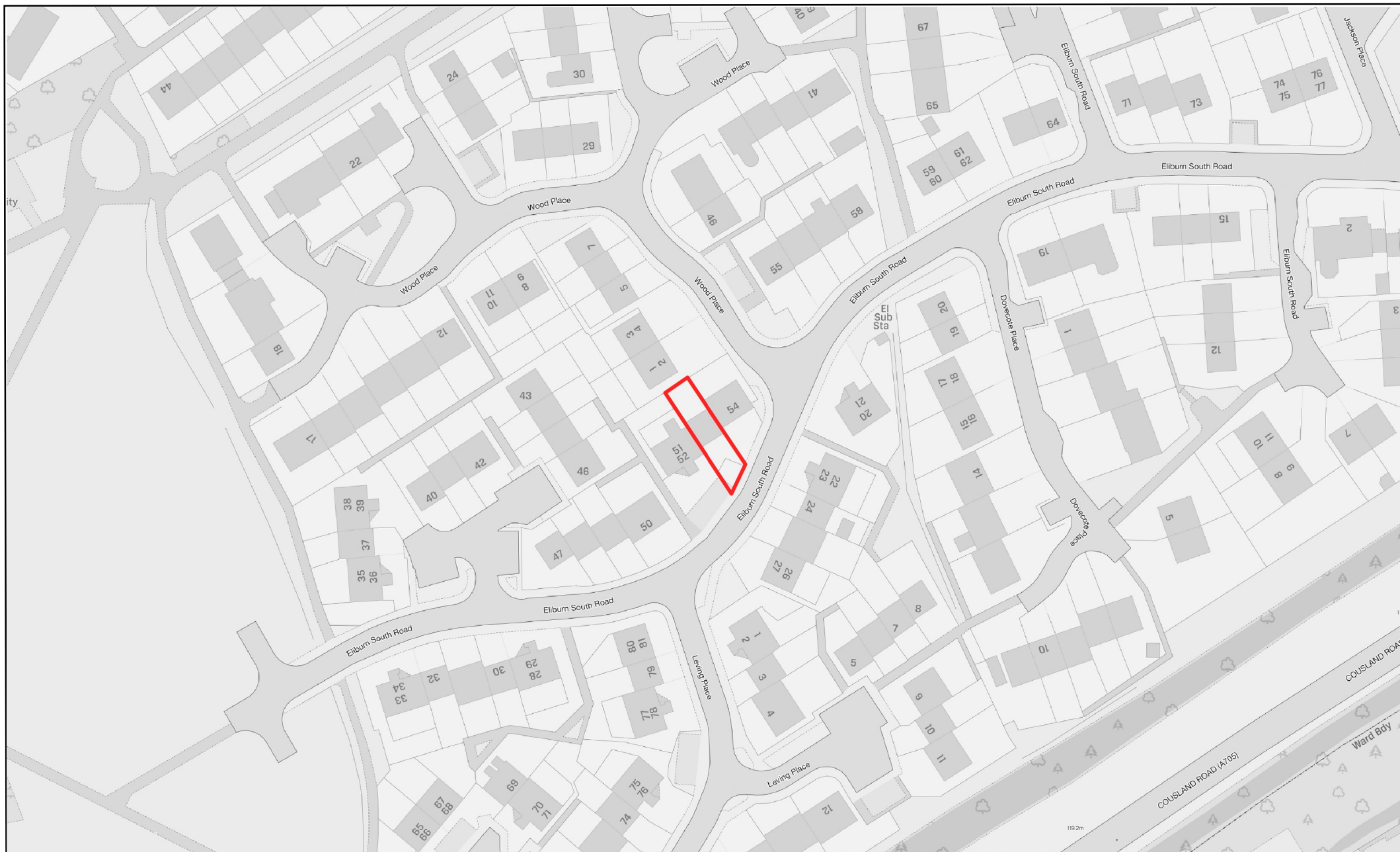
<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick \)
Application Reference Number 0413/H/20	Applicant RequestX
Site Address 53 Eliburn South	Constituent Request
Title of Application Erection of a shed and decking (in retrospect)	Other (please specify)
Member's Name Cllr Andrew Miller.....	
Date 14/08/20	

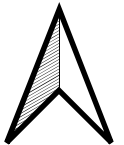
Development Management Committee

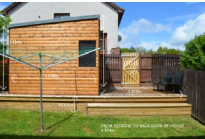
16 September 2020

Item No : Application No. =

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FROM DECKING TO BACK DOOR OF HOUSE
0.874m

- 190 -



- 191 -



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1. DESCRIPTION

Extensions to house and construction of raised decking at Glencroft, Woodend

2. DETAILS

Reference no.	0424/H/20	Owner of site	Mr J Hardie
Applicant	Glencroft Woodend Armada West Lothian EH48 3AP	Ward & local members	Armada & Blackridge Councillor Stuart Borrowman Councillor Sarah King Councillor Andrew McGuire
Case officer	Rachael Lyall	Contact details	01506 281110 Rachael.Lyall@westlothian.gov.uk

Reason for referral to Development Management Committee: Local Member Request by Councillor Sarah King

3. RECOMMENDATION

3.1 Grant Planning Permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The proposed side extension is to measure 8.000m x 8.400m and is to be 7.200m in overall height from ground level at the lowest point to the proposed ridgeline of the gable pitch roof which sits below the ridgeline of the existing property. The levels vary by approximately 2.2m from one side of the extension to the other due to a change in ground levels.
- 4.2 The proposed side elevation is to feature two door openings which are to lead out onto a decking. The decking will measure 2.2m in height from ground level at one side and be level with the ground at the other. The rear elevation is to also feature a new door opening which is to lead out onto the proposed decking and a window opening which will overlook the applicants rear garden. The rear window is located within the proposed en-suite and will be opaque glazed.
- 4.3 The materials proposed for the works are to be an external timber cladding. A condition will be attached to the decision notice which will request additional details, including the finishing colour, and samples of the material.

- 4.4 Revised plans have since been submitted which now include the handrails which are proposed for the raised decking.

History

- 4.5 No relevant site history.

5. REPRESENTATIONS

- 5.1 One representation received.
- 5.2 A summary of representations is located in the table below.

Comments	Response
<ul style="list-style-type: none"> • Permission relating to title deeds • Watercourse not included in plans • Impact on retaining wall on boundary • Flooding • Future use of extension • Connection to the main sewer drains 	<ul style="list-style-type: none"> • Not a planning consideration., • Planning department aware of water course nearby. • No changes are proposed to the retaining wall. • The consultation comment raises no objections or concerns in regards to flooding, • The application is for an extension to the existing house. Any future change of use or subdivision of the property would require consent. • Not a material planning consideration.

6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
WOSAS (West of Scotland Archeology Service)	N/A	N/A	N/A
Flood Risk Management	No.	See attached.	Noted.

7. ASSESSMENT

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

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018)	This policy states that development proposals are required to integrate with their local context.	The proposed works are of an acceptable scale and mass which will not be of any significant or detrimental effect in relation to overshadowing or privacy.	Yes
Policy DES1 Design Principles	Development proposals should have no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity.	The proposed site is secluded in which there is only one neighbouring property nearby which is located on a higher ground level. Therefore, the proposed works will have no adverse impact on adjacent buildings or the streetscape as the proposed works will not be visible from any surrounding street.	

- 7.4 The determining issues of the application are listed below:

Determining Issue 1 – Impact on Privacy and Amenity

- 7.5 The proposed works are of an acceptable scale which will not directly overlook or overshadow any neighbouring property to a significant extent due to the difference in ground levels at the site. The development will not be visible from the street scene and relates to the existing house in terms of layout and massing. The proposed works will therefore not be of any detrimental effect on the visual or residential amenity.

8. CONCLUSION AND RECOMMENDATION

- 8.1 This proposal adheres to West Lothian Council's Local Development Plan's Design Principles (DES1) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guidelines, 2015.
- 8.3 It is recommended that the application is granted planning permission.

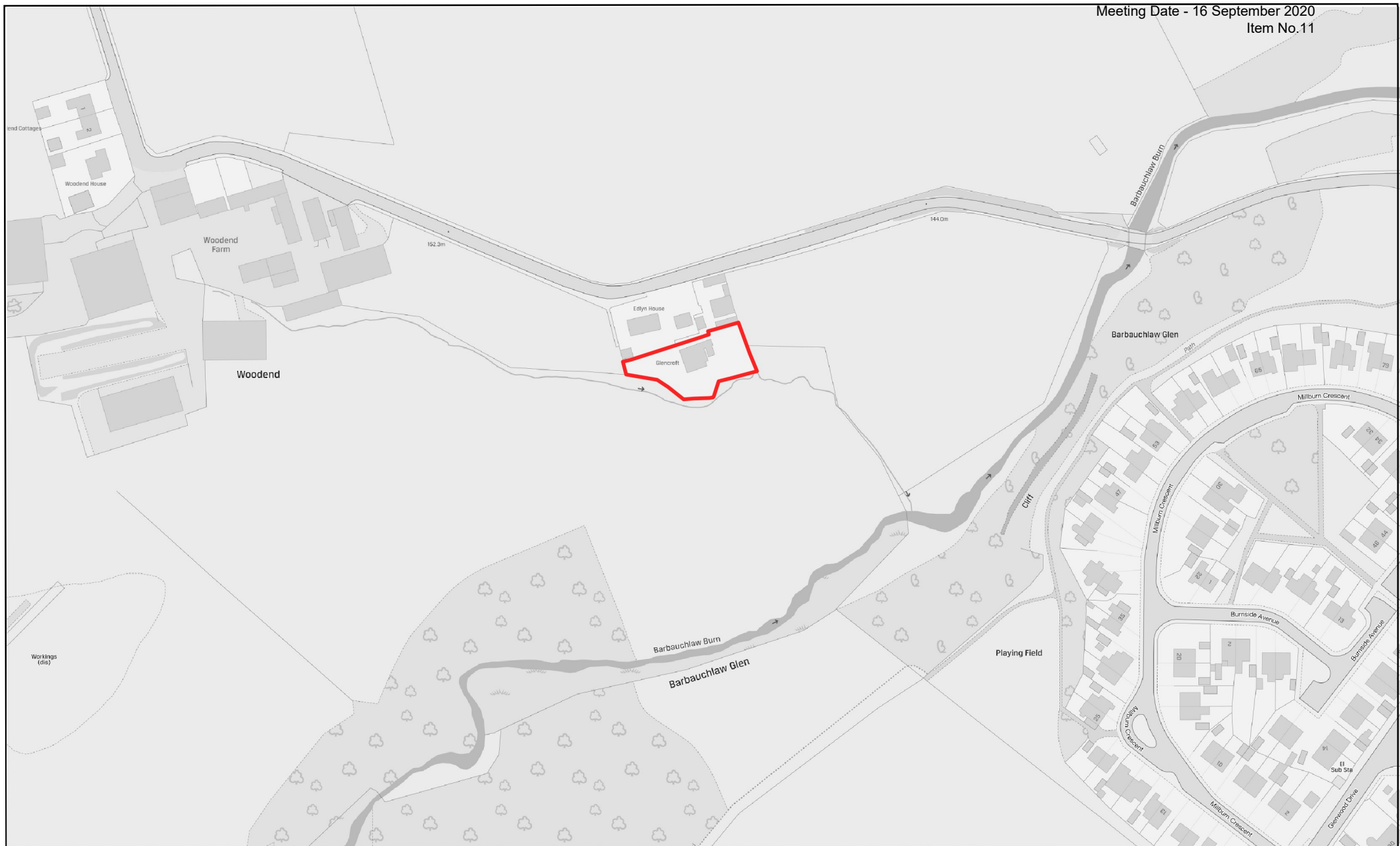
9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Representations
- Consultation Response from Flood Prevention Officer
- Draft Conditions
- Local Member Request Form

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 16th Sept. 2020



Comments for Planning Application 0424/H/20

Application Summary

Application Number: 0424/H/20

Address: Glencroft Woodend Armadale West Lothian EH48 3AP

Proposal: Extensions to house and construction of raised decking

Case Officer: Rachael Lyall

Customer Details

Name: Mr Edward Grant

Address: Edland house Woodend Armadale

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I hereby object to the above proposal, due to the following points,

Detailed below:

- 1) On perusal of the title for Glencroft, the title states there has to be permission from Coltness Iron Company before any additional buildings can be erected on the land, has this permission been obtained?
- 2) On studying the drawing, there does not appear to be any clear indication or information of the water course (Barbauchlaw burn) directly behind the boundary of the property.
- 3) I am very concerned that the proposed extension comes far too close to my 12 foot high (4 metres) retaining wall, undermining this wall could cause a collapse especially since the area in question is a flood plain, this is mainly due to its closeness to the water, in the 25 years that I have stayed here the site where the proposed extension is to be built has flooded several times.
- 4) If the proposed extension is built where it is shown on the plans the water could get trapped between my retaining wall and the proposed new build resulting in the ground flooding where at present it runs into the burn, again, should this water get trapped this may in turn undermine my retaining wall and cause collapse.
- 5) If this extension was granted permission the property would increase in size substantially which could make its future use as a B&B possible, it would also then be more attractive to a larger family with more cars, which then brings into question the road, as it is a narrow road and was never intended for heavy traffic use.
- 6) Due to building in the country I had to obtain a Section 75 and submit a detailed plan for SEPA showing a sewage treatment plant, as this property would almost double in size what would the sewage treatment entail as there is no way of connecting to the main sewer drains in this area . When I applied for Planning Permission for my house I had to re- locate my house further to the west to allow both properties to gain privacy, if this extension goes ahead under the present layout

I will be able to look directly into rooms as my property is elevated well above the proposed extension.

7) I would also point out that the footprint of the proposed works to Glencroft is actually much larger than the house I was allowed to build due to regulations regarding building in the countryside.

8) Whilst I have no wish to stop individuals from extending their homes, I am most concerned that I may one day find that my retaining wall would start to fall away due to erosion of the soil should this proposed extension go ahead.

From: floodriskmanager
Sent: 12 June 2020 15:21
To: Lyall, Rachael
Subject: RE: Consultation request re application: 0424/H/20 - [OFFICIAL]

Follow Up Flag: Follow up
Flag Status: Completed

DATA LABEL: OFFICIAL

Good afternoon Rachel,

I refer to your consultation in respect of the above application. I am pleased to comment as follows:

Flood risk:

The Council holds records that would suggest that the application site may be at risk from out-of-bank flows in the unnamed tributary of the Barbauchlaw Burn which runs to the south of the plot. Further analysis suggests, however, that the levels between the proposed extension to the west gable of Glencroft is at a significantly higher elevation than the invert level of the adjacent burn and that the burn falls away steeply. Accordingly, there will be no recommendations to the planning authority on the grounds of flood risk.

Surface water drainage:

As this is a modest extension to an existing property no additional surface water drainage measures are considered necessary.

Wastewater drainage:

It is assumed that foul water from all the properties within the immediate vicinity of the proposed development is treated by a package treatment plant(s) or septic tank(s). It is recommended that the applicant be asked to register the package plant or septic tank if they have not already done so. I attach a link to the relevant section of SEPA's website <https://www.sepa.org.uk/regulations/authorisations-and-permits/application-forms/private-sewage-treatment-system/>

Regards,

Graeme.

Ref: 0424/H/20

Draft Justification and Conditions

The reason(s) why the council made this decision is (are) as follows:

The proposal accords with the terms of the development plan and there are no material considerations to indicate that the application should not be granted.

This permission is granted subject to the following conditions: -

(1) Before development begins, details and samples of the external cladding to be used on the walls of the proposed extension; hereby approved shall be agreed in writing with the Development Management Manager.

Reason: To integrate the building works with the surrounding area in the interests of visual amenity.

Standard Notes: -

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 determined under delegated powers 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, then you can appeal that decision to the Scottish 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>

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>

☒ LOCAL MEMBER REFERRAL REQUEST ☒

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days and by 12 noon at the latest.

The planning application details are available for inspection on the council's web site at <http://planning.westlothian.gov.uk/WAM133/searchsubmit/performance.do?action=search>

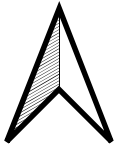
<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p>Application Reference Number 0424/H/20</p> <p>Site Address Glencroft, Woodend, Armadale</p> <p>Title of Application Extension to house and construction of raised decking</p> <p>Member's Name Cllr ...Sarah King</p> <p>Date 18/08/2020</p>	<p>Applicant Request..... <input type="checkbox"/></p> <p>Constituent Request..... <input checked="" type="checkbox"/></p> <p>Other (please specify)..... <input type="checkbox"/></p>

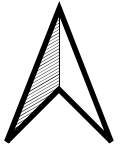
Development Management Committee

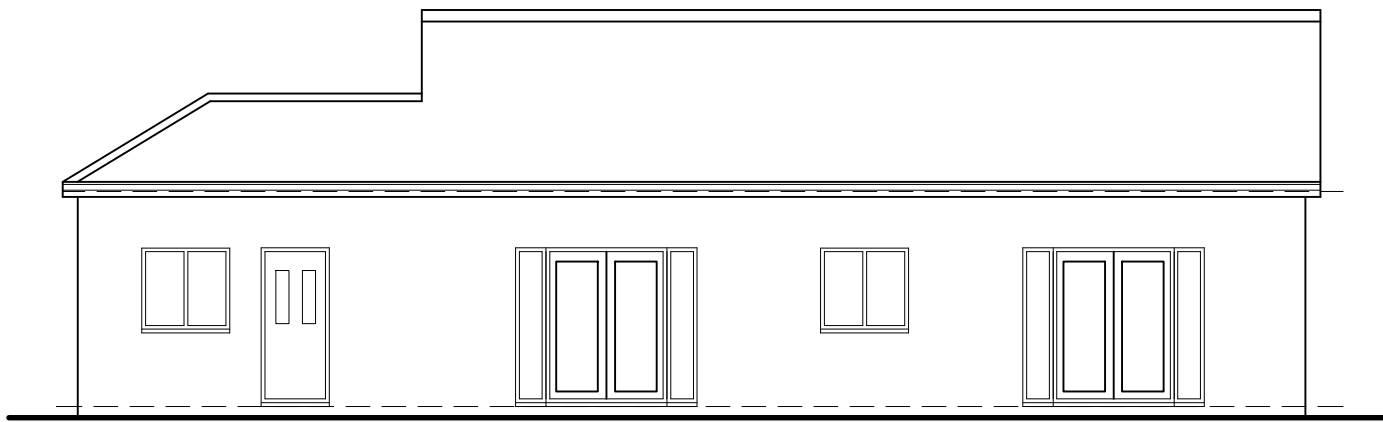
16 September 2020

Item No : Application No. =

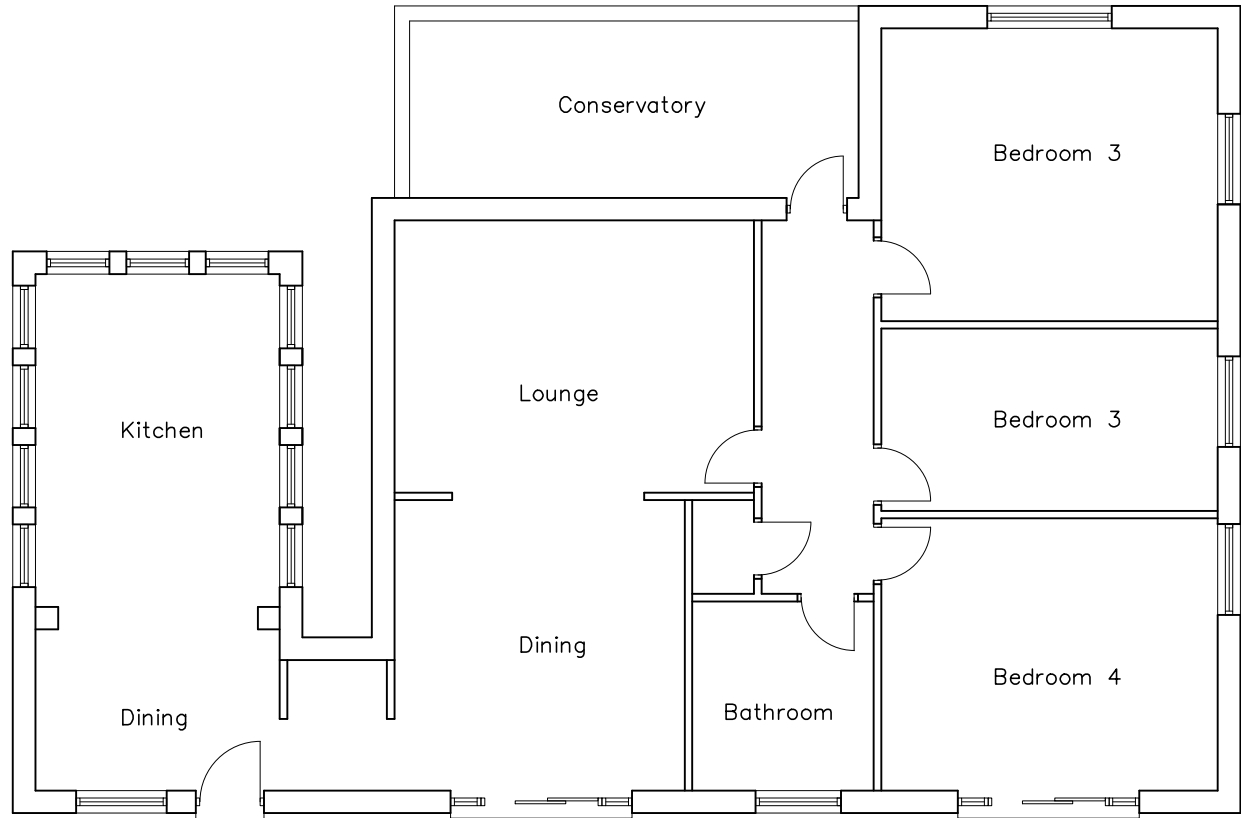
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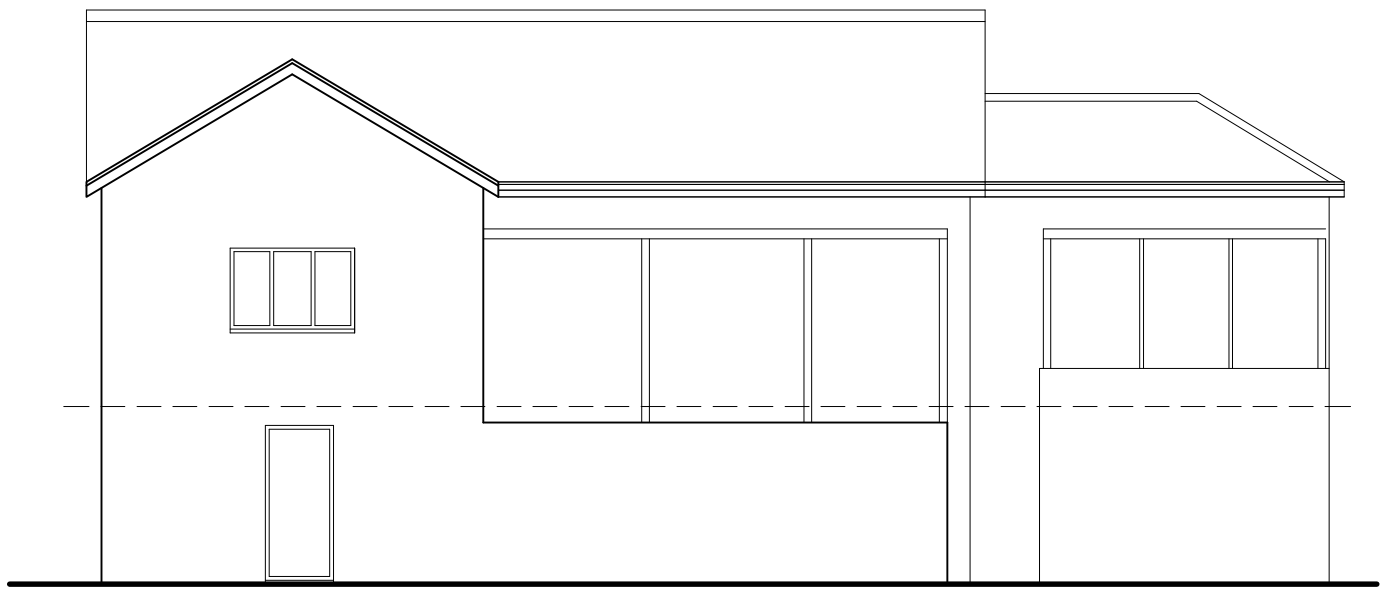




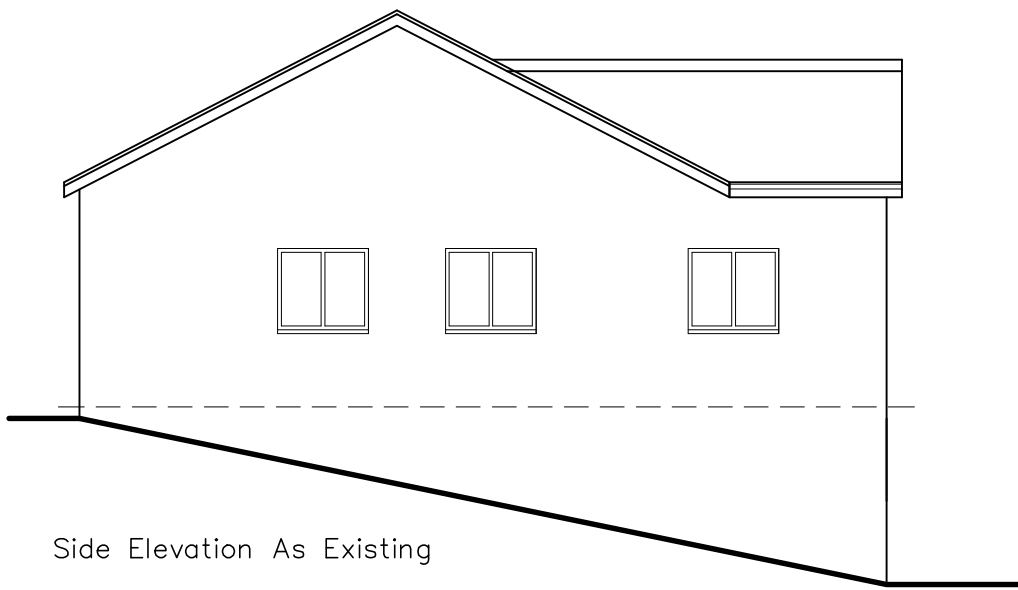
Front Elevation As Existing



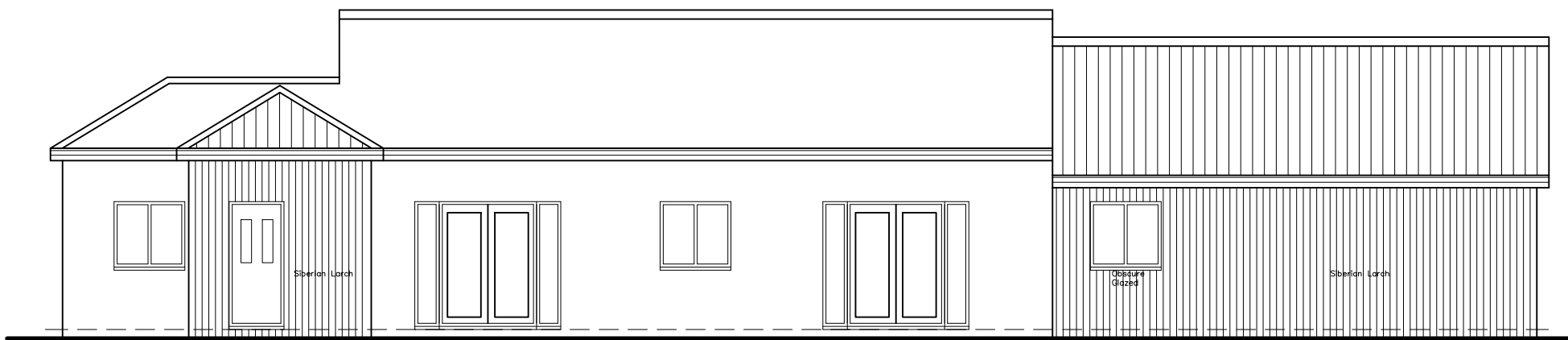
Ground Floor As Existing



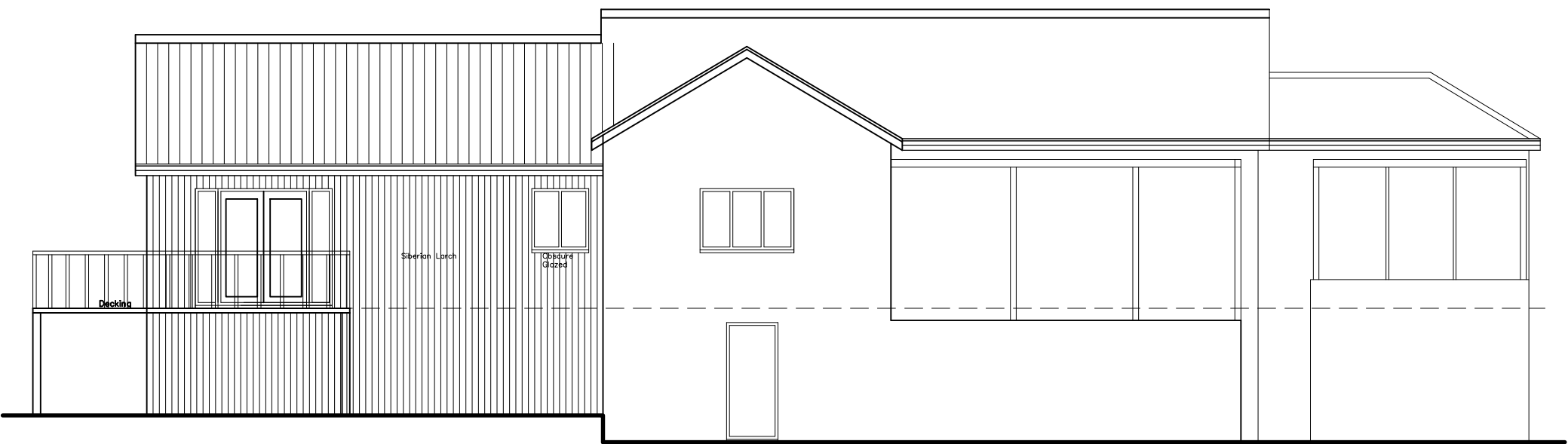
Rear Elevation As Existing



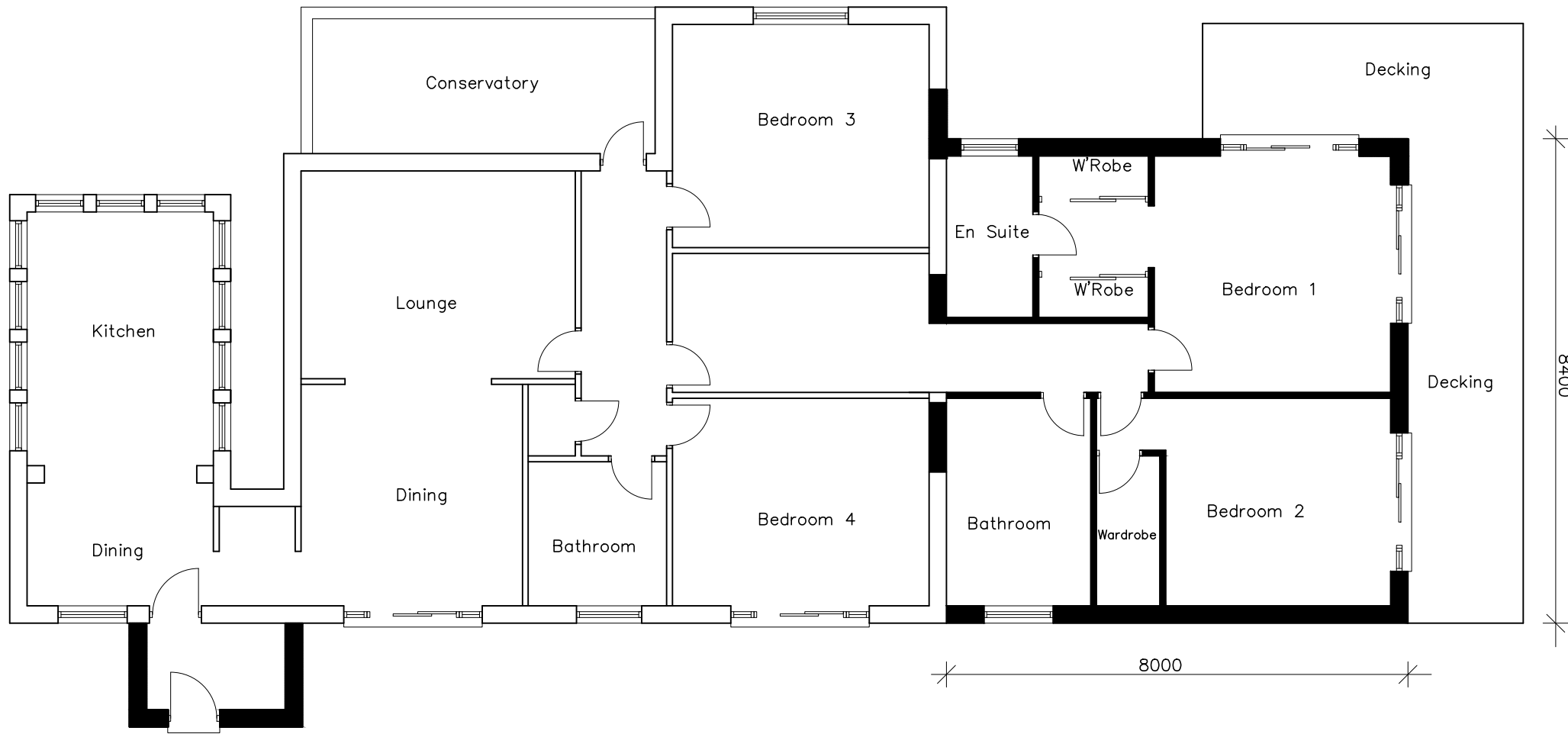
Side Elevation As Existing



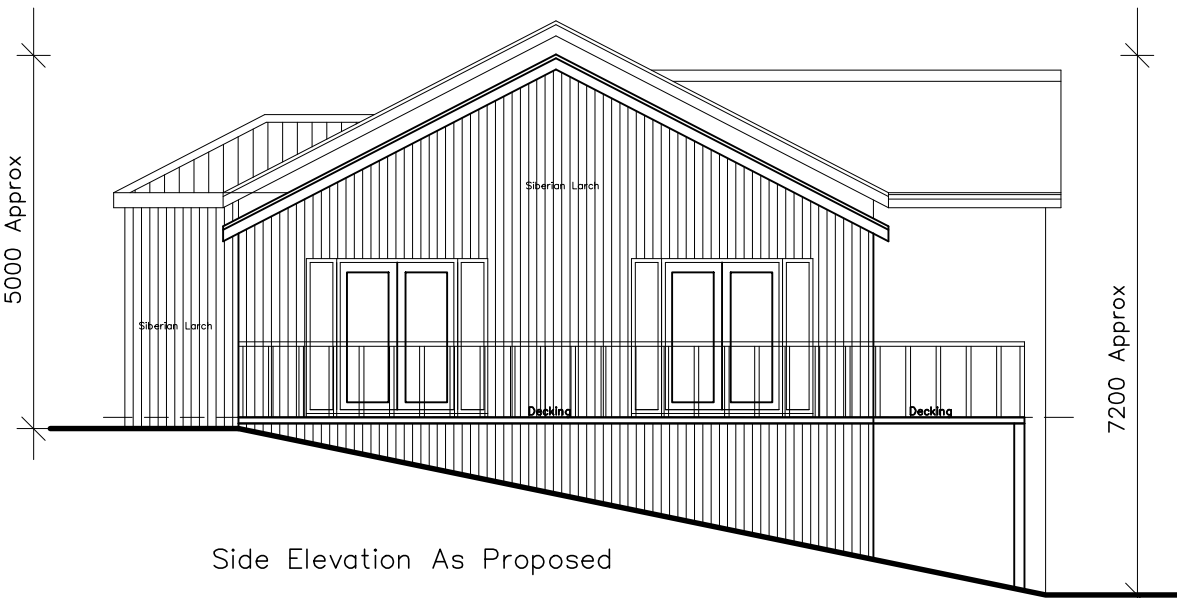
Front Elevation As Proposed



Rear Elevation As Proposed



Ground Floor As Proposed



Side Elevation As Proposed

D	23.7.20	Balustrades and handrails added
C	8.7.20	Wall material revised
A	3.6.20	Measurements added

REV.	DATE	DESCRIPTION
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Proposed Extensions and Decking at
Glencroft for Mr and Mrs Hardie

PLANS AND ELEVATIONS AS
EXISTING AND PROPOSED

PLANNING DRAWING

SCALE 1:100	DATE 28.05.20
DRAWN J.B	
REF.	
DRAWING NO. 2020/0042/0001	REV. D











DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1. DESCRIPTION

Formation of a dormer window at 3 Newpark Mews, Bellsquarry.

2. DETAILS

Reference no.	0425/H/20	Owner of site	Mr David Cowan
Applicant	Mr David Cowan 3 Newpark Mews Bellsquarry Livingston West Lothian EH54 9GX	Ward & local members	Livingston South Councillor Peter Heggie Councillor Moira Shemilt Councillor Lawrence Fitzpatrick Councillor Peter Johnston
Case officer	Rachael Lyall	Contact details	01506 281110 Rachael.Lyall@westlothian.gov.uk

Reason for referral to Development Management Committee: Local Member Request by Councillor Moira Shemilt

3. RECOMMENDATION

3.1 Refuse Planning Permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The proposed works consist of a typical dormer extension on the east facing elevation of the existing house. The property is a traditional building with a distinctive character and appearance. The proposed dormer window is to measure 3.269m in width and is to consist of a gabled pitch roof construction measuring 6.638m in height from ground level to the proposed ridgeline.
- 4.2 The proposed dormers roof, cheeks and front elevation are all to be finished with a natural slate to match that of the existing roof.
- 4.3 There is currently an existing dormer on the principal elevation which includes of a small balcony area and contributes positively to the character of the existing property. The existing dormer consists of stone and timber detailing.

- 4.4 Revisions were requested for a reduction in the dormer's width which would also result in a steeper roof pitch and for the proposed materials can be reconsidered to match more with the materials of the dormer and balcony area to the front of the property. The agent confirmed that the existing dormer to the front is original and to change the proposed dormer to a similar style using brickwork would be impossible.

History

- 4.5 1249/H/19 - Erection of a dormer – Refuse Planning Permission (13.03.2020)

5. REPRESENTATIONS

- 5.1 No representations were received.

6. CONSULTATIONS

- 6.1 One consultation request. This is a summary of the consultations received. The full documents are contained in the application file.

Consultee	Objection?	Comments	Planning Response
West Lothian History and Amenity Society	N/A	N/A	N/A

7. ASSESSMENT

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

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018)	This policy states that development proposals are required to integrate with their local context.	Although the proposed extension will not be of any detrimental effect in relation to overshadowing or privacy, the proposed works do not relate to the materials or scale of the existing property, or specifically the existing dormer located on the principal elevation, and therefore the proposal will significantly impact the character and appearance of the building.	No
Policy DES1 Design Principles	Development proposals should have no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity.		

7.4 The determining issues of the application are listed below:

Determining Issue 1 – Visual Amenity

- 7.5 West Lothian Council's House Extension and Alteration Design Guide 2015, states that any works which proposes the installation of dormer windows within a property should consider the style, material and proportion of the existing property and windows in order to allow for an integral design.
- 7.6 This proposed dormer does not relate to the character of the existing building or the existing dormer with regards to the design, scale and use of materials and ultimately will be of a detrimental impact on the character and appearance of the existing property. Therefore, the application does not adhere to the guidance given. The current proposal has been design to achieve a desired internal space without the necessary regard to the special character and appearance of the building.

8. CONCLUSION AND RECOMMENDATION

- 8.1 The scale, design and location of the proposed dormer is out of keeping with the character of the existing building, including the existing dormer and will be detrimental to the overall character and appearance of the property.
- 8.2 This application is therefore contrary to policy DES1 (Design Principles) of West Lothian Councils adopted Local Development Plan and House Extension and Alteration guidelines.
- 8.3 It is recommended that the application is refused.

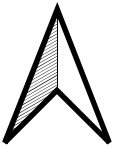
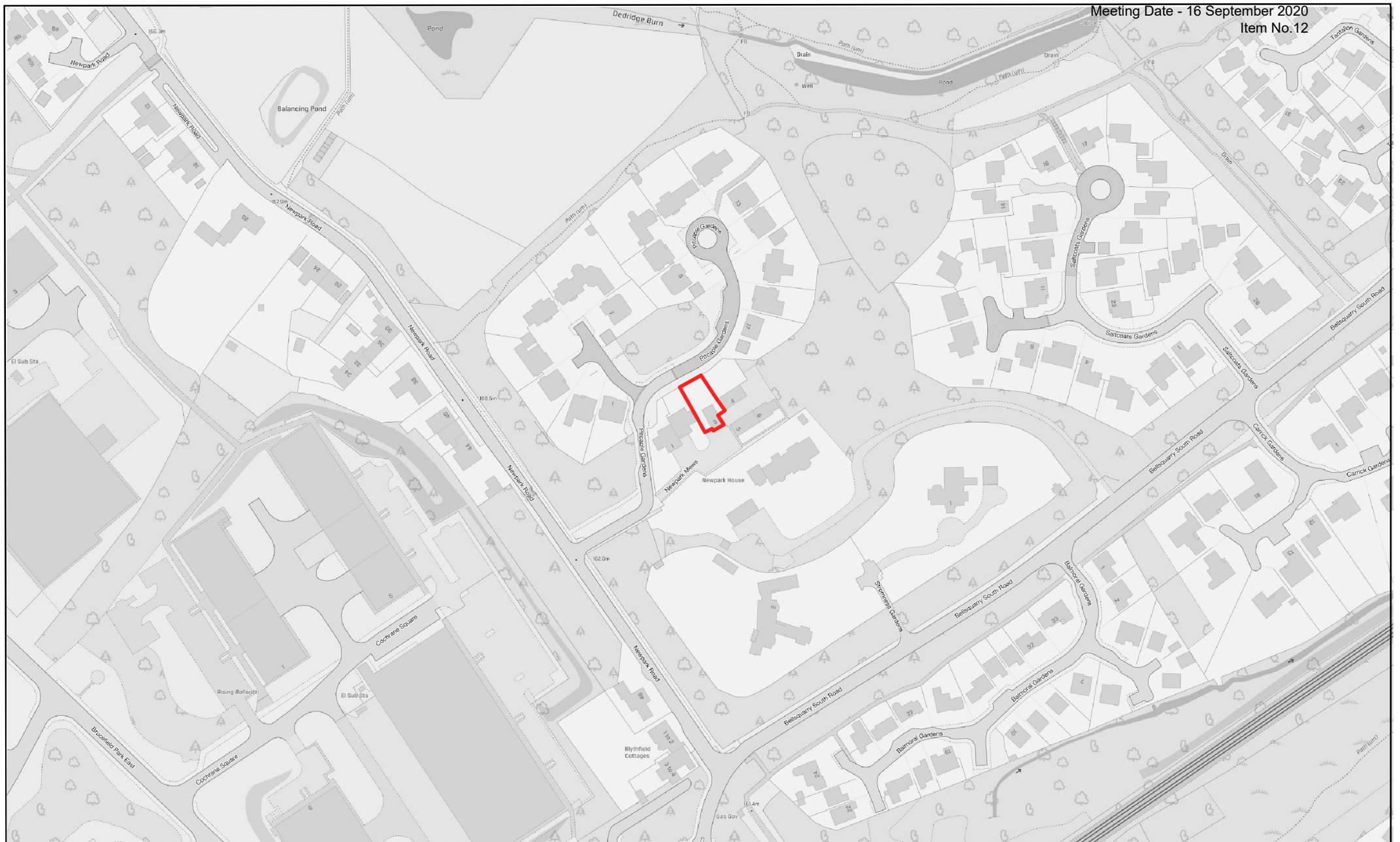
9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Draft Reasons for Refusal
- Local Member Request Form

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration **Date: 16th Sept. 2020**



Ref: 0425/H/20

Draft Reasons for Refusal

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

- (1) The proposed dormer, by virtue of its scale and design, is out of keeping with the character of the existing building, including the existing dormer and will be detrimental to the overall character and appearance of the existing property. The application is therefore, contrary to West Lothian Council's Local Development Plan's Design Principles (DES 1) Policy and does not follow the appropriate guidance given in the House Extension and Alteration Design Guide. It is recommended that this application is refused planning permission.



Development Management

WEEKLY LIST OF APPLICATIONS RECEIVED

☒ LOCAL MEMBER REQUEST FORM ☒

Weekly List for the week commencing
1st June 2020

Members wishing further information on any of the applications in the attached Weekly List of Planning Applications or wishing any application to be referred for determination to the Development Management Committee are asked to complete and return this form to Wendy McCorriston, Development Management Manager, as soon as possible and no later than:

22nd June 2020

PLEASE NOTE:

The planning application details will also be available for inspection within the Planning & Building Standards web site by clicking on the link below.

<https://planning.westlothian.gov.uk/online-applications/search.do?action=advanced>

We are trying to encourage people to use the web site as much as possible so you may wish to inspect the application online rather than make a request for a paper copy.

Action Required (please tick ✓)	Application Number
<input type="checkbox"/> Contact me to discuss these proposals	0425/H/20
<input checked="" type="checkbox"/> Refer this application to the Development Management Committee	Member Cllr Moira Shemilt
<input type="checkbox"/> Other (please specify)	Signed Dated 16/6/20

My reasons for this action are: On behalf of the constituent/applicant

Development Management Committee

16 September 2020

Item No : Application No. =

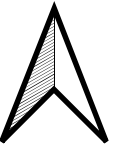
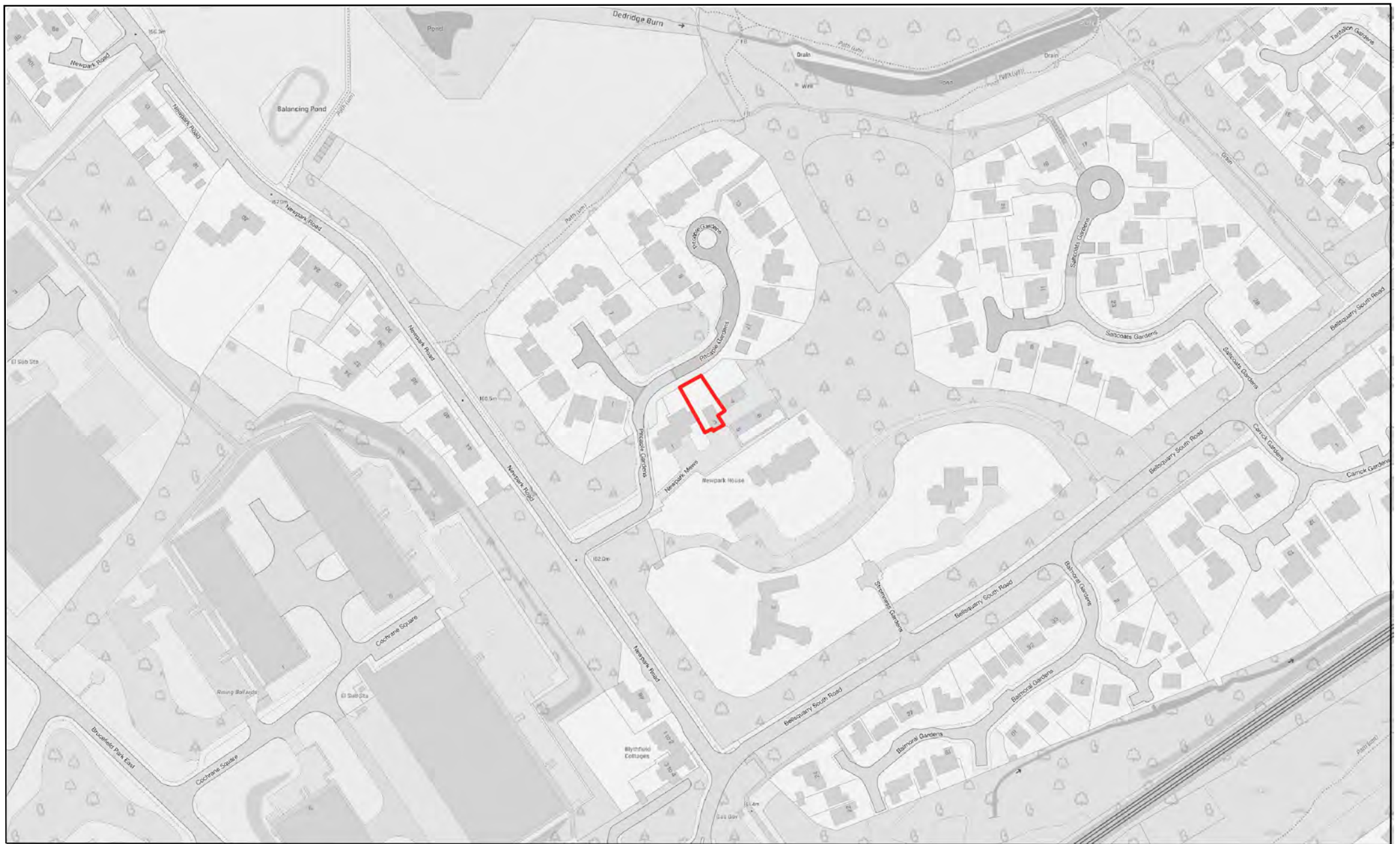
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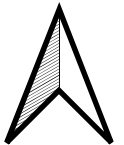


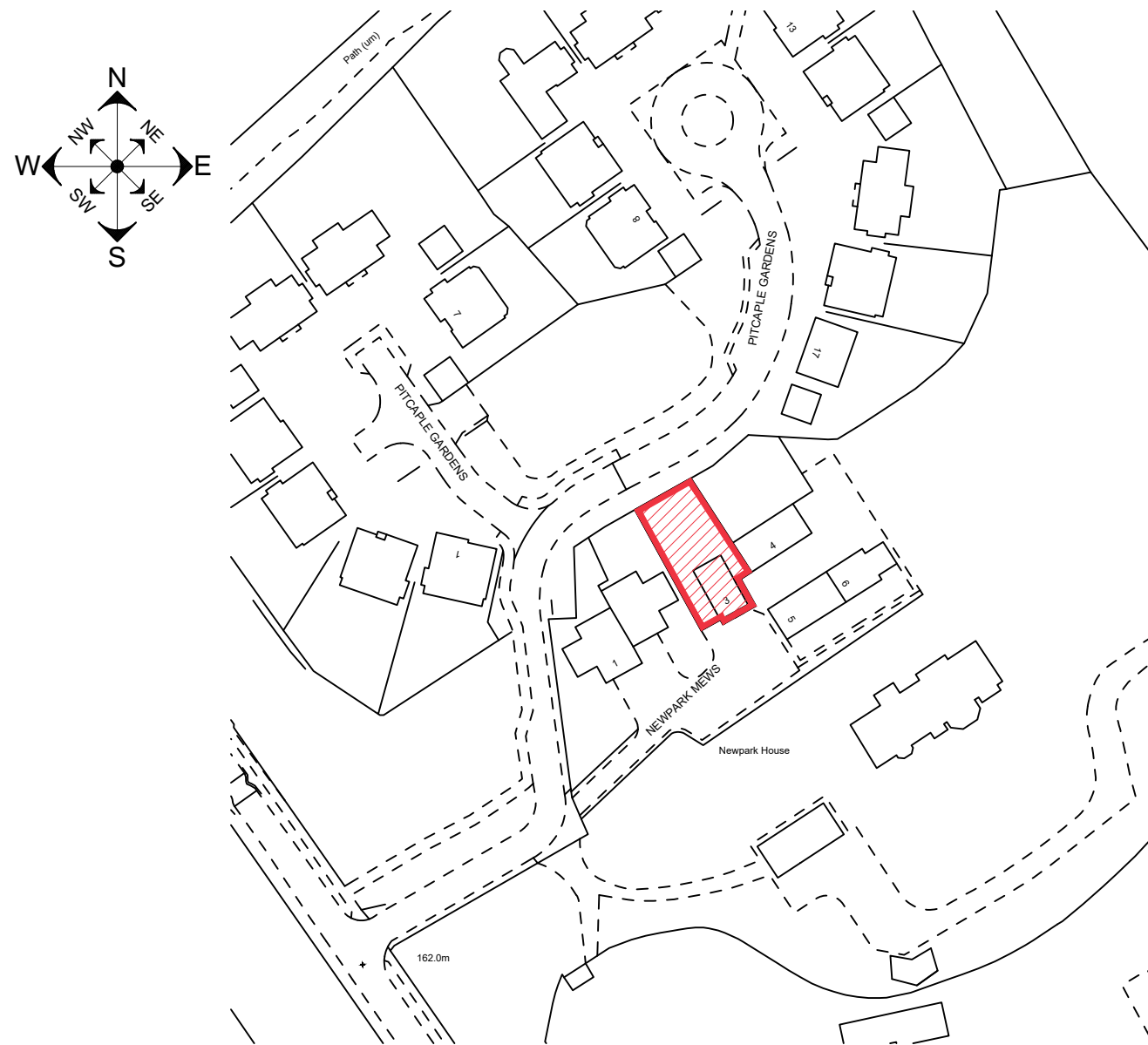
0425/H/20 - 3 Newpark Mews - Livingston - EH54 9GX

Development Management - West Lothian Civic Centre - EH54 6FF

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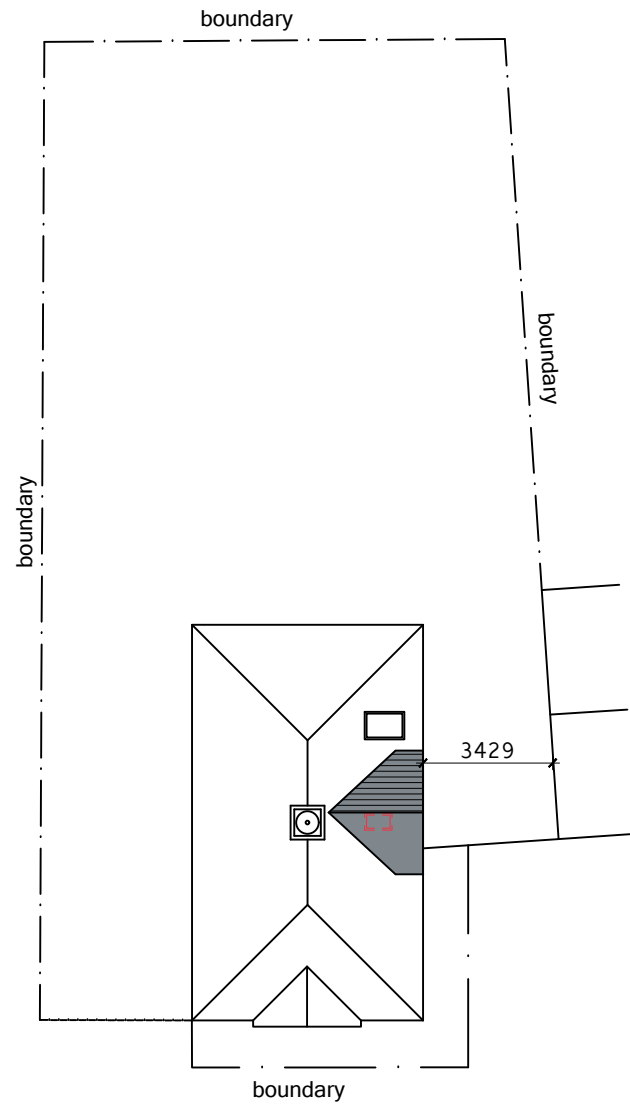
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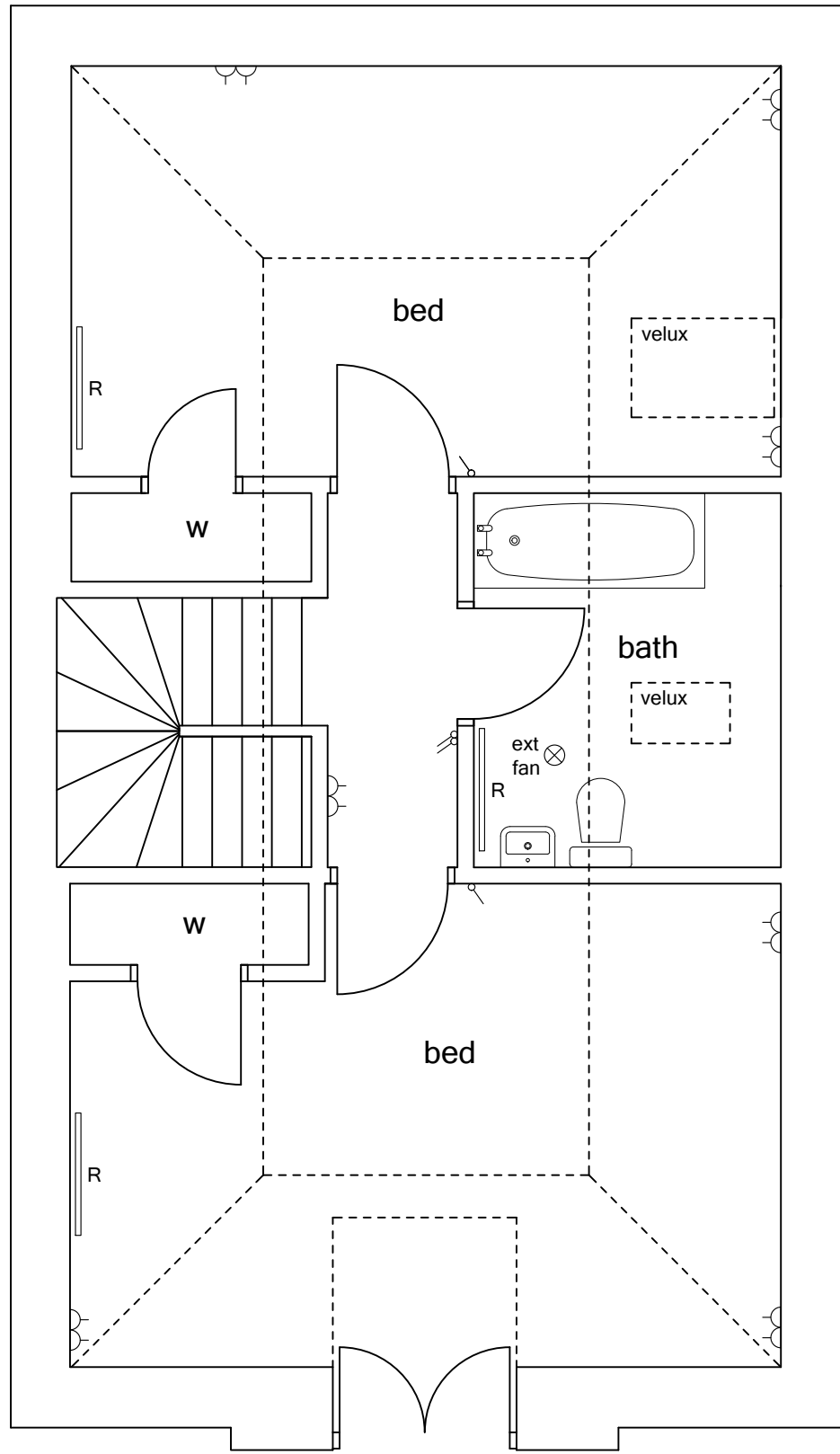
Mapping contents (c) Crown copyright and database rights 2015. Ordnance Survey 100035207.

site location

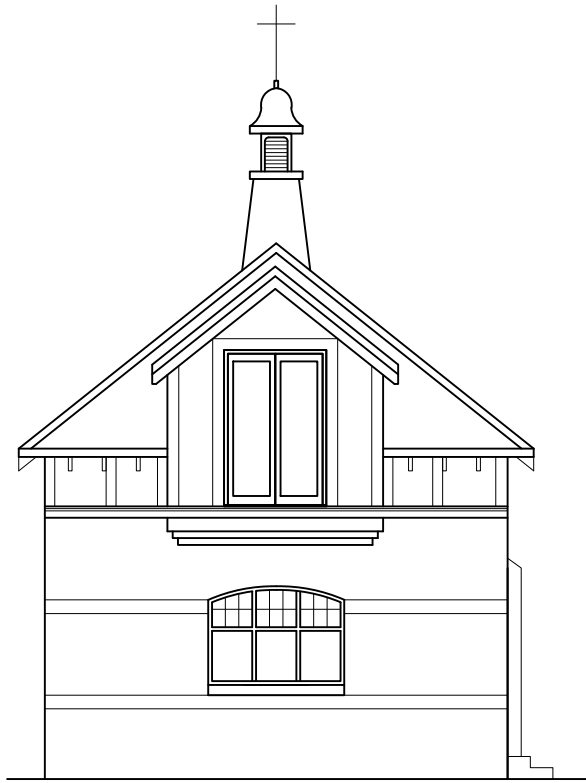


site plan

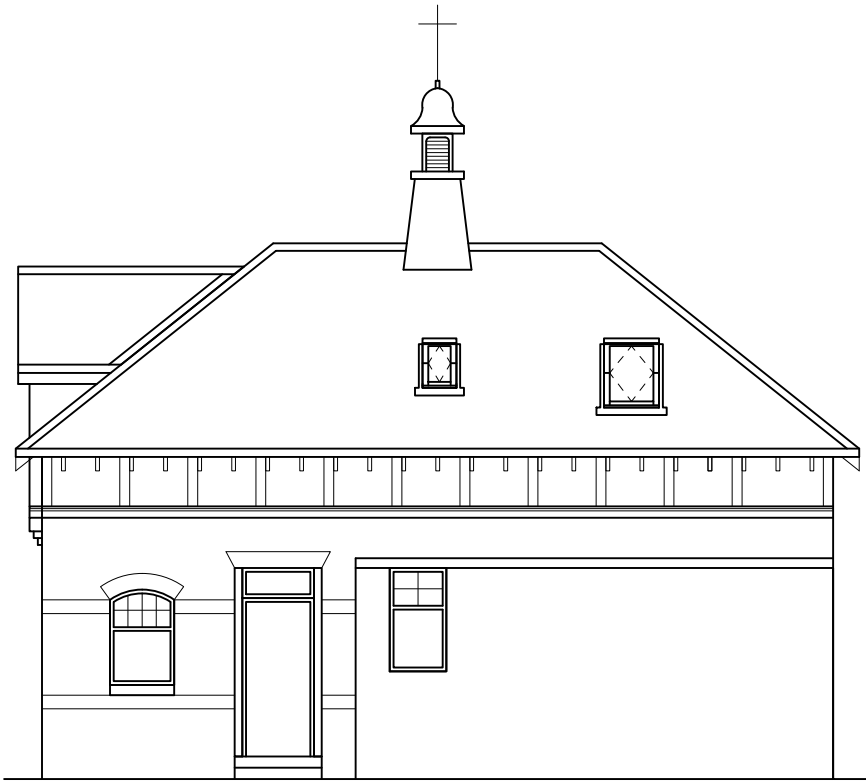
REVISIONS
A 01.05.2020 - Adjust dormer pitch
JOB TITLE
SITE PLAN AND SITE LOCATION PLAN
PROPOSED DORMER TO 3 NEWPARK MEWS LIVINGSTON WEST LOTHIAN
Scale 1:200, 1:1250 18th December 2019 Drawing Number JWAC A3 PP 01/44/2019A
John Watson Architectural Consultant Ltd.
11 Market Street Midcalder Livingston West Lothian EH53 0AL Phone: 01506 885928 E-mail: info.wacltd@gmail.com



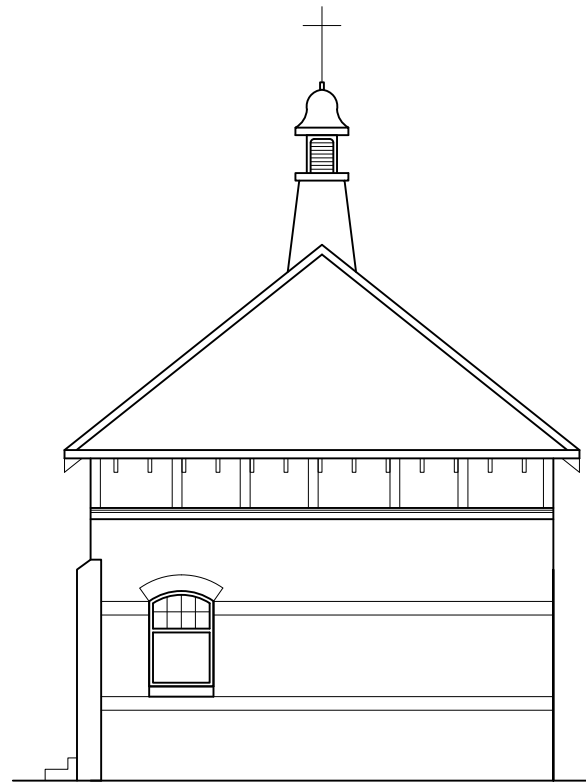
existing first floor plan



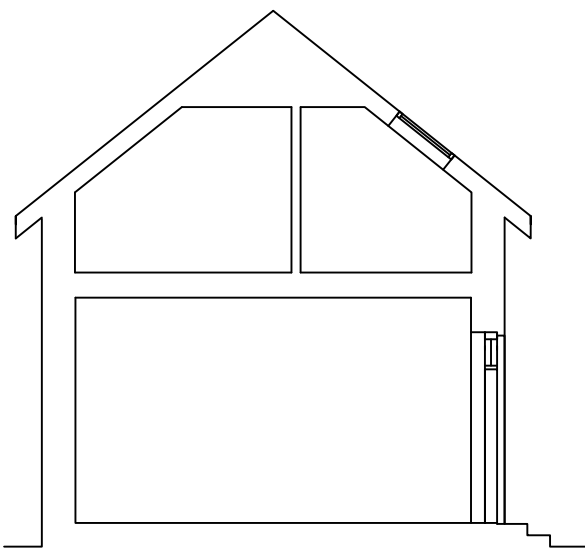
existing front elevation



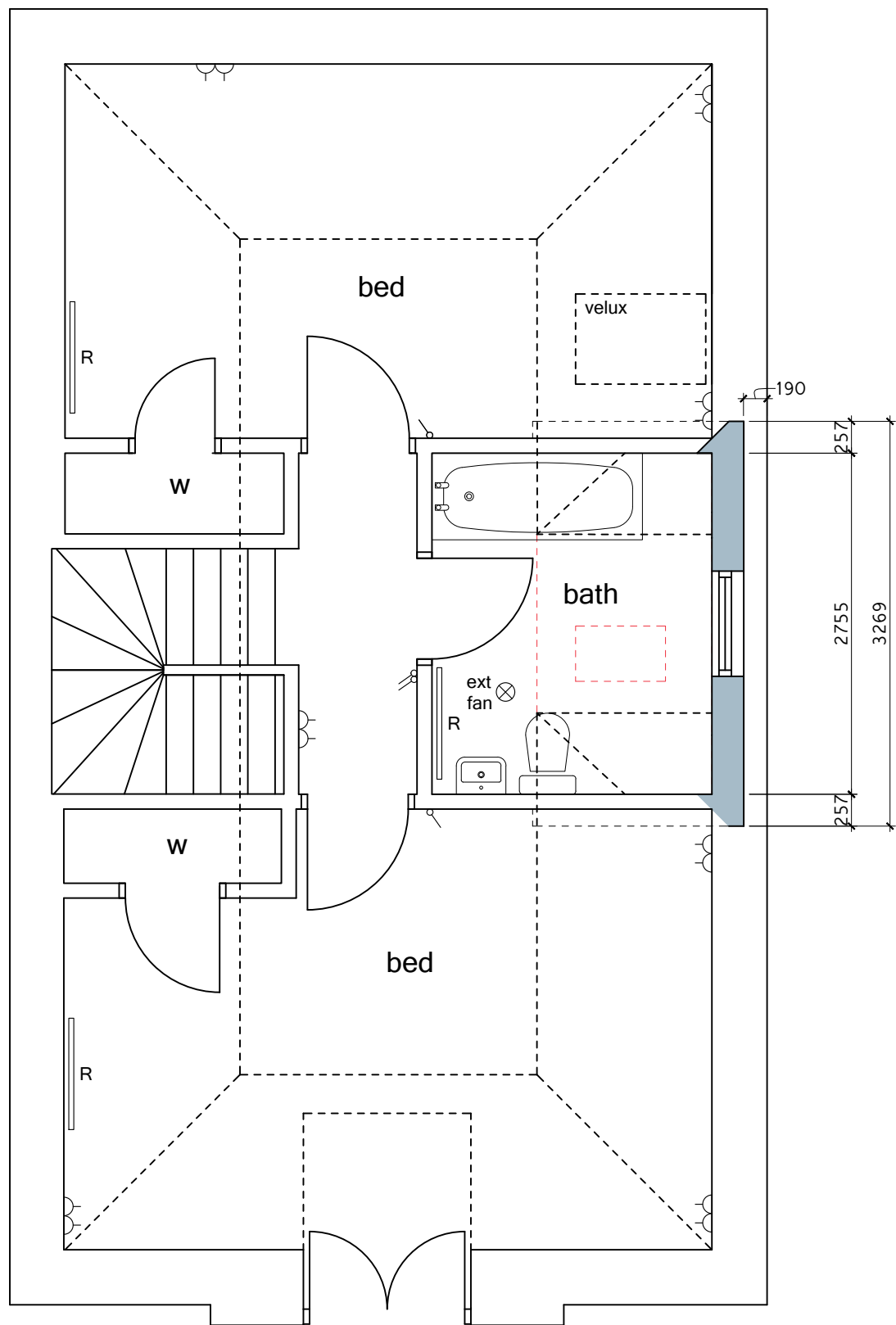
existing side elevation



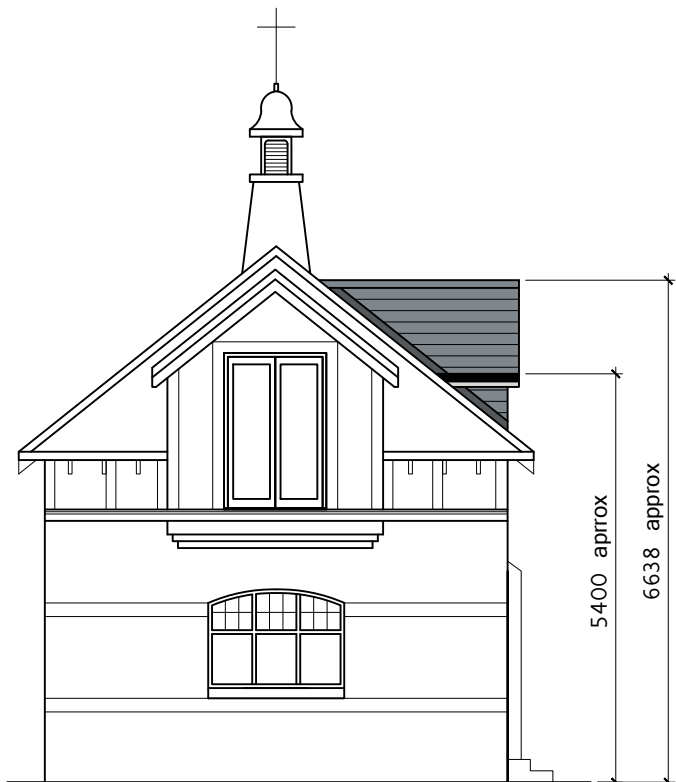
existing rear elevation



existing section



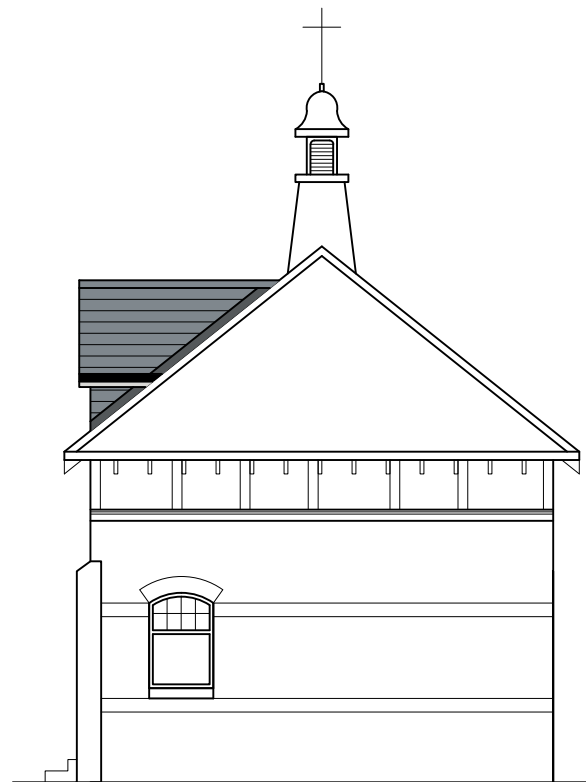
proposed first floor plan



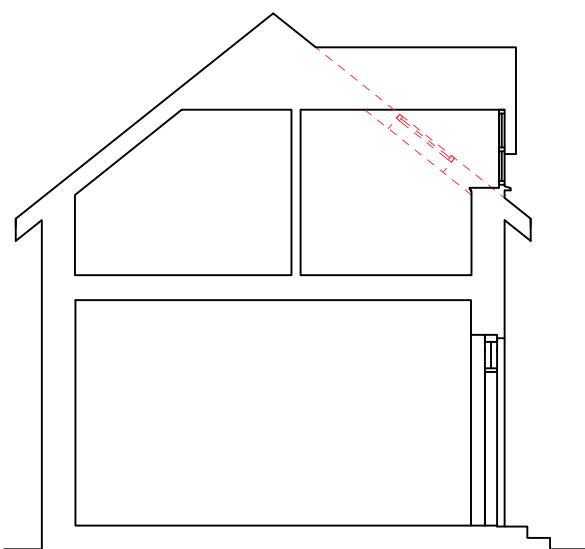
proposed front elevation



proposed side elevation



proposed rear elevation



proposed section

REVISIONS

- A - 07.01.2020 - Add planing notes
B - 01.05.2020 - Adjustments to dormer window and roof

JOB TITLE

EXISTING AND PROPOSED PLANS AND ELEVATIONS

PROPOSED DORMER TO
3 NEWPARK MEWS
LIVINGSTON
WEST LOTHIAN

Scale 1:50, 1:100 7th January 2019
Drawing Number JWAC A1 PP 02/44/2019 B

John Watson Architectural Consultant Ltd.
11 Market Street
Midcalder
West Lothian
EH53 0AL
Phone: 01506 885928
E-mail: info.wacld@gmail.com



3 NEWPARK
NEWS











DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1. DESCRIPTION

Two storey extension to house and erection of a porch at 1 Bankton Drive, Murieston.

2. DETAILS

Reference no.	0430/H/20	Owner of site	Mr David Hanratty
Applicant	Mr David Hanratty	Ward & local members	Livingston South Councillor Peter Heggie Councillor Moira Shemilt Councillor Lawrence Fitzpatrick Councillor Peter Johnston
Case officer	Rachael Lyall	Contact details	01506 281110 Rachael.Lyall@westlothian.gov.uk

Reason for referral to Development Management Committee: Local Member Request by Councillor Peter Heggie, Councillor Moira Shemilt and Councillor Lawrence Fitzpatrick.

3. RECOMMENDATION

3.1 Refuse Planning Permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The proposed side extension is to measure 4.30m x 5.28m and is to measure 8.98m in overall height to the ridgeline of the proposed gable pitch roof, which sits level with the ridgeline of the existing house. The proposed porch is to be erected to the front of an existing porch and will measure 3.25m x 2.00m and 3.33m in overall height.
- 4.2 The two-storey side extension is to feature windows on both levels within the front elevation and a small window on the first floor within the side elevation. All of these proposed windows will overlook the street to the south and the west.
- 4.3 The existing house is located within a corner plot which appears prominent when entering the main street of Bankton Drive. The site is also in close proximity to the public footpath and main road, specifically to the west. The existing house sits higher than the road and verge and the extension would be on the sloping ground at the side of the house.

- 4.4 The materials proposed for the works are to match those of the existing house.

History

- 4.5 No relevant site history.

5. REPRESENTATIONS

- 5.1 No representations were received.

6. CONSULTATIONS

- 6.1 No consultations were required to be undertaken for this application.

7. ASSESSMENT

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

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018)	This policy states that development proposals are required to integrate with their local context.	The proposed works are of an unacceptable scale and the varying levels on site add to the domineering effect of the extension.	No
Policy DES1 Design Principles	Development proposals should have no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity.	The development will not integrate with the local context in terms of massing and layout and therefore the proposed works will have an adverse impact on the streetscape due to being prominent within a corner plot adjacent to the main road. Consequently, the proposal will have a significant and adverse effect on the visual amenity of the area.	

- 7.4 The determining issues of the application are listed below:

Determining Issue 1 – Visual Impact on Street Scene

- 7.5 The proposed extension will have a detrimental impact on the visual amenity of the streetscape and surrounding properties and will not integrate with the local context and built form of the surrounding developments due to its scale, layout and overall mass in comparison to the neighbouring properties and developments.

- 7.6 West Lothian Council's House Extension and Alteration Design Guidelines 2015 state that since side extensions are usually visible from the street, care must be taken to ensure that the extension does not detract from the overall street scene. The proposed extension will be significantly visible and prominent within the street and from the main road, and will therefore have a detrimental impact upon the visual amenity of the area.

Determining Issue 2 – Overall Scale of Development

- 7.7 The proposed extension is of a detrimental scale which will appear prominent within the area and will detract significantly from the street scene. In addition, the varying levels to the west of the site add to the overall detriment as the proposed side elevation will sit approximately 1.5m below the ground level of the existing house, resulting in a large amount of underbuilding and a side elevation which dominates the existing house.
- 7.8 In addition to this, the proposed extension is not set back from the principal elevation and does not sit below the ridgeline of the existing house. As a result, the proposed works do not appear subsidiary to the existing house.
- 7.9 West Lothian Council's House Extension and Alteration Design Guidelines 2015 state that "Two storey side extensions in particular must be designed to be subsidiary in appearance to the main house. Not only should the extension be set back from the building line of the main house, the ridge line of the extension should normally be lower than the ridge of the roof of the main house.". In addition, this guidance also states that extensions should be of a scale that does not dominate the existing property or street scene.

8. CONCLUSION AND RECOMMENDATION

- 8.1 The existing property is located within a corner plot, adjacent to the main road and forming part of the entrance to the street. The proposed extension will appear prominent within the street scene and will have a significant impact on the visual amenity of the existing property and streetscape. In addition, the proposed extension is of a dominating scale which will appear as overbearing on the side (west) elevation due to the varying ground levels on site and the large basecourse that is required.
- 8.2 This proposal is therefore contrary to West Lothian Local Development Plan Policy DES 1 (Design Principles) and does not follow the appropriate guidance given in the House Extension and Alteration Design Guidelines 2015.
- 8.3 It is recommended that this application is refused planning permission.

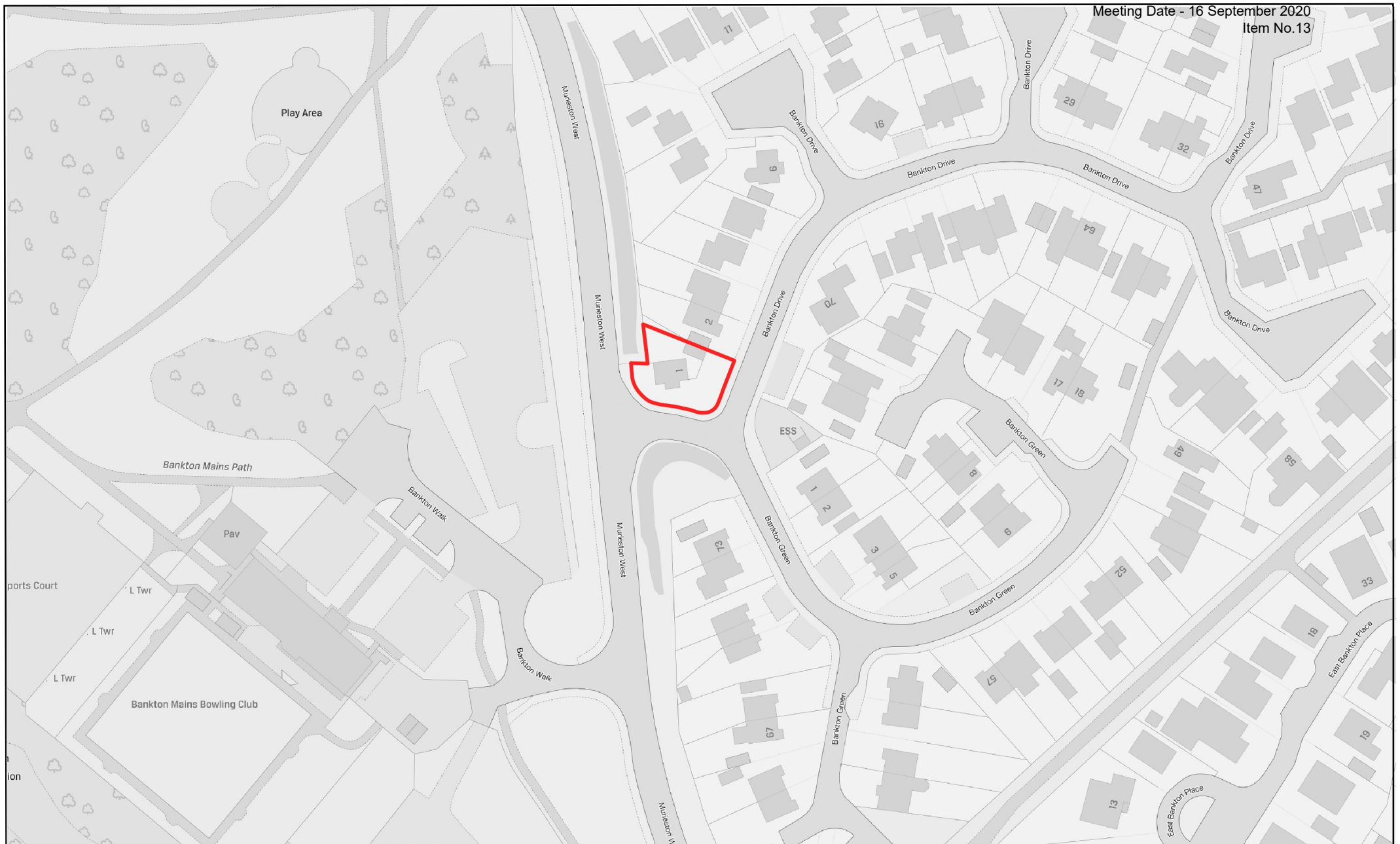
9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Draft Reasons for Refusal
- Local Member Request Form

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration **Date: 16th Sept. 2020**

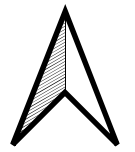


0430/H/20 - 1 Bankton Drive - Livingston - EH54 9EH

Development Management - West Lothian Civic Centre - EH54 6FF

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Ref: 0430/H/20

Draft Reasons for Refusal

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

- (1) The proposed extension, by virtue of its size, scale and location, will have a significant detrimental visual impact on the amenity of the street scene and surrounding areas. In addition, the proposed will appear prominent within the site and will not appear as subsidiary to the existing property. The application is therefore, contrary to West Lothian Council's Local Development Plan's Design Principles (DES 1) Policy and does not follow the appropriate guidance given in the House Extension and Alteration Design Guide. It is recommended that this application is refused planning permission.

☒ LOCAL MEMBER REFERRAL REQUEST ☒

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days and by 12 noon at the latest.

The planning application details are available for inspection on the council's web site at <http://planning.westlothian.gov.uk/WAM133/searchsubmit/performanceOption.do?action=search>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p>Application Reference Number</p> <p>0430/H/20</p> <p>Site Address</p> <p>1 Bankton Drive, Murieston, Livingston, West Lothian, EH54 9EH</p> <p>Title of Application</p> <p>Two storey extension to house and erection of a porch</p> <p>Member's Name</p> <p>Councillor Peter Heggie Cllr </p> <p>Date</p> <p>21.08.2020</p>	<p>Applicant Request..... <input type="checkbox"/></p> <p>Constituent Request..... ✓</p> <p>Other (please specify)..... <input type="checkbox"/></p>

☒ LOCAL MEMBER REFERRAL REQUEST ☒

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days and by 12 noon at the latest.

The planning application details are available for inspection on the council's web site at <http://planning.westlothian.gov.uk/WAM133/searchsubmit/performanceOption.do?action=search>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p>Application Reference Number</p> <p>0430/H/20</p> <p>Site Address</p> <p>1 Bankton Drive Murieston Livingston West Lothian</p> <p>Title of Application</p> <p>2 storey extension to house and erection of a porch</p> <p>Member's Name</p> <p>Cllr Lawrence Fitzpatrick</p> <p>Date 21st August 2020</p>	<p>Applicant Request..... <input type="checkbox"/></p> <p>Constituent Request..... <input checked="" type="checkbox"/></p> <p>Other (please specify)..... <input type="checkbox"/></p>

☒ LOCAL MEMBER REFERRAL REQUEST ☒

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days and by 12 noon at the latest.

The planning application details are available for inspection on the council's web site at <http://planning.westlothian.gov.uk/WAM133/searchsubmit/performanceOption.do?action=search>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p>Application Reference Number</p> <p>0430/H/20</p> <p>.....</p>	<p>Applicant Request..... ✓</p>
<p>Site Address</p> <p>1 Bankton Drive</p> <p>.....</p>	<p>Constituent Request..... <input type="checkbox"/></p>
<p>Title of Application</p> <p>House extension application</p> <p>.....</p>	<p>Other (please specify)..... <input type="checkbox"/></p>
<p>Member's Name</p> <p>Cllr Moira Shemilt</p> <p>.....</p>	
<p>Date</p> <p>21st August 2020</p> <p>.....</p>	

Development Management Committee

16 September 2020

Item No : Application No. =

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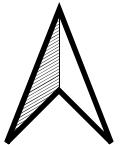
West Lothian
Council

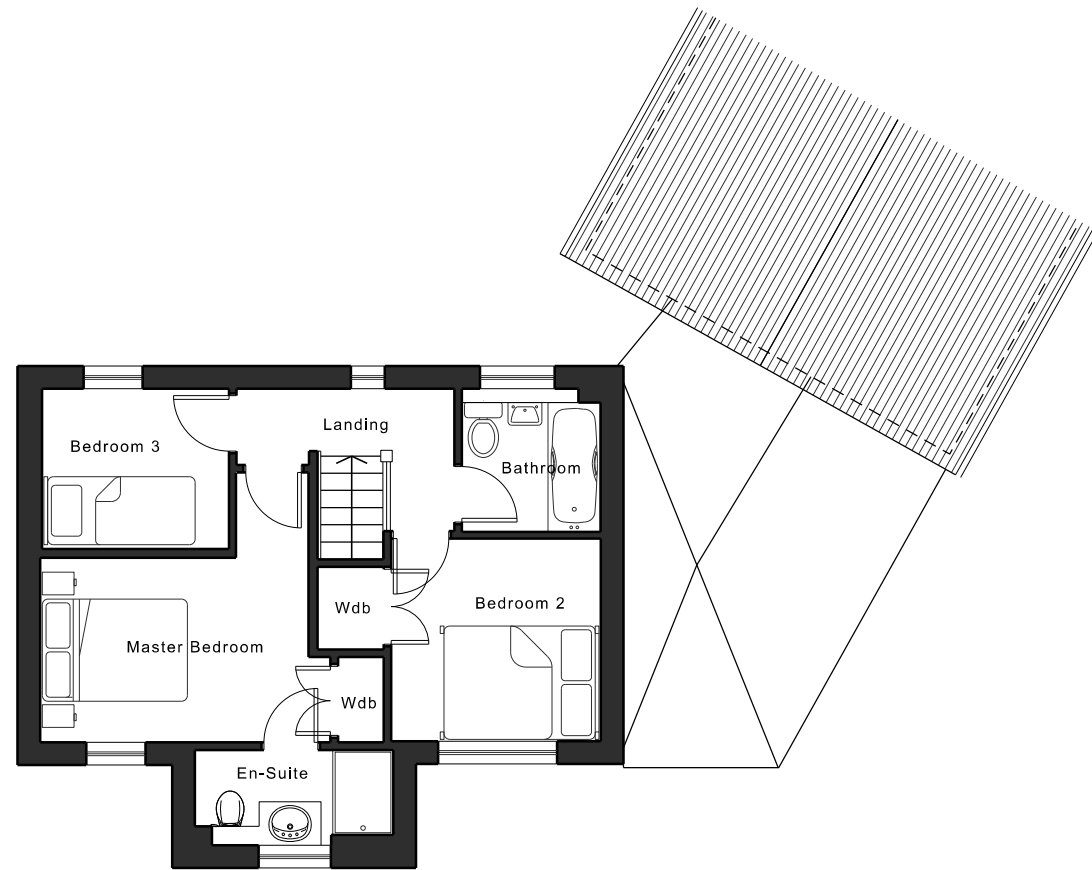
0430/H/20 - 1 Bankton Drive - Livingston - EH54 9EH

Development Management - West Lothian Civic Centre - EH54 6FF

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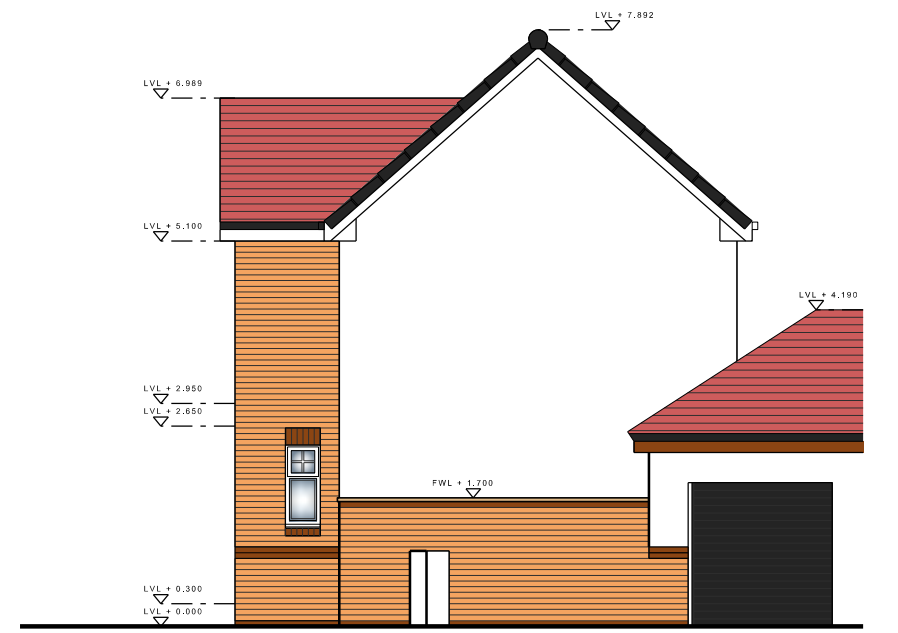




3 Existing
1:100 First floor plan



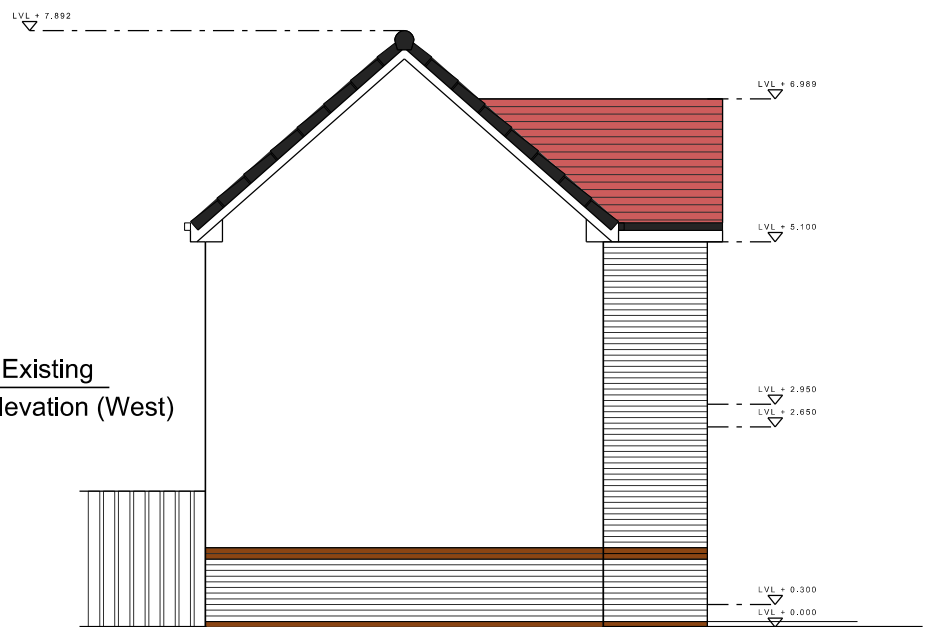
4 Existing
1:100 Front elevation



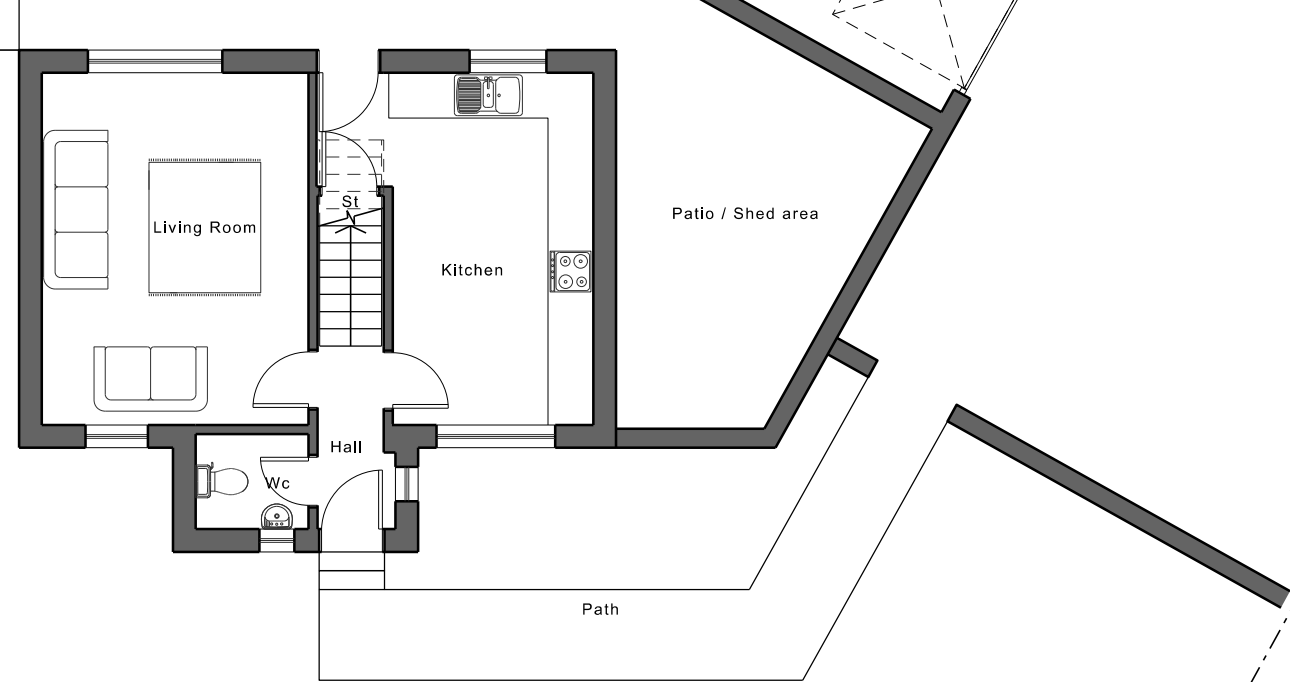
5 Existing
1:100 Side Elevation (East)



6 Existing
1:100 Rear Elevation

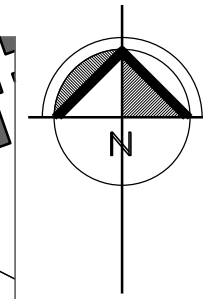


7 Existing
1:100 Side Elevation (West)



2 Existing
1:100 Ground floor plan

1 Existing
1:500 Block Plan

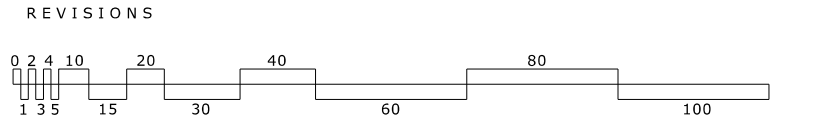


Denotes Dwelling for which Statutory approval is sought

Denotes boundary of application site

SITE AREAS
-EXISTING-
Site Area - 358.0Sqm or 0.0358Ha
Building Area - 70.0 Sqm
Garden Area - 288.0 Sqm
% green space - 80%

REV A	Jun 20	ER	Location plan redline updated
REV.	DATE	DRAWN	DESCRIPTION

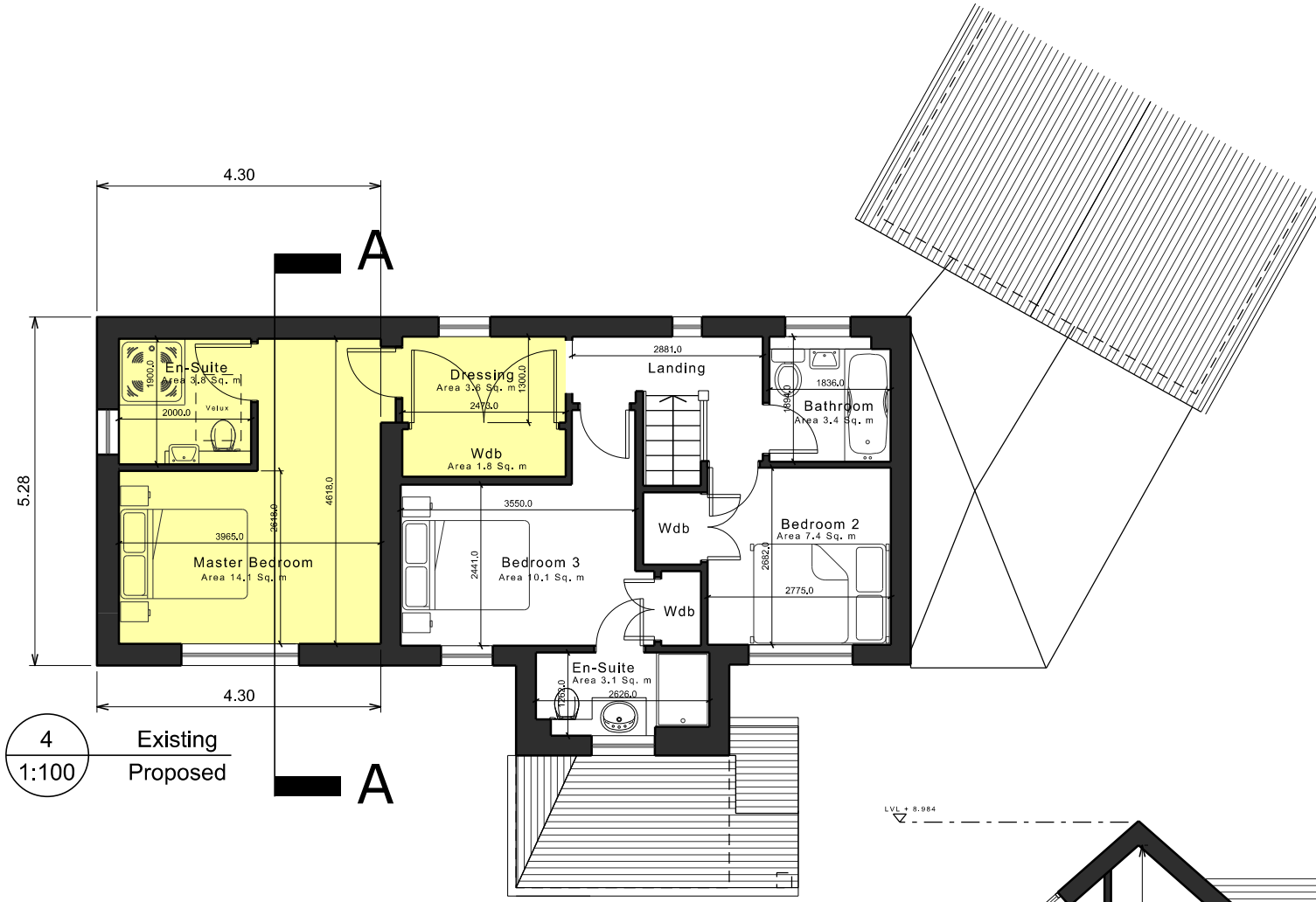


CLIENT: Mr & Mrs Hanratty
JOB: Two storey side extension
at 1 Bankton Drive, Murieston
DRAWING: Existing Plans & Elevations
DRAWNER: JOB NO 2401 DR NO PL01
DATE: Apr 2020 REV A SCALE: as shown



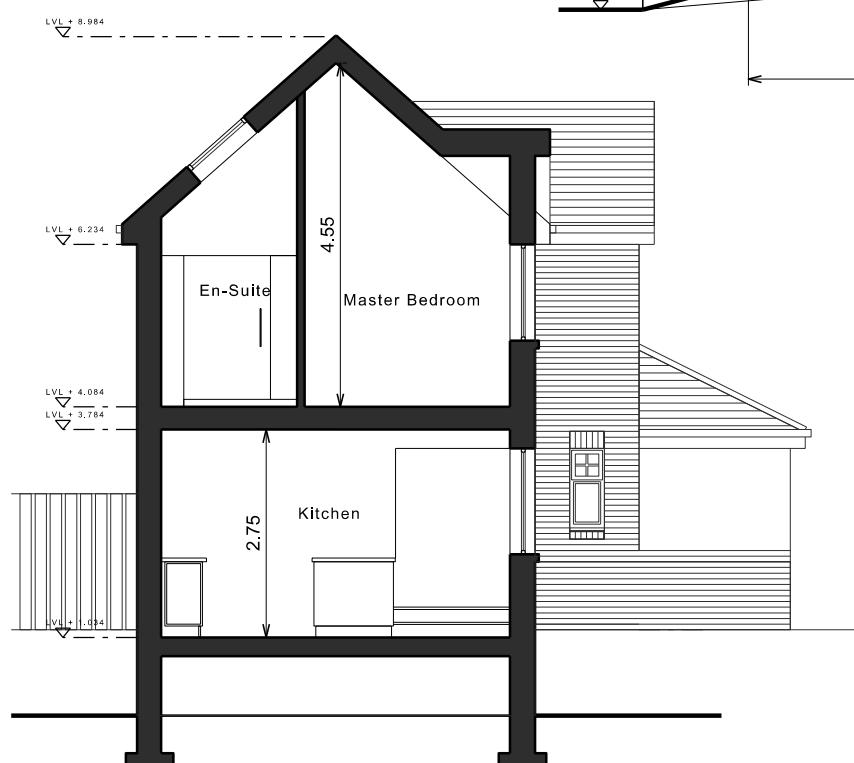
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4
1:100
Existing
Proposed

- Denotes areas affected by warrant work
- Denotes existing walls
- Denotes down takings

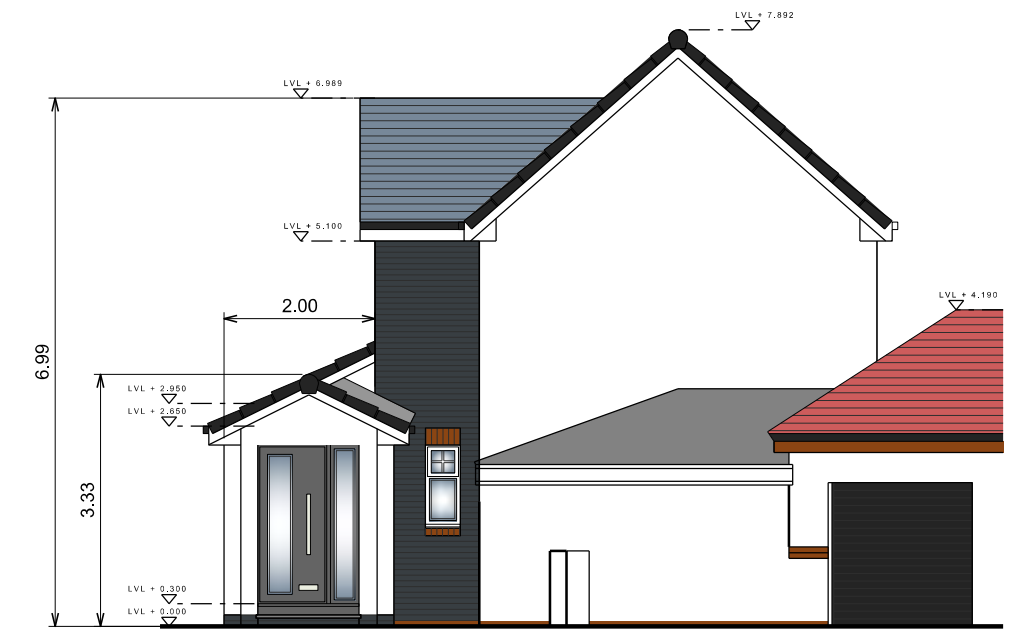


3
1:100
Proposed
Section A-A

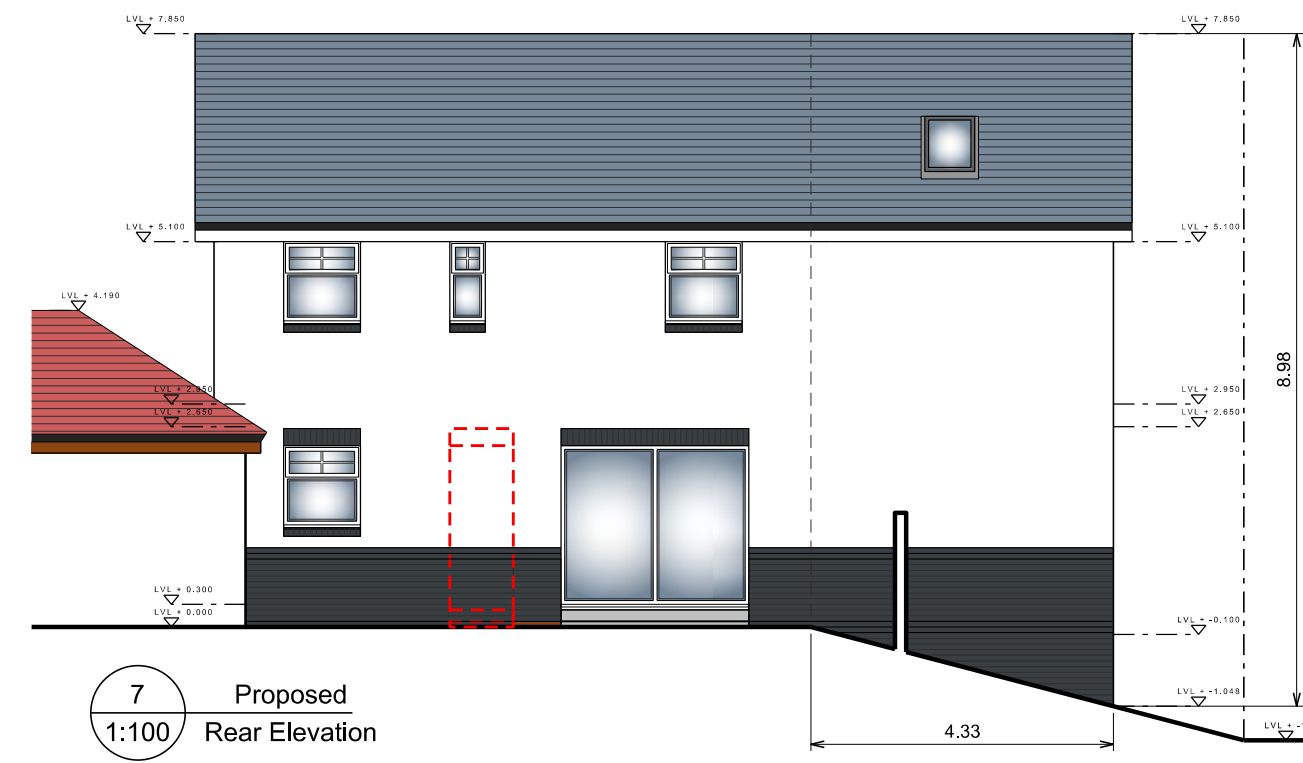


5
1:100
Proposed
Front elevation

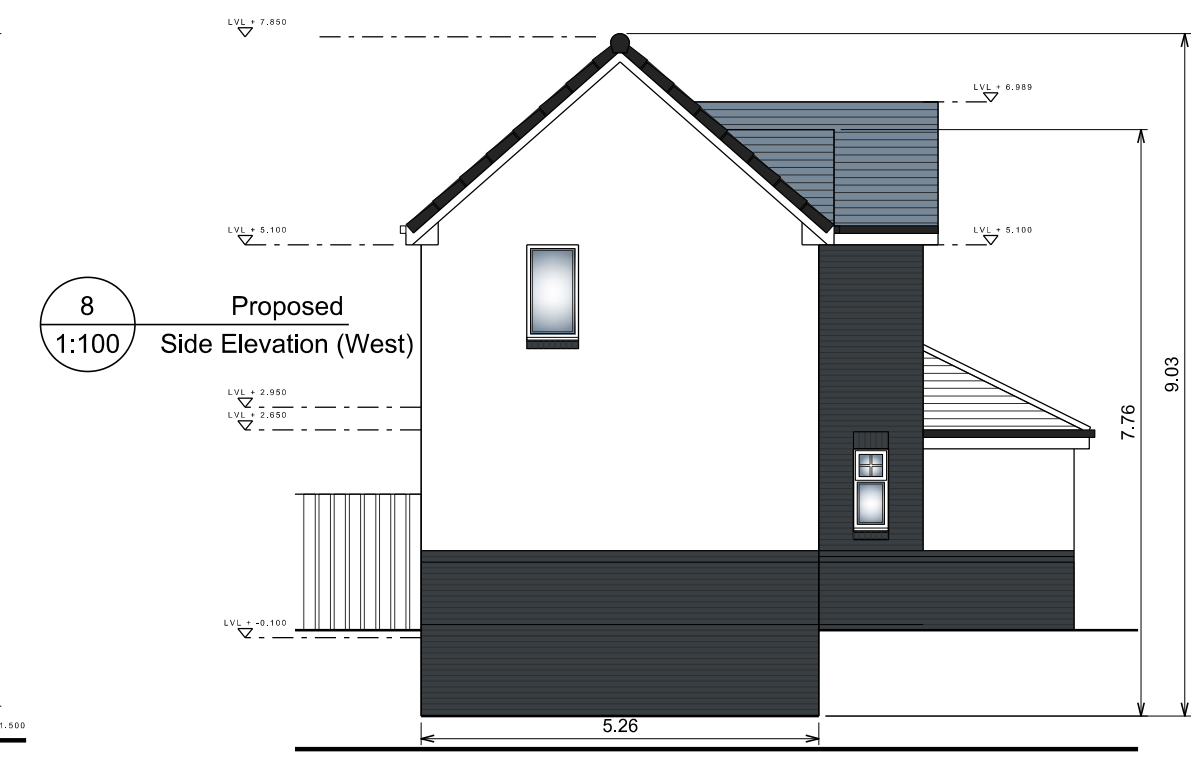
- Materials key
- Facing brick RAL 7016 Anthracite/existing painted to match
 - Concrete flat roof tile colour blue/gray, dry verge
 - White UPVC windows / french doors
 - White UPVC soffit / barge boards
 - Rainwater goods to be black UPVC
 - Wall white harling to match existing
 - Roof lights to be Velux and gray in colour



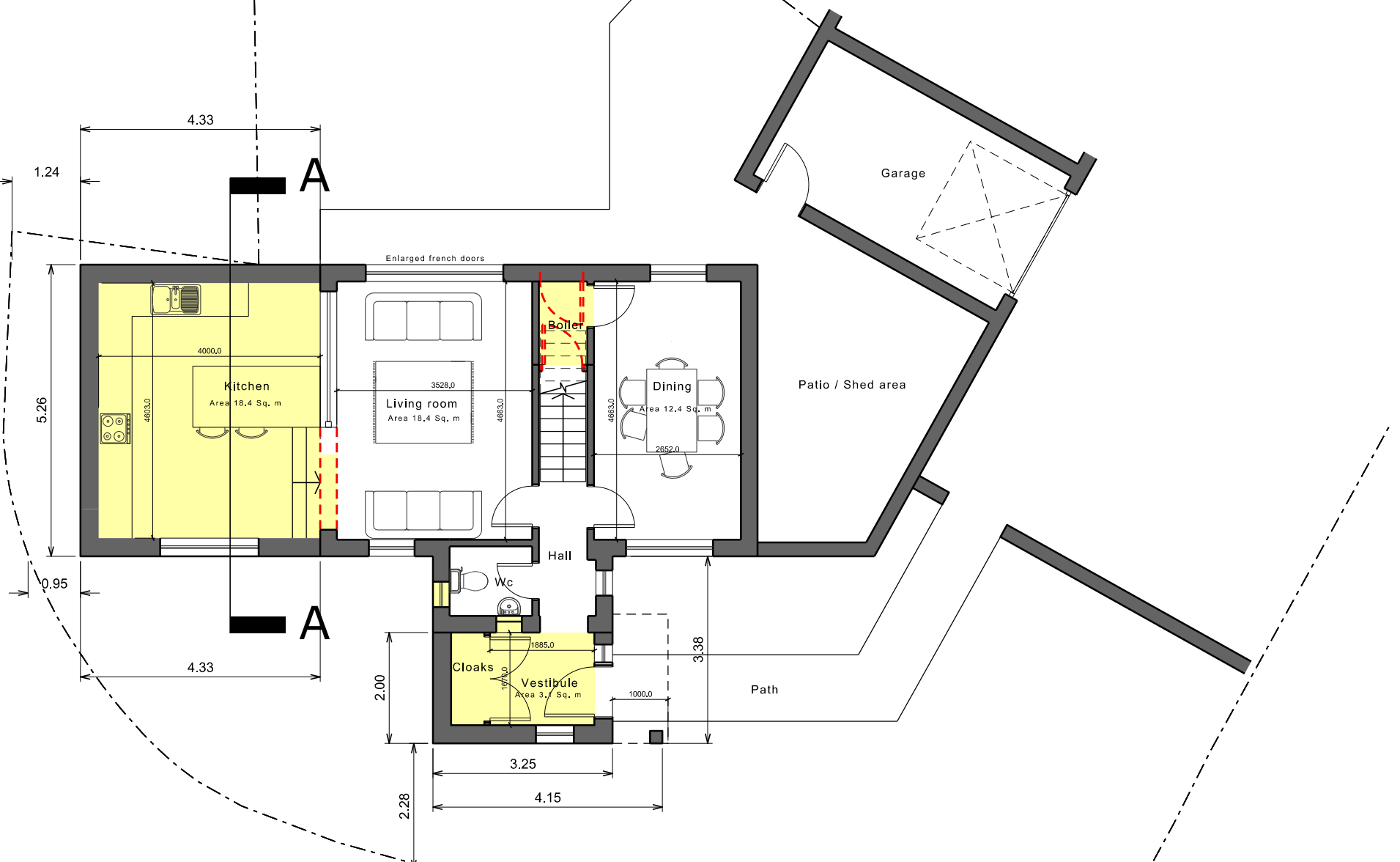
6
1:100
Proposed
Side Elevation (East)



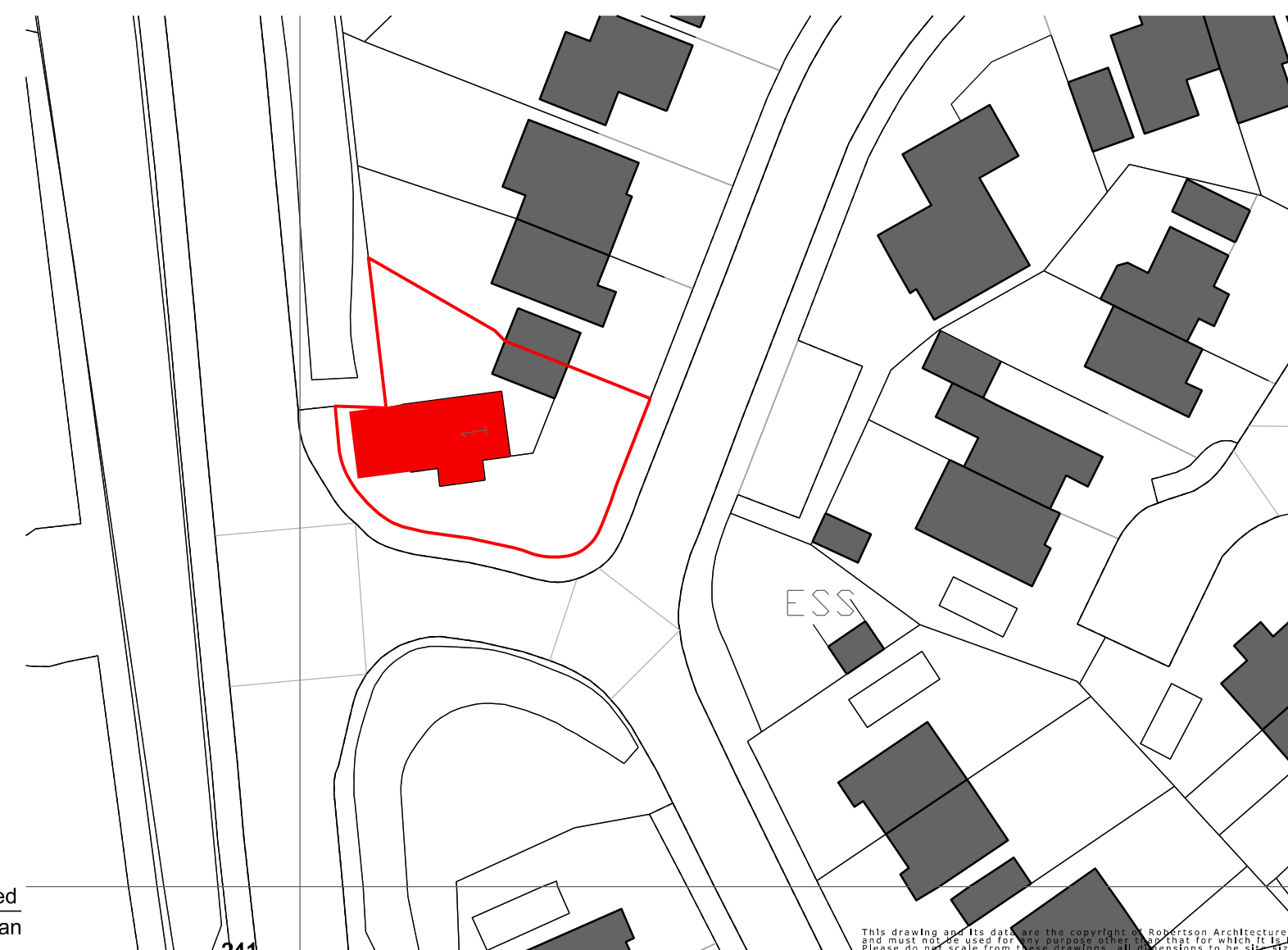
7
1:100
Proposed
Rear Elevation



8
1:100
Proposed
Side Elevation (West)



2
1:100
Proposed
Ground floor plan



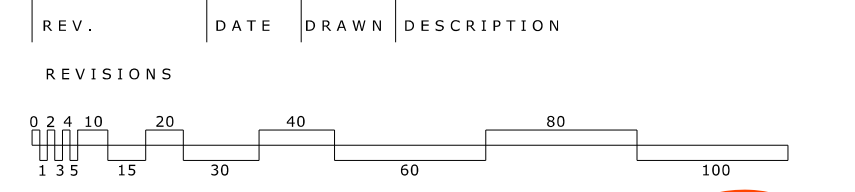
1
1:500
Proposed
Block Plan

Denotes Dwelling for which Statuary approval is sought

Denotes boundary of application site

SITE AREAS
-PROPOSED-
Site Area - 358.0Sqm or 0.0358Ha
Building Area - 93.0 Sqm
Garden Area - 265.0 Sqm
% green space - 74%

REV.	DATE	DRAWN	DESCRIPTION
REV C	Jun 20	ER	Location plan redline updated
REV B	Jun 20	ER	Plans updated to show client changes
REV A	May 20	ER	Plans updated to reflect client changes



CLIENT:	Mr & Mrs Hanratty
JOB:	Two storey side extension at 1 Bankton Drive, Murieston
DRAWING:	Proposed Plans & Elevations
DRAWN:	JOB NO 2401
DATE:	Apr 2020
REV:	REV C
SCALE:	As shown

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Bankton G









Development Management

List of Delegated Decisions - 7th August 2020

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0417/FUL/20	Recommendation:	Refuse Permission
Proposal:	Change of use from public open space to private garden ground and erection of a fence (in retrospect)		
Address:	75 Bailielands, Linlithgow, West Lothian, EH49 7SX, (Grid Ref: 301964,677484)		
Applicant:	Mr Adam Lang	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Matthew Watson
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>The applications seeks retrospective planning permission for the change of use from public open space to private garden ground and erection of a fence. The area of ground enclosed faces onto a public path between Springfield Road and the rear of houses at Bailielands. The area enclosed is 13.2 sq m.</p> <p>Policy ENV 21 sets out the criteria for assessing loss of open space. Although the enclosure of this area of open space has not caused an impact on recreational amenity and the area is not of significant ecological value, the enclosure does not have a locational justification under ENV 21 (a). The principle of development is therefore not acceptable.</p> <p>In terms of visual impact, the protrusion of the fence has resulted in an unsightly addition in the wider context of the path with no other fences in the vicinity of the property protruding in such a manner. The fence fails to integrate with its context and the proposal is contrary to Policy DES 1 of the LDP.</p> <p>Overall, the proposal lacks a locational justification for the enclosure of open space and the visual impact of the fence is unacceptable. The proposal is contrary to policies ENV 21 (Protection of formal and informal open space) and DES 1 (Design principles). Consequently, and in view of the above, it is recommended that planning permission is refused.</p>			

Ref. No.:	0481/MS/20	Recommendation:	Grant Matters Specified in Conditions
Proposal:	Approval of matters specified in condition 1 of planning permission 1012/P/05 for an amendment to the master plan to extend residential development Block HH		
Address:	Block HH ,Land East Of Niddry Bing, Winchburgh, , (Grid Ref: 309094,674914)		
Applicant:	Winchburgh Developments Limited	Type:	Other
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Steven McLaren

Summary of Representations

One objection received:

- Not a suitable for development
- How will access to the B9080 be formed.
- Increased traffic on B9080 and impact on road safety
- Increased congestion and safety of cyclists.
- Proximity to Winchburgh Bing. Health hazards from dust from the bing.

Officers report

The application site was originally set aside as open space in the approved Winchburgh Core Development Area (CDA) master plan approved on 17/4/12 (Ref: 1012/P/05) and lies to the west of Block HH which is allocated for residential development. The site lies with Niddry Bing to the south west and the M9 to the north east of the site. During the progression of the adopted West Lothian Local Development Plan, 2018 (LDP), this site was identified as being appropriate for mixed uses, including housing, with a capacity of 189 units. The amendment to the master plan to extend Block HH into this area of ground aligns the site allocation within the CDA master plan to the land allocation in the adopted LDP. Matters relating to access, traffic speeds, noise and any impact from Niddry Bing will be considered further at a Matters Specified in Conditions stage where road traffic impacts, noise, air quality, drainage etc will be fully considered in consultation with relevant departments and agencies. Recommendation is therefore to grant permission for the amendment to the master plan.

Development Management

List of Delegated Decisions - 14th August 2020

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	1149/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Erection of 54 houses and 56 flats with associated landscaping, drainage and infrastructure (as amended)		
Address:	Land At Hunter Road, Kirkton Campus, Livingston, West Lothian, (Grid Ref: 304390,666698)		
Applicant:	Robertson Living & Camlin (Linwood) Limited	Type:	Major Application
Ward:	Livingston South	Case Officer:	Matthew Watson

Summary of Representations

Five objections from local residents. Livingston Village Community Council support the application following revisions:

Community Council comments:

- Support for the site being developed for housing following latest revisions, subject to conditions
- Conditions relating to landscape and woodland management, wildlife, archaeology and construction hours should be applied if the council is minded to grant planning permission

Objections:

- Traffic impact and road safety
- Lack of open space
- Density of development is too high
- Maintenance of trees and woodland
- Education capacity

Officers report

The application proposes the erection of 54 houses and 56 flats at land at Hunter Road, Livingston. The site is 2.45 ha in size and was the site of the

now demolished Vodafone factory. Mature trees bound the site to the north with the rear boundaries of properties at Kaims Grove, and to the east with Alderstone Road. Trees at the north west corner of the site are covered by the 1965 TPO for Livingston New Town. Flatted properties are located along the southern boundary of the site at Kaims Terrace.

The application site is not allocated for any specific land use in the West Lothian LDP and is a windfall site. Policy HOU 3 of the LDP sets out nine criteria for windfall housing sites to meet. As explained below, the proposal is in keeping with the character of the settlement, compatible with nearby uses and has good accessibility to Livingston Town Centre by public transport and active travel. The site is not allocated for open space or employment uses. An extension to Livingston Village Primary School will be required to accommodate the development and this will be secured through a Section 75 legal agreement. The site is not at significant risk of flooding and the council's Flood Risk Management team has raised no objection to the proposal. Other LDP policies and supplementary guidance are complied with and 25% of the units will be affordable housing. Overall, the proposed development is acceptable in principle and complies with Policy HOU 3.

Some representations have raised concern about the density of development proposed. Policy DES 1 of the LDP requires new development to integrate with its local context and built form. The site is a brownfield site located close to the town centre with higher density flats to the south and lower density, suburban housing located to the north and west. The standards for garden sizes and plot ratios in the Residential Development Guide (RDG) have been complied with. The proposed flats at the east boundary of the site are necessary to mitigate the impact of road noise. Flats at the south east corner of the site have been replaced by houses to address concerns about density. Overall, the proposal will integrate with its local context and built form and complies with Policy DES 1 of the LDP and the RDG.

Policies ENV 9 and ENV 10 state there is a presumption against the loss of trees that are protected by a TPO or are of particular amenity value. Six trees within the area of the TPO are proposed for removal. A total of 77 trees are proposed to be removed across the whole site. All trees to be removed are category C and U trees in the tree survey meaning they are of poor quality. 128 trees are proposed as compensatory planting for those proposed to be removed. The council's arborist is supportive of the proposal. The tree removal proposed is acceptable due to the poor quality of the trees to be removed and the substantial compensatory planting that is proposed. The proposal complies with policies ENV 9 and 10. Conditions for the implementation of replanting/landscaping, tree protection fencing, a woodland management plan and a factoring plan for the landscaping are required.

A number of representations have raised concern about road safety and transport impacts of the development. Policy TRAN 1 of the LDP requires the transport impacts of development to be acceptable. In response to these concerns, the layout of the development has been revised so that no driveways face directly onto Hunter Road. The applicant has submitted a traffic statement with the application. The council's Roads and Transportation team have found the content of the statement to be satisfactory and have raised no objection to the proposal. The proposal complies with Policy TRAN 1.

Conditions will be required for a programme of archaeological works, the implementation of the drainage layout for the development and a remediation method statement. The application will result in the draining of an ornamental pond. An E-DNA test for great crested newts returned a negative result. However, an advisory note will be added to the decision to remind the applicant their responsibilities under protected species legislation. The 25% affordable housing requirement will be secured through a Section 75 legal agreement.

In conclusion, the principle of development is acceptable, the proposed development integrates with its context and built form. Traffic impacts are acceptable, as are impacts on trees. The proposal complies with the relevant provisions of the development plan. It is therefore recommended planning permission is granted, subject to conditions and a Section 75 legal agreement.

Ref. No.:	0189/P/20	Recommendation:	Grant Planning Permission in Principle
Proposal:	Planning permission in principle for a 1.9 ha residential development with associated access, SUDS, landscaping and ancillary works		
Address:	Land North Of Roosevelt Road, Kirknewton, West Lothian (Grid Ref: 310997,667000)		
Applicant:	CC Drummond	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Matthew Watson

Summary of Representations

14 objections have been received in total. 12 objections are from local residents and 2 objections are from elsewhere in West Lothian:

- Impact on road safety from the proposed access
- Traffic impact and congestion
- Noise from construction vehicles
- Lack of education capacity
- Impact on privacy
- Impact on local infrastructure, such as GP provision
- Impact on wildlife
- Drainage problems
- Loss of view

Officers report

The application seeks planning permission in principle for a 1.9 ha residential development with associated access, SUDS, landscaping and ancillary works at land north of Roosevelt Road, Kirknewton. The application is a greenfield site that is currently in agricultural use with overhead power lines crossing the site diagonally. The site is part of a wider allocation for housing in the West Lothian Local Development Plan (LDP), reference: H-KN 2, which is for 90 units. To the south and west of the site is housing at Roosevelt Road and Braekirk Avenue respectively. The north of the site is bound by the Shotts railway line. An indicative layout shows 48 houses with access taken from Braekirk Avenue. The overhead power lines are proposed to remain in situ. 25% of the houses are to be affordable housing.

As stated above, the application site is part of a wider allocation for housing development in the LDP. The principle of housing development on this site is therefore, subject to other development plan policies being met. The proposal complies with Policy HOU 1 (Allocated Housing Sites) of the LDP.

The proposed development is required to provide 25% affordable housing on-site, in line with Policy HOU 4 (Affordable Housing) of the LDP. This will be secured through a Section 75 legal agreement and the indicative layout shows the proposal meeting this requirement. The proposed development complies with Policy HOU 4 of the LDP.

The Shotts line bounds the site to the north. Policy EMG 5 (Noise) of the LDP states residential development located next to noisy uses will only be

permitted where satisfactory noise levels can be achieved through design or mitigation. The applicant has submitted a noise impact assessment with the application. The council's Environmental Healths service has reviewed this and recommended mitigation in the form of an acoustic barrier at the north of the site and that all properties facing the railway are single storey with bedrooms to the rear. These measures can be secured via planning conditions and further noise assessment will be required as part of detailed, matters specified in conditions applications. With mitigation in place, the application complies with Policy EMG 5 of the LDP.

A large number of representations have raised concern over the traffic impact of the development and road safety matters surrounding the proposed access. Policy TRAN 1 (Transport Infrastructure) of the LDP requires the transport impacts of development to be acceptable. The indicative layout submitted with the application shows access taken from Braekirk Avenue with this access road crossing a single-track lane that runs to the rear of houses on Braekirk Avenue northwards to Kirknewton Mains Farm. The applicant has submitted a transport statement with the application. The council's Roads and Transportation service has analysed the findings of the transport statement and has raised no objection to the development on grounds of traffic impact or safety of the proposed access. Noise from construction vehicles can be controlled through a construction hours condition to ensure HGVs are not arriving and leaving the site at unsocial hours. Consequently, the application complies with Policy TRAN 1 of the LDP.

Education capacity for Kirknewton Primary School has been raised in representations. The council's Education Planning Officer has been consulted on the proposal and has recommended a phasing condition of 5 completions per academic year, in the first instance, to manage the capacity of Kirknewton Primary. Developer contributions towards St Paul's Primary and the building of a new Denominational Secondary School in West Lothian will be secured through a Section 75 legal agreement.

Wider infrastructure concerns, particularly in relation to health infrastructure, have been raised in representations. Developer contributions are currently not taken by the Council to expand healthcare facilities. This is a matter for NHS Lothian to consider.

The issue of privacy has been raised in representations. Policy DES 1 (Design Principles) states new development is not to have an adverse impact on amenity. The indicative layout shows houses with gardens that exceed the minimum requirement for a 9 metre rear garden and the minimum window to window distance of 18 metres. The proposal complies with Policy DES 1 in respect of privacy. Loss of views has also been raised but this is not a material planning consideration that can be considered in the assessment of planning applications.

The issue of wildlife has also been raised in representations. The applicant has undertaken and submitted a Phase 1 Habitat and Protected Species Survey. The main issue related to wildlife raised in the report relates to badgers with a sett being within 110 metres of the application site. Pre-commencement checks and mitigation measures during construction are recommended by the report. Scottish Badgers has commented on the application and has raised no objection to the application, as long as checks and mitigation measures are carried out. These can be secured through a planning condition.

In conclusion, the proposal is acceptable in principle and will deliver the necessary affordable housing requirement. Noise issues can be resolved through design and mitigation measures. The transport impact of development is acceptable and education capacity can be managed through a phasing condition. Impacts on privacy and wildlife are acceptable. Overall, the application complies with the relevant provisions of the development plan. It is therefore recommended that planning permission in principle is granted, subject to conditions and a legal agreement to secure developer contributions.

Ref. No.:	0413/H/20	Recommendation:	Refuse Permission
Proposal:	Erection of a shed and decking (in retrospect)		
Address:	53 Eliburn South Road, Eliburn, Livingston, West Lothian, EH54 6SP (Grid Ref: 304231,667662)		
Applicant:	Dorothy Cairns	Type:	Local Application
Ward:	Livingston North	Case Officer:	Rachael Lyall

Summary of Representations

One objection -
- Size of development,
- Location of development,
- Overshadowing.

Officers report

This retrospective planning application proposes the erection of a shed at the property at 53 Eliburn South Road, Livingston.

The shed measures 2.5m in height, however, the development has been constructed on a raised decking. The shed has been constructed using timber and features a windows and door on the front elevation which overlooks the site and neighbouring property to the east.

The shed is of a dominating size in which the added height of the decking beneath, which measures 0.42m form ground level, adds to the domineering effect in which the works adversely affect overall visual impact. The garden shed is out of scale and will directly overlook and overshadow the neighbouring properties and gardens to a significant extent.

This proposal is therefore contrary to West Lothian Local Development Plan, Policy DES 1(Design Principles) and does not follow the appropriate guidance given in the House Extension and Alteration Design Guidelines, 2015. It is recommended that this application is refused planning permission.

Ref. No.:	0424/H/20	Recommendation:	Grant Planning Permission
Proposal:	Extensions to house and construction of raised decking		
Address:	Glencroft, Woodend, Armadale, West Lothian, EH48 3AP (Grid Ref: 292657,669054)		
Applicant:	Mr J Hardie	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Rachael Lyall

Summary of Representations

One objection -

- Title deeds in relation to outbuildings,
- Information regarding water course on site,
- Proximity of development with retaining wall,
- Flooding,
- Future use of development,
- Details for SEPA,
- Size of proposed development.

Officers report

This planning application proposes the erection of a front porch, a side extension and the formation of decking at Glencroft, located in Woodend.

The proposed side extension is to measure 8.000m x 8.400m and is to be 7.200m in overall height from ground level at the lowest point to the proposed ridgeline of the gable pitch roof which sits below the ridgeline of the existing property. The levels vary approximately by 2.2m on the proposed side elevation. The proposed side elevation is to feature two door openings which are to lead out onto a decking which is to measure 2.2m in height from ground level at the lowest point. This height allows the proposed decking to sit uniform with the ground level at the highest point on the side elevation and therefore will not directly overlook any neighbouring property. The rear elevation is to also feature a new door opening which is to lead out onto the proposed decking and also a window opening which will overlook the applicants rear garden and will not significantly impact on any neighbouring property. The rear window is located within the proposed en-suite and will be opaque glazed.

The materials proposed for the works are to be an external timber cladding. A condition will be attached to the decision notice which will request additional details, including the finishing colour, and samples of the material. Revised plans have since been submitted which now include the handrails which are proposed for the raised decking.

The proposed works are an acceptable scale and will not directly overlook or overshadow any neighboring property to a significant extent. The proposed works will not be detrimental to visual or residential amenity. The proposal adheres to West Lothian Local Development Plan, Policy DES1 (Design Principles) and follows the appropriate guidance given in the House Extension and Alteration Design Guidelines, 2015. It is recommended that the application is granted planning permission.

Ref. No.:	0430/H/20	Recommendation:	Refuse Permission
Proposal:	Two storey extension to house and erection of a porch		
Address:	1 Bankton Drive, Murieston, Livingston, West Lothian, EH54 9EH (Grid Ref: 305710,665536)		
Applicant:	Mr David Hanratty	Type:	Local Application
Ward:	Livingston South	Case Officer:	Rachael Lyall

Summary of Representations

N/A

Officers report

This planning application proposes the erection of a two storey side extension and porch onto the property at 1 Bankton Drive, Murieston.

The proposed side extension is to measure 4.30m x 5.28m and is to measure 8.98m in overall height to the ridgeline of the proposed gable pitch roof which sits level with the ridgeline of the existing house. The proposed porch is to measure 3.25m x 2.00m and is to measure 3.33m in overall height.

The existing property is located within a corner plot in which the proposed extension will appear prominent within the street scene and will have a significant impact on the visual amenity of the existing property and street scene. In addition, the proposed extension is of a dominating scale which will appear as overbearing on the side (west) elevation due to the varying ground levels on site and the large basecourse that is required.

This proposal is therefore contrary to West Lothian Local Development Plan, Policy DES1 (Design Principles) and does not follow the appropriate guidance given in the House Extension and Alteration Design Guide, 2015. It is recommended that this application is refused planning permission.

Ref. No.:	0501/H/20	Recommendation:	Refuse Permission
Proposal:	Replace existing single glazed timber windows with uPVC double glazed windows		
Address:	4 Greenpark Cottages, Edinburgh Road, Linlithgow, West Lothian, EH49 6AA (Grid Ref: 300958,677095)		
Applicant:	Mr P Keane	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Rachael Lyall

Summary of Representations

N/A

Officers report

This planning application proposes to replace single glazed timber windows with UPVC windows at 4 Greenpark Cottages, Edinburgh Road. The property is located within Linlithgow conservation area.

The plans propose to replace all existing sash-and-case windows with timber oak effect UPVC windows. The proposed UPVC windows will be of the same style, size and fit however UPVC windows are not advised as a replacement within a conservation area.

It is understood that the neighbouring property have previously replaced their windows, but did so with new timber frames, which is more appropriate for a traditional house within the conservation area.

The proposed UPVC window will be of a detrimental effect on the character of the existing property and the conservation area. Although the West Lothian Council would support the replacement of these windows which do appear to be beyond repair, the use of UPVC windows as a replacement is not be supported in this location.

This proposal is therefore contrary to West Lothian Local Development Plan, Policy DES 1(Design Principles) and Policy ENV24 (Conservation Areas) and does not follow the appropriate guidance given in the House Extension and Alteration Design Guide, 2015. It is recommended that this application is refused planning permission.

Ref. No.:	0551/FUL/20	Recommendation:	Grant Planning Permission
Proposal:	Renewal of consent ref: 0729/FUL/19 for change of use from flat to holiday let		
Address:	10 The Beech Tree, Bridgend, West Lothian, EH49 6PU, (Grid Ref: 304684,675964)		
Applicant:	Mrs Lindsey Manson Bideaways Limited	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Matthew Watson

Summary of Representations

Three objections:

- Impact on the private sewerage system serving the development;
- Noise impact;
- Security concerns;

Officers report

The application proposes the change of use from a two-bed ground floor flat to a full-time commercial holiday let. The applicant has stated that two people will be the maximum number of occupants. The minimum stay is one night and the maximum stay is two months. The permission seeks to renew the temporary planning permission that was granted in August 2019 for 13 months.

Policy EMP 7 (Tourism) of the West Lothian Local Development Plan (LDP) supports tourist related development, subject to residential amenity not being adversely affected. Impact on residential amenity is also assessed more generally through Policy DES 1 (Design Principles) of the LDP.

In terms of the impact on amenity, the main issue raised in representations is noise. As a self-catered facility, how the flat will be used will not be dissimilar to if it were being occupied as long-term residential use but with a turnover of guests. Environmental Health has not raised objections to the proposal in terms of noise. It is proposed to grant a further temporary planning permission for thirteen months to continue to monitor the impact on the amenity of the other flats through another full holiday season within the block of flats. This is because of the potential high turnover of guests with a minimum stay of one night and Covid-19 has meant less visitors using such accommodation. After thirteen months there would be a reversion back to a residential flat or a further planning application to continue use as a holiday let if impacts on amenity are acceptable.

A number of representations have raised issues regarding the sewage system that is operated through a private septic tank. Specifically, representees have raised concern about visitors blocking this system. This is a management issue for the applicant and not a material planning consideration.

Consequently, and in view of the above, it is therefore recommended that a temporary planning permission is granted for thirteen months.

Development Management

List of Delegated Decisions - 21st August 2020

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	1174/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Erection of 16 residential units for adults with care needs, staff building and associated works		
Address:	Land At Cawburn Road,Pumpherstons, West Lothian, , (Grid Ref: 306502,669677)		
Applicant:	Ms Mhairi Walker West Lothian Council Social Policy	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Matthew Watson

Summary of Representations

One objection received:

- The proposal is not for housing and does not contribute to land supply
- Noise impact
- Loss of trees
- Further survey work required for bats

Officers report

The application proposes the erection of 16 residential units for adults with care needs, staff building and associated works at the south side of Cawburn Road, Pumpherston. Four blocks of residential units and one staff building are proposed.

The application site is part of a wider LDP allocation for housing development (reference: H-PU 1). The application seeks permission for what is not strictly mainstream housing, as it is for one bedroom houses with a supported living element to them. This is judged to be a Class 9 housing use with a separate supported element and falls within the wider housing allocation. Overall, the proposal complies with Policy HOU 1 (Allocated housing sites) of the LDP and is acceptable in principle.

Policy DES 1 (Design principles) of the LDP requires development to integrate with its local context and built form. The scale and form of the proposed buildings is modest at a single storey in height. The proposed buff brick and pantiled roofs are acceptable finishes for the development. The proposal will integrate with its context and built form and complies with Policy DES 1 of the LDP.

The application is in close proximity to a site inhabited by great crested newts. Policy ENV 20 (Species protection) of the LDP requires surveys and mitigation to be proposed where development could affect protected species. A Great Crested Newt Survey, Protected Species Survey and Phase 1 Extended Habitat Survey have been carried out. Scottish Natural Heritage has commented on the Great Crested Newt Survey and has found the survey to be competent and has raised no objection, subject to mitigation measures being implemented. The implementation of these measures can be secured via condition. The protected species survey and Phase 1 Extended Habitat Survey recommend pre-construction checks for bat roosts, badger setts and nesting birds. An advisory note will remind the applicant of their responsibilities under protected species legislation. The proposal complies with Policy ENV 20 of the LDP.

The issue of noise has been raised in the objection submitted to the application. A bus depot is located to the south of the application site. Policy EMG 5 (Noise) specifies residential development should not be granted next to noisy uses. A noise assessment has been submitted with the application and the council's Environmental Health service has found the assessment to be competent. Mitigation measures in the form of an acoustic fence are to be secured through a condition. The proposal complies with Policy EMG 5 of the LDP.

The application proposes tree removals in the centre and east of the site. Mature trees at the west of the site are proposed to be retained. Trees along the south boundary of the site are also proposed to be retained. A tree survey, arboricultural method statement, tree removal plan, tree planting plan and woodland management plan have been submitted with the application. The council's arborist has examined these documents and has stated the removals are acceptable, subject to replanting and the management plan being implemented. Replanting and the implementation of the management plan can be secured via condition. The proposal complies with Policy ENV 9 (Woodlands/trees) of the LDP.

As the site is treated as housing, developer contributions towards public art and cemeteries are due. These will be secured through an internal transfer. The proposal complies with Policy INF 1 (Developer obligations) of the LDP. Other matters relating to implementation of the drainage layout and submission of a remediation statement are to be secured through condition. The proposal complies with policies EMG 3 (Sustainable drainage) and EMG 6 (Contaminated land).

In summary, the application is acceptable in principle and will integrate with its local context. Matters relating to trees, ecology and noise are acceptable, subject to conditions. The proposal complies with LDP policies HOU 1, DES 1, INF 1, ENV 9, ENV 20, EMG 3, EMG 5 and EMG 6. It is therefore recommended planning permission is granted, subject to conditions and securing developer contributions.

Ref. No.:	0410/FUL/20	Recommendation:	Grant Planning Permission
Proposal:	Erection of a 21sqm utility room outbuilding and installation of french doors		
Address:	3 Goodall Place, Dechmont, West Lothian, EH52 6NY, (Grid Ref: 303927,670867)		
Applicant:	Mrs Tracy Taylor Elm Cottage Care Ltd	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Matthew Watson

Summary of Representations

Two objections:

- Loss of view to surrounding countryside
- Impact on trees
- Noise and disturbance from the use of the structure
- Loss of daylight in evening hours
- Overdevelopment of the plot

Officers report

The application proposes the erection of an outbuilding at the Elm Cottage Care Home, 3 Goodall Place, Dechmont. The proposed outbuilding will be situated at the south east of the plot and is 2.5 m in height to the eaves and 3.8 m to the ridge. The installation of french doors is also proposed on the east facing gable elevation of the property.

The proposed scale and form of the outbuilding is modest and not overly bulky. The issue of overdevelopment has been raised in representations. There are other outbuildings to the rear of the care home. The footprint of the proposed outbuilding is modest and even combined with the others will not result in an overall overdevelopment of the plot. The proposed french doors are acceptable in design terms as they are of a scale which integrates with the appearance of the building.

Overall, the proposal is of an acceptable design and complies with Policy DES 1 (Design principles) of the LDP in this respect.

In terms of impact on amenity, the use of the outbuilding as a utility room will not give rise to unacceptable noise issues. The outbuilding is of a modest scale that would not be able to accommodate large scale, commercial equipment.

The issue of daylight has been raised in one representation. The outbuilding has been moved in response to these concerns and is now proposed to be located 3 metres from the boundary with the adjacent property at 1 Goodall Place. The building has also been rotated so that the lower side faces the boundary with 1 Goodall Place. The siting of the outbuilding at the revised location will not result in an adverse impact on amenity with overshadowing affecting the rear of 3 Goodall Place. The nearest window opening on 1 Goodall Place serves a garage, which is not a habitable space. Therefore, there will not be an adverse impact on daylight. In any case, the revised location of the outbuilding passes the 45 degree test on plan and elevation. The

proposal will not have an adverse impact on residential amenity and complies with Policy DES 1 in this respect.

The loss of view to countryside to the north of the site, which was raised in a representation, is not a material consideration in the determination of the planning application.

In summary, the proposed outbuilding is acceptable in design terms and does not cause unreasonable harm to neighbouring amenity. The proposal complies with Policy DES 1 (Design principles) of the West Lothian LDP and approval is recommended. There are no material considerations that outweigh this position.

Ref. No.:	0520/FUL/20	Recommendation:	Refuse Permission
Proposal:	Change of use from public open space to private garden ground (in retrospect)		
Address:	Land To Rear Of 41 Lang Gardens,Bathgate, West Lothian, EH48 2JW, (Grid Ref: 296750,667276)		
Applicant:	Mr Gordon Mabon	Type:	Local Application
Ward:	Bathgate	Case Officer:	Kirsty Hope

Summary of Representations

None.

Officers report

The proposal is for the change of use from open space to private garden ground to the rear of the applicant's property.

The applicant has fenced off an area of open space that forms part of a green corridor to the rear of the properties on Lang Gardens, and has erected a timber shed. The applicant's property is within the settlement boundary and is identified as being within land allocated for housing within the Local Development Plan. The area is currently part of a green corridor that separates the rear gardens from adjacent woodland.

Whilst the fence is in-keeping with the scale and character of other fences in the area, the fence being stepped further into the area of open space does give the appearance of sporadic development that would have a detrimental impact to the visual appearance of the surrounding area and also sets a precedent for other residents to encroach into the open area, cumulatively resulting in a significant loss of open space.

Policy ENV21 (Protection of formal and informal open space) aims to protect areas of open space from unsuitable development, it has not been demonstrated that there is a locational justification for this development.

The proposal is contrary to council Policies DES 1 (Design principles) and ENV 21 as it would result in unsuitable development of open space and therefore is recommended for refusal.

Development Management

List of Delegated Decisions - 28th August 2020

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0377/H/20	Recommendation:	Grant Planning Permission
Proposal:	Erection of a 1.8m high boundary fence		
Address:	175 Maryfield Park, Mid Calder, Livingston, West Lothian, EH53 0SD (Grid Ref: 306992,666792)		
Applicant:	Mr John Schmidt	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection - - Distance between fence and off-street parking spaces.			
<u>Officers report</u> This planning application proposes the erection of a boundary fence to the front and side of the property located at 175 Maryfield Park, Mid Calder. The proposed fence is to be located along the side boundary towards the front of the property and is to enclose a section of the front garden area. Currently, there is an existing fence measuring 2m high which is located to the side of the house. The proposed works look to extend this area of fence further along the side of the property in order to enclose off the rear garden area from the front garden area. A 1m fence is also proposed to be erected to the front of the property which looks to enclose a small area of the front garden ground and seclude the landscaped area from the existing driveway. The proposal has since been revised in which the existing hedge which was previously proposed to be removed, is to now be trimmed back and retained. The fence is to now be located on the inside of the hedge on the applicant's side of the boundary in which the hedge will now remain in situ between the proposed fence and public footpath. By trimming back the hedge, this allows for the hedge to be retained as much as possible but still allows the applicant the garden space that is required. This proposal is of an acceptable scale which adheres to West Lothian Council's Local Development Plan's Design Principles (DES 1) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guide. It is recommended that this application is granted planning			

Ref. No.:	0497/FUL/20	Recommendation:	Refuse Permission
Proposal:	Alteration and conversion of steading and horse mill to form 4 houses, renovation of farmhouse and erection of 4 new build houses with associated works		
Address:	Burghmuir Farm, Linlithgow, West Lothian, EH49 7LS, (Grid Ref: 302189,678002)		
Applicant:	Mr Robin Braes Burnshot Developments Ltd.	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Matthew Watson

Summary of Representations

One objection from Linlithgow and Linlithgow Bridge Community Council:

- The proposal as submitted, is out of scale and proportion to the existing farm and steading and would overwhelm and compromise the historic integrity and heritage value of the site in its countryside setting.
- In terms of massing, design and detailing, it is considered that the proposals do not reflect the traditional character of the farm steading nor demonstrate the highest standards in design and environmental quality
- The additional floor to the long low outbuilding on the eastern boundary (Plots 2, 3 and 4) overwhelms the modest proportions of the existing building which with the timber cladding and modern window design changes completely the vision of the site
- The use of timber boundary fencing is inappropriate and does not reflect the historic context of the steading
- The site is located on a particularly fast stretch of the A803 and requires careful design of access and egress. The implied turn left only when leaving the site is impractical
- Important that all trees and hedgerows be retained and protected. Any new planting should be of native species
- The use of air source heat pumps in a confined courtyard development is inappropriate due to the inevitable noise reverberating

Officers report

The application proposes the alteration and conversion of steading and horse mill to form 4 houses, renovation of farmhouse and erection of 4 new build houses with associated works at Burghmuir Farm to the east of Linlithgow. The farmhouse, steading and horse mill are C listed.

The raising of the steading roof is not acceptable due to this having a detrimental impact on the special character of it as a listed building. In addition, traditional materials are not used for window and door openings. This is contrary to Policy ENV 28 of the LDP and the provisions of the Supplementary Guidance on Development in the Countryside, which state the raising of roofs will only be considered in exceptional circumstances and traditional materials should be used in conversions of buildings of architectural merit. It is also unclear whether the listed arch is being removed or being incorporated into the conversion of the horse mill.

The amount of new build development is not justified or acceptable in planning terms. The remains of the roofless and ruinous stone and brick buildings on site are not significantly visually or environmentally intrusive. The design of the new build houses do not integrate with their context. In addition, there are two new build plots proposed at the west and north west corner of the site that are not justified in planning terms. The house at plot 9 will involve the loss of three mature trees that have significant amenity value. The loss of these trees is not acceptable without a tree survey justifying loss on grounds of

poor tree health. Moreover, no confidential financial appraisal has been submitted that justifies the level of new build has been submitted. The level of new build, and the proposed design of the new build, will have a detrimental impact on the setting of listed buildings.

In summary, the application will have a detrimental impact on the special character of listed buildings on the site, and their setting, and the level of new build development is unjustified. The proposal is contrary to policies ENV 2 (Housing Development in the Countryside), ENV 28 (Listed Buildings) and DES 1 (Design principles) of the West Lothian Local Development Plan, 2018 and the Supplementary Guidance on Development in the Countryside.

Consequently, and in view of the above, it is recommended planning permission is refused.

Ref. No.:	0498/LBC/20	Recommendation:	Refuse Listed Building Consent
Proposal:	Listed building consent for the renovation of farmhouse, horse mill and associated structures, including alterations and partial demolition, to form houses		
Address:	Burghmuir Farm, Linlithgow, West Lothian, EH49 7LS, (Grid Ref: 302189,678002)		
Applicant:	Mr Robin Braes Burnshot Developments Ltd.	Type:	Other
Ward:	Linlithgow	Case Officer:	Matthew Watson

Summary of Representations

No representations received.

Officers report

The application seeks listed building consent for the renovation of farmhouse, horse mill and associated structures, including alterations and partial demolition, to form houses at Burghmuir Farm to the east of Linlithgow. The farmhouse, steading and horse mill are C listed.

The raising of the steading roof is not acceptable due to this having a detrimental impact on the special character of it as a listed building. In addition, traditional materials are not used for window and door openings. This is contrary to Policy ENV 28 of the LDP and the provisions of the Supplementary Guidance on Development in the Countryside, which state the raising of roofs will only be considered in exceptional circumstances and traditional materials should be used in conversions of buildings of architectural merit. It is also unclear whether the listed arch is being removed or being incorporated into the conversion of the horse mill. Moreover, the level of new build, and the proposed design of the new build, will have a detrimental impact on the setting of listed buildings.

In summary, the application will have a detrimental impact on the special character of listed buildings on the site, and their setting, and the level of new build development is unjustified. The proposal is contrary to policy ENV 28 (Listed Buildings) of the West Lothian Local Development Plan, 2018.

Consequently, and in view of the above, it is recommended listed building consent is refused.

Development Management

List of Delegated Decisions - 4th September 2020

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0206/MSC/20	Recommendation:	Grant Matters Specified in Conditions
Proposal:	Approval of matters specified in conditions of planning permission 0555/FUL/14 for 2 retail/commercial buildings for use classes 1, 2, 3, 4 & Sui Generis hot food takeaway with access, landscaping and associated infrastructure		
Address:	Land North Of Rigghouse View, Heartlands, Whitburn, West Lothian (Grid Ref: 293307,664650)		
Applicant:	O'Brien Properties Ltd	Type:	Other - MSC for Major App
Ward:	Whitburn & Blackburn	Case Officer:	Mahlon Fautua

Summary of Representations

3 Objections

- Residential amenity (Noise, privacy, smells)
- Traffic generation/Traffic safety
- Visual impact
- Hazardous materials
- Loss of greenspace/Landscaping

Officers report

The principle of the proposed development is supported by the Heartlands outline planning permission. The approved global schematic masterplan identifies the site as being a village hub. The proposed uses (Use classes 1, 2, 3, 4 & Sui Generis) are acceptable in principle.

The applicant has satisfactorily demonstrated that the site can be safely developed in terms of traffic impact, ground contamination and drainage.

The site is adjacent to residential properties and any impact on residential amenity is expected to be mitigated through conditions of consent.

Therefore, it is recommended that the application be approved.

Ref. No.:	0513/H/20	Recommendation:	Refuse Permission
Proposal:	Erection of a 1.8m high timber fence to front of house (in retrospect)		
Address:	47 Riccarton Road, Linlithgow, West Lothian, EH49 6HX, (Grid Ref: 300043,676246)		
Applicant:	Mrs Mary Ambrose	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Rachael Lyall

Summary of Representations

Two objections -
- Fence not in keeping with surrounding area

Officers report

This planning application retrospectively proposes the erection of a 1.8m high fence at 47 Riccarton Road, Linlithgow.

The existing fence has been erected beyond the principal elevation of the existing house.

A previous application (0976/H/19) was submitted for the erection of a side extension. The plans also demonstrated that a section of an existing hedge on the side (eastern) boundary was to be removed and replaced with a fence, however the fence has now been erected along the side and front boundary which was not shown in the previously approved application.

West Lothian Council's House Extension and Alteration Design Guides advises that fences should not exceed 1m in height when erected within a front garden. The proposed fence does not integrate with the streetscene where no other neighbouring properties within the street feature a fence of this height. In addition, the loss of greenery has had a detrimental effect on the visual amenity of the existing and neighbouring properties.

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, 2015. It is recommended that the application is refused planning permission.

Ref. No.:	0523/H/20	Recommendation:	Refuse Permission
Proposal:	Erection of garage		
Address:	24 Baird Road, Armadale, West Lothian, EH48 3NS, (Grid Ref: 293845,669306)		
Applicant:	Mr Marcin Staworzynski	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Rachael Lyall

Summary of Representations

N/A

Officers report

This planning application proposes the erection of a garage at the property 24 Baird Road, Armadale.

The proposed garage is to be erected within the front garden space of the existing property. West Lothian Council's House Extension and Alteration Design Guidelines state that developments should not extend beyond the principal elevation of the existing house and that the design and location of a proposed garage should be in harmony with the existing dwelling. Garages should typically be located either at the side or rear of a house.

The location of the proposed garage is contrary to guidance and will result in the proposed works appearing prominent within the street scene, specifically as the existing house is located within a corner plot. There are several garages within the area, however, none of the style or layout, therefore the proposed garage will not integrate with the surrounding developments and will have a detrimental effect on the visual amenity of the street.

This proposal is contrary to West Lothian Local Development Plan, Policy DES1 (Design Principles) and does not follow the appropriate guidance given in the House Extension and Alteration Design Guidelines. It is recommended that this application is refused planning permission.

Ref. No.:	0524/FUL/20	Recommendation:	Grant Planning Permission
Proposal:	Change of use from open space to allotment with associated boundary fence and structures (in retrospect)		
Address:	Land North Of 7 Ladeside Gardens, Blackburn, West Lothian, EH47 7JD (Grid Ref: 297993,665706)		
Applicant:	Mr Gerry McGlandigran	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope

Summary of Representations

2 objections:

- Loss of amenity resulting from the proposal.
- Access and parking concerns with loss of visitor parking spaces.
- Contributions towards the upkeep/maintenance of private road.
- Concerns regarding noise.

Officers report

This application proposes a change of use from open space to an allotment with associated boundary fence and structures (in retrospect). The area is enclosed by a 1.8m height fence and had a chain and padlock to secure the site. The proposal includes the erection of a shed which measures 5m by 3m in footprint and is no more than 4m in height. There is also a polytunnel proposed that measures 4m by 2m and 1.9m in height with 3 raised flower beds and two beehives.

The proposed allotment is for private use by a family that resides close to the site. The remainder of the site shall remain as existing with an improved pathway along the boundary that can be used by neighbouring residents. Parking will be located at the neighbouring properties home address or on street nearby. This site is not intended for vehicles and is accessed via a gated entrance onto Ladeside Gardens.

The site had no meaningful open space value in its previous condition, being unused and not maintained, and didn't contribute positively to the surrounding residential area.

This proposal enhances the area and does not adversely impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity. WLC Roads and Transportation has no objection to the proposal.

The proposal is considered to be acceptable and it is therefore recommended that planning permission is granted.

Ref. No.:	0545/FUL/20	Recommendation:	Grant Planning Permission
Proposal:	Change of use from leisure (class 11) to non-residential education use (class 10)		
Address:	Beech House, Quarrywood Court, Kirkton, Livingston, West Lothian (Grid Ref: 304574,667355)		
Applicant:	Ashwood Scotland Ltd	Type:	Local Application
Ward:	Livingston South	Case Officer:	Matthew Watson

Summary of Representations

One objection:

- Parking provision
- Road safety

Officers report

The application proposes a change of use from a Class 11 e-sports centre to a Class 10 educational establishment. The application site is located within a designated employment area in the West Lothian Local Development Plan, 2018 where Policy EMP 1 (Safeguarding and developing existing employment land) is the key policy against which the proposal requires to be assessed.

The building in question is already in a non-employment use, therefore, EMP 1 (e) does not apply to the assessment of the application.

The building has been marketed since 31 January 2020 with the applicant being the only interest in leasing the building. Given that marketing has taken place for seven months, and the unit is already in a non-employment use, the application demonstrates marketing over a sustained period with no interest for employment uses. On balance, the proposal complies with EMP 1 (f).

One representation has raised concern about traffic and road safety. The council's Roads and Transportation service has raised no objection to the application on these grounds. The site is located within reasonable walking distance to public transport on Kirkton North Road. The proposal will not cause an unacceptable traffic impact or restrict the range of lawful uses that can operate nearby. The application complies with EMP 1 (g) and (i).

The proposal is already in a non-employment use and will therefore not fragment an existing employment area. The proposal complies with EMP 1 (h).

In summary, the proposed use is acceptable in this location. In view of the above, it is recommended that planning permission is granted, subject to conditions.