



Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

10 November 2021

A meeting of the **Development Management Committee** of West Lothian Council will be held within the **Virtual Meeting Room** on **Wednesday 17 November 2021** at **10:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest
3. Order of Business, including notice of urgent business, 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.

4. Confirm Draft Minutes of Meeting of Development Management Committee held on Wednesday 27 October 2021 (herewith)

Public Items for Decision

5. Application No.0497/P/21 - Application under Section 42 to develop land to modify condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 375 residential units to be constructed on the north side of A89 (increase from 300 to 375), Standhill North/South West Main Street, Armadale (herewith)

6. Application No.0918/H/21 - Extension to house, 20 Tennent Park, Mid Calder (herewith)

Public Items for Information

7. Consider list of delegated decisions on planning applications and enforcement actions for the period 22 October to 5 November 2021(herewith)
8. Action Taken in terms of Standing Order 31 (Urgent Business) - To note the action taken in terms of Standing Order 31 (Urgent Business) to provide approval for the submission of a response to the DPEA in relation to Planning Appeal PPA-400-2127, land to west of Hartwood Road, West Calder (herewith)

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 Dispensations

- 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 VIRTUAL MEETING ROOM, on 27 OCTOBER 2021.

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

1. DECLARATIONS OF INTEREST

Agenda Item 6 (Application No.0877/P/21) - Councillor Stuart Borrowman declared an interest in that the applicant was known to him, through family relatives, but would take part in the item of business.

2. ORDER OF BUSINESS

1. The Chair ruled in terms of Standing Order 11 that the agenda would be dealt with in the following order to facilitate attendance by speakers:- 5. 7 and 6.
2. Committee agreed, in accordance with Standing Order 8(3), that agenda items 8 and 9 were to be taken as read and their recommendations noted without further consideration

3. MINUTE

The committee confirmed the Minute of its meeting held on 22 September 2021.

4. APPLICATION NO.0550/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>
0550/FUL/20	Application under Section 42 to vary condition 7 of planning permission 0262/FUL/07 to allow materials to be stored out with the concrete sorting slab and stored over 3m high for two-year temporary period, 4 Greendykes Industrial Estate, Broxburn	Grant conditional planning permission

The committee heard from Mr John Kennie, the applicant, speak in support of the application.

The committee then heard from local ward members, Councillor Diane Calder and Councillor Chris Horne speak in respect of the application.

Decision

To grant planning permission for a period of 9 months subject to the conditions outlined in the report and was to include an additional condition which concerns that a programme of removal of waste for the term of the permission was to be submitted to the Planning Authority within 1 month of the meeting.

5. APPLICATION NO.0903/P/21

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>
0903/P/21	Planning permission in principle for a 0.06ha residential development, 34-36 Main Street, Winchburgh	Grant planning permission in principle subject to a Section 75 legal agreement

The committee heard the applicant's agent, Mr Andrew Bennie, speak in support of the application.

The committee then heard from local ward members, Councillor Diane Calder and Councillor Chris Horne speak in respect of the application.

Decision

To approve the terms of the report and grant planning permission in principle subject to the conditions outlined in the report. Committee also asked if detailed proposals concerning parking at the site could be included in the detailed planning permission.

6. APPLICATION NO.0877/P/21

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>
0877/P/21	Planning permission in	Refuse planning

principle for erection of permission in principle
house, land to north
east of Whit-a-View,
Bridgecastle Road,
Armadale

Decision

To grant planning permission in principle, contrary to the report recommendations, as committee agreed that the proposal was in accordance with much of policy ENV2 of the West Lothian Local Development Plan and that development of the site would be beneficial to visual amenity. The PP was subject to conditions and a legal agreement delegated to the Development Management Manager.

7. 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 17 September to 15 October 2021 was submitted for the information of committee.

Decision

To note the list of delegated decisions.

8. APPEALS

The committee noted that the following appeals had been submitted to the Scottish Government: -

<u>Application No.</u>	<u>Proposal</u>
0313/TPO/21	Felling of 1 No. Beech Tree and 1 No. Oak Tree at site at Murieston Valley, Murieston, Livingston
0328/P/21	Proposed Residential Development, access, open space, landscaping and associated works at Clarendon Farm, Manse Road, Linlithgow
0384/FUL/21	Erection of a house at land east of Wester Mill, Ballencrieff Mill, Bathgate
0501/FUL/21	Application under Section 42 without complying with condition 10 of planning permission

0848/FUL/19 for erection of 48 houses to allow change to construction working & deliveries hours to 0800 -1800 Mondays to Fridays and 0800 -1300 Saturdays at Land to West of Hartwood Road, West Calder



DEVELOPMENT MANAGEMENT COMMITTEE

Addendum Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Application under Section 42 to develop land to modify condition 4 of planning permission in principle 0020/P/16 for a 19-hectare residential development with associated works to allow a maximum of 375 residential units to be constructed on the north side of the A89 (increase from 300 to 375) at Standhill North/South, West Main Street, Armadale

2 DETAILS

Reference no.	0497/P/21	Owner of site	Mr John R W Orr
Applicant	Avant Homes Ltd. & The Trustees of The Woodhead Trust	Ward & local members	Armadale & Blackridge Councillor Andrew McGuire Councillor Stuart Borrowman Councillor Sarah King
Case officer	Matthew Watson	Contact details	01506 283536 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: More than 15 objections received.

3 RECOMMENDATION

Grant planning permission in principle, subject to conditions and a legal agreement.

4. BACKGROUND & DETAILS OF THE PROPOSAL

- 4.1 At the meeting of the Development Management Committee on 22 September 2021 members agreed to continue this application. The reason for continuation is as follows:

“To continue the application for a minimum of two cycles to allow for further information on traffic movements and traffic signal modelling data at Armadale Cross to be included in the report and for a full appraisal and response from NHS Lothian in respect of GP provision in the town.”

- 4.2 This report will focus only on the matters of transport and healthcare impact as a result of the development. Other matters were discussed at the previous meeting of the Development Management Committee and no other matters were noted by members for continuing the application. The full report from 22 September is attached for information.

5. CONSULTATIONS

5.1 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	No objection to the application in terms of the impact on Armadale Cross.	Noted.
NHS Lothian	Yes	Raise concerns over the level of housebuilding in the area and its impact on Armadale Medical Practice. The practice cannot expand further in its current location to meet demand from a growing population. Any housebuilding in Armadale will exacerbate pressures on Armadale Medical Practice.	Noted.

6. ASSESSMENT

6.1 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.

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

6.3 The relevant development plan policies are listed below:

Policy	Policy Summary	Assessment	Conform ?
West Lothian Local Development Plan (LDP) (2018) TRAN 1 Transport Infrastructure	This policy requires the transport impacts of development to be acceptable.	The transport impacts of the proposed development are acceptable and there will not be an adverse impact on the capacity of Armadale Cross. See assessment below.	Yes
West Lothian LDP HOU 7 Healthcare and Community Facilities in New Housing Development	This policy requires the impact on healthcare provision to be mitigated, where necessary. If developer contributions are to be sought then these will be set out in supplementary guidance.	NHS Lothian has raised concern over the level of housebuilding and its impact on capacity of Armadale Medical Practice given it cannot expand further in its current location. It is stated that any further housebuilding in Armadale will exacerbate pressure on the Practice. There is currently no supplementary guidance in place to mitigate the impact of this	Yes

		application, or other applications within Armadale. See assessment below.	
West Lothian LDP INF 1 Infrastructure Provision and Developer Obligations	This policy requires infrastructure impacts of development to be acceptable. Developer contributions can be required to mitigate the impact of development.	The overall infrastructure impact of development is acceptable in planning terms. Although concern has been noted by NHS Lothian on the capacity of Armadale Medical Practice, there is currently not a planning mechanism to address this matter. See assessment below.	Yes

6.4 The determining issues that members need to consider are:

Transport Impact

- 6.5 Policy TRAN 1 of the LDP requires the transport impacts of development to be acceptable.
- 6.6 The applicant has submitted a technical note to accompany the transport assessment that was submitted with the application. This is available to view in the online case file.
- 6.7 The technical note assesses the impact on Armadale Cross through a comparison of the baseline traffic (with and without committed development); the baseline traffic with the 300 house development (granted under application 0020/P/16) and then the baseline traffic with a 375 houses development (additional 75 houses). The latter being the application being assessed.
- 6.8 The technical note concludes that Armadale Cross will operate within capacity for a 375 house development at Standhill North at both AM and PM peak hours. An additional 8 seconds is required to be added to the full traffic lights cycle at the PM peak hour to keep Armadale Cross within capacity.
- 6.9 The council's Roads and Transportation service has assessed the technical note and has raised no objection to its findings. The capacity of the signals at Armadale Cross will be monitored by Roads and Transportation and signal timings adjusted accordingly when appropriate.
- 6.10 Overall, the transport impacts of the development are acceptable and the proposal complies with Policy TRAN 1 of the LDP.

Impact on Healthcare Facilities

- 6.11 Policy HOU 7 of the LDP requires the impact on the capacity healthcare provision to be mitigated, where necessary.
- 6.12 As noted above, NHS Lothian has objected to the application and has raised concern over the level of housebuilding and its impact on capacity of Armadale Medical Practice given

the surgery cannot expand further in its current location. It should be noted that the surgery is not in the ownership of NHS Lothian.

- 6.13 NHS Lothian has stated that any level of housebuilding will have an impact on Armadale Medical Practice.
- 6.14 Appendix 2 of the West Lothian LDP does not require the delivery of any additional healthcare facilities as part of the housing allocations at Standhill North and South.
- 6.15 The response from NHS Lothian does not quantify the impact of the additional 75 houses (over and above the 300 houses already granted at Standhill North) in terms of the impact on capacity of Armadale Medical Practice. It is not stated whether these additional 75 houses result in an impact of a magnitude that would justify refusing planning permission in principle, only that further housebuilding in Armadale will exacerbate pressure on Armadale Medical Practice.
- 6.16 The council does not currently have supplementary guidance in place to mitigate the impact of development on healthcare facilities. This does not mean developer contributions cannot be taken, however, the impact of the proposed development on Armadale Medical Practice has not been quantified. As the impact of the proposed development has not been quantified, or mitigation identified, developer contributions cannot be sought towards mitigating the impact on Armadale Medical Practice.
- 6.17 NHS Lothian through the West Lothian Health and Social Care Partnership has started the process of gathering data on population projections in relation to health care capacity and is also investigating possible mitigation measures, but this work is in the early stages of production and assessment.
- 6.18 On balance, given that there is no mechanism to mitigate any (so far unquantified) impact on healthcare facilities, it would be difficult to justify refusal of the application based on the response from NHS Lothian. Impact on healthcare facilities as a result of new development in Armadale has been identified as an issue by NHS Lothian, however, this issue needs to be addressed separately to this planning application. The proposal is compliant with policies HOU 7 and INF 1 of the LDP.

7. CONCLUSION AND RECOMMENDATION

- 7.1 In summary, the application is acceptable in terms of traffic impact on Armadale Cross. NHS Lothian has objected to the application on the grounds of impact on the capacity of Armadale Medical Practice. However, the impact in question has not been quantified and there is no current planning mechanism to address this issue through developer contributions i.e. supplementary guidance. In the absence of quantification of the impact, and any mechanism to collect developer contributions, refusal on grounds of impact on healthcare facilities is not reasonable.
- 7.2 Consequently, and in view of the above, it is recommended that planning permission in principle is granted, subject to conditions and a legal agreement securing developer contributions.

8. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions
- Committee Report – 22 September 2021
- Location Plan
- Representations

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 17 November 2021

Draft Conditions – 0497/P/21

- 1 No development shall start on site, until a plan showing the phasing of development blocks, including the infrastructure to be provided within each block, indicative unit numbers and the timing for delivery, has been submitted to and approved in writing by the planning authority. The plans shall accord with the indicative masterplan drawing 15074(PL)002_REV D hereby approved. Thereafter the development shall be carried out in accordance with these details.

Reason: To enable the planning authority to assess those details which have yet to be submitted and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 Further to condition 1 above, the development of any phase shall not begin until details of the following matters for that phase have been submitted to and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with that approval.
 - a) The layout and design of the site including all existing and proposed buildings & other structures, roads, footways, footpaths, cycletracks, pedestrian and cycle crossings, car and cycle parking, electric vehicle charging points, boundary enclosures, open space, foul drainage, surface water drainage.
 - b) Plans, sections and elevations of all buildings & other structures, indicating the type and colour of all external materials.
 - c) Hard and soft landscaping details including the location of all retained and proposed trees, hedges and shrubs; a schedule of plants to comprise species, plant size and proposed number/density; a programme of implementation and details of the future maintenance arrangements for open space and landscaped areas.
 - d) A plan of the trees to be removed, the existing trees to be retained and associated tree protection measures in accordance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations.
 - e) Plans and site sections showing existing and proposed ground levels, proposed finished floor levels and any retaining structures.
 - f) A report on the findings of a contaminated land site investigation and risk assessment that shall be conducted in accordance with the Environment Agency's Contaminated Land Report 11, Model Procedures for the Management of Land Contamination, CLR11 and, if required, a remediation statement setting out how the condition of the site will be made suitable for the intended use by removing unacceptable risks to all relevant and statutory receptors.
 - g) A drainage assessment setting out how surface water from the development being treated and attenuated by a sustainable drainage system (SuDS) in accordance with CIRIA SuDS Manual C753 and SuDS Working Party Water Assessment & Drainage Assessment Guide.
 - h) A scheme of intrusive site investigations to establish the exact situation regarding coal mining legacy issues, a report on the findings of that scheme and, if required, a remediation statement setting out how the condition of the site will be made suitable for the intended use by removing unacceptable risks to all relevant receptors.
 - i) Programme of archaeological works.
 - j) An assessment of the potential flooding from the drain on the eastern boundary with Glenwood Drive.
 - k) A inspection and maintenance regime for the watercourse and culvert on site.

l) The location and dimensions of any site compound including staff and visitor parking and the construction access arrangements associated with the whole development site or each phase applied for.

m) Details of any piling or other significant vibration works required during construction works which may be perceptible in other premises and a scheme of mitigation measures to minimise and monitor vibration affecting sensitive properties.

Reason: To enable the planning authority to assess those details which have yet to be submitted and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 3 Further to condition 2 a) above, a pedestrian crossing shall be provided on the A89 at a suitable location along the southern boundary of the application site.

Reason: In the interests of road and pedestrian safety and to facilitate safe pedestrian access to local facilities and services.

- 4 Further to condition 2 a) above, no more than 375 units shall be constructed on the land to the north of the A89.

Reason: To limit the scale of development to that applied for reflecting the assessment made with regard to infrastructure provision.

- 5 No more than the following number of units shall be occupied per academic year from academic year 2021/22:

- No more than 54 market occupations prior to August 2022
- No more than 108 market occupations prior to August 2023
- No more than 162 market occupations prior to August 2024;
- No more than 216 market occupations prior to August 2025; and
- No more than 270 market occupations prior to August 2026.

Unless otherwise agreed with the planning authority following an education review.

Reason: To ensure that the proposed development does not adversely impact education capacity at Armadale Academy.

- 6 Following completion of any contaminated land remediation measures required by condition 2, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared. The development shall not be occupied until the verification report has been submitted to and approved in writing by the planning authority.

Reason: To ensure any appropriate remediation is carried out.

- 7 Following completion of any coal mining remediation and mitigation measures required by condition 2, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared. The development shall not be occupied until the verification report has been submitted to and approved in writing by the planning authority.

Reason: To ensure any appropriate remediation is carried out.

- 8 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 0800

and 1800 Monday to Friday and 0800 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 2100 and 0800.

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 0800 and 1800 Monday to Friday and 0800 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.

Wheel Cleaning

- All construction vehicles leaving the site shall do so in a manner that does not cause the deposition of mud or other deleterious material on surrounding roads. Such steps shall include the cleaning of the wheels and undercarriage of each vehicle where necessary and the provision of road sweeping equipment.

Reason: In the interest of visual and environmental amenity.



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Application under Section 42 to develop land to modify condition 4 of planning permission in principle 0020/P/16 for a 19-hectare residential development with associated works to allow a maximum of 375 residential units to be constructed on the north side of the A89 (increase from 300 to 375) at Standhill North/South, West Main Street, Armadale

2 DETAILS

Reference no.	0497/P/21	Owner of site	Mr John R W Orr
Applicant	Avant Homes Ltd. & The Trustees of The Woodhead Trust	Ward & local members	Armadale & Blackridge Councillor Andrew McGuire Councillor Stuart Borrowman Councillor Sarah King
Case officer	Matthew Watson	Contact details	01506 283536 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: More than 15 objections received.

3 RECOMMENDATION

Grant planning permission in principle, subject to conditions and a legal agreement.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application proposes to modify condition 4 of planning permission in principle 0020/P/16 to allow a maximum of 375 residential units to be constructed on the north side of the A89 at Standhill North.
- 4.2 The application site is a 19ha site that comprises Standhill North on the north side of the A89 and the under construction Standhill South development. Both sites are allocated in the West Lothian Local Development (LDP), 2018 for housing development (refs: H-AM 12 and H-AM 13) and were previously allocated in the West Lothian Local Plan for housing development as part of the Armadale Core Development Area.
- 4.3 Condition 4 of planning permission in principle 0020/P/16 currently specifies that no more than 300 residential units can be constructed at Standhill North.

- 4.4 The modification of condition 4 which is sought will mean that a total of 485 residential units are proposed to be constructed across Standhill North and South. As noted below at paras 4.15 and 4.16, Standhill South has detailed planning permission for 110 houses. The majority of these houses have been constructed and occupied.
- 4.5 Therefore, the matter to be decided in this application is whether the principle of an additional 75 houses on the north side of the A89 (West Main Street) is acceptable.
- 4.6 To note, as the application is to modify a condition on a planning permission in principle permission, there is no detailed layout submitted with the proposal.

History

Standhill North and South

- 4.7 0020/P/16: Planning permission in principle for a 19ha residential development with associated works, Granted, 20/01/2020
- 4.8 0591/EIA/15: EIA screening opinion for a residential development, EIA Not Required, 22/09/2015
- 4.9 0590/PAC/15: Proposal of application notice for a residential development with associated access roads, open space and surface water treatment works, Consultation approved, 15/09/2015

Standhill North

- 4.10 0594/FUL/19: Temporary storage of subsoil and topsoil (in retrospect), Grant temporary permission, 16/03/2021
- 4.11 0801/FUL/06: Erection of 311 houses and garages/parking with associated roads, infrastructure and open space / landscaping, Withdrawn, 18/03/2015

Standhill South

- 4.12 0960/PO/20: Modification of planning obligation relating to planning permission 0047/FUL/16 and 0127/FUL/18 to delete the A801 residential contribution, Granted, 01/12/2020
- 4.13 0840/FUL/19: Erection of 4 houses (substitution of house types on plots 43, 54, 63 & 69 from Rosebury to Malton with plots numbers amended to 143, 154, 163 & 169 as variation to planning permission 0127/FUL/18), Granted, 11/11/2019
- 4.14 0081/FUL/19: Erection of 4 houses (substitution of house types on plots 149, 172, 180 & 192 from Westbury to Cotham as variation to planning permission 0127/FUL/18), Granted, 28/03/2019
- 4.15 0875/PO/18: Application for the modification of the planning obligation relating to planning permission 0047/FUL/16 and 0127/FUL/18 to substitute Plan 1 to reflect revised boundary of affordable housing land, Withdrawn, 19/09/2018

- 4.16 0857/PO/18: Application for the modification of the planning obligation relating to planning permission 0047/FUL/16 and 0127/FUL/18 to substitute Plan 1 to reflect revised boundary of affordable housing land, Granted, 21/09/2018
- 4.17 0601/PO/18: Application for the modification of the planning obligation relating to planning permission 0047/FUL/16 to apply its provisions to planning application 0127/FUL/18, Granted, 18/07/2018
- 4.18 0127/FUL/18: Erection of 110 houses with associated works (revised layout to replace that granted under planning permission 0047/FUL/16), Granted, 15/08/2018
- 4.19 0047/FUL/16: Erection of 110 houses with associated works, Granted, 23/11/2017
- 4.20 0093/FUL/07: Erection of 93 houses with garages and associated own road, parking and landscaping, Withdrawn, 18/03/2015

5. REPRESENTATIONS

- 5.1 A total of 189 objections have been received. One comment in support and one neutral comment were also received.
- 5.2 A sample of representations are appended to the report. All the letters are available in the case file. A summary of representations is below:

Comments	Response
<ul style="list-style-type: none"> Impact on school capacity 	<ul style="list-style-type: none"> The impact on education infrastructure can be managed with a phasing condition that restricts house occupations per year.
<ul style="list-style-type: none"> Impact on transport infrastructure 	<ul style="list-style-type: none"> The applicant has submitted a Transport Assessment with the application to assess the impact of a further 75 houses on the site. The council's Roads and Transportation Service has raised no objections to the proposal.
<ul style="list-style-type: none"> Impact on healthcare and GP provision 	<ul style="list-style-type: none"> There is no requirement in the LDP to deliver healthcare facilities as part of this development. The council does not have any supplementary guidance requiring developer contributions to healthcare infrastructure. NHS Lothian was consulted on the proposal but has not responded.
<ul style="list-style-type: none"> Loss of wildlife habitat 	<ul style="list-style-type: none"> This has been assessed under application 0020/P/16.

<ul style="list-style-type: none"> • Disruption and noise during construction • Loss of views • Loss of green space 	<ul style="list-style-type: none"> • The impact of construction on nearby residential properties can be managed through the use of a planning condition. • The loss of views is not a material planning consideration • The application is allocated for housing development.
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6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
Education Planning	No	No objections subject to a phasing condition	Noted.
Transportation	No	No objections to the application based on the Transport Assessment submitted with the application.	Noted.
NHS Lothian	N/A	No response received.	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) (2013) and the adopted 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 (LDP) CDA 1 Development in the Previously Identified Core Development Areas	This policy states the council will support new housing in areas previously designated as CDAs, such as Armadale, as long as infrastructure requirements are met.	The proposal is in effect for an additional 75 houses on a site that was part of a former CDA. As noted in the section on 'Infrastructure Impact', the proposal is acceptable in terms of infrastructure impact. The proposal complies with Policy CDA 1.	Yes

West Lothian LDP HOU 1 Allocated Housing Sites	Housing development on allocated sites will be supported in principle.	The application is for further housing development on an allocated housing site. The proposal therefore complies with Policy HOU 1.	Yes
West Lothian LDP TRAN 1 Transport Infrastructure	This policy requires the transport impacts of development to be acceptable.	The submitted Transport Assessment has been found to be acceptable by Roads and Transportation and the proposal will not adversely impact junction and existing road capacities. The proposal complies with Policy TRAN 1.	Yes
West Lothian LDP TRAN 2 Development Contributions and Associated Works	This policy requires developers to contribute towards travel improvements, where justified.	As the proposal will not adversely impact junction and existing road capacities, no further contributions will be required.	Yes
West Lothian LDP INF 1 Infrastructure Provision and Developer Obligations	This policy states the Council requires developer contributions to mitigate the impacts of development.	The application is acceptable in terms of its impacts on infrastructure. See section below on 'Infrastructure Impact' for a detailed assessment.	Yes
Supplementary Guidance Planning for Education	The SG sets out the relevant developer contributions rates	Subject to a phasing condition, the proposal meets the terms of the Education SG.	Yes

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

Principle of Development

- 7.5 Policy CDA 1 states the council will support new housing in areas previously designated CDAs, such as Armadale, as long as infrastructure requirements are met.
- 7.6 Policy HOU 1 states that housing development on allocated sites will be supported in principle.
- 7.7 The proposal is in effect for an additional 75 houses on the Standhill North allocated housing site (ref: H-AM 12). Appendix 2 of the West Lothian LDP gives a capacity of 300 houses for Standhill North.
- 7.8 Whilst Appendix 2 of the LDP identifies capacities for the allocated housing sites, the council may support increasing these indicative numbers where any additional infrastructure impact can be accommodated. As set out below, in the 'Impact on Infrastructure' section the infrastructure impacts of the proposed additional 75 houses can be accommodated and managed.
- 7.9 The principle of an additional 75 houses on the north side of the A89 is therefore acceptable and the proposal complies with policies CDA 1 and HOU 1.

Impact on Infrastructure

- 7.10 The main issues to consider in terms of the infrastructure impacts of the additional 75 houses are the impacts on transport and education infrastructure.

Transportation

- 7.11 Policy TRAN 1 requires the transport impacts of development to be acceptable.
- 7.12 Policy TRAN 2 requires developers to contribute towards travel improvements where justified.
- 7.13 The applicant has submitted a Transport Assessment (TA) with the application which models the impact of an additional 75 houses on the north side of the A89. The council's Roads and Transportation team has examined the TA and has not raised any objections in terms of impact on the existing road network and junction capacities. Detailed access requirements for Standhill North will come forward as part of any matters specified in conditions application.
- 7.14 Overall, the additional 75 houses at Standhill North will not have an adverse impact on the road network nor require further contributions to off-site improvements. The proposal complies with policies TRAN 1 and TRAN 2 of the LDP.

Education

- 7.15 Policy INF 1 requires the infrastructure impacts of development to be addressed in new development.
- 7.16 The Supplementary Guidance on Planning for Education sets out the levels of developer contributions for schools in different catchments.
- 7.17 The application site falls within the following catchments:
- Non-Denominational Primary – Armadale Primary & Eastertoun Primary
 - Denominational Primary – St Anthony's Primary
 - Non-Denominational Secondary – Armadale Academy
 - Denominational Secondary – St Kentigern's Academy
- 7.18 The West Lothian LDP gives an indicative capacity of 300 houses for Standhill North (H-AM 12) and 100 houses for Standhill South (H-AM 13). The applicant has submitted an Education Note analysing current and future capacity within schools that fall within the site
- 7.19 Education Planning has been consulted on the application and has advised that, subject to contributions being received, there are no capacity issues at Denominational Primary and Secondary schools. Contributions will be taken in line with the SG requirements at a rate of £1,187 per unit and £2,510 per unit respectively.

- 7.20 In relation to Non-Denominational Primary, Armadale and Eastertoun Primary Schools have capacity to accommodate the increased number of children from the additional housing proposed. Forward funding of the Southdale Primary School has enabled this capacity to be created. The SG on Planning for Education sets out an Armadale wide approach to Non-Denominational Primary contributions and the applicant is required to contribute towards that Armadale wide solution at £6,374 per unit.
- 7.21 With regards to Non-Denominational Secondary capacity, contributions towards the forward funding of Armadale Academy are required at a rate of £2,064 per unit. Armadale Academy is also forecast to exceed it's 1210 pupil capacity. The applicant has proposed a phasing condition to mitigate the impact of development on Armadale Academy. This is as below:
- No more than 54 market occupations prior to August 2022
 - No more than 108 market occupations prior to August 2023
 - No more than 162 market occupations prior to August 2024;
 - No more than 216 market occupations prior to August 2025; and
 - No more than 270 market occupations prior to August 2026.
- 7.22 The phasing condition relates to market housing only to enable the affordable housing for the site to be brought forward at an early stage without constraint, whilst ensuring education capacity is managed.
- 7.23 Education Planning is satisfied that the proposed phasing condition will satisfactorily mitigate the impact of the development on Armadale Academy.
- 7.24 With this phasing condition in place, the proposal complies with Policy INF 1 of the LDP and the SG on Planning for Education.

Healthcare and Community Facilities

- 7.25 A large number of representations have objected to the application on the grounds of insufficient capacity at healthcare facilities.
- 7.26 Appendix 2 of the West Lothian LDP does not require the delivery of any additional healthcare facilities as part of the housing allocations at Standhill North and South. In addition, the council does not currently have supplementary guidance in place for developer contributions towards healthcare infrastructure. NHS Lothian was consulted on the application and has not responded. Notwithstanding the lack of response from NHS Lothian, the additional 75 houses proposed will not materially affect the demand for healthcare services in Armadale.
- 7.27 The applicant will also be required to contribute towards the forward funding of Armadale Library at £163 per unit and towards town centre improvements at £350 per unit. Cemetery provision contributions are £88 per unit.
- 7.28 With the payment of the above developer contributions, the proposal complies with Policy INF 1.

Conclusion

- 7.29 Overall, the additional 75 houses proposed will not have an adverse impact on infrastructure, subject to a phasing condition to manage capacity at Armadale Academy. A modification to the existing Section 75 legal agreement, which already secures the developer contributions outlined above, is required to apply the contributions to this application, as well as making other modifications to update developer contribution rates.

8. CONCLUSION AND RECOMMENDATION

- 8.1 In summary, the principle of an additional 75 houses at Standhill North is acceptable given that infrastructure impacts of the proposal can be addressed and managed. An appropriate phasing condition is required to manage the impact on education infrastructure. With this condition in place, the proposal complies with the relevant policies of the development plan.
- 8.2 Consequently, and in view of the above, it is recommended that planning permission in principle is granted, subject to conditions and a legal agreement to secure developer contributions.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions
- Location Plan
- Sample of Representations

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 22 September 2021



Comments for Planning Application 0497/P/21

Application Summary

Application Number: 0497/P/21

Address: Standhill North/South West Main Street Armadale West Lothian

Proposal: Application under Section 42 to develop land without complying with condition 4 of planning permission in principle 0020/P/16 for a 19 hectare residential development with associated works to allow a maximum of 485 residential units to be constructed

Case Officer: Matthew Watson

Customer Details

Name: Miss Caitlin Skippins

Address: 49 Glenwood Drive Armadale Eh48 3rq

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Building these houses will not only be damaging the habitat for many wild animals found within this area, however it'll also be over populating the town ever further. Armadale has very little resources in terms of medical help and education as it currently stands, and by adding an additional 485 houses, this'll only put more strain on all the schools and the doctors surgery.

Roads will become busier, making it far more dangerous for children who walk to and from school.

Pollution will only further increase within the town, as not only littering and use of essential fuels will be used by new residence, however the construction will only release more partial matter and debris into the air. As a community we should be doing what we can to reverse the affects of pollution, not add it. This is a step in the WRONG direction.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mrs Caroline Doyle

Address: Woodcroft George Street Armadale EH48 3JQ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The amenities in Armadale are already at or beyond capacity. Armadale will not benefit from more housing when its schools and doctors surgery are already struggling to meet the demand on them. The proposed site for this housing development will grossly take away from one of very few recreational areas the people of the town can currently enjoy.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Colin Bell

Address: Darralea West end Armadale Eh48 3ab

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this development going ahead. We bought our house 2 1/2 years ago and one of the main reasons was the amazing views, access to walkways with our family and privacy with no one looking into us. When we moved in the first avant homes phase was underway and the mess and noise was practically unbearable. It was also dangerous at times trying to walk along to the town with heavy plant machinery going between the fields. Our schools are at maximum capacity, doctors surgery is the same and we have absolutely no facilities as it is for children or teenagers without the additional houses being built. Living nearby the glen we regularly see wildlife and they should not be forced from living here due to houses being built that there is absolutely no need for.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Craig Keane

Address: 3a Glenside Gardens Armadale EH48 3RA

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Schools at capacity and doctors over subscribed that people are being turned away. Armadale can't cope with such a large development with additional investment in schools/doctors/infrastructure etc

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Daniel Starrs

Address: 55 Millburn Crescent Armadale EH48 3RD

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Lack of resources like schools & doctors accommodate 485 additional households, endangering wildlife, increased traffic congestion and loss of greenbelt.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr David Sutherland

Address: 19 Glenside Court Armadale Bathgate EH143RX

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Object to loss of green belt Also lack of adequate doctor provision at present. Further housing would have a disproportionate impact.

Finally further housing would result in increased traffic congestion within the town centre

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Miss Dawn McGowan

Address: 76 Glenwood Drive Armadale EH48 3TU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Armadale community could not cope with this size development. The secondary and primary schools are already over subscribed as is our general practitioner services. The local GP has closed their register for the last few years and people already have to attend Blackridge GP - the proposed volume of potential residents will also overwhelm this practice. Would there be any assistance from Avant in supporting these services?

Due to the field no longer being agriculturally farmed an abundance of wildlife is occupying the space - fox, deer, badgers, bats and a huge host of birdlife and insects. The little local pond is full of life and gives children the opportunity to learn about nature.

The proposed field is a pathway to a well used local circular walk, affectionately called the "Glen" building works would prevent the community's enjoyment of this little bit of countryside.

As a resident who will be living on the edge of the proposed site I would also strongly object to the noise from the building works and to the dust and mess created. We have already endured this for the last couple of years from Avants other nearby site.

I hope the local community support these objects and make sure they add their comments.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Iain Campbell

Address: 35 Glenwood drive Armadale Bathgate EH483RQ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the planned building works.

The Armadale school is already over filled. As it is common knowledge that there is a national teacher shortage already the additional kids to go to the school will increase class numbers. This will reduce one to one teaching time for the kids who are already going to be competing for jobs and higher education through a major recession where competition has never been higher.

The local dentist and gp are maxed out. There is already weeks wait time for emergency appointments. Vulnerable people are already not getting the service and care that is required for their health, this will only increase the chances of health problems and additional stress to their families. This also includes wait times and being unable to get through to order repeat prescription's.

There is already a vast number of parents picking kids up from school via glenwood drive. I have personally witnessed many near accidents in the streets due to this. The additional cars/kids will only increase the chances of this happening.

The additional pollution will be harmful via the additional cars going to be in the area. The roads which are already not fit for purpose will sustain more damage ie. potholes due to more use. There is not enough parking along the high street already so cars will be getting illegally parked. Kids or elderly may then have to walk on the road due to people parking on paths which increase the chance of being struck by a vehicle or cyclist. this could end up restricting emergency services getting to someone in need. This ultimately could result in someone losing their life.

By taking away the green area many different wildlife will be losing their habitat. This green space can also majorly increase the chances of mental health issues for vulnerable people who rely on it. Residents would then need to travel again adding to the congestion and pollution.

The additional build works will majorly affect night shift workers. The additional noise will affect people's sleep which can lead to mistakes and accidents due to tiredness. This can also in itself lead to mental health and family issues. Many of whom will have been on the front line working through one of the biggest ever global pandemics.

I hope that you take the time to read this and consider the points made by myself and others.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Janice Pollock

Address: 64 Glenwood drive Armadale Eh483tu

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:What a waste to start building houses at this beautiful area in armadale.this is a place with open lovely views and where people can go for walks.to do away with the green belt would totally destroy the glen.great concerns about traffic,schools,doctors.it was difficult before to get an appointment with your gp(before covid)now with 485 houses being built this will have a negative effect in all of the above.this is going to take 5 years to build and there will be dust pollution and noise. Again this is a lovely part of Armadale please leave the glen alone

Comments for Planning Application 0497/P/21

Application Summary

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Case Officer: Matthew Watson

Customer Details

Name: Mr John Baxter

Address: 50 Glenwood Drive Armadale Bathgate EH48 3TU

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the planned development of 485 Houses at standhill. The schools in Armadale cannot cope with the increased numbers of students the an additional 485 households will bring.

The current Doctors surgery is struggling at the minute to cope how will it cope with more patients?

The traffic around schools, on the main street is extremely busy, additional housing will increase the number of vehicles causing traffic chaos.

The development site is an area of greenbelt full of wildlife eg bat's, deer, ducks, swans, and much more. The Glen and surrounding fields is the only green space at the north/south end of Armadale where people can enjoy the open space and the wildlife. I object to the planned development.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: John Pettigrew

Address: 14 Burnside Avenue Armadale EH483RE

Comment Details

Commenter Type: Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Lack of resources eg schools, doctors to deal with 485 new households. Increased traffic congestion, loss of greenbelt.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Katerina Taneva

Address: 39 Millburn Crescent Armadale Eh48 3rd

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Lack of resources and less green area. More traffic and not enough schools.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mrs Lesley Baxter

Address: 50 Glenwood Drive Armadale Eh48 3tu

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My self and my husband wish to object to the development planned for standhill.

The development site is a greenbelt area which is popular with walkers, the area is full of wildlife which will be destroyed by such a development.

The resources within Armadale such as Schools, Doctors etc are full to capacity and most definitely cannot cope with additional students/patients.

The surrounding roads are gridlocked during peak times, Glenwood drive which is a private estate is used as a pick up and drop off area for parents dropping their kids off to go to Armadale Academy, the traffic is likely to increase on out street as people try to avoid the traffic gridlock at the Academy. We also object to having to live with the noise and pollution that will be created with such a large development site. We have had to endure the noise and pollution for a few years now since the original Avant site started and this is likely to continue for any years if the new site is approved.

We strongly object to this development.

Comments for Planning Application 0497/P/21

Application Summary

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Case Officer: Matthew Watson

Customer Details

Name: Mrs Linda Ross

Address: 16 Russell Avenue Armadale West Lothian Eh483PA

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have concerns over the impact this development will have on the already over stretched facilities of the town.

Will there be further medical facilities , dental facilities and school facilities provided to accommodate this development ?

Armadale has a high volume of traffic on a daily basis and this development will only increase this
This is a popular walking area with wildlife in abundance which will be destroyed

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Mark Gourdie

Address: 9 Glenwood Drive Bathgate EH48 3RQ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Armadale does not need almost 500 new homes in this area. It does not have the facilities or infrastructure to support them. It would also be an environmental nightmare. There is wildlife abundant in this area including numerous bird species and deer that would have their habitat destroyed!

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mrs Michelle Lindsay

Address: 72 glenwood drive Armadale Eh48 3tu

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The schools in this area are already full, the doctors is completely full. More houses without more facilities to cope with them just does not make sense.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Miss Sophie Murray

Address: 90 Glenwood Drive Armadale EH48 3TU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Armadale simply cannot deal with the building of 485 houses. We don't have the schools, health services, shops etc to be able to cope with this. Not to mention the damage caused to the residents of Glenwood Drive and the Wildlife that resides down the Glen. During the process of the development of the houses beside Armadale Academy, the residents had to deal with the noise of every vehicle bringing the dirt into the fields. That was bad enough, so imagine 5 years of that everyday, that would be unfair.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Mr Steven Pilkington

Address: 90 Cowdenhead Crescent Armadale Bathgte EH48 3EE

Comment Details

Commenter Type: Member of Public

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

Comment Reasons:

Comment: Housebuilding is always going to be important for the local economy and the location makes sense as a natural extension of the Ellis Vale development.

However, a total of 485 homes represents additional demand on local facilities that must be addressed if this application were to be granted.

The primary schools in the local zoning for this development requires refurbishment and/or an additional school built to cope with the demand this and future developments will place.

In addition, local facilities such as GP surgeries need to be boosted in order to cope with the demand.

It would be preferable if space in the development was allocated for such facilities, or funding to be made available by the developer to help sustain such facilities.

The Winchburgh regeneration project has commitments for school building/refurbishment and this should be no exception.

Comments for Planning Application 0497/P/21

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Case Officer: Matthew Watson

Customer Details

Name: Stuart Burns

Address: 51 drove road Armadale Eh483nn

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to this armadale is over run with nothing to do in the place, its also terrible for parking, and the glen is haven for wildlife we dont need more house the doctors and chemist cant cope the way it is the now without nearly 500 new houses being built

Comments for Planning Application 0497/P/21

Application Summary

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Case Officer: Matthew Watson

Customer Details

Name: Miss Yvonne Nisbet

Address: 3 Avondale Crescent Armadale EH48 3HL

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Armadale schools are packed, there is only 1 doctors surgery which is already very hard to get an appointment at never mind all the extra strain, I don't honestly think that Armadale can cope with all the extra housing, aswell as that the glen is a popular walking spot for all ages and would hate to see it affected

Development Management Committee

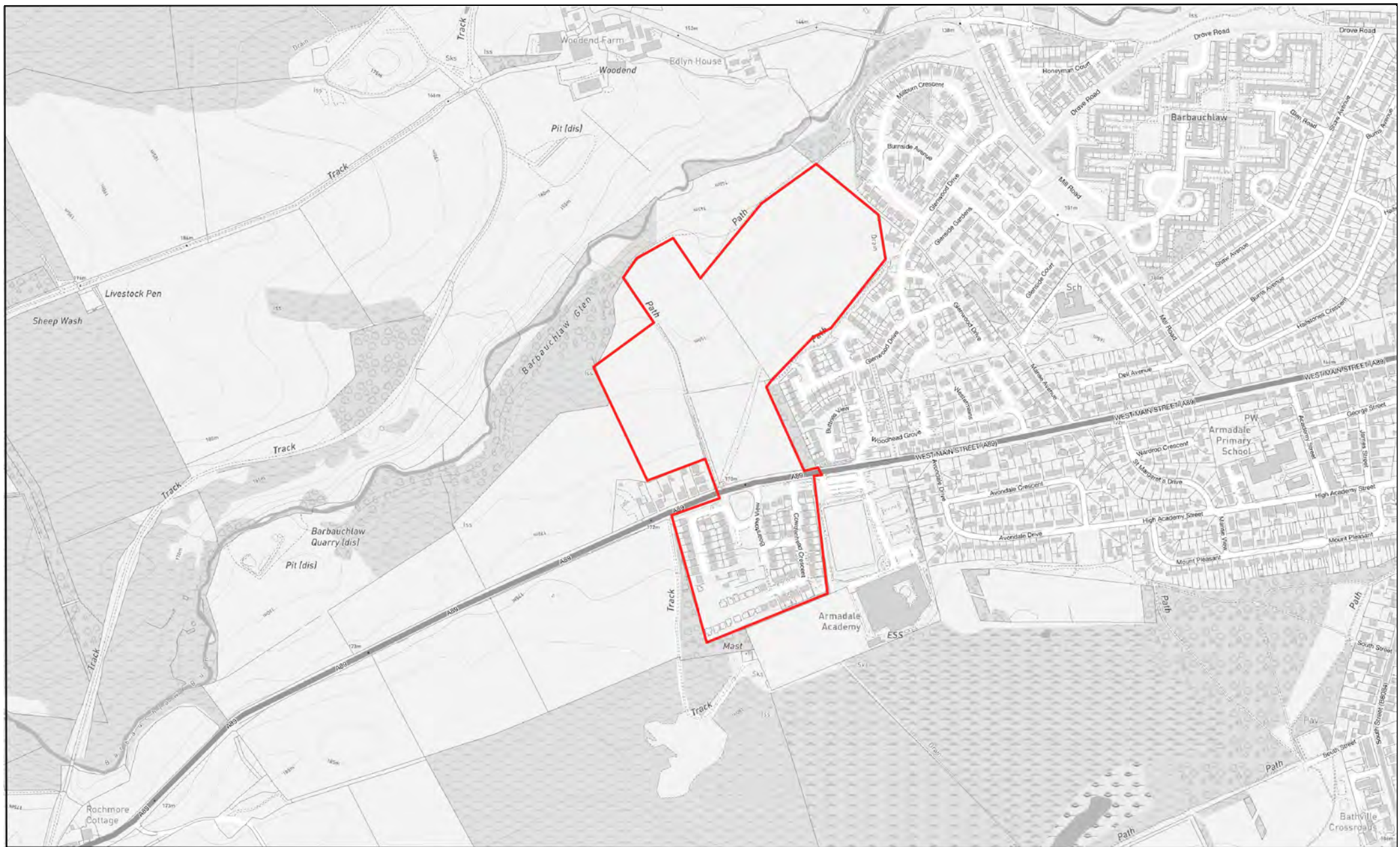
17 November 2021

Item 5 - Application : 0497/P/21

Application under Section 42 to develop land to modify condition 4 of planning permission in principle 0020/P/16 for a 19 hectare development with associated works to allow a maximum of 375 residential units to be constructed on the north side of A89

Standhill North / South West Main Street / Armadale



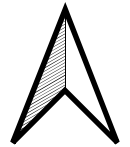


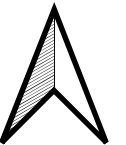
0497/P/21 - Standhill North/South West Main Street Armadale

Development Management - West Lothian Civic Centre - EH54 6FF

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View from West Main Street looking north into site



View looking south to Standhill South



View looking north towards consented soil storage on site



View south west across site



View west out of the site



Looking south east towards Glenwood Drive



Looking north west out of the site







DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1. DESCRIPTION

Extension to house at 20 Tennent Park, Mid Calder.

2. DETAILS

Reference no.	0918/H/21	Owner of site	Mr & Ms Andrew & Laura Sutherland and Fairgrieve
Applicant	Mr & Ms Andrew & Laura Sutherland and Fairgrieve	Ward & local members	East Livingston & East Calder Councillor Damian Doran-Timson Councillor Frank Anderson Councillor Carl John
Case officer	Rachael Lyall	Contact details	01506 281110 Rachael.Lyall@westlothian.gov.uk

Reason for referral to Development Management Committee: Agent is an elected member.

3. RECOMMENDATION

3.1 Grant Planning Permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 This planning application proposes a single storey rear extension at the above address. The property is situated within Mid Calder Conservation Area.
- 4.2 The proposed extension is to measure 2.500m x 4.000m and is to measure 3.350m in overall height from ground level to the ridgeline of the proposed gable pitch roof.
- 4.3 The proposed rear extension is to feature folding patio doors on the rear elevation and a tall fixed pane window on the side (southern) elevation.
- 4.4 The external finishing materials, for both the walls and roof, are to match those of the existing property.

History

- 4.5 No relevant site history.

5. REPRESENTATIONS

5.1 No representation comments have been received.

6. CONSULTATIONS

6.1 No consultations 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 the local context. Development proposals should have no significant adverse impact on adjacent buildings. Where appropriate proposals should include measures to enhance the environment and be of high quality in their design.	This proposal will integrate with the existing property, the local context and surrounding properties. The proposed works will not be significantly visible from the street and will therefore not have a detrimental impact on either the street scene or the wider area. Additionally, the proposed works will not cause any detrimental effect to the residential amenity or the privacy of any neighbouring properties or gardens.	Yes
Policy ENV24 (Conservation Areas)	This policy states that new development will not be permitted which would have an adverse effect on the character and appearance of conservation areas.	The proposed extension is to the rear of the house and respects the scale and character of the property and the surrounding area. The proposal will not be detrimental to the character and appearance of the conservation area.	Yes

7.4 This proposal also relates to the council's House Extension and Alteration Design Guidelines, 2020.

7.5 The determining issues of the application are listed below:

Visual Amenity

7.6 The proposed works will not be significantly visible from the main street, therefore will not have a detrimental impact upon the visual amenity of the street scene or conservation area. In addition, the proposed materials will integrate with the materials of the existing property and the works will appear subsidiary.

Residential Amenity

- 7.8 The proposed works will not result in any additional overshadowing which would be considered significant or will detrimentally impact upon any neighbouring garden, property or habitable room.
- 7.9 The proposed rear patio doors, will open out into and directly overlook the applicants' rear garden area. The proposed side window, will be screened by a high boundary hedge and therefore will not directly overlook into the neighbouring property located to the south.
- 7.10 The proposed works will be well screened on each side and therefore will not significantly impact upon the residential amenity in terms of privacy, overlooking or overshadowing.

8. CONCLUSION AND RECOMMENDATION

- 8.1 The proposed works are of an acceptable scale which will appear subservient to the existing property and will not directly overlook or overshadow any neighbouring property to a significant extent. 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 have any detrimental effect on visual or residential amenity.
- 8.2 This proposal adheres to West Lothian Local Development Plan's DES1 (Design Principles) and ENV24 (Conservation Areas) policies and follows the appropriate guidance given in the House Extension and Alteration Design Guidelines, 2020.
- 8.3 It is recommended that the application is granted planning permission.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Draft Conditions

Craig McCorriston

Head of Planning, Economic Development and Regeneration

Date: 17th November 2021



Development Management

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

Our Ref: 0918/H/21
Direct Dial No: 01506 281110
Email: rachael.lyall@westlothian.gov.uk
28 October 2021
Tel: 01506 280000

Draft Justification and Conditions:

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

The application has been assessed against the policies and provisions of the development plan. The proposals accord with DES1 (Design Principles) of the adopted West Lothian Local Development Plan, 2018 and the requirements of the council's House Extension and Alteration Design Guide, 2020 and are therefore acceptable. There are no material considerations to indicate that the application should not be granted.

This permission is granted subject to the following conditions: -

(1) The materials to be used on the roofs and walls of the proposed extension hereby approved shall match those on the existing house unless otherwise agreed in writing with the planning authority.

Reason To integrate the development 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 for a local development and was determined by an officer appointed by the council and you disagree with the decision or with conditions which have been

attached, you can apply for a review of the decision/conditions by the council's Local Review Body. In all other cases, if you disagree with the decision you can seek an appeal of the decision/conditions to the Scottish Government Planning and Environmental Appeals Division. You can find information on these processes at <https://www.westlothian.gov.uk/article/33128/Decisions-Reviews-and-Appeals>

Additional consents:

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

Potentially Contaminated Land:

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

Development Management Committee

17 November 2021

Item 6 - Application : 0918/H/21

Extension to house

20 Tennent Park / Mid Calder / EH53 0RF



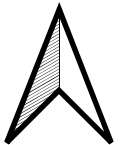


0918/H/21 - 20 Tennent Park / Mid Calder - EH53 0RF

Development Management - West Lothian Civic Centre - EH54 6FF

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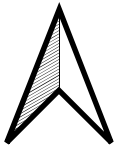
**West Lothian
Council**

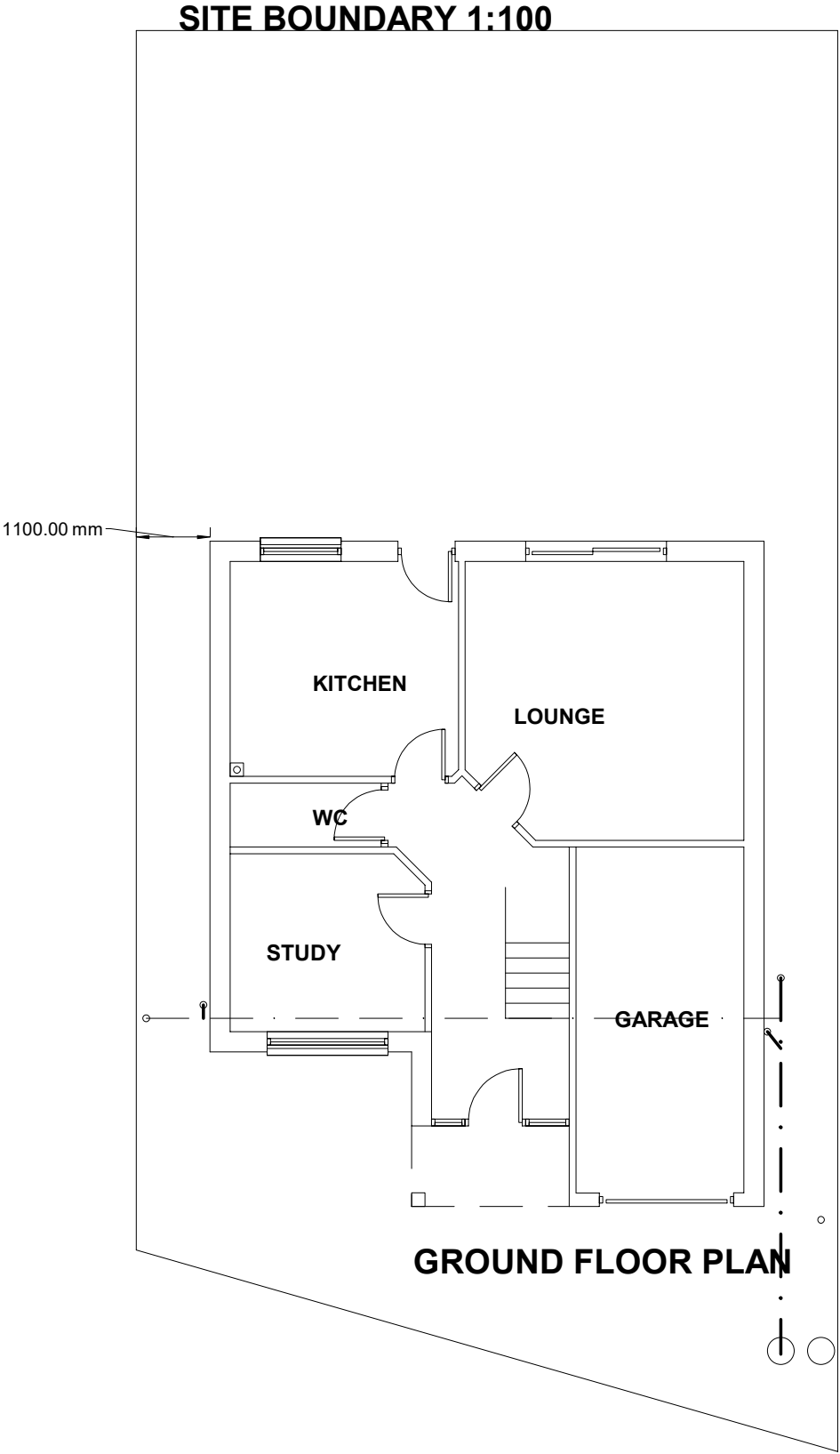
0918/H/21 - 20 Tennent Park / Mid Calder - EH53 0RF

Development Management - West Lothian Civic Centre - EH54 6FF

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0 20 40 60 m





REAR ELEVATION 1:100

This drawing must be read with the written notes printed separately

Note 0 Health & safety.

Note 1 Preliminaries

Note 2 Downtakings and site prep.

Note 3 Excavating and filling.

Note 4 Concrete, Founds and steps

Note 5 External Walls

Note 7 Floor Insulation.

Note 9 Roof.

Note 10 Electrics.

Note 11 Plumbing.

Note 12 Finishes

Note 13 Windows and Openings.

Note 14 Decoration

Note 15 External Works

21/1333-01

EXISTING LAYOUTS
1:100

Proposed alterations to . . .

20 Tennent Park,
Mid Calder. EH53 0RF

for . . .

Mr Andrew Sutherland
Ms. Laura Fairgrieve

June 2021

Plan-It
Chartered Building Surveyors

1a Broombank Birches tel:
Mid Calder. EH530EA 01506 884216

350mm

internal corner

this applies to all sockets, switches and all electrical controls

socket

400 mm

switch

1100 mm

maximum

minimum

socket

150 mm

worktop level

External electrics:

Lights IP65

switches IP55

Sockets IP66

minimum

ELECTRICAL HEIGHTS AND CLEARANCES

All electrics to comply with Part 4 Of B(S)PR 2004 and BS 7671: 2008,

carbon monoxide detector

smoke detector

heat detector

lighting point

switch

twin socket

fan

electric matt

www.plan-it-design.co.uk

2000 mm

A3

This drawing must be read with the written notes printed separately

- Note 0 Health & safety.
- Note 1 Preliminaries
- Note 2 Downtakings and site prep.
- Note 3 Excavating and filling.
- Note 4 Concrete, Founds and steps
- Note 5 External Walls
- Note 7 Floor Insulation.
- Note 9 Roof.
- Note 10 Electrics.
- Note 11 Plumbing.
- Note 12 Finishes
- Note 13 Windows and Openings.
- Note 14 Decoration
- Note 15 External Works

21/1333-02

PROPOSED LAYOUTS
1:100

Proposed alterations to . . .

20 Tennent Park,
Mid Calder. EH53 0RF

for . . .

Mr Andrew Sutherland
Ms. Laura Fairgrieve

June 2021

Plan-It

Chartered Building Surveyors

1a Broombank Birches tel:
Mid Calder. EH530EA 01506 884216











Development Management

List of Delegated Decisions - 22nd October 2021

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located 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.:	0725/FUL/21	Recommendation:	Refuse Permission
Proposal:	Installation of 20m high phase 8 telecommunication monopole, cabinet and associated works		
Address:	Adjacent To 70 West Main Street, Uphall, West Lothian, (Grid Ref: 305555,671600)		
Applicant:	CK Hutchison Networks (UK) Ltd	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Alexander Calderwood
<u>Summary of Representations</u>			
No representations have been received for this application.			
<u>Officers report</u>			
<p>This application seeks full planning permission for the installation of a 20 metre high phase 8 telecommunication monopole, cabinet and associated works. The proposals will be situated on land adjacent to 70 West Main Street, Uphall and within the Uphall Conservation Area.</p> <p>West Lothian Local Development Plan 2018, Policy DES 1 (Design Principles) states that all development proposals will require to take account of and be integrated with the local context and built form. It also says that it should not have a significant adverse impact on built heritage or on the amenity of neighbouring buildings. Policy ENV 24 (Conservation Areas) states that new development will not be permitted which would have any adverse effect on their character and appearance.</p> <p>The existing streetlights are approximately 10 metres in height. The proposed monopole will be double this height, and stand at approximately 20 metres. There are also various service cabinets associated with the monopole which will be positioned adjacent to it on the street. The height of the monopole and clutter of cabinets on the street is such that the proposal will have an adverse impact on the character of the conservation area and the residential amenity of the properties on the opposite side of the road. The proposals do not comply with Policy DES 1 and Policy ENV 24. Refusal is therefore recommended.</p>			

Ref. No.:	0878/P/21	Recommendation:	Refuse Planning Permission in Principle
Proposal:	Planning permission in principle for the erection of storage building		
Address:	2 Bain Square, Kirkton Campus, Livingston, West Lothian, EH54 7DQ (Grid Ref: 304212,666187)		
Applicant:	Edinburgh Instruments Ltd	Type:	Local Application
Ward:	Livingston South	Case Officer:	Steven McLaren
<u>Summary of Representations</u>			
No representations have been received for this application.			
<u>Officers report</u>			
<p>The application relates to permission in principle for the construction of a storage building at Bain Square, Kirkton Campus, Livingston. The business units at Bain Square were developed as advance factory projects by Livingston Development Corporation and comprise of two groupings of four buildings set in a higher quality landscape area than other industrial areas. The proposed building would lie between units 1 and 2 on a grassed area to the south east of the units.</p> <p>The proposed location of the storage building would break with the build pattern of the estate and the development would encroach into the adjacent tree belt which is covered by a Tree Preservation Order (TPO). Whilst the council generally supports existing local businesses, extensions, alterations or new buildings must be considered within the context of the site. The location of the proposed building would be out of character with the spatial build pattern in the area and impact adversely on the character of the landscape setting.</p> <p>The proposals are therefore contrary to the following policies of the adopted West Lothian Local Development Plan, 2018 and the recommendation is to refuse planning permission.</p> <p>EMP1 (safeguarding and developing existing employment land); ENV9 (woodland, forestry trees and hedgerows); ENV10 (protection of urban woodland) DES1 (Design Principles)</p>			

Ref. No.:	0879/H/21	Recommendation:	Refuse Permission
Proposal:	Erection of a 9 sqm outbuilding (in retrospect)		
Address:	Old Rowan Cottage, Strathloanhead, Westfield, West Lothian, FK1 2JZ (Grid Ref: 292590,672189)		
Applicant:	Mrs Rebecca Lofthouse	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection - - Impact on privacy.			
<u>Officers report</u> This planning application seeks retrospective planning permission for the erection of an outbuilding at the property Old Rowan Cottage, Strathloanhead. The outbuilding measure 3.5m x 2.5m and is 2.7m in overall height. The outbuilding features a doorway on the south elevation and a large window (2.1m in length) on the western elevation. the outbuilding has been externally finished with vertical timber board cladding. Although the outbuilding is of an acceptable scale and still allows for sufficient usable garden ground, due to the boundary locations and the positioning of the building directly south of the neighbouring house, the window openings directly overlook into the neighbouring property and detrimentally impacts upon their residential amenity. Policy DES1 (Design Principles) of West Lothian Council's Local Development Plan states that developments should have "no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity". The erected works have a significant impact on the adjacent neighbouring property in terms of the overbearing impact and overlooking / privacy of neighbours. This proposal is therefore contrary to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is refused planning permission.			

Ref. No.:	0906/H/21	Recommendation:	Grant Planning Permission
Proposal:	Extension to house		
Address:	9 Sinclair Way, Knightsridge, West Lothian, EH54 8HW (Grid Ref: 304541,669011)		
Applicant:	Mrs Michelle Higgins	Type:	Local Application
Ward:	Livingston North	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection - - Impact on visual amenity, - Potential structural impact on the adjoining properties from ground/construction works. Planning response - - See officers reports, - Not a material planning consideration, this would be considered by Building Standards should a building warrant be required.			
<u>Officers report</u> This planning application proposes a single storey rear extension onto the property located at 9 Sinclair Way, Livingston. The proposed extension is to measure 6.561m x 3.000m and is to be 3.901m in overall height from ground level to the ridgeline of the proposed mono-pitch roof. The extension is to feature a flue, roof lights and patio doors on the rear elevation, which will overlook and open out into the applicant's rear garden area. The proposed works will not directly overlook any neighbouring property and will not significantly impact upon the residential amenity in terms of overlooking or overshadowing. The materials proposed for the works are white render for the external walls, concrete roof tiles and Upvc fittings and openings which will integrate with the materials of the existing property. The works are of an acceptable scale which will appear subservient to the existing property and will still allow for sufficient usable garden ground. In addition, the works will not significantly impact upon the visual amenity of either the street scene or existing property. This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.			

Proposed Enforcement Actions - 22/10/2021

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0333/20	Mr Greig Howie	2 Braehead Avenue Linlithgow West Lothian EH49 6EA Erection of a summerhouse to the rear curtilage of a dwelling house	Linlithgow	Take No Action	<p>Following an assessment of the available information it has been concluded that any potential breach of planning control is not substantial enough to require remedial actions.</p> <p>Based on the evidence gathered it was established that the structure does not meet permitted development rights criteria set out in planning legislation, due to its proximity to the plot boundary. The height of the sloping eaves exceeds 2.5m which results in the overhang being 9cm too close to the fence of the adjacent transformer substation. However, the breach does not impact on the amenity of any residential properties, its design is in line with the surrounding structures and does not cause any detriment. Thus, it is not in the public interest to take enforcement action on this minor breach.</p> <p>Planning Enforcement shall use discretionary powers and recommend no further action on this occasion.</p>
ENF/0337/20 ENF/0092/21	Mrs & Mr Thomson and other residents along the woodland belt	Woodland at Columbia Avenue, 90 Columbia Avenue Howden Livingston West Lothian EH54 6PT Unauthorised tree works within a Tree Preservation Order	Livingston South	Take No Action	<p>Following an assessment of the available information it has been concluded that any potential breach of planning control is not substantial enough to require remedial actions.</p> <p>Planning Enforcement wrote to all properties which lie adjacent to the area of woodland in question. The letter issued asked for details of any recent tree works and notified householders of the Tree Protection Order which is in place and the need for the consent of the council prior to any future works being undertaken. On this basis, the council has taken considerable steps to advise residents of their obligations and to ensure no further works are carried out without the necessary tree works consent. No further action is required at this time in respect of this immediate area as the works are considered to be minor.</p>

Proposed Enforcement Actions - 22/10/2021

					<p>However, should any further works be carried out without the necessary permissions the council will consider taking formal action against the relevant party. The council's Planning Officer (Trees) has been advised and will consider whether it is appropriate to notify other residents in the vicinity of the TPO and their obligations.</p> <p>Planning Enforcement shall use discretionary powers and recommend no further action on this occasion</p>
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Development Management

List of Delegated Decisions - 29th October 2021

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located 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.:	0872/FUL/21	Recommendation:	Refuse Permission
Proposal:	Replacement of existing telecommunications monopole with a 20m high mast and installation of equipment cabinet		
Address:	Road Verge West Side Of, Kirkton Road North, Livingston, EH54 6GU, (Grid Ref: 305280,667171)		
Applicant:	Cornerstone	Type:	Local Application
Ward:	Livingston South	Case Officer:	Alexander Calderwood

Summary of Representations

No representations have been received for this application.

Officers report

Overview

This application seeks full planning permission for the replacement of an existing telecommunications monopole with a 20m high mast and installation of equipment cabinet, on a road verge on the west wide of Kirkton Road North.

West Lothian Local Development Plan 2018 (Relevant Policy)

Policy DES 1 Design Principles, states that all development proposals will require to take account of and be integrated with the local context and built form. It also states that it should have no significant adverse impact on adjacent buildings or streetscape in terms of scale or amenity.

In the context of this application, the proposed monopole is to be on the pavement directly in front of a residential property. The existing monopole is 15 metres in height and positioned in front of, but to the side of the residential property. The proposed mast is to be 20 metres in height and directly to the front of the residential property. The mast would have an adverse impact on the property in terms of scale and residential amenity. Additionally, there are other, more suitable sites for such development. The proposal does not comply with Policy DES 1 Design Principles of the West Lothian Local Development Plan 2018.

Ref. No.:	0891/H/21	Recommendation:	Refuse Permission Agenda Item 7
Proposal:	First floor extension to house		
Address:	9 Teviot Drive, Murieston, Livingston, West Lothian, EH54 9JW (Grid Ref: 306013,665080)		
Applicant:	Mrs Jill Simpson	Type:	Local Application
Ward:	Livingston South	Case Officer:	Rachael Lyall

Summary of Representations

One objection comment -

- Proximity of balcony to boundary,
- Impact on overlooking,
- Proposed balcony not in keeping with surrounding context.

Officers report

This planning application proposes the erection of a first floor extension and balcony onto the property located at 9 Teviot Drive, Murieston.

The proposed extension is to be erected above the existing garage and is to measure 5.92m x 8.30m. The proposed extension is to measure 6.86m in overall height from ground level to the proposed ridgeline of the gable pitch roof which will sit level to the ridgeline of the existing property. The first floor extension will feature roof lights, two dormer windows on the front elevation, which will overlook the main street, and a protruding balcony on the rear elevation.

Although the balcony is covered on the eastern side, it is still considered that the proposed balcony will overlook the rear garden of the neighbouring property to the east of the applicants property from the opening to the rear. West Lothian Council Planning Guidance on House Extension and Alteration Design states that "Balconies, raised patios and sun decks will only be granted permission where there is no adverse effect on neighbouring properties because of overlooking of private amenity space, normally rear gardens."

In addition to overlooking, the proposed works are considered to be out of scale in comparison to the neighbouring properties within the street scene and the works will appear dominating within the corner plot, resulting in an impact upon the visual amenity of both the existing property and surrounding streetscene. West Lothian Council Planning Guidance on House Extension and Alteration Design states that extensions should be designed to be subsidiary in appearance to the main house, should generally be set back from the principal elevation and set down from the existing ridgeline. The guidance also states that extensions should not detract from the overall streetscene.

As a result, this proposal is contrary to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy and appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is refused planning permission.

Ref. No.:	0911/H/21	Recommendation:	Grant Planning Permission Agenda Item 7
Proposal:	Extension to house		
Address:	19 Maplewood Park, Deans, Livingston, West Lothian, EH54 8BB (Grid Ref: 302267,669435)		
Applicant:	Mr and Mrs S Mohammad	Type:	Local Application
Ward:	Livingston North	Case Officer:	Rachael Lyall

Summary of Representations

Two objection comments -
- Impact on daylight/overshadowing,
- Impact on privacy.

Planning response -
- See officer's report,
- See officer's report.

Officers report

This planning application proposes the erection of a rear extension onto the property located at 19 Maplewood Park, Deans.

The proposed rear extension is to measure 12.005m x 4.305m and is to be 3.155m in height from ground level to the eaves of the proposed flat roof. The extension is to feature a roof lantern, a window and doorway on the side elevation and patio doors on the rear elevation.

The proposed side window will be screened by a boundary fence, however a condition will be attached to the decision notice stating the proposed side window will be fitted with opaque glazing to ensure the privacy of neighbours is maintained. The proposed works will not overlook any neighbouring property to the rear and will be screened to the rear with a significant tree belt.

Although the works are of a significant width, they are to be located to the rear of the existing property and will therefore not impact upon the visual amenity of the streetscene. The proposed works will not result in any additional overshadowing which could be considered significant or detrimental. The works adhere to BRE guidelines regarding overshadowing and right to light.

The works are of an acceptable scale which will still allow for sufficient usable garden ground and will not be significantly detrimental to either the visual or residential amenity. This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

Ref. No.:	0920/FUL/21	Recommendation:	Grant Planning Permission <small>Agenda Item 7</small>
Proposal:	Continued siting of caravan and use for short term holiday lets		
Address:	Northfield Stables, 145M West Of Northfield Farm, Fauldhouse, West Lothian, EH47 9AA (Grid Ref: 294752,661950)		
Applicant:	Mr Kevin Sands	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Kirsty Hope

Summary of Representations

Two objection comments -

- Loss of privacy
- Increase in traffic
- Other caravans on site without permission
- Applicant uses wooden cabin as main residence
- Dog walking business has no consent
- Concern regarding drainage including foul waste
- Noise concerns
- Visual impact of more caravans on site
- Address of the site given is incorrect

Officers report

The planning application proposes the continued siting of a caravan that was granted temporary planning permission (reference LIVE/0537/FUL/11 which expired 2013) for use as short-term holiday lets for equestrian holidays. The site is located southwest of the existing log cabin at Northfield Stables. The caravan is already in situ on site. The applicant has advised that the caravan would provide affordable accommodation that would be accessible to nearby stabling, livery, training and access to off road trekking.

The application site is relatively flat, with an area of hard standing and existing access track. The site is not highly visible given the existing height of the trees surrounding the application site area. There is no adverse impact on adjacent buildings or streetscape in terms of layout, scale, design, or amenity. There is adequate amenity space and outdoor seating. No properties are overlooked by this site location.

The proposed development would encourage vehicle use given the site location. However, the activities immediately adjacent to the site would encourage visitors to accommodate their own horses on-site. The proposed rural business justifies a countryside location in this instance.

The proposal complies with policy DES 1 (Design Principles), policy ENV 3 (Other development in the countryside), policy EMP7 (Tourism), within the development plan, as well as the Development in the Countryside Supplementary Guidance.

It is therefore recommended that this application is granted planning permission.



Development Management

List of Delegated Decisions - 5th November 2021

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located 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.:	0925/FUL/21	Recommendation:	Refuse Permission
Proposal:	Extension of yard into existing bund to west of training centre and relocation of excavated material to bund on east of training centre		
Address:	Sibbald Park, Shona's Way, Armadale, West Lothian, EH48 3BN (Grid Ref: 291389,667514)		
Applicant:	Sibbald Training	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Matthew Watson
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>The application proposes the extension of a yard into an existing bund to the west of the training centre and relocation of excavated material to form a bund on the east side of training centre at Sibbalds Park on the A89 near Blackridge.</p> <p>The existing bund forms an important feature in screening the yard from surrounding countryside. The loss of around 3 metres at the west of the bund and 4.5 metres at the north of the bund will reduce the screening by a large degree when viewed from the A89 and surrounding countryside. The north side of the bund has been planted up with trees to increase screening further. There is no information submitted with the application to show tree removals, nor is there is information to demonstrate that these trees will not be affected by earth removals proposed if they are to be retained.</p> <p>The loss of screening from the A89 and lack of information regarding tree removal and retention means that the proposal is contrary to policies EMP 3 (Employment Development outwith Settlement Boundaries), DES 1 (Design principles) and ENV 9 (Woodland, Forestry, Trees and Hedgerows). Overall, and in view of the above, it is recommended that planning permission is refused.</p>			

Ref. No.:	0949/H/21	Recommendation:	Grant Planning Permission
Proposal:	Erection of an 18 sqm outbuilding		
Address:	23 Main Street, Livingston Village, Livingston, West Lothian, EH54 7AF (Grid Ref: 303855,666877)		
Applicant:	Mr Ross Iwaniec Urban Pods	Type:	Local Application
Ward:	Livingston North	Case Officer:	Rachael Lyall

Summary of Representations

One objection comment -

- Distance of proposed works to neighbouring boundary fence.

Planning response -

- The proposed works will be set back from the neighbouring boundary by at least 0.3m on each side. Although guidance advises that works should be set back from boundaries by at least 1m, it is to be noted that there is no legal prohibition to extending right up to your boundary. It will be the applicant's responsibility to ensure the fence is maintained to an acceptable standard.

Officers report

This planning application proposes the erection of an 18sqm outbuilding at 23 Main Street, Livingston Village.

The site is located within a conservation area.

The proposed outbuilding is to measure 5.000m x 3.640m and is to measure 2.500m in overall height from ground level to the eaves of the proposed flat roof. The outbuilding will feature a roof light within the roof space, two fixed windows on the front (south-east) elevation and sliding patio doors on the (south-west) elevation. The openings will open out into and overlook the applicant's rear garden area and will not directly overlook into any neighbouring property or garden to a detrimental extent.

The outbuilding is to be finished with a timber and aluminium cladding and is to feature a sedum flat roof. The proposed works will be screened by sheds and a boundary fence to the north and will be set back from the neighbouring boundaries (to the north and east) by at least 0.3m on each side.

The proposed works will not be significantly visible from the main street and will therefore not impact upon the visual amenity of the street scene or conservation area. The proposed works are of an acceptable scale which will still allow for sufficient usable garden ground, will not appear dominant from the neighbouring property and will not significantly impact either visual or residential amenity.

This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) and ENV24 (Conservation Areas) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

Ref. No.:	0976/H/21	Recommendation:	Grant Planning Permission
Proposal:	Erection of a 1.8m fence		
Address:	21 Chapman's Brae, Bathgate, West Lothian, EH48 4LH, (Grid Ref: 296625,669661)		
Applicant:	Mr and Mrs J Taylor	Type:	Local Application
Ward:	Bathgate	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection - - Proposal contradicts LDP, - Impact on visual amenity and works will set a precedent for other owners. Planning response - - The majority of the fence to the front of the property will be below 1m in height and is proposed to measure 0.9m, - The works are of an acceptable scale and integrate with the surroundings and local context.			
<u>Officers report</u> This planning application proposes the erection of a boundary fence at 21 Chapman's Brae, Bathgate. A timber fence, measuring 1.8m in height, is to be erected to the side of the existing property. A secondary timber fence, measuring 0.9m in overall height, is to be erected to the front of the existing property. The proposal also looks to extend the existing mono-bloc driveway, replace the existing front garage doors with new window openings and install patio doors on the side elevation of the existing property. The works are of an acceptable scale which adhere to West Lothian Council's Planning Guidance on House Extension and Alteration Design and the works will still allow for sufficient usable garden ground and will not be detrimental to either the visual amenity, of the existing street scene or property, or residential amenity. This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.			

Proposed Enforcement Actions - 05/11/2021

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0146/19	Mr I Young	120 Spottiswoode Gardens Mid Calder Livingston West Lothian EH53 0JY Change of use from open space to private garden ground and erection of fence	Mid Calder	Enforcement Notice	A change of use from open space to private garden ground and erection of fence has taken place at the property. The owner has failed to address the breach of planning control. Steps to comply: 1. Cease use of the land and return to its original use/condition and move the fence back to its original position.

DATA LABEL: PUBLIC



DEVELOPMENT MANAGEMENT COMMITTEE

PLANNING APPEAL PPA-400-2127: LAND TO WEST OF HARTWOOD ROAD, WEST CALDER

REPORT BY CHIEF SOLICITOR

A. PURPOSE OF REPORT

To advise the Development Management Committee that a response has been submitted to the procedure notice issued by The Scottish Government's Planning and Environmental Appeals Division (the DPEA) in relation to Planning Appeal PPA-400-2127 for land to west of Hartwood Road, West Calder.

B. RECOMMENDATION

To note the approval provided using SO31 (Urgent Business) procedures to approve the submission of a response to the DPEA in relation to Planning Appeal PPA-400-2127

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable;
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The proposed response will ensure that the council's position with regard to the original planning application is taken into consideration by the DPEA in deciding the appeal.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	None
VI Resources - (Financial, Staffing and Property)	None
VII Consideration at PDSP	N/A
VIII Other consultations	Legal Services; Planning Services; Chair of Development Management Committee; and Local Ward Members: Councillors Pauline Clark,

David Dodds and Cathy Muldoon

D. TERMS OF REPORT

Planning Application reference number 0501/FUL/21 in respect of an application under Section 42 without complying with Condition 10 of planning permission 0848/FUL/19, Hartwood Road, West Calder was considered by the Development Management Committee at its meeting on 14 July 2021

The Planning Officer's recommendation was to grant planning permission subject to conditions. The committee decided against this recommendation as they considered that the proposal would impact on residential amenity and pedestrian safety.

The applicant appealed the refusal to The Scottish Government's Planning and Environmental Appeals Division (the DPEA). Legal Services have prepared a statement in relation to the procedure notice issued by the DPEA, a copy of which is attached to this report at Appendix 1.

In accordance with agreed procedures, the Chair of the Development Management Committee and relevant ward members were consulted on the response before it was finalised for approval and lodging with the DPEA by the deadline of 3 November 2021.

E. CONCLUSION

The attached response sets out the council's position in respect of an application under Section 42 without complying with Condition 10 of planning permission 0848/FUL/19, Hartwood Road, West Calder

F. BACKGROUND REFERENCES

Report to Development Management Committee dated 14 July 2021

Planning Appeal Statement DPEA reference PPA-400-2127

Appendices/Attachments:

Appendix 1: Response of West Lothian Council to procedure notice in relation to Planning Appeal DPEA reference PPA-400-2127

Contact Person: Wendy Richardson, Acting Managing Solicitor,
wendy.richardson@westlothian.gov.uk

Date of Meeting: 17 November 2021