DATA LABEL: Public

Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

12 January 2022

A meeting of the **Development Management Committee** of West Lothian Council will be held within the **MS Teams Virtual Meeting** on **Wednesday 19 January 2022** at **10:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence

2. Declarations of Interest - Members must declare any interests they have in the items of business for consideration at the meeting, identifying the relevant agenda items and the nature of their interests.

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 15 December 2021 (herewith)

Public Items for Decision

5. Application No.0590/FUL/21 - Erection of 6 houses with associated works, land south of 39 Marjoribanks Street, Bathgate (herewith)

6. Application No.1030/MSC/20 - Approval of Matters Specified in Conditions of planning permission 0636/P/10 (Appeal Ref PPA-400-2097) for the erection of 189 houses with associated works (as amended), land south of Sibbalds Brae and west of Falside Crescent,

Bathgate (herewith)

Public Items for Information

7. Consider list of delegated decisions on planning applications and enforcement actions for the period 10 December 2021 to 7 January 2022(herewith)

8. Appeeals :-

(a) Application No.0206/P/21: Planning Permission in Principle for a 108ha mixed use development including residential development (dwellings and flatted - up to 1800 homes), local centre (including Class 1, Class 2 and Class 3 Uses), community facilities (including a primary school), ancillary development, public open space, and associated works and infrastructure at land north of Old Clapperton Hall Cottages, East Calder - Appeal submitted

(b) Application No.0210/P/21: Planning Permission in Principle for a 58ha mixed use development including residential development (dwellings and flatted - up to 400 units), local centre (including Class 1, Class 2 and Class 3 uses), community facilities, public open space, and associated works and infrastructure (EIA Development) at land north Of Old Clapperton Hall Cottages, East Calder - Appeal submitted

(c) Application No.0313/TPO/21: Felling Of 1 No. Beech tree and 1 No. Oak tree at Site at Murieston Valley, Murieston, Livingston - Appeal dismissed

(d) Application No.0528/P/21: Planning Permission in Principle for residential development (approximately 300 homes) with associated works at Brotherton Farm, Brucefield Livingston - Appeal submitted

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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 (2021)

This form is a reminder and an aid. It is not a substitute for understanding the Code of Conduct and guidance.

Interests must be declared at the meeting, in public.

Look at every item of business and consider if there is a connection.

If you see a connection, decide if it amounts to an interest by applying the objective test.

The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection does not amount to an interest then you have nothing to declare and no reason to withdraw.

If the connection amounts to an interest, declare it as soon as possible and leave the meeting when the agenda item comes up.

When you declare an interest, identify the agenda item and give enough information so that the public understands what it is and why you are declaring it.

Even if the connection does not amount to an interest you can make a statement about it for the purposes of transparency.

More detailed information is on the next page.

December 2021

Look at each item on the agenda, consider if there is a "connection", take advice if necessary from appropriate officers in plenty of time.

A connection is any link between the item of business and:-

- you
- a person you are associated with (e.g., employer, business partner, domestic partner, family member)
- a body or organisation you are associated with (e.g., outside body, community group, charity)

Anything in your Register of Interests is a connection unless one of the following exceptions applies.
A connection does not exist where:-

- you are a council tax payer, a rate payer, or a council house tenant, including at budget-setting meetings
- services delivered to the public are being considered, including at budget-setting meetings
- councillors' remuneration, allowances, expenses, support services or pensions are being considered
- you are on an outside body through a council appointment or nomination unless it is for regulatory business or you have a personal conflict due to your connections, actions or legal obligations
- you hold a view in advance on a policy issue, have discussed that view, have expressed that view in public, or have asked for support for it

If you see a connection then you have to decide if it is an "interest" by applying the objective test.
The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.
If the connection amounts to an interest then:-

- declare the interest in enough detail that members of the public will understand what it is
- leave the meeting room (physical or online) when that item is being considered
- do not contact colleagues participating in the item of business

Even if decide your connection is not an interest you can voluntarily make a statement about it for the record and for the purposes of transparency.

The relevant documents are:-

- Councillors' Code of Conduct, part 5
- Standards Commission Guidance, paragraphs 129-166
- Advice note for councillors on how to declare interests

If you require assistance, contact:-

- **Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk**
- **James Millar, Governance Manager, 01506 281613, james.millar@westlothian.gov.uk**
- **Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, carol.johnston@westlothian.gov.uk**
- **Committee Services Team, 01506 281604, 01506 281621 committee.services@westlothian.gov.uk**

December 2021

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within MS TEAMS VIRTUAL MEETING, on 15 DECEMBER 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 5 (App No.1030/MSC/20) & 8 (App No.1008/FUL/21) - Councillor Lawrence Fitzpatrick stated that he was a council appointed member to the West of Scotland Archaeology Service who were a statutory consultee to both applications. However, having applied the objective test he considered that this did not amount to an interest so would take part in the items of business;

Agenda Item 7 (App No.0891/H/21) - Councillor Lawrence Fitzpatrick stated that he had called the application to committee. However, having applied the objective test he considered that this did not amount to an interest so would take part in the item of business;

Agenda Item 5 (App No.1030/MSC/20) - Councillor David Tait declared an interest in that he had attended a presentation conducted by the applicant. Therefore, he would not take part in the item of business;

Agenda Item 5 (App No.1030/MSC/20) - Councillor Stuart Borrowman stated that he had listened to information provided by the applicant but he had not formed an opinion on the application. Therefore, having applied the objective test he considered that this did not amount to an interest so would take part in the items of business; and

Agenda Item 5 (App No.1030/MSC/20) - Councillor Charles Kennedy declared an interest in that he had made his feelings known about the developer in relation to this and other planning applications and their approach to community consultation. Therefore, he would not take part in the item of business.

2. ORDER OF BUSINESS

1. The Chair ruled in terms of Standing Order 11 that he would take the agenda in the following order :- 6, 7 ,8 and 5;

2. Committee agreed, in accordance with Standing Order 8(3), that agenda items 9 and 10 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 17 November 2021.

4. APPLICATION NO.0663/FUL/21

Councillor George Paul took no part in the following item of business as he joined the meeting after consideration of the item had begun and therefore had not heard all the merits of the case.

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: -

Application No.	Proposal	Recommendation
0663/FUL/21	Demolition of existing (Class 5) outbuilding and erection of house with associated works at Lincroft, Hillhead, Westfield.	Refuse planning permission

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

Decision

To grant planning permission subject to conditions delegated to the Development Management Manager and a S75 agreement to secure developer contributions. Additionally, it was agreed that a direction was to be given to the Planning Authority to investigate any unauthorised development of the wider site and to take appropriate enforcement action to regularise any unauthorised development. The reasons given by committee were that the proposal would create no greater visual intrusion, or urbanisation, than that which already existed; and, on balance, there would be benefits to the public amenity.

Councillor Lawrence Fitzpatrick having moved an alternative position which not receive a seconder had his dissent to the decision recorded.

5. APPLICATION NO.0891/H/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: -

Application No.	Proposal	Recommendation
0891/H/21	First floor extension to house at 9 Teviot Drive, Murieston	Refuse planning permission

The committee heard Mrs Joanna Conway speak in support of her objections to the proposal.

The committee then heard from Mrs Jill Simpson, the applicant and Mr Euan Robertson, the applicant's agent, both speak in support of the application.

Decision

To grant planning permission with conditions delegated to the Development Management Manager as committee considered that the loss of privacy to the neighbouring property would be minimal and that the proposal did therefore conform with policy DES1 of the West Lothian Local Development Plan.

6. APPLICATION NO.1008/FUL/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: -

Application No.	Proposal	Recommendation
1008/FUL/21	Formation of a storage compound, erection of a shed and circus tents and siting of 7 caravans with associated hardstanding and access for winter storage, accommodation and practice at site for former oil village, Oakbank, East Calder	Refuse planning permission

The committee heard Mr Euan Robertson, a representative of East Calder Community Council, speak in support of the community council's objection to the proposal.

The committee the heard from Mr Martin Drummond, the applicant's agent, speak in support of the application.

Motion

To approve the terms of the report and refuse planning permission

- Moved by Councillor Lawrence Fitzpatrick and seconded by the Chair

Amendment

To grant planning permission with conditions delegated to the Development Management Manager as the proposal did comply with

policies DES1, ENV3 and ENV7 of the West Lothian Local Development Plan, there were already other commercial uses in the area and the application site was a brownfield site.

- Moved by Councillor Willie Boyle and seconded by Councillor Pauline Clark

A roll call vote was taken. The result was as follow :-

Motion	Amendment
Stuart Borrowman	Willie Boyle
Tom Conn	Pauline Clark
Lawrence Fitzpatrick	David Tait
Charles Kennedy	
Tom Kerr	
George Paul	

Decision

Following a vote the motion was successful by 6 votes to 3 and it was agreed accordingly.

7. APPLICATION NO.1030/MSC/20

Councillor Charles Kennedy and David Tait took no part in the following item of business having declared an interest that required them to leave the meeting. Councillor Tom Kerr chaired the item of business.

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: -

Application No.	Proposal	Recommendation
1030/MSC/20	Approval of matters specified in conditions of planning permission 0636/P/18 (Appeal Ref PPA-400-2097) for the erection of 189 houses with associated works (as amended) at land south of Sibbalds Brae and west of Falside Crescent, Bathgate	Grant matters specified in conditions, subject to conditions.

Motion

To continue consideration of the application until such time the planning portal was back online to allow members to access further information in respect of the proposal.

- Moved by Councillor Willie Boyle and seconded by Councillor Lawrence Fitzpatrick

Amendment

To continue to hear the presentation by officers.

- Moved by the Chair (Councillor Tom Kerr) and seconded by Councillor Stuart Borrowman

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

Motion	Amendment
Willie Boyle	Stuart Borrowman
Pauline Clark	Tom Conn
Lawrence Fitzpatrick	Kerr
George Paul	

Decision

Following a vote, the motion was successful by 4 votes to 3 and it was agreed accordingly.

8. 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 12 November to 3 December 2021 was submitted for the information of committee.

Decision

To note the list of delegated decisions.

9. APPEALS

The committee noted that the following appeal had been submitted to Scottish Minister following refusal of planning permission :-

Application No.	Proposal
0193/FUL/21	Erection of 21 maturation warehouses totalling 41,175Sqm, ancillary buildings, drainage, roads, landscaping, bridge across Ncr75 and gates to control vehicular access across Ncr75 at land to south of Glen Turner Distillery,

Starlaw Road, Bathgate

The committee noted that following submission of the appeals it had been determined that Scottish Ministers had no remit to consider the appeals:-

Application No.	Proposal
0479/H/21	Extension to House at 1 Oak Cottages, Kirknewton
0584/FUL/21	Change of use from open space to private garden ground and erection of decking across watercourse (in retrospect) at 15 Ballencrieff Mill Bathgate

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Erection of 6 houses with associated works (as amended) at Land South Of 39 Marjoribanks Street, Bathgate, EH48 1AH

2 DETAILS

Reference no.	0590/FUL/21	**Owner of site**	West Lothian Council
Applicant	West Lothian Council	**Ward & local members**	**Bathgate** Councillor John McGinty Councillor Harry Cartmill Councillor Charles Kennedy Councillor Willie Boyle
Case officer	Matthew Watson	**Contact details**	01506 283536 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: Objection from Bathgate Community Council

3 RECOMMENDATION

Grant planning permission, subject to conditions and securing developer contributions.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

4.1 The application proposes the erection of 6 houses at land to the south of 39 Marjoribanks Street, Bathgate.

4.2 The site is 0.26 ha in size and was the site of the now demolished Bathgate Community Centre. The site is currently vacant and comprises scrub land at the north west part of the site and an area of land with trees and shrubs at the south east part of the site. Stone walls bound the site at the north at 39 Marjoribanks Street and to the south east at the footpath that leads west to School Lane. Stone walling with railings is also present at the frontage with Marjoribanks Street and through the centre of the site.

4.3 The application site is allocated for housing development in the adopted West Lothian Local Development Plan with an indicative capacity of 6 units, under reference H-BA 22.

4.4 The application proposes the development of two terraced blocks of three houses with pitched roofs on the eastern part of the site, fronting Marjoribanks Street. These are proposed to be finished with buff brick. The roof finish is proposed to be grey concrete tiles. Solar panels are proposed on the south west facing rear roof pitches. The proposal is part of the council's housebuilding programme and the houses will be for social rent.

4.5 The stone boundary wall at the south east corner of the site, which bounds School Lane, is proposed to be retained. Low stone walls at the site frontage and through the centre of the site will be removed and, where possible, re-used to form part of the retaining walls proposed at the rear of the site. Indicatively, a small area of ground, which is within the red line boundary, is to be retained to the rear of the houses. This area is proposed to be used as a community garden with access off School Lane. The detail of this proposal will be brought forward through a separate planning application. Existing trees at the south west of the site are proposed to be retained.

4.6 A total of 43 trees are proposed to be removed as part of the proposal. None of the trees are covered by a Tree Preservation Order and the site is not in a conservation area.

History

4.7 There is no planning history for this site.

5. REPRESENTATIONS

5.1 Four objections have been received in relation to the proposed development, including one from Bathgate Community Council. All the representations are attached to this report.

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

Comments	Response
• Impact on the streetscape	• The impact on the streetscape is acceptable. See the 'Design and Layout' section below.
• Density of development	• The density of development is acceptable for its location.
• Loss of privacy	• Building to building distances in the Residential Development Guide have been complied with.
• Danger of steep drop in levels at the rear of the site with the community garden	• The change in ground levels is between 1.25m and 2.1m. A 1.25 to 2m high retaining wall and boundary fencing will secure the site.
• Road safety and parking provision	• The development meets relevant parking standards.
• Removal of trees	• The proposed tree removals are acceptable.

• Impact of vibration, potential damage to boundary walls and requests for independent surveys • The site is potentially common good land	• This is not a material planning consideration. The standard construction condition covers vibration. • The site is not common good land and this is not a material consideration.

6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
WLC Transportation	No	No objection to the application. Notes the need for a road opening permit.	Noted. The road permit is covered by separate legislation and procedure.
WLC Environmental Health	No	No objection subject to the standard construction hours condition.	Noted and this condition is proposed to be attached to any planning permission.
WLC Flood Risk Management	No	The flood risk and drainage assessment submitted is acceptable and permission should be conditional upon the drainage layout being implemented.	Noted and a condition is proposed to be attached to any planning permission.
WLC Contaminated Land Advisor	No	The site investigation is acceptable. A planning condition for a remediation statement and verification report is required.	Noted and this condition is proposed to be attached to any permission.
WLC Education Planning	No	No objection subject to receiving developer contributions to towards education infrastructure.	Noted. Education contributions will be secured from WLC Housing Services prior to any permission being issued.
WLC Waste Services	No	No objections to the application.	Noted.
Coal Authority	No	No objections to the application. Verification statements are required for areas requiring remedial works.	Noted. This matter is proposed to be covered by a planning condition.

7. ASSESSMENT

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

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

7.3 The relevant development plan policies are listed below:

Policy	Policy Summary	Assessment	Conform ?
West Lothian Local Development Plan (LDP), 2018 HOU 1 Allocated Housing Sites	Housing development on allocated sites will be supported in principle.	The application is for housing development on an allocated housing site. The principle of development is acceptable and the proposal therefore complies with Policy HOU 1.	Yes
West Lothian LDP HOU 4 Affordable Housing	This policy requires housing sites of over 5 units in Bathgate to contribute to affordable housing.	The application is for socially rented housing and therefore complies with Policy HOU 4.	Yes
West Lothian LDP EMG 6 Vacant, Derelict and Contaminated Land	This policy states the redevelopment of vacant land is supported in principle. The policy also states that, where a site is suspected to be contaminated, site investigations and remedial measures need to be submitted.	The application would result in the redevelopment of a vacant, brownfield site for residential use. A remediation statement will be secured through a planning condition. The proposal complies with Policy EMG 6.	Yes
West Lothian LDP DES 1 Design principles	This policy states that development needs to integrate with its context and the surrounding built form and have an acceptable impact on amenity.	The proposed layout is acceptable and the development integrates with its local context and built form. The proposal complies with Policy DES 1. See the 'Design and Layout' section below for more detail.	Yes
West Lothian LDP ENV 9 Woodlands, Forestry, Trees and Hedgerows	This policy sets out the criteria for loss of trees of amenity value. This includes where proposals will achieve significant public benefits.	The application proposes the removal of 42 trees. The trees in question are not of high amenity value. The proposed delivery of council housing for social rent offers significant public benefits. The proposal complies with Policy ENV 9.	Yes
West Lothian LDP EMG 2 Flooding	This policy requires development to be acceptable in terms of flood risk.	The Flood Risk Assessment submitted with the application is acceptable.	Yes
West Lothian LDP	This policy states drainage proposals need to ensure	The drainage assessment submitted with the application is acceptable.	Yes

EMG 3 Sustainable drainage	surface water can be attenuated.		
West Lothian LDP INF 1 Infrastructure Provision and Developer Obligations	This policy requires developers to enter into a legal agreement to secure developer contributions towards local infrastructure.	The proposal will result in a need for contributions towards education and cemeteries. These have been agreed with the applicant and the proposal is acceptable, subject to securing these contributions.	Yes
Supplementary Guidance (SG) Residential Development Guide (RDG)	This document requires residential development to accord with the guidance in the RDG.	The proposal is in accordance with the standards in the RDG for a small scale infill development.	Yes
SG Affordable Housing	This document requires proposals to accord with the text of the SG.	The proposal accords with the SG	Yes
SG Flooding and Drainage	The SG requires development to be acceptable in terms of flood risk.	The Flood Risk Assessment submitted with the application is acceptable.	Yes

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

Principle of Development

7.5 Policy HOU 1 of the LDP states that the development of housing on allocated sites will be supported in principle.

7.6 Policy EMG 6 of the LDP states that 'The development of vacant and derelict land is supported in principle provided that the proposal is compatible with other policies of the Local Development Plan'.

7.7 The proposed development would result in the redevelopment of a vacant area of land within the Bathgate settlement boundary that is allocated for housing development in the West Lothian LDP.

7.8 As noted in the above policies table, the proposal complies with the other policies of the LDP.

7.9 Overall, the principle of redeveloping a vacant site that is allocated for housing development is acceptable and the proposal is compliant with policies HOU 1 and EMG 6.

Design and Layout

7.10 Policy DES 1 states that 'All development proposals will require to take account of and be integrated with the local context and built form'.

7.11 Marjoribanks Street has a mixed character of stone built villas, single storey cottages, bungalows and modern flats. The adjacent houses are two storeys in height.

7.12 The proposed development is two storeys in height and will integrate with surrounding buildings in this regard. The use of buff brick as a material finish is acceptable and will give a defined and distinct appearance to the proposed houses.

7.13 As mentioned above, the application proposes the removal of 43 trees. The tree survey states that these trees are predominately early mature. Overall, the majority of trees on site have limited amenity value. Furthermore, the delivery of council housing for social rent offers significant public benefits. The tree survey recognises two silver birch trees that are of value and good condition, which can be retained as part of the development. Trees at the south west of the site within the indicatively shown community garden are also to be retained. A condition is required to ensure construction of the development is carried out in accordance with the submitted tree protection plan.

7.14 Given the location of the site and its brownfield nature, coupled with the mixed character of the area, the proposal integrates with its local context and built form. The proposal is not overdevelopment of the site and is of an acceptable density for its location.

7.15 Overall, the proposal will integrate with its local context and built form and complies with Policy DES 1 of the LDP and the Residential Development Guide.

8. CONCLUSION AND RECOMMENDATION

8.1 In summary, the principle of housing development is acceptable and the proposed development integrates with its context and built form, as well as bringing a vacant area of land back into productive use. The proposal complies with the relevant provisions of the development plan. There are no material considerations that outweigh granting planning permission.

8.2 Consequently, and in view of the above, it is recommended that planning permission is granted, subject to conditions and securing developer contributions.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions
- 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: 19 January 2022

Draft Conditions – 0590/FUL/21

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

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

2. Prior to the commencement of development, details of the height and finishes of all walls, fences and other means of enclosure shall be submitted of the written approval of the planning authority. Once approved, these details shall be implemented prior to occupation of the houses.

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

3. **Part 1**

Prior to the commencement of development, a detailed Remediation Statement to bring the site to a condition suitable for the intended use by removing unacceptable risks to all relevant and statutory receptors, must be submitted to and approved in writing by the planning authority. The Remediation Statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Remediation Statement must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development.

Part 2

The approved Remediation Statement must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the agreed remediation. The planning authority must be given two weeks written notification of the commencement of the remediation works. Following completion of the measures identified in the approved Remediation Statement, a Verification Report that demonstrates the effectiveness of the remediation carried out must be prepared. The Verification Report must be submitted to and approved in writing by the planning authority prior to commencement of the new use of the land.

Reason: To ensure there is no contamination on the site that could pose a risk to the health of future occupiers, in the interests of amenity

4. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the planning authority. This document shall confirm the methods and completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the development is not affected by coal mining legacy.

5. The proposed drainage layout and SUDS shall be implemented in accordance with the report titled ‘Flood Risk Assessment and Drainage Strategy in Support of Planning

Submission at Marjoribanks Street, Bathgate, for West Lothian Council, Version 1', and dated June 2021.

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

6. The construction of the development shall be carried out in accordance with the tree protection plan, as detailed in the report titled 'Tree Survey and Arboricultural Constraints, Marjoribanks Street, Bathgate for West Lothian Council', and dated 1 September 2021.

Reason: To ensure trees to be retained are adequately protected during construction, in the interests of visual and environmental amenity.

7. 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 piliing 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 interests of visual and environmental amenity.

West Lothian Council

0590/FUL/21 - Land South of 39 Marjoribanks Street - Bathgate EH48 1AH

Development Management - West Lothian Civic Centre - EH54 6FF

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From: [redacted]
To: Watson, Matthew
Subject: 0590/FUL/21 Six houses on Marjoribanks Street Bathgate with communal garden at rear
Date: 14 July 2021 10:04:36

FAO Matthew Watson

From

John Macdonald Planning Officer Bathgate Community Council

Regarding the above planning application, we would like to object to it proceeding due to the following two points -

1) The question of Common Good Land has been raised with regard to this site and there is currently a search being undertaken by West Lothian Council to establish its status. Until this is established we would not be in favour of this progressing in any way in view of the implications both legally and to the community.

2) We have looked at the design. The plans describe the housing as 'family homes' but we have observed a rather low fencing at back garden directly overlooking the community garden. The drop looks very steep and we have concluded that this would be a danger especially for children. This design would need to be revisited.

Regards

John Macdonald

Watson, Matthew

Subject: RE: Objection to planning application 0590/FUL/21 - [OFFICIAL]

From: Catherine Knowles [redacted]
Sent: 12 July 2021 23:23
To: Planning <Planning@westlothian.gov.uk>
Subject: Objection to planning application 0590/FUL/21

12/7/21

Dear Sirs

I refer to the planning application referred to as the Land South of 39 Marjoribanks Street, West Lothian, EH48 1AH. I welcome the fact that WLC has now decided to address the garden and derelict land in the centre of Bathgate, after years of locking the public out of the established community garden. However, I wish my objections to the proposed plans to be noted:

1. Impact of construction on our dwelling house -51 Marjoribanks St, located to the south side of the proposed development site. Our property is a period house over 150 years of age of stone construction. The area has a well-known history of coal mining in the area. Special constructions measures are being implemented to accommodate the new proposed development however, such measures are not in place to ensure the safety off our property or that off our neighbours, when the land is disturbed. According, it is envisaged that our property may well be at direct risk of any land movement which may have a significant adverse impact on it. It is requested not only that this is materially considered prior to any decision being taken but also if granted that a planning condition is imposed on any proposed developer to the effect that our property is independently surveyed, both prior too, during and after construction, to ensure the safety and limited impact on our property and family home.

2. The proposed development is not in keeping with the West Lothian Development Plan of 2018. The proposed dwelling houses are not in keeping with the adjacent buildings and streetscape. There is no terrace houses within the street. There is only on the south side of the development one house where car parking is at the front of the property and planning consent was granted for this on medical grounds for the lowering of the footpath. The proposed external material used for construction is not in keeping with properties opposite or on the southside. It will have an adverse impact on one of the few historical streets in Bathgate. Albeit the property density for the planned area may be deemed acceptable by the council norm, the design and location of all houses will have a significant negative impact on the landscape character of the loci within the street, the street itself and heritage of the area.

3. Proposed location of the new garden, and the removal of trees. The trees are incorrectly specified in the proposed plans, all trees are mature. The area has become a wild garden due to locals being locked out and the council refraining from maintaining same. There is a local need for communal green space, a considerable number of properties in the town centre have limited access to a green area within proximity, for elderly, disabled and young to enjoy. The proposed wild garden is not in keeping with the aforesaid WLDP of 2018 which speaks of landscaping areas. The proposed re-location of the garden has a significant impact not only on streetscape but on wildlife. If relocated, it would become invisible from the main roads, minimising use for all. However if the proposed plans to relocate the garden is granted there is no apparent need to remove any trees from the southside along the adjoining wall/boundary of the site.

4. Lack of Adequate Parking, & Road Safety- there is insufficient allocated space for private parking at each dwelling house, given the size of the property, it is unrealistic to expect only one vehicle to be allocated to each house. This will lead to a congested and unsafe parking on the brow of a blind summit, impacting on the safety of other vehicle and pedestrian traffic. The junction at the end of Marjoribanks Street, has already been identified by the council as an accident awareness area. Marjoribanks Street forms one of the main veins through the Town for vehicle use, and proposed plans has serious road safety implications. Access and regress from proposed parking bays causes a significant risk due to all given the lay of the road, especially considering that one of these actions will have to be undertaken in reverse, and at certain times the aforesaid area after the said summit is congested with traffic with those attending the local Church and Scout Halls.

Regards

Mrs C Knowles
51 Marjoribanks Street
Bathgate
EH48 1AL

West Lothian Council - Data Labels:

OFFICIAL - Sensitive: Contains Personal or Business Sensitive Information for authorised personnel only
OFFICIAL: Contains information for council staff only
PUBLIC: All information has been approved for public disclosure
NON-COUNCIL BUSINESS: Contains no business related or sensitive information

Link to **Information Handling Procedure**: *http://www.westlothian.gov.uk/media/1597/Information-Handling-Procedure/pdf/infohandling1.pdf*

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

Comments for Planning Application 0590/FUL/21

Application Summary

Application Number: 0590/FUL/21
Address: Land South Of 39 Marjoribanks Street Bathgate West Lothian EH48 1AH
Proposal: Erection of 6 houses with associated works
Case Officer: Matthew Watson

Customer Details

Name: Mr David Orr
Address: 64A Marjoribanks Street Bathgate EH48 1AL

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I wish to object to this proposal on the following grounds.

1. Loss of Privacy: 64A Marjoribanks is the upper flat of the villa opposite the Southerly half of the site. My lounge, bedroom and dining room windows all face directly toward the site and any new residents would have a direct view into these rooms.

2. Density of Development: The proposal involves the development of much more than the site of the former community centre and encroaches into green wooded space. The development should be restricted to the original community centre site.

3 Environmental Impact: The proposal includes the removal of a large area of well established trees resulting in the loss of a green space and the associated bird and wildlife therein.

4.Road Safety / Parking Provision: The proposal shows only 1, off road parking space per house. The Scottish Government National Road Development Guide shows a provision of 2 spaces per house for this type of development and a further provision of 0.25 spaces per house for visitor parking. This proposal falls far short of these requirements. Any inevitable on road parking will lead to a severe road safety issue. There is a blind summit on Marjoribanks Street immediately to the front of the site. There are existing yellow no parking road markings which should be maintained and extended.

39, Marjoribanks Street,

Bathgate,

West Lothian,

EH48 1AH

Tel : [redacted]

For the Attention of : Mr M Watson – Case officer – West Lothian Council

By Email : Planning@westlothian.gov.uk

(Copy Email : Matthew.Watson@westlothian.gov.uk)

9th July 2021

Dear Mr Watson

PLANNING APPLICATION : 590/FUL/21

Erection of 6 houses with associated works; Land South of 39 Marjoribanks Street, Bathgate, West Lothian, EH48 1AH

I would officially like to lodge my objection re the planning application reference above.

We are fair and reasonable neighbours at 39, Marjoribanks Street, Bathgate and totally support the need for affordable housing in West Lothian, however, I am gravely concerned about the impact this development will have on my house and the boundary wall between myself and the proposed development. The reasons for objecting are as follows:

1. **SEVERE VIBRATION AND GROUND DISTURBANCE**

During the demolition of the Community Centre on this site, there was an extensive amount of disruption to our family due to the vibration and physical shaking of my property and the boundary wall.

I am concerned that all stages of the new build development will disturb the ground and cause damage to the house, grounds and boundary wall between the two properties. My property is extremely vulnerable, with the development having the biggest impact on myself at No. 39. Due to recent events, I do not want my property to be compromised, destroyed or any disturbance made to the stability of it.

To alleviate this, I would request that West Lothian Council instruct and pay for an independent surveyor to inspect and report on the house and boundary wall before building and after the development is completed.

The vibration and impact of building could potentially compromise the fabric and foundations of the building, which is our family home. I would request that West Lothian Council impose a planning pre-commencement condition on the grant of any planning permission to ensure that a method statement is produced to deal with the vibration for this development, and that such statement to have the boundary wall included in it.

2. ROAD SAFETY AND TRAFFIC CONGESTION

I am concerned about existing traffic congestion and access and the increased negative impact that this proposed development will have on that, especially as the development off street parking is on the blind summit. The density of the traffic will be inappropriate to the area especially when the Church and Scout Hall commences back with a full calendar of activities at night and weekends. This will make the road overcrowded and extremely dangerous.

The proposal shows one off street parking space per house with no provision for a family with two cars. There is no provision made for visitor parking within the proposals and there are existing yellow lines on the road which means there was no previous parking allowed on this part of the road due to it being a blind summit. The lack of provision of visitor parking runs contrary to requirements set out in the car parking standards section of the West Lothian Council Residential Development Guide Supplementary Planning Guidance of 2017 with specific reference to the Table on page 43 that supports the extant Local Development Plan. Affordable housing is not treated as an exception to these requirements as demonstrated elsewhere within the Council area. Given the concerns raised on road safety above, it is considered even more essential that the Council complies with its own parking standards.

3. REMEDIALS REQUIRED TO ALLEVIATE ISSUES WITH HEALTH AND SAFETY AND STABILITY AS PER NOVEMBER 2020 REPORT:

The Coal Authority states there are Health and Safety implications with this site and have asked that the site be made safe and stable and forward a signed statement confirming this has been done. (This refers back to my concerns re the boundary wall between my property and the proposed development site).
Grout Stabilisation will be required.

Chemical Contamination – elevated concentrations of Cadmium are a potential risk to human health and it has been identified in the report that remedial measures are necessary. Some ground would be classified as hazardous and needs to be disposed of separately.

Gas Emissions – Installation of ground gas protection measures for both the site and adjacent properties in line with the requirements for a Characteristic Situation 2 site are required.

Ecological Assessment should be undertaken to ensure that all potential constraints are identified ahead of the site development.

Scottish Water require further assessment re water supplies is needed.

I am aware this development site needs to be cost effective as well as safe and stable to build on. It seems the main report has highlighted many further measures and assessments which need to be addressed before a decision to grant planning permission is taken.

4. BOUNDARY TREES IN THE GARDEN OF 39 MARJORIBANKS STREET

Please note the tall conifers on your plan drawings, showing greenery between the boundary of the development, will not be there after September 2021. Due to the failing structures and lack of growth they need to be felled, but this will be completed after the birds have flown.

Hopefully, my comments and concerns will be taken seriously as we did not address the issues we should have when demolition was taking place of the previous building.

I will withdraw my objection if reports and amendments are added to the Planning portal to show the above points have been addressed and completed, including my property and the boundary wall being surveyed before and after the building works have been completed.

Please acknowledge timeous receipt of this representation

Regards

Yvonne Drummond

Development Management Committee

19 January 2022

Item 05 - Application : 0590/FUL/21

Erection of 6 houses with associated works (as amended)

Land South of 39 Marjoribanks Street - Bathgate EH48 1AH

West Lothian Council

0590/FUL/21 - Land South of 39 Marjoribanks Street - Bathgate EH48 1AH

Development Management - West Lothian Civic Centre - EH54 6FF

25 0 25 m

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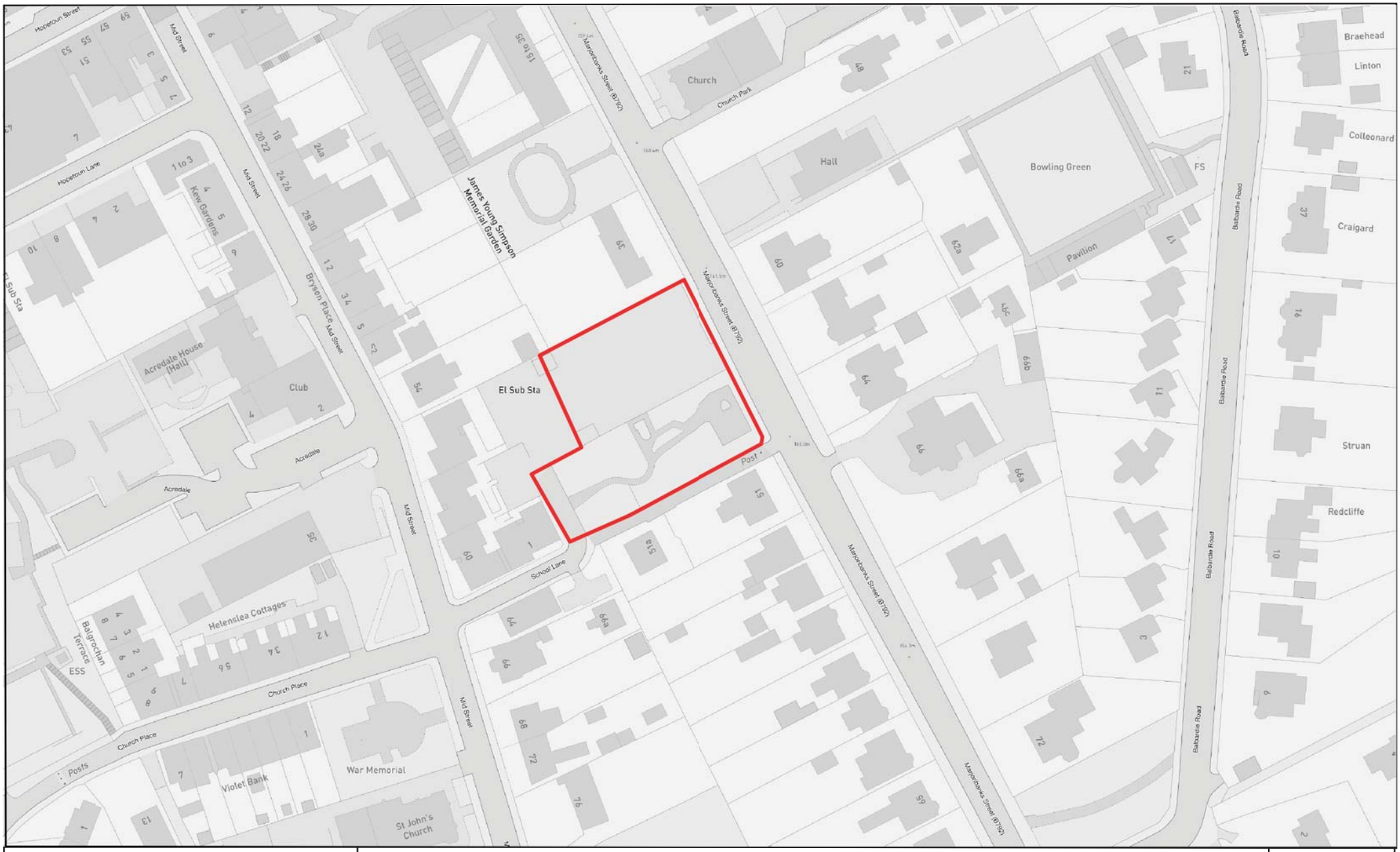

West Lothian Council

0590/FUL/21 - Land South of 39 Marjoribanks Street - Bathgate EH48 1AH

Development Management - West Lothian Civic Centre - EH54 6FF

25 0 25 m

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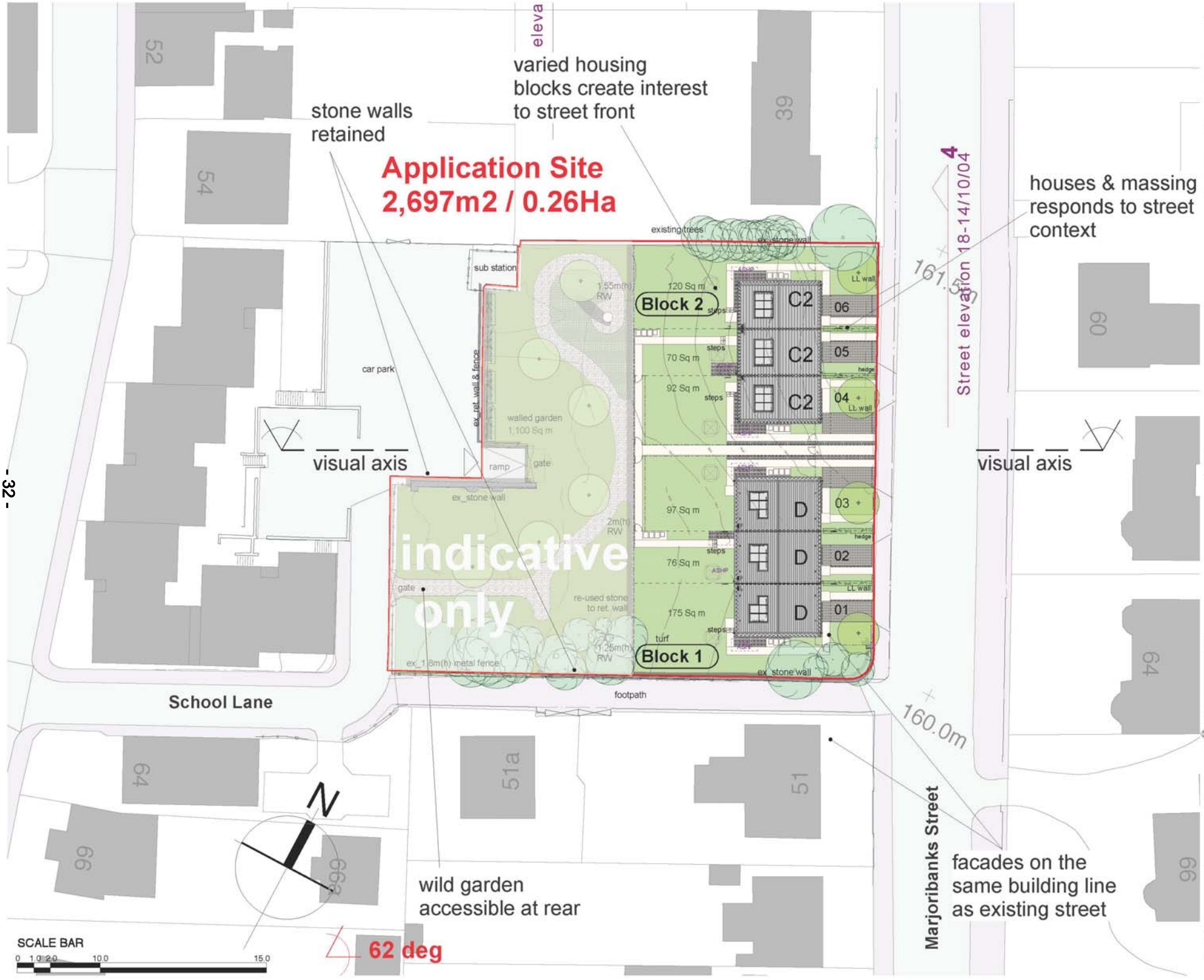

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S.H.E - safety health & environment information

1.
2.
3.

- symbol indicates location & ref. no. of residual hazard/risk

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DATED 31st May 2021

SIGNED P. DeFranco
ON BEHALF OF HYPOSTYLE ARCHITECTS

Planning Permission

rev	amendment	by	Checked	date
A	Refuse area amended to show 1x140L + 240ltr.	FDD	FDD	210706

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Edinburgh 4 Sandport Place EH6 6EU
T: 0131 555 0688 F: 0131 553 4450 E: edinburgh@hypostyle.co.uk

client
West Lothian Council

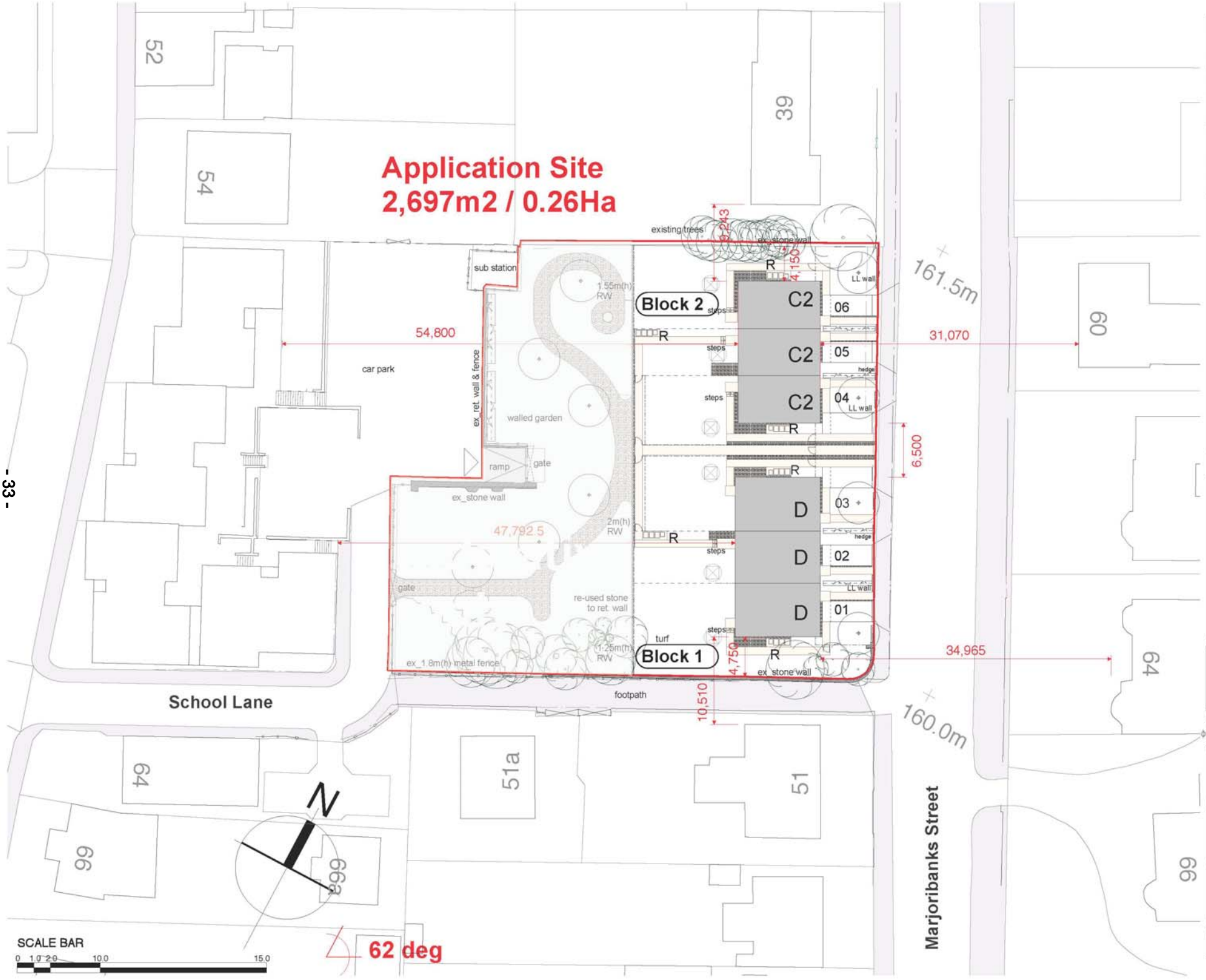
client's ref

project
Marjoribanks Street
Bathgate EH48 1AH

drawing
GENERAL
Proposed Site Layout

scale 1:200
page size A1 drawn FDD date 31st May 2021 checked FDD date 31st May 2021

job ref	drawing num	rev
3708	AL(0)_101	A



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DATED 31st May 2021

SIGNED P. Di Domenico
ON BEHALF OF HYPOSTYLE ARCHITECTS

FACILITIES LEGEND

NOTE

PRIVATE PATHS 800

PUBLIC PATHS (minimum dimension) 1500

NB - ALL PATHS TO HAVE A GRADIENT NO STEEPER THAN 1:16

KEY

ROTARY DRYER

R = REFUSE AREA 3000

HOUSES 800 1000

Planning Permission

rev	amendment	by	Checked	date
A	Refuse area amended to show 1x140L + 240/2L	FDD	FDD	210706

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client
West Lothian Council

client's ref

project
Marjoribanks Street
Bathgate EH48 1AH

drawing
GENERAL
Proposed Setting Out

scale 1:200
page size A1 drawn FDD date 31st May 2021 checked FDD date 31st May 2021

job ref	drawing num	rev
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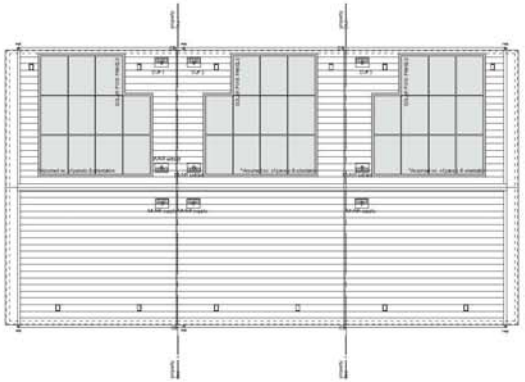
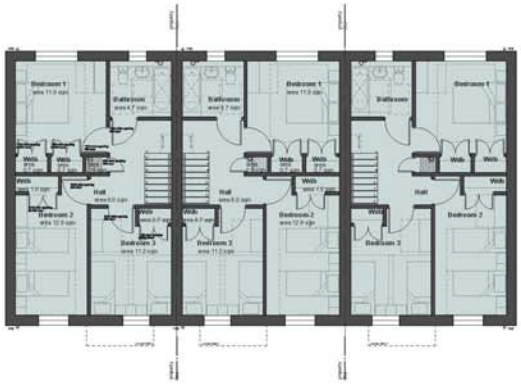
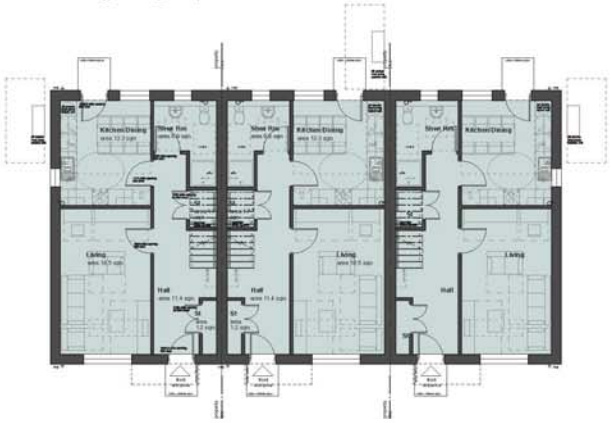


BLOCK 1 (D)
ROOF PLAN



BLOCK 1 (D)
FIRST FLOOR LAYOUT

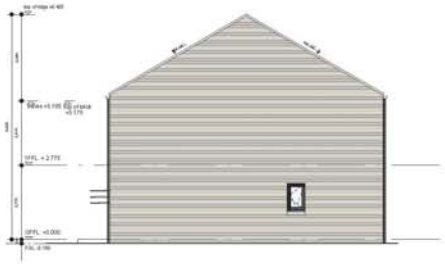
Total GIA Type D 3B/6P_111.2 sq m



BLOCK 1 (D)
GROUND FLOOR LAYOUT

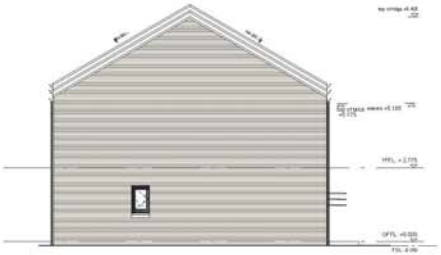
Total GIA Type D 3B/6P_111.2 sq m

1 BLOCK 1 (D)
FRONT ELEVATION



2 BLOCK 1 (D)
SIDE ELEVATION (R)

3 BLOCK 1 (D)
REAR ELEVATION



4 BLOCK 1 (D)
SIDE ELEVATION (L)

External Materials Finishes

1. External Walls.
1a_Material - Facing brick.
Colour - ref. buff.
Manufacturer & texture TBC

1b_Material - PC cills.
Colour - portland.

2. Pitched Roofs;
Material - 'Marley' concrete roof tiles.
Colour - Anthracite

3. Windows/Doors;
Material - aluminum/timber composite double glazed.
Colour - Anthracite PPC.

4. Gutters/RWPs;
Material - UPVC.
Colour - Black.
Fascias/Soffits;
Material - UPVC.
Colour - Anthracite.

5_Glass/metal canopies.
Manufacturer TBC

6_Metal house numbers.
Colour - ref. mat finish.
Manufacturer TBC

7. PV panels.

Notes

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DATED 31st May 2021

SIGNED P. Di Domenico
ON BEHALF OF HYPOSTYLE ARCHITECTS

Planning Permission

rev	amendment	by	Checked	date
A	Elevations amended to show omission of precast elements - only pc cills to remain & brick relief panel shown to front elevations & roof plans to show PVs.	FDD	FDD	210903

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client
West Lothian Council

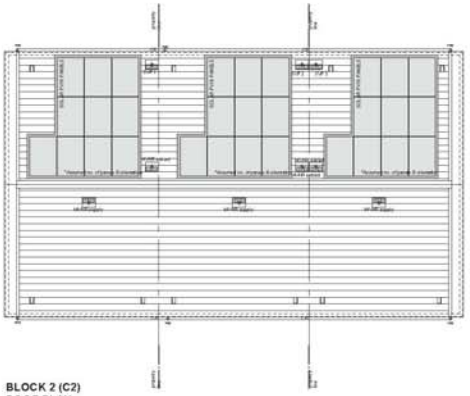
client's ref

project
Marjoribanks Street
Bathgate EH48 1AH

drawing
GENERAL
House Type D_3b6p
Plans & Elevations_Block 1

scale 1:100
page size A1
drawn BD date 31st May 2021
checked FDD date 31st May 2021

job ref	drawing num	rev
3708	AL(0)_120	A



BLOCK 2 (C2)
ROOF PLAN

BLOCK 2 (C2)
FIRST FLOOR LAYOUT

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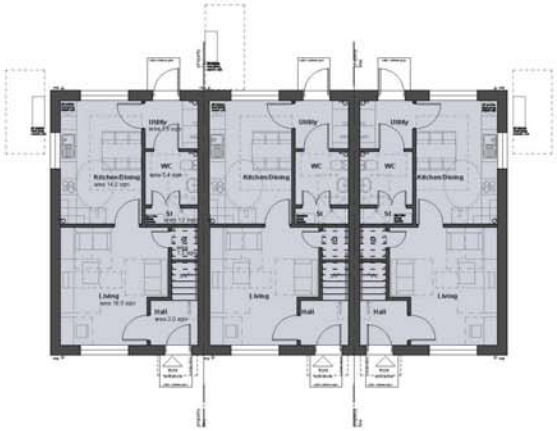


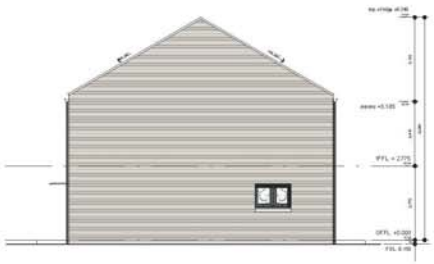
BLOCK 2 (C2)
GROUND FLOOR LAYOUT

Total GIA Type C 2B/4P_94.8 sq m

1 BLOCK 2 (C2)
FRONT ELEVATION

2 BLOCK 2 (C2)
SIDE ELEVATION (L)

3 BLOCK 2 (C2)
REAR ELEVATION



4 BLOCK 2 (C2)
SIDE ELEVATION (R)

External Materials Finishes

1. External Walls:
1a_Material - Facing brick:
Colour - ref. buff
Manufacturer & texture TBC

1b_Material - PC cills:
Colour - portland.

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5_Glass canopies:
Manufacturer TBC

6_Metal house numbers:
Colour - ref. mill finish:
Manufacturer TBC

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client
West Lothian Council

client's ref

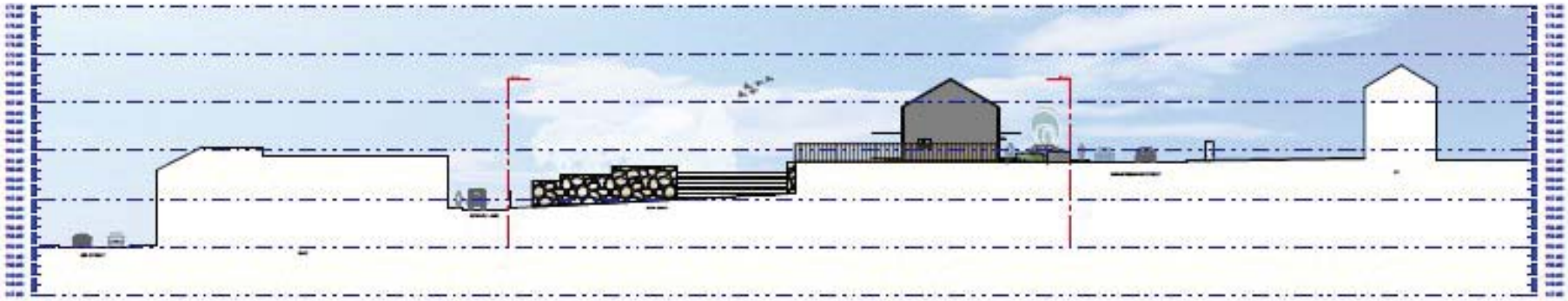
project
Marjoribanks Street
Bathgate EH48 1AH

drawing
GENERAL
House Type C2_2b4p
Plans & Elevations_Block 2

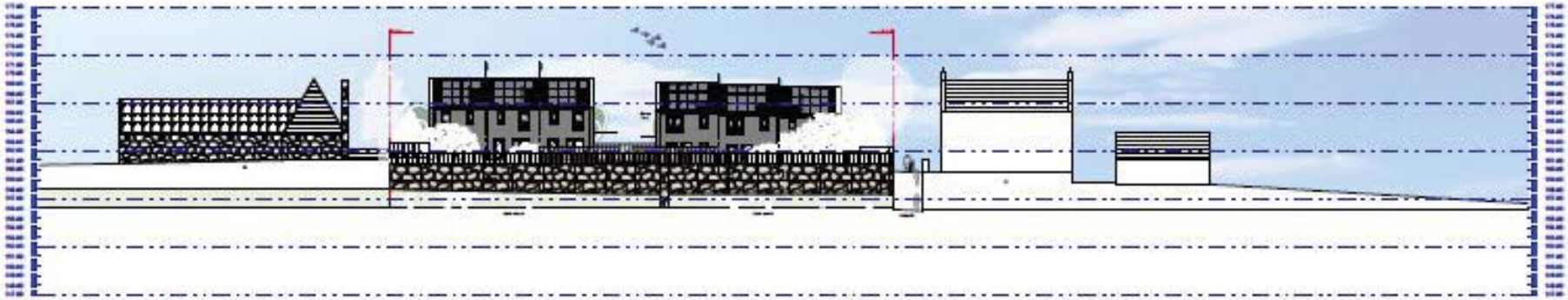
scale 1:100
page size A1
drawn BD date 31st May 2021
checked FDD date 31st May 2021

job ref	drawing num	rev
3708	AL(0)_122	A

STREET ELEVATION (from Marjoribanks Street)



SITE SECTION 1 (from Mid Street to Marjoribanks Street)



GARDEN ELEVATION 2 (from School Lane)

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Approval of matters specified in conditions of planning permission 0636/P/18 (Appeal ref: PPA-400-2097) for the erection of 189 houses with associated works (as amended) at Land South of Sibbalds Brae and West of Falside Crescent, Bathgate

2 DETAILS

Reference no.	1030/MSC/20	**Owner of site**	Hallam Land Management
Applicant	Taylor Wimpey East Scotland	**Ward & local members**	**Bathgate** Councillor Harry Cartmill Councillor John McGinty Councillor Charles Kennedy Councillor Willie Boyle
Case officer	Matthew Watson	**Contact details**	01506 283536 matthew.watson@westlothian.gov.uk

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

3 RECOMMENDATION

Grant matters specified in conditions, subject to conditions.

4. DETAILS OF THE PROPOSAL AND BACKGROUND

4.1 The application proposes the erection of 189 houses and associated works at land south of Sibbalds Brae and west of Falside Crescent.

4.2 The application site is a 13.75 hectare greenfield site on the western edge of Bathgate and to the south of Sibbalds Brae (B708). It is bounded to the east by housing at Falside and also by Robertson Avenue local park and Little Boghead Nature Park. To the south and west is agricultural land and areas of woodland. Housing at Sandilands Gardens is also to the west. To the north on the opposite side of Sibbalds Brae is housing with agricultural land beyond.

4.3 Housing is proposed on only part the site, this being the field to the west of the housing at Falside. This field is bounded to the west and south by watercourses. On the remaining

parts of the application site, to the west and south of these watercourses, the proposals include landscaping and paths. Mature trees bound the north west boundary of the site. Mature trees are also located within the gardens of properties on Boghead Crescent.

4.4 The application site is in the Bathgate/Whitburn Countryside Belt, however, the principle of housing development on the site has been established through the DPEA granting the appeal against the council's refusal of application 0636/P/18 for residential development on the site. A Section 75 legal agreement was concluded as part of the appeal process to secure developer contributions.

4.5 The vehicular access to the site is from Sibbalds Brae, utilising the access point that presently serves the houses at Sandilands Gardens. This access has already been approved separately under application 0695/MSC/20 and is not part of this application.

4.6 A mix of detached, semi-detached and terraced properties are proposed under this application. The layout comprises a core road that runs south from the access point with a cycle way on one side of the road. Housing is predominately located in areas of shared surface off the core road. The area of affordable housing is proposed at the north east of the site and provides for 29 affordable houses, which are to be for social rent, (15% of the total number of houses), adjacent to the access point at Sibbalds Brae.

4.7 There is no active open space on-site and the applicant will pay developer contributions towards off-site improvements for open space in the surrounding area.

4.8 A total of 9 trees are proposed to be removed under this application. It is proposed to replant 183 trees and areas of woodland as compensatory planting. None of the trees on the site are covered by a Tree Preservation Order. A small area of trees on the site is within the Ancient Woodland Inventory, but is unaffected by the proposed development.

History

4.9 0695/MSC/20: Approval of matters specified in conditions of planning permission 0636/P/18 for access road junction off Sibbalds Brae including new access road to Sandilands Gardens, Approved, 26/05/2021

4.10 0636/P/18: Planning permission in principle for residential development with access, landscaping, SuDS and associated infrastructure, Refused, 21/11/2018, Appeal allowed, 26/02/2020

4.11 0308/EIA/18: Environmental impact assessment screening opinion for a residential development with landscaping, SUDS and associated infrastructure, EIA Not Required, 11/04/2018

4.12 0233/PAC/18: Proposal of application notice for residential development, Consultation approved, 11/04/2018

4.13 0203/P/13: Planning permission in principle for a 6.7ha residential development with associated works, Refused, 13/11/2013, Appeal dismissed, 20/08/2014

5. REPRESENTATIONS

5.1 A total of 146 objections have been received in relation to the proposed development, including objections from Bathgate Community Council and Sandilands Gardens Residents Association. A sample of representations is attached to this report.

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

Comments	Response
• Traffic impact and road safety	• Noted. The transport assessment submitted with the application has been assessed by the council's Roads & Transportation team who have raised no objection to the proposal.
• Loss of trees	• The loss of trees is, on balance, acceptable. See assessment in the 'Impact on Trees' section below.
• Felling of trees on land not owned by the applicant	• Land ownership is a civil matter and not a material planning consideration.
• Loss of privacy	• The houses that are located on the eastern boundary of the site largely meet the minimum requirements for garden lengths and distance between buildings. Minor infringements of distance between buildings are acceptable.
• Ecological impact and loss of wildlife	• Mitigation measures for water voles are proposed through a planning condition.
• Impact on local infrastructure, including lack of capacity in local schools	• These matters were found to be acceptable in the appeal decision for the PPP application.
• Flooding	• A flood risk assessment has been submitted with the application. The council's Flood Risk team has examined the FRA and has found it to be acceptable.

6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
WLC Transportation	No	No objection to the application subject to minor layout amendments.	Noted. These points can be covered in the road construction consent.

WLC Environmental Health	No	No objection subject to conditions for construction of the development.	Noted and the conditions are proposed to be attached to any planning permission.
WLC Arboricultural Officer	No	No major issues with the arboricultural method statement and proximity of trees to properties proposed at the north west and east of the site. Poplar trees should be removed from any replanting. Concern raised over the impact on trees on land adjacent to the proposed access.	Noted. An updated landscape plan replacing poplar trees that are proposed as part of replanting and the implementation of the arboricultural method statement can be covered by conditions. The access application has been granted separately and does not form part of this application.
WLC Flood Risk Management	No	The proposed development integrates the layout with the existing flood risk area. The curtilage of residential properties needs to be moved outside the 35% climate change zone.	Noted and the curtilage of properties have been moved outside this zone.
WLC Contaminated Land Advisor	No	The site investigation needs to be updated for further gas monitoring at the west of the site.	Noted. This matter is proposed to be covered by a planning condition.
WLC Open Space Officer	No	As no on-site provision is proposed, full developer contributions are required.	Noted. The applicant has agreed to pay developer contributions towards open space enhancement. This matter is covered in the existing legal agreement for the appeal decision.
WLC Waste Services	No	No objections to the application following latest site layout revision.	Noted.
WLC Countryside Services	No	Provision for wildlife enhancement, such as bird boxes, should be included in the development.	Noted. These matters are proposed to be covered by planning conditions.
WLC Education Planning	No	Education capacity and contributions were determined as part of the appeal and there are no further comments. Sufficient routes are provided to meet safer routes to schools requirements.	Noted.
West of Scotland Archaeology Service	No	No further archaeological work is required.	Noted.

Coal Authority	No	No objections to the application. Verification statements are required for areas requiring remedial works.	Noted. This matter is proposed to be covered by a planning condition.
SEPA	No	No objection to the application.	Noted.

7. ASSESSMENT

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

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

7.3 The relevant development plan policies are listed below:

Policy	**Policy Summary**	**Assessment**	**Conform ?**
West Lothian Local Development Plan (LDP), 2018 DES 1 Design principles	This policy states that development needs to integrate with its context and the surrounding built form and have an acceptable impact on amenity.	The proposed layout is acceptable and the development integrates with its local context and built form. The proposal complies with Policy DES 1. See the 'Design and Layout' section below for more detail.	Yes
West Lothian LDP ENV 9 Woodlands, Forestry, Trees and Hedgerows	This policy sets out the criteria for loss of trees of amenity value and trees that are subject to a TPO.	The application proposes limited tree removals and significant compensatory planting. The impact on trees is therefore acceptable. See the 'Impact on Trees' section below for more detail. The proposal complies with Policy ENV 9.	Yes
West Lothian LDP Policy ENV 20 Species Protection and Enhancement	This policy states that development which affects a species protected by law will not be supported unless four criteria are met.	An ecology report and water vole survey have been submitted with the application and conclude that protected species will not be affected by the proposals. See the 'Ecology and Habitats' section below for more detail.	Yes

West Lothian LDP HOU 4 Affordable Housing	This policy requires housing sites of more than 25 houses in Bathgate to contribute towards affordable housing via on-site provision of 15% of the total number of units.	15% provision of affordable housing has been met in this application.	Yes
West Lothian LDP EMG 2 Flooding	This policy requires development to be acceptable in terms of flood risk.	The Flood Risk Assessment submitted with the application is acceptable.	Yes
West Lothian LDP EMG 3 Sustainable drainage	This policy states drainage proposals need to ensure surface water can be attenuated.	The drainage assessment submitted with the application is acceptable.	Yes
West Lothian LDP INF 1 Infrastructure Provision and Developer Obligations	This policy requires developers to enter into a legal agreement to secure developer contributions towards local infrastructure.	The proposal will result in a need for contributions towards education, public art, open space and cemeteries. These have been agreed with the applicant and the proposal is acceptable, subject to a legal agreement securing these contributions. A planning obligation was agreed as part of the appeal stage and will secure these contributions.	Yes
West Lothian LDP ENV 32 Archaeology	This policy requires development not to have a negative impact on archaeological sites.	WoSAS has commented on the application and states that no further archaeological work is required on the site.	Yes
West Lothian LDP TRAN 1 Transport Infrastructure	This policy requires the transport impacts of development to be acceptable.	The submitted transport assessment is acceptable and Transportation has raised no objections on the grounds of road safety and traffic impact.	Yes
Supplementary Guidance (SG) Residential Development Guide (RDG)	This document requires residential development to accord with the guidance in the RDG.	The proposal is largely in accordance with the standards in the RDG.	Yes
SG Affordable Housing	This document requires proposals to accord with the text of the SG.	The proposal accords with the SG with the 15% provision of on-site affordable housing for social rent.	Yes

SG Flooding and Drainage	The SG requires development to be acceptable in terms of flood risk.	The Flood Risk Assessment submitted with the application is acceptable.	Yes

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

Design and Layout

7.5 Policy DES 1 states that 'All development proposals will require to take account of and be integrated with the local context and built form'.

7.6 The site in question is a greenfield site on the edge of Bathgate. There is very low-density housing located at Sandilands Gardens to the north west of the site and detached and semi-detached properties are located in Falside to the east of the site.

7.7 A mix of detached, semi-detached and terraced properties are proposed under this application. The layout has been substantially revised since the application was submitted. The application proposes that the affordable housing is located close to the site entrance at Sibbalds Brae and this is a positive aspect of the proposed development; as is the proposed arrangement for housing to front onto the SUDS pond, which will create an attractive environment. The layout accords with the principles of Designing Streets and the proposal is a well-designed development. The standards for garden sizes and plot ratios in the Residential Development Guide have largely been complied with across the development. Where there are infringements of these standards, these are minor and acceptable departures from guidance. The proposal is not overdevelopment of the site and is of an acceptable density for its location.

7.8 Overall, the proposal will integrate with its local context and built form and complies with Policy DES 1 of the LDP and the Residential Development Guide.

Impact on Trees

7.9 Policy ENV 9 states there is a presumption against proposals that involve the removal of trees that are of amenity value or subject to a TPO. Developers are expected to carry out a tree survey and provide compensatory planting with a preference for native species to be used in replanting. Management of trees and woodland is expected and supported.

7.10 A tree survey has been submitted with the application that has been carried out in accordance with BS5837:2012, as required by LDP policy ENV 9 (g). 57 individual trees and four group of trees have been surveyed, in relation to this application.

7.11 A breakdown of the proposed removals, in terms of tree quality is below.

Tree category	A	B	C	U	TOTAL
Trees removed	0	2	1	7	9
Trees retained	18	18	12	0	48

*Note, this does not include trees consented for removal under the access road application.

7.12 The number of trees proposed for removal is limited. A total of 183 trees and 2851 woodland whips are proposed as replanting. This represents a significant amount of tree planting as compensatory planting.

7.13 The matter of tree loss as a result of the access has been raised in representations and by the council's arborist. The application for the access was approved in May 2021 and tree loss as a result of the access cannot be considered in this application. It was noted that the access application was contrary to Policy ENV 9 of the LDP but the appeal decision allowing an access in that position, and subsequent tree felling, was of significant weight that outweighed the non-compliance with the development plan.

7.14 On balance, the limited number of tree removals, coupled with the significant amount of compensatory planting, means the proposal is compliant with Policy ENV 9 of the LDP.

7.15 Overall, the impact on trees as a result of the proposal is acceptable, subject to the implementation of replanting and the measures in the arboricultural method statement.

Ecology and Habitats

7.16 Policy ENV 20 states development that adversely impacts protected species will not be supported unless four criteria are met.

7.17 The applicant has submitted an update to the Phase 1 Extended Habitat Survey, as well as a water vole survey.

7.18 The updated ecology report concludes that circumstances relating to habitats on the site remain the same as reported in 2018 for application 0636/P/18. Condition 2 (xi) requires the provision of a buffer area approximately 20 metres wide between the watercourse within the site and built development, in line with the water vole survey. This buffer has been maintained in this application.

7.19 If any protected species are found during pre-construction surveys or construction of the development then a license will be required from Nature Scot.

7.20 The council's Countryside Services team has recommended that provision for wildlife is included within the proposed development, including bird boxes. A planning condition is proposed to ensure provision for wildlife habitats in the development.

7.21 Overall, the proposal will not have an adverse impact on protected species. The proposal complies with Policy ENV 20.

8. CONCLUSION AND RECOMMENDATION

8.1 In summary, the principle of residential development is established on this site by the grant of planning permission in principle through an appeal. The layout and design of the development is acceptable and impacts on trees are also acceptable. The proposal

complies with the relevant provisions of the development plan and there are no material considerations that outweigh this conclusion.

8.2 Consequently, and in view of the above, it is recommended that this application be granted, subject to conditions.

9. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions
- Location Plan
- Sample of Representations (Copies of all the representations are available to view in the case file)

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

Craig McCorriston
Head of Planning, Economic Development and Regeneration **Date: 19 January 2022**

Draft Conditions – 1030/MSC/20

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

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

2. The boundary treatments submitted with the application shall be implemented in accordance with the approved plans prior to the occupation of each house.

Reason: In the interests of visual and environmental amenity.

3. Prior to the commencement of development, details of proposed retaining structures shall be submitted to and approved in writing by the planning authority. Thereafter, the approved details shall be implemented prior to the occupation of the relevant houses.

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

4. Prior to the commencement of development, details of the phasing of the development 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.

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

5. No residential unit in each phase of the development shall be occupied until:

(a) Within that phase, all new access roads, footways/footpaths, visitor parking, and all parking on shown on the approved plans have been constructed and lit to the adoptable standard of the council as roads authority.

(b) Within that phase, all private shared / individual driveways shown on the approved plans have been constructed.

Reason: In the interests of road safety and visual and environmental amenity.

6. The measures identified in the report submitted with the application titled ‘SIBBALD’S BRAE: ARBORICULTURAL METHOD STATEMENT’, dated 20 August 2021, by Envirocentre shall be implemented during the construction of the development.

Reason: To ensure trees to be retained are adequately protected during construction, in the interests of visual and environmental amenity.

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

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

8. Prior to the commencement of development, a landscape and woodland management plan that sets out maintenance arrangements for the landscaping and woodland at the north west, west and south of the site for a minimum of 25 years and who is responsible for maintenance, as well as setting out informal access to this area, shall be submitted to and approved in writing by the planning authority. Thereafter, the management plan shall be implemented in accordance with its approved details.

Reason: To ensure there is a long term management plan in place for the maintenance of the woodland and landscaping.

9. Prior to the commencement of development, updated landscape plans shall be submitted to and approved in writing by the planning authority. Thereafter, the approved landscape plans shall be implemented in the first planting season following the first house occupation, or completion of the development, whichever is sooner.

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

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

10. Prior to the commencement of development, details to meet the following requirements for electric vehicle charging shall be submitted to and approved in writing by the planning authority:

(a) Where off-street parking is provided, one in every six residential units shall have an active ready to use electric vehicle charging point (7kw) located either in a garage or in close proximity to a dedicated car parking place within the driveway of the property and connected to the domestic electricity supply via a dedicated circuit. For all other residential units with off-street parking, passive provision (cabling and individual fuse boxes provided) shall be provided to enable easy conversion to an active charging point should demand manifest itself.

(b) For on-street parking, one in every six spaces shall have a fully connected, active and ready to use electric vehicle charging point (7kw). Electric vehicle parking spaces should be counted as part of the overall car parking provision and not in addition to it.

(c) Details of who will be responsible for managing and maintaining charging infrastructure, including details of managing access to charging spaces and arrangements for paying for the electricity used during charging.

Thereafter the development shall be carried out in accordance with the details as approved.

Reason: To enable full consideration to be given to those details which have yet to be submitted, in the interests of ensuring the provision of electric vehicle charging.

11. Prior to the commencement of development, measures to encourage provision for wildlife and habitat enhancement shall be submitted to and approved in writing by the planning authority. Thereafter, the agreed measures shall be implemented in accordance with the approved details prior to the completion of the development.

Reason: To ensure the development provides opportunity for wildlife enhancement.

12. Surface water from the development shall be treated and attenuated by a sustainable drainage system (SUDS) in accordance with the Water Assessment & Drainage Assessment Guide (published by SUDS Working Party) and The SUDS Manual C753 (published by CIRIA).

The proposed drainage layout shall be implemented in accordance with drawings 22482 E05 01 C and 22482 E05 02 C and the Drainage Assessment submitted with the application titled 'Proposed Residential Development At Sibbald's Brae, Bathgate SUDS & Drainage Strategy Report', dated 16 December 2019, by GM Civil and Structural Consulting Engineers Ltd.

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

13. **Part 1**

Prior to the commencement of development, an updated site investigation report to include further gas monitoring at the west of the site shall be submitted to and approved in writing by the planning authority.

Part 2

Prior to the commencement of development, a detailed Remediation Statement to bring the site to a condition suitable for the intended use by removing unacceptable risks to all relevant and statutory receptors, must be submitted to and approved in writing by the planning authority. The Remediation Statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Remediation Statement must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development.

Part 3

The approved Remediation Statement must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the agreed remediation. The planning authority must be given two weeks written notification of the commencement of the remediation works. Following completion of the measures identified in the approved Remediation Statement, a Verification Report that demonstrates the effectiveness of the remediation carried out must be prepared. The Verification Report must be submitted to and approved in writing by the planning authority prior to commencement of the new use of the land.

Reason: To ensure there is no contamination on the site that could pose a risk to the health of future occupiers, in the interests of amenity

14. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the planning authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the development is not affected by coal mining legacy.

15. The mitigation measures in the dust management plan report submitted with the application titled 'Sibbald's Brae, Bathgate, Dust Management Plan', dated May 2020, by Envirocentre shall be implemented during the construction of the development.

Reason: In the interest of neighbouring amenity.

16. Prior to the commencement of development, the applicant shall submit a construction management plan for the written approval of the planning authority. The construction management plan shall set out the level of vehicle movements expected over the course of the construction of the development and any mitigation measures required to be in place for the duration of the works, including how disruption will be minimised for the residents of Sandilands Gardens. Once approved, the developer shall comply with the agreed measures in the construction management plan.

Reason: To minimise disruption from vehicle movements during construction on the living conditions of neighbouring residential properties, in the interests of residential amenity.

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

<u>Noise (Construction)</u>

- 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.

<u>Noise (Vehicles/Plant)</u>

- 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.

<u>Vibration (Construction)</u>

- 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 piliing or other significant vibration works taking place, a scheme to minimise and monitor vibration affecting sensitive properties shall be submited to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

<u>Site Compound</u>

- 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.

<u>Waste</u>

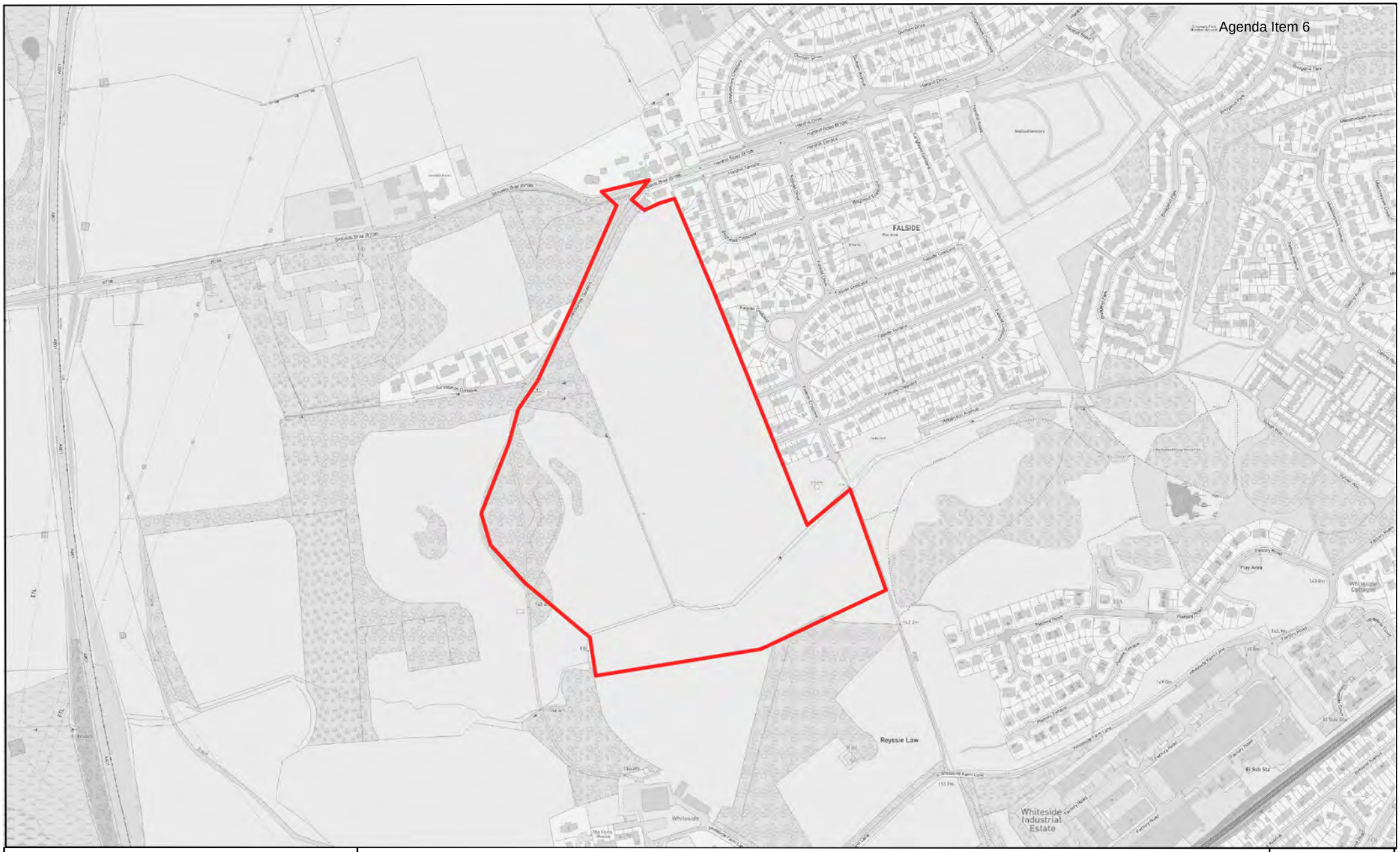
- Effective facilities for the storage of refuse, building debris and packaging shall be provided on site. The facilities shall be specifically designed to prevent refuse, building debris and packaging from being blown off site. Any debris blown or spilled from the site onto surrounding land shall be 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 interests of visual and environmental amenity.



West Lothian Council

1030/MSC/20 - Land South of Sibbalds Brae and West of Falside Crescent - Bathgate

Development Management - West Lothian Civic Centre - EH54 6FF

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From: [redacted]
To: Watson, Matthew
Subject: 1030/MSC/20 Approval of matters specified in conditions of planning permission 0636/P/18 (Appeal ref:PPA-400-2097)Sibbalds Brae
Date: 23 December 2020 08:14:19

For the attention of Matthew Watson.

I refer to the above and would advise that Bathgate Community Council believe that the mood of the community towards this development remains solid. At the pre application event there was overwhelming opposition and we have no evidence to suggest that this has changed. Replaced perhaps with a feeling of helplessness. The public engaged with the process, the plan was rejected locally only for the result to be overturned by a non elected official.*'The large number of planning application decisions overturned by the Scottish Government is "making a mockery of local democracy", Latest figures indicate that a significant majority of Council decisions to refuse planning permission are routinely overturned on appeal by the Scottish Government.' - Scottish Community Alliance 16th December 2020.*

We object to this detailed planning application. Please see the basis of our objections as follows -

1) We have estimated that the mid point of the entrance to the new junction is ten meters from the existing lamppost on the left hand side looking up Sibbalds Brae. This 'almost' creates a cross road with the entrance to house on Sibbalds Brae. Potentially 400 cars will be leaving and returning on a daily basis (lights on full beam in winter). I question if this is legal & acceptable. I would suggest this is an intrusion and that lighting must not shine onto or into any neighbouring residential property.

2) Regarding the B708, the Sibbalds Brae Road. We would point out that there is not enough room for a car and a bus to pass each other precisely where the new junction is, going in the opposite directions.

From the top of the brae there is constant regular heavy lorry traffic.

Traffic exiting and turning left up Sibbalds Brae from the proposed new entrance would not be safe. Any car turning left cannot do so safely if there is a car, van, bus, lorry coming down Sibbalds Brae. It is not safe!

Factor in the potential 400 cars out and in on a daily basis.

During winter, the road at Sibbalds Brae is susceptible to ice and slippery conditions and significant water comes off the woodlands onto the entrance. During cold spells this becomes slush and very often hard ice and results in real difficulty stopping a vehicle at the junction without great care. This is a point of real danger.

Factor in the increased traffic flow over recent times and also consider how much the traffic flow will increase as a result of the undoubted development, which will take place at the old brickworks at Bathville (600 units).

The Transport Assessment carried out in July 2018, 3.5 on pages 9/10 makes reference to the Scottish White Paper and quotes one of the objectives as follows ..... To 'improve safety of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers passengers and staff.' These will not be met by this new road/entrance – quite the

contrary!

This development and the proposed entrance makes the B708 even more dangerous and cannot be mitigated by a reduction in speed limits or traffic calming measures. **There needs to be a rethink for a better solution at this road or reject the proposed development.**

There is the school run which attracts a line of cars at around 50 meters or so east of Sibbalds Brae. Again factor in 400 cars in and out. No evidence of any emissions calculations and would again draw your attention to the transport assessment 3.5 on pages 9/10, which states as one of its objectives –.....to 'protect our environment and improve health by building and investing in public transport which minimises emissions and consumption and energy'. I would suggest the opposite be true as a result of this new road/entrance and **would insist on an independent air quality impact assessment. This is so important when you consider the recent news that air polution has been recognised for the first time as a cause of death on a childs death certificate.**

3) Looking at the Tree Removal and Protection Plan and documentation relating to provisional tree constraints/protection/tree destruction and would draw attention to the fact that Taylor Wimpey (TW) intends to stray beyond the site boundary at the entrance at Sibbalds Brae into the woodland beyond. They do not own this land, we wonder if they have sought and received permission to do so? This needs to be established - they simply cannot be allowed to bulldoze into an area they are not entitled to and say sorry afterwords.

The original planning application ref 0636/P/18, contains an updated tree survey report and makes reference to some trees being incompatible with the design (14 in total - table 3/3). The detailed planning application now submitted under ref 1030/MSC/20 'Provisional Tree Constraints' Plan 2 of 3 shows 'incompatible trees' all the way up the avenue which is new (looks like 10). These trees were not mentioned in the previous planning application and not referred to at the appeal. It would therefore suggest that they intend destroying 14+10 =24 trees which is unacceptable and out of line with what was detailed previously

We would like confirmation that there will be a specific bat study undertaken. We know they exist in the area and mostly recognised as common pipistrelle. This study needs to be carried out before any of the trees are potentially destroyed.

4) We would like to have some input regarding the ecological issues. Referring to the masterplan Revision J, we feel that the bridge over the stream (on the right hand side) be moved further to the left. We object to its current position. We feel this would be beneficial to the sustainability of the water voles/otters. We welcome the 20 metre buffer area between the watercourse and any development in order to protect the habitat for vole and otter.

5) Referring to the masterplan Revision J, the boardwalk on the right hand side was under water during February/March 2020 and we would suggest this needs to be factored into it's construction. Also it appears to our eye that the landscaped areas that surround the proposed development will in effect be like an extention to Little Boghead Nature Reserve which is tended by volunteers. We note that details of maintenance arrangements of open spaces are to be established (condition c of the Decision Notice dated 26th Feb 2020). We would like to see details of these arrangements.

The footpath that exists on the right hand side of the masterplan on the border between the proposed development and Little Boghead Nature reserve has been 'washed away' due to the continual flooding of the field. We trust the intention is to repair the path and to bring it

up to a standard in order to be described as a 'safe walkway' with lighting for children to walk to and from local schools.(Condition a of Decision Notice).

6) The range of housing types in the development does not include an option for a bungalow style. We would like to take this issue up to reflect a demand from the people who are at that stage of their lifecycle. There has not been new bungalows built in the surrounding areas and it pushes up prices of existing stock. We would like this to be addressed here.

Please can you confirm receipt of this email

Thanks
Debbie
Secretary
Bathgate Community Council

10, Sandilands Gardens
Bathgate
West Lothian
EH48 2FI
18th December 2020

For the attention of Matthew Watson

Dear Mr. Watson

1030/MSC/20 "Approval of matters specified in conditions of planning permission 0636/P/18 (Appeal ref: PPA-400-2097) Sibbalds Brae.

I am one of the residents of Sandilands Gardens. There are ten houses in total and we will be impacted by this proposed development.

We have a residents association and we object to this plan proceeding.

Objection –The junction of the existing Sandilands Gardens and the 'new road', is it sufficiently wide enough to accommodate lorries etc. (refuse lorries, fire engines, removal lorries)? Sandilands Gardens is a single-track road; no kerbing, and the new road, double carriage is 6 meters wide. There is insufficient room for those sorts of large vehicles to negotiate. Large lorries will inflict damage onto this single-track road, which is too small for these lories to manoeuvre without inflicting damage. We as residents at Sandilands Gardens are responsible for its upkeep. No kerbing would result in potential damage to the edges and the power line to the houses would also be under considerable threat.
In view of the above, this aspect needs to be looked at and remedied in order to mitigate damage.

Objection -We believe the B708 will become even more dangerous as a result of this development. I would draw your attention to points raised in relation to planning reference 0695/MSC/20 access road junction off Sibbalds Brae including new access road to Sandilands Gardens | Land South Of Sibbalds Brae. A decision on this remains outstanding.

Objection – we note an intention to destroy additional trees on the left hand side coming up the avenue. This is new and seems to be in addition to the original intention and looking at the Tree Removal and Protection Plan, it appears Taylor Wimpey (TW) intends to stray beyond the site boundary at the entrance at Sibbalds Brae into the woodland beyond. They do not own this land, the residents at Sandilands Gardens do. No contact has been made with us and yet this progresses with no reference to land ownership. **As a group we will not accept any incursion, tree felling, barriers or signage on residents' land. This is an issue we would like explicitly established and needs to be addressed before any outcome to this application can be made.**
Details of the bat study before trees are felled? When is this going to take place?

Objection - as a group we are unclear exactly how the 'new entrance ' would be managed without a great deal of upheaval to our lives. Nothing has been

explained and no communication has been received from Hallam Land/Taylor Wimpey. How will children get to school/nursery? How will residents get to work? How will cars get in and out of our development? Clearly we will not accept any closure/disruption which impacts in any of the above mentioned activities.

Objection - remains pending better understanding how the 'new road' and development integrates with the 'existing' Sandilands Gardens. (Refer to **conditions** 1(a) & (l)).
In relation to this, we would **not** wish the site compound and access points to be opposite no 1 Sandilands Gardens. When some ground tests were done, access had been gained be using the gate into the field opposite No1. Mud & mess was the result to the extent that the resident of no. 1 had to clear up. The digger also strayed into the householder's driveway. All unacceptable no apologies nothing and contrary to the conditions set out in the decision notice!
We would want it explicitly understood that no construction traffic use or park at any point in Sandilands Gardens the woodlands nor on the grassy area opposite houses 1,2,3. This grassy area, we the residents cut the grass in order to keep tidy. Will this be taken over by the factors on the new development and paid for by the residents of the new development? We note that details of maintenance arrangements of open spaces are to be established (condition c of the Decision Notice dated 26th Feb 2020). We would like to see details of these arrangements.
The plans submitted do not show detail of how the current access point (farmers gate into the field opposite no 1 Sandilands Gardens) will be finished off. Fencing, hedging/trees? There is no detail and again no communication.

Objections remain pending clarification as follows -

The wall and gateway at the entrance will be destroyed. Will it be replaced and what will replace the wall at the Gate House (we, the residents paid for the construction).
At the entrance will there be a distinction between Sandilands Gardens and the new development?
There is no detail relating to power cables etc., which run up the side of the road on our side/our land. How is this going to be integrated with the new development?
The brick wall (retaining) on Sibbalds Brae how is that going to be finished off and integrated to the grass verge.

Clearly there is an issue relating to communication!

Yours sincerely

John Macdonald

contrary!

This development and the proposed entrance makes the B708 even more dangerous and cannot be mitigated by a reduction in speed limits or traffic calming measures. **There needs to be a rethink for a better solution at this road or reject the proposed development.**

There is the school run which attracts a line of cars at around 50 meters or so east of Sibbalds Brae. Again factor in 400 cars in and out. No evidence of any emissions calculations and would again draw your attention to the transport assessment 3.5 on pages 9/10, which states as one of its objectives –.....to 'protect our environment and improve health by building and investing in public transport which minimises emissions and consumption and energy'. I would suggest the opposite be true as a result of this new road/entrance and **would insist on an independent air quality impact assessment. This is so important when you consider the recent news that air polution has been recognised for the first time as a cause of death on a childs death certificate.**

3) Looking at the Tree Removal and Protection Plan and documentation relating to provisional tree constraints/protection/tree destruction and would draw attention to the fact that Taylor Wimpey (TW) intends to stray beyond the site boundary at the entrance at Sibbalds Brae into the woodland beyond. They do not own this land, we wonder if they have sought and received permission to do so? This needs to be established - they simply cannot be allowed to bulldoze into an area they are not entitled to and say sorry afterwords.

The original planning application ref 0636/P/18, contains an updated tree survey report and makes reference to some trees being incompatible with the design (14 in total - table 3/3). The detailed planning application now submitted under ref 1030/MSC/20 'Provisional Tree Constraints' Plan 2 of 3 shows 'incompatible trees' all the way up the avenue which is new (looks like 10). These trees were not mentioned in the previous planning application and not referred to at the appeal. It would therefore suggest that they intend destroying 14+10 =24 trees which is unacceptable and out of line with what was detailed previously

We would like confirmation that there will be a specific bat study undertaken. We know they exist in the area and mostly recognised as common pipistrelle. This study needs to be carried out before any of the trees are potentially destroyed.

4) We would like to have some input regarding the ecological issues. Referring to the masterplan Revision J, we feel that the bridge over the stream (on the right hand side) be moved further to the left. We object to its current position. We feel this would be beneficial to the sustainability of the water voles/otters. We welcome the 20 metre buffer area between the watercourse and any development in order to protect the habitat for vole and otter.

5) Referring to the masterplan Revision J, the boardwalk on the right hand side was under water during February/March 2020 and we would suggest this needs to be factored into it's construction. Also it appears to our eye that the landscaped areas that surround the proposed development will in effect be like an extention to Little Boghead Nature Reserve which is tended by volunteers. We note that details of maintenance arrangements of open spaces are to be established (condition c of the Decision Notice dated 26th Feb 2020). We would like to see details of these arrangements.

The footpath that exists on the right hand side of the masterplan on the border between the proposed development and Little Boghead Nature reserve has been 'washed away' due to the continual flooding of the field. We trust the intention is to repair the path and to bring it

up to a standard in order to be described as a 'safe walkway' with lighting for children to walk to and from local schools.(Condition a of Decision Notice).

6) The range of housing types in the development does not include an option for a bungalow style. We would like to take this issue up to reflect a demand from the people who are at that stage of their lifecycle. There has not been new bungalows built in the surrounding areas and it pushes up prices of existing stock. We would like this to be addressed here.

Please can you confirm receipt of this email

Thanks
Debbie
Secretary
Bathgate Community Council

Comments for Planning Application 1030/MSC/20

Application Summary

Application Number: 1030/MSC/20
Address: Land South Of Sibbalds Brae And West Of Falside Crescent Bathgate West Lothian EH48 2DU
Proposal: Approval of matters specified in conditions of planning permission 0636/P/18 (Appeal ref: PPA-400-2097) for the erection of 190 houses with associated works
Case Officer: Matthew Watson

Customer Details

Name: Mr Chris Heron
Address: 3 Sandilands Gardens Bathgate EH48 2FL

Comment Details

Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I object to the application for the following reasons:

a. The siting of the entrance to the development. The proposed ingress and egress route will create a high risk of harm to the residents seeking to leave and enter the development, other road users and pedestrians. Irrespective of any proposed traffic calming measures, the current siting of the entrance and exit to the development creates a number of potential risks. First, the addition of up to 200 household's worth of vehicles will have a huge impact on the amount of traffic using the B708 which is already substantial. Secondly, the siting of the entrance is almost directly opposite the driveway to 4 Sibbald's Brae, creating a further risk to road users, particularly at rush hours. This will not only create a logjam onto an already extremely busy road, the proposed entrance is misplaced given the already high risk of accidents.
b. The junction between the entrance and Sandilands Gardens. The plans show a linking road from Sandilands Gardens to the new entrance. This is not wide enough. It is clear that any large/waste lorries or emergency vehicles will not have sufficient space to turn down towards Sandilands Gardens without causing damage to the foliage surrounding it. Given that I am jointly responsible with other residents for the upkeep of the wooded area, I fail to see how the current plans guard against this. This will need to be widened or tapered in such a way that it takes account of larger vehicles.
c. Adequacy of the Visibility Splays. In addition to the points made above, I query whether the visibility splays marked on the plan are adequate given the high volume of traffic on the B706 and the curve of the road.

As a resident of Sandilands Gardens, there are a number of unanswered questions:

I will not allow the siting of any vehicles, personnel, materials or signage on the land owned by the residents.

Where is it intended that the site compound is to be located? Should there be any plan to utilise any of the land sited opposite my property, this will have a clear impact on the quiet enjoyment of my own property given the noise and traffic disruption that this would create.

- At all times of the construction work, how is unrestricted road access to the residents going to be guaranteed? I am not willing to accept any impediment to my access to Sibbald's Brae by road or on foot at any time as afforded to me under my title.

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Alex Fleming
Address: 151 Bridgend Park Bathgate EH48 2AD

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:The local Councillors unanimously rejected this application on numerous grounds -three European protected wildlife species have habitat on this site , mature trees protected by Scots law will be destroyed , our schools have no capacity to accommodate these extra pupils, the proposed road junction at the bottom of Sibbalds Brae is totally inadequate and highly dangerous and our Doctors Surgeries have no space for potentially 400 extra patients not to mention this area is zoned as green space on the new Local Plan signed of by Scottish Government Ministers only last year - I could go on !
In addition over 200 local people wrote letters of objection as did Bathgate Community Council thankfully 3 years ago our rejection was confirmed and it was hoped that would be the end - last November Hallam appealed to the Reporter to the Scottish Government - in a decision that would sit well in North Korea.

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Dr Amanda Clarkson
Address: 3 whiteside farm lane Bathgate Eh48 2ul

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I object strongly to the proposed housing development.. it will impact greatly on the disappearing wildlife .. the deer , the badgers bats and rare frogs and toads that live in the area. The local schools are already oversubscribed ... we need green fields !!

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Mrs Christine walker
Address: 41 young crescent Bathgate EH48 2SN

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:190 houses that Bathgate does not need nor can support. Over 1000 extra people coming to Bathgate. The doctors surgery is struggling and the schools. But most of all why there? There are many Brown sites begging to be built on. Why do you want to ruin one of the only beautiful spots we have left in Bathgate. Ease reconsider. We are all begging you

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details
Name: Mr David Porter
Address: 53 Boghead Crescent Bathgate EH48 2DE

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I whole heartily object to the planning application of 190 houses at Sibbalds Brae, Bathgate.

This is our green space, No consideration has been given to the property owners that back on to the development as any and all privacy will be forgone.
Boundaries from the rear of the owners property will be minimal and will have a severe detrimental impact on the health and environmental wellbeing of all existing property owners around the proposed development.

Looking at the plans submitted, there are to be 5 houses shoehorned into a small plot of land that directly sits behind my house, but no analysis has been carried out on what the short/ long term impact will be especially in an unstable overmined area such as Falside. As no-ne has a crystal ball no assurances can be given by any party that short / long term damage / subsidence will not occur.

Also, I have a huge Beach tree in my garden that will be impacted by the development of these shoehorned houses, again no-one has looked at the impact this would have.

Then we get to the infrastructure, this is not sustainable at the moment, the schools are already at maximum capacity, therefore our children will not get the education they deserve.
This will also cause an increase to the traffic flow on an already busy and dangerous road. With the extra congestion this will ultimately lead to more road accidents.
Currently there is only 1 route in and out of Falside / Windyknowe, and with the potential addition

of 190+ cars using the road everyday congestion will increase, causing higher Co2 emissions and damaging the local green space environment as well as the health of the residents. I also note that houses are also to be built at the old brickworks in Armadale again this would have an impact the road infrastructure.

The glaringly obvious fact that the ground is designated greenspace that separates Bathgate from Armadale is being ignored. There is also the matter of wild Bats that nest in the surrounding trees, that both encompass the boundary and are included in the development plans. Has there been any consideration or investigation been done as the Bats nesting areas are protected under current government legislation?.

There were perfectly substantial reasons as to why this development has been denied planning permission on more than 5 previous applications. It is completely unsustainable and workable within the confines of the plans submitted now and previously. The development is in complete conflict with both Scottish Government and West Lothian council environmental policies and assurances on "Greenspace" and reduction in damaging CO2 emissions.

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Mr Gordon Tennant
Address: 25 hard hill road Bathgate Eh48 2bw

Comment Details

Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Having lived in hard hill road for 28 years, I have seen a steady increase in traffic. These extra dwellings will cause even more congestion on both Hardhill rd and Glasgow rd. if it does go through. It must be stopped.

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Mr Greug Lumsden
Address: 16 white side farm lane Bathgate Eh48 2ul

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Please take this email as an objection. This development is totally against what the people of Bathgate want and yet again destroys important green space which locals treasure dearly. It is also the habitat of important animal species and rare fauna. This development has been objected universally from the local council as well as the residents of Bathgate. It will increase pressure on our local services which are already severely over subscribed. I also notice that the development is looking to cut down numerous trees of which some are in land that is not owned by the relevant parties.

This is an absolute disgrace that this is even being considered and the relevant people should face the public for a reason to this shocking decision.

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Mrs Laura Weir
Address: 24 Jardine place Bathgate Eh48 4gu

Comment Details

Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:With the school provision and doctors surgery at maximum already i really don't think more housing should be allowed

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Miss Lynne Waddell
Address: 29 Durham Drive Bathgate Eh48 2by

Comment Details

Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:As a resident of the near vicinity my objection would be to the increased volume of traffic and to the increased capacity to the local primary school.

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Mr Martin Rennie
Address: 8 Whiteside Farm Lane Bathgate Eh48 2ul

Comment Details

Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:After planning having been previously denied on both initial application and appeal we find it disgusting that the Scottish Government have used heavy handed tactics to overrule both local residents and Local Councillors by granting this development second time around.
Having previously contacted schools and medical centres in the area it was confirmed that there had been no consultation with these services and also that there is no room for any further strain on an already broken system. The roads in Bathgate are already congested and dangerous.
The destruction of arable land and displacement of protected species is morally wrong and those responsible should be ashamed of themselves. What is the point of having local authorities and local Councillors if Scottish Government can overrule them without even visiting the area of the proposed development. It was obvious when speaking to Fiona Hyslop the local MSP that the trappings of being an MSP were more attractive than doing the right thing for constituents.

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Richard Hepburn
Address: 30 Plessey Terrace Little Boghead Bathgate EH482XQ

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:To build even 1 home on this greenfield site is wrong. Bathgate does not need more homes, it has more than enough and has in particular a lot of empty dwellings that can be used for housing.

There is also the environmental impact not only to the surrounding land, but also to the people next to the development. They should not have to be subjected to building works on their doorsteps, especially as the reason for moving there was to be next to nature and the peace and quiet.

If these building and erected, the community and fellowship in the area will be forever destroyed, along with the wildlife that is native to this are

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Mr Ross Mcivor
Address: 68 falside Crescent Bathgate Eh482dn

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:A feel with this housing development it has cut the border between town also as a resident alot of wildlife use these fields to survive.on the fact that dentist and doctors are full in area you are adding to already crowded for thesrfacilities.school wise for my kids education a think school is gonna get overcrowded for being a small local primary
Also increase amount of traffic on road at the school crossing which already has drivers that speed up that road.a think the noise pollution in my house will be unbearable as a bought this house as it is very quiet area.a think also there will be a flood issue if you look at area next to burn and nature park there is currently a pond,with this development a feel more water will be pushed towards this area.a think west Lothian and bathgate is looking for affordable housing for residents of bathgate not for new people as it is good for cumuting a feel we should be looking after residents of bathgate.also feel this farmer is cashing in on green belt land if you look back 10-15 years houses built at the farm then sandy lands another unaffordable development for bathgate residents then field next nature that has been filled with people mostly from outside bathgate.what next ever field plus nature park will be built on and bathgate may as well be armadale.

Comments for Planning Application 1030/MSC/20

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Case Officer: Matthew Watson

Customer Details

Name: Tracy Alston
Address: 90 Falside Crescent Bathgate Bathgate EH482DP

Comment Details

Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:As well as the massive impact to the beauty of the area, we would lose our wonderful wildlife, some of which I believe is protected species. The wildlife has already diminished due to the housing by Plessey Road. Will there he a loss of trees? This proposed build will have an adverse effect on people directly overlooking the area by way of noise, loss of privacy and the loss of views. The local area does not have amenities to cope with 100+ family homes and I believes there would be an adverse effect on road safety. To consider obliterating this beautiful countryside is just devastating. Our aim should be to protect what is left of our local green areas and to protect our wildlife not push them out even further and destroying their habitats. There is areas of land close by that are not green but these developers do not seem interested in, and improving on them, why? Can't we have housing without losing the countryside? The application should be rejected for all of the above reasons.

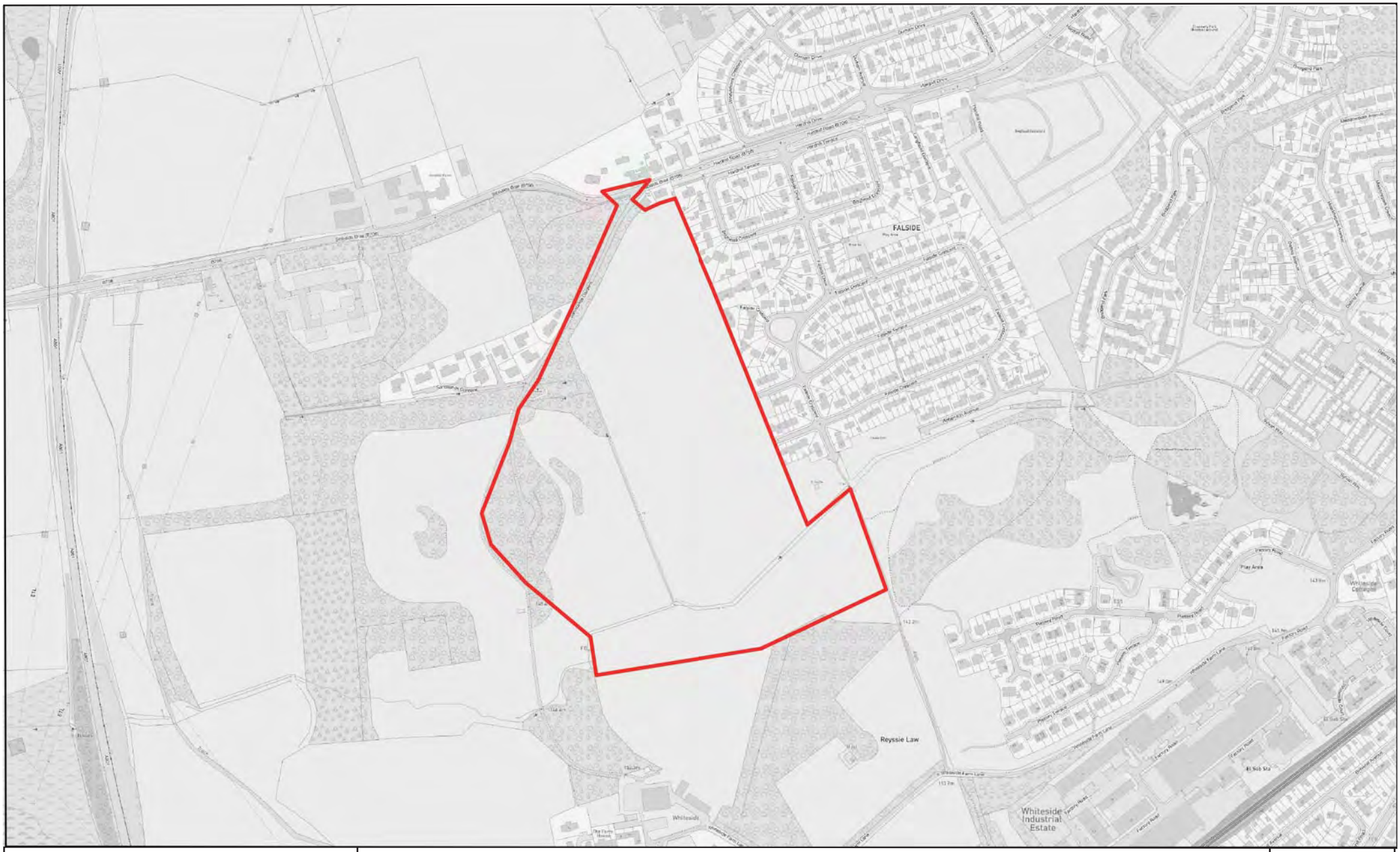
Development Management Committee

19 January 2022

Item 06 - Application : 1030/MSC/20

Approval of matters specified in conditions of planning permission 0636/P/18 (Appeal ref: PPA-400-2097) for the erection of 189 houses with associated works (as amended)

Land South of Sibbalds Brae and West of Falside Crescent - Bathgate



West Lothian Council

1030/MSC/20 - Land South of Sibbalds Brae and West of Falside Crescent - Bathgate

Development Management - West Lothian Civic Centre - EH54 6FF

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West Lothian Council

1030/MSC/20 - Land South of Sibbalds Brae and West of Falside Crescent - Bathgate

Development Management - West Lothian Civic Centre - EH54 6FF

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0 100 200 300 m

PROPOSED DEVELOPMENT LAYOUT ONLY MAY BE SUBJECT TO CHANGE

NOTES

Houses with window or door openings in walls facing boundaries must be less than 1.0m from the boundary.

Each house to be provided with 2 No. 450x450mm (min) 0°C - 5kG as a bin service, adjacent to the rear entrance door.

All topsoil and vegetable matter excavated would be cut removed over the area of each house and the ground immediately adjoining the house.

All dimensions in brackets to be to Engineers Details.

Suitable average from excavations provide useful engineering material for sewerg trenches and in forming and contouring areas of landscaping.

Accordingly, the finished surface levels on this development have been designed to incorporate the benefit of this material, either deposit on this site, or as other TWSJK developments.

LEGEND

- TW Title Boundary
- Affordable Housing Area
- A — Type A - Open Boarded timber screen fence 1.8m high
- B — Type B - Post and rail with timber fence 450mm high
- C — Type C - Screen Wall / Fence 1.8m high
- Marshalls Standard Block Paving - Brindle
- Marshalls Standard Block Paving - Charcoal
- Indicative Landscaping
- Indigo Parking
- D — Indicates 1hr Hard Walling
- E — Indicates 2hr Hard Walling
- EV — EV Car Charging Point (Min 16A Mode 3 Charge)
- PP — EV Ready Provision Consisting Of Galvanised 32 Amp Breaker Fuse Box To Allow For Future Installation Of 7kW Charge Point
- Proof Extent

ALL PLOTWORKS ARE OUTWITH TREE ROOT PROTECTION ZONES.

FOOTPATHS & PARKING COURTS WILL BE IMPLEMENTED USING MITIGATED MEASURES. PLEASE REFER TO RELEVANT TREE CONSTRAINTS PLANS & REPORTS.

NO EXCAVATION WORKS WILL TAKE PLACE WITHIN THE EXISTING SLOPE WHERE TREE ROOTS ARE MOST LIKELY TO BE PRESENT

PLEASE REFER TO ENGINEERING DRAWINGS FOR ALL LEVELS & RETENTION INFORMATION

PLEASE REFER TO ENGINEERING DRAWINGS FOR ALL LEVELS & RETENTION INFORMATION

Rev	Date	Drawn	Description
R	DEC'21	MCC	Amendments to plots 32 and 33 moved forward to allow c15m distance to existing properties
P	NOV'21	MCC	Amendments to parking courts pathways to plots 26, 15, 105, 106-141, 126-132 and 162-164. Junction altered at plot 26. Wheelchair type to rear parking court changed to 5m/side to plots 1-7
N	NOV'21	MCC	Plots 9 to 5 created and levels inserted.
M	OCT'21	RMcH	Shared Surface Street incorporated in Lieu Of Shared Drives. Existing SUDS Basin, Main Loop Road Altered At South West Of Development As Per Planners Requirements.
L	OCT'21	RMcH	Plots Now Overlooking SUDS Basin As Per Planners Requirements
K	JUL'21	RMcH	Layout Revised To Accommodate Tree Constraints.
J	JUL'21	RMcH	Layout Updated To Reflect Tree Officers Comments.
I	MAR'21	RMcH	SUDS Basin Relocated.
H	FEB'21	RMcH	Layout Updated In Accordance With Planners Comments
G	NOV'20	RMcH	Distance to Boundary Note Added As Per Planners Comments
F	NOV'20	RMcH	Layout Updated In Accordance With Planners Comments.

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Taylor Wimpey

Project:
Sibbalds Brae
Bathgate

Title:
Development Layout
Without Tree Constraints

Dwg No: 02 / 01 / Rev R

Scale: 1:500 @ A0 Date: JAN'20

Drawn By: RMcH Checked By:

PROPOSED DEVELOPMENT LAYOUT ONLY MAY BE SUBJECT TO CHANGE

NOTES

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Each house to be provided with 2 No. 400x400mm (min) 0.C. (lid) as a bin service, adjacent to the rear entrance door.

All topsoil and vegetation matter occurring would be to be removed over the area of each house and the ground immediately adjoining the house.

All dimensions or levelling to be to Engineers Details.

Surplus average than excavations provide useful engineering material for sewerg trenches and in forming and contouring areas of landscaping.

Accordingly, the finished surface levels on this development have been designed to incorporate the benefit of this material, either deficient on this site, or as other TWUK developments.

LEGEND

- TW Title Boundary
- Affordable Housing Area
- Type A - Open boarded timber screen fence 1.8m high
- Type B - Post and rail plot divisional fence 450mm high
- Type C - Screen With 1 Fence 1.8m high
- Marshalls Standard Block Paving - Brindle
- Marshalls Standard Block Paving - Charcoal
- Indicative Landscaping
- Hedge Planting
- Indicates 1st Floor dwelling
- Indicates Gdgr Floor dwelling
- EV EV Car Charging Point (Not Mark 3 Charge)
- PP EV Passive Provision Consisting Of Cabling And 32 Amp Socket Fuse Box To Allow For Future Installation Of Twin Charge Point
- Flood Extent

ALL PLOTWORKS ARE OUTWITH TREE ROOT PROTECTION ZONES.

FOOTPATHS & PARKING COURTS WILL BE IMPLEMENTED USING MITIGATED MEASURES PLEASE REFER TO RELEVANT TREE CONSTRAINTS PLANS & REPORTS.

NO EXCAVATION WORKS WILL TAKE PLACE WITHIN THE EXISTING SLOPE WHERE TREE ROOTS ARE MOST LIKELY TO BE PRESENT.

PLEASE REFER TO ENGINEERING DRAWINGS FOR ALL LEVELS & RETENTION INFORMATION

PLEASE REFER TO ENGINEERING DRAWINGS FOR ALL LEVELS & RETENTION INFORMATION

Rev	Date	Drawn	Description
R	DEC'21	RMcH	Amendments to plots 22 and 23 revised Sheared to allow 2.0m distance to existing properties
P	NOV'21	RMcH	Amendments to parking courts pathways to plots 20, 10, 105, 106-141, 126/132 and 102/104, junction altered at plot 26, Monobloc tape to rear parking court changed to Brindle to plots 1-1
G	NOV'21	RMcH	Plots 8 to 6 rotated and levels lowered
M	OCT'21	RMcH	Shared Surface Street Incorporated In Lieu Of Shared Drives Fronting SUDS Basin. Main Loop Roads Altered At South West Of Development As Per Planners Requirements
J	OCT'21	RMcH	Plots Now Overlooking SUDS Basin As Per Planners Requirements
H	JUL'21	RMcH	Layout Revised To Accommodate Tree Constraints.
G	JUL'21	RMcH	Layout Updated To Reflect Tree Officers Comments.
F	MAR'21	RMcH	SUDS Basin Relocated.
E	FEB'21	RMcH	Layout Updated In Accordance With Planners Comments
D	NOV'20	RMcH	Distance to Boundary Note Added As Per Planners Comments
C	NOV'20	RMcH	Layout Updated In Accordance With Planners Comments.

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Taylor Wimpey

Project: Sibbalds Brae Bathgate

Title: Development Layout With Tree Constraints

Dwg No: 02 / 01 / Rev R

Scale: 1:500 @ A0 Date: JAN'20

Drawn By: RMcH Checked By:

Legend

- Site Boundary
- Proposed Development Design
- ExistingRoad
- Vertical Tree Protection Barrier
- Incompatible Trees and Tree Groups
- Incompatible Tree Locations
- Trees with RPA Infringement
- Compatible Tree Locations
- A - Retain (High Quality & Value)
- B - Retain (Moderate Quality & Value)
- C - Retain (Low Quality & Value)
- U - Remove (Unviable for Retention)
- Root Protection Area (RPA)

Tree Group Extents & Quality Category

- A - Retain (High Quality & Value)
- B - Retain (Moderate Quality & Value)
- C - Retain (Low Quality & Value)
- Watercourses

Ancient Woodland Inventory

- Long-Established of Plantation Origin

Do not scale this map

Client
Taylor Wimpey UK Ltd.

Project
Sibbald's Brae New Junction Construction

Title
Provisional Tree Constraints Plan
Full View (Plan 1 of 4)

Status
DRAFT

Drawing No.	Revision	Date
774141-GIS001	-	31 March 2021
Drawn	**Checked**	**Approved**
GW	xx	xx

Scale
1:2,250 @A3 0 10 20 40 60 Metres

Rev	Date	Amendment	Initials
-	-	-	-

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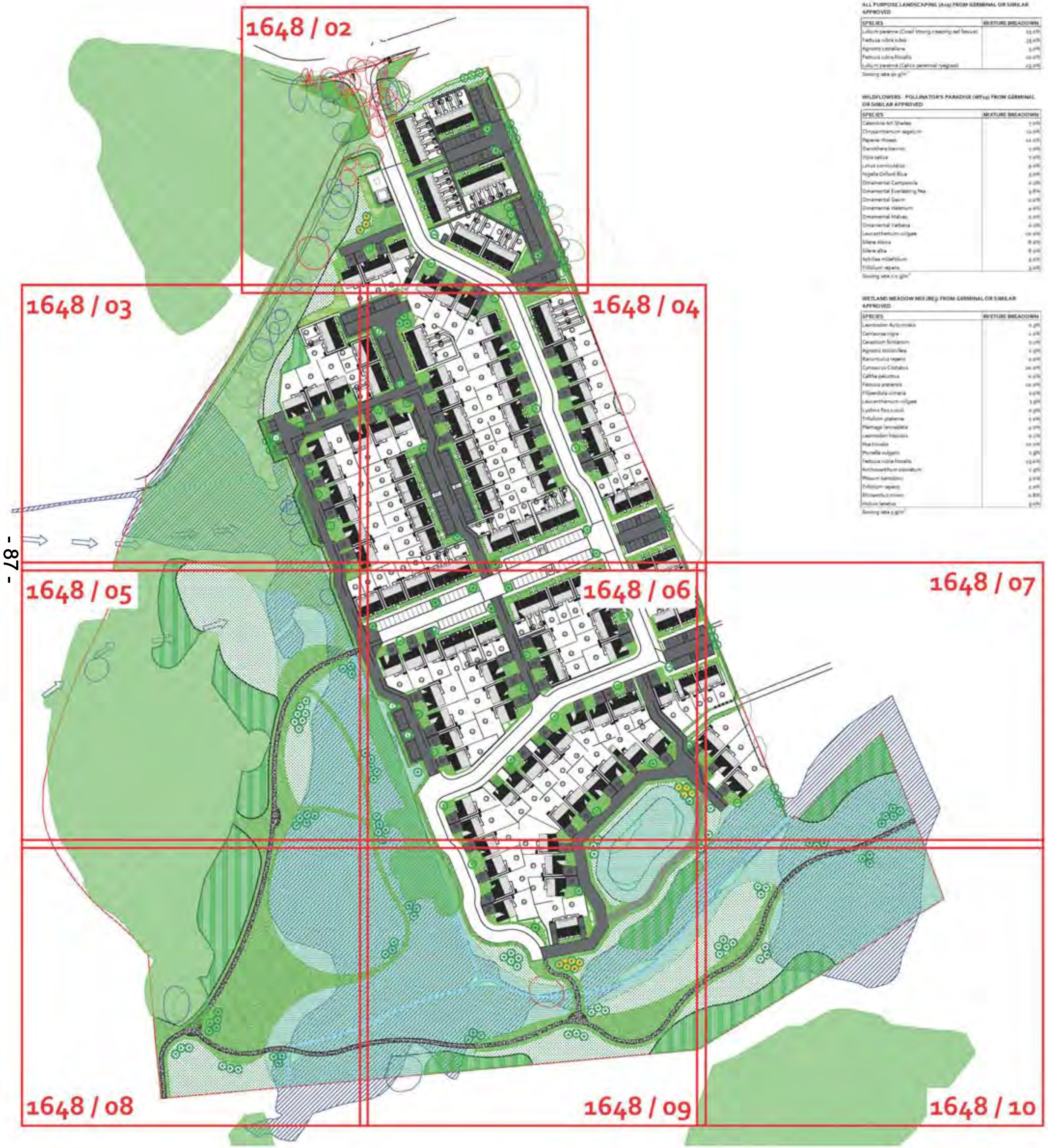

Grass Seed Mixes

ALL PURPOSE LANDSCAPING (A19) FROM GERMINAL OR SIMILAR APPROVED

SPECIES	MIXTURE BREAKDOWN
Lolium perenne (Coast strong creeping red fescue)	[illegible]
Festuca rubra rubra	[illegible]
Agrostis castellana	[illegible]
Festuca rubra litoralis	[illegible]
Lolium perenne (Calico perennial ryegrass)	[illegible]

Sowing rate 50 g/m²

WILDFLOWERS - POLLINATOR'S PARADISE (WF19) FROM GERMINAL OR SIMILAR APPROVED

SPECIES	MIXTURE BREAKDOWN
Calendula Art Shades	[illegible]
Chrysanthemum segetum	[illegible]
Papaver rhoeas	[illegible]
Oenothera biennis	[illegible]
Vicia sativa	[illegible]
Lotus corniculatus	[illegible]
Nigella Oxford Blue	[illegible]
Ornamental Campanula	[illegible]
Ornamental Everlasting Pea	[illegible]
Ornamental Geum	[illegible]
Ornamental Helenium	[illegible]
Ornamental Malvas	[illegible]
Ornamental Verbena	[illegible]
Leucanthemum vulgare	[illegible]
Silene dioica	[illegible]
Silene alba	[illegible]
Achillea millefolium	[illegible]
Trifolium repens	[illegible]

Sowing rate [illegible] g/m²

WETLAND MEADOW MIX (RE3) FROM GERMINAL OR SIMILAR APPROVED

SPECIES	MIXTURE BREAKDOWN
Leontodon Autumnalis	[illegible]
Centaurea nigra	[illegible]
Cerastium fontanum	[illegible]
Agrostis stolonifera	[illegible]
Ranunculus repens	[illegible]
Cynosurus Cristatus	[illegible]
Caltha palustris	[illegible]
Festuca pratensis	[illegible]
Filipendula ulmaria	[illegible]
Leucanthemum vulgare	[illegible]
Lychnis flos cuculi	[illegible]
Trifolium pratense	[illegible]
Plantago lanceolata	[illegible]
Leontodon hispidus	[illegible]
Poa trivialis	[illegible]
Prunella vulgaris	[illegible]
Festuca rubra litoralis	[illegible]
Anthoxanthum odoratum	[illegible]
Phleum bertolonii	[illegible]
Trifolium repens	[illegible]
Rhinanthus minor	[illegible]
Holcus lanatus	[illegible]

Sowing rate [illegible] g/m²

Planting Schedule

TREES

CODE	SPECIES	SPECIFICATION	GIRTH	HEIGHT	DENSITY	NUMBER
AcE	Acer campestre 'Elegant'	Selected Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
AcS	Acer campestre 'Streetwise'	Extra Heavy Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
Agl	Alnus glutinosa	Heavy Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
Bpe	Betula pendula	Heavy Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
Buj	Betula utilis jacquemontii	Multi Stemmed [illegible]	[illegible]	[illegible]	Counted	[illegible]
Fs	Fagus sylvatica	Heavy Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
MR	Malus 'Rudolph'	Selected Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
Psyl	Pinus sylvestris	Leader with Laterals [illegible]	[illegible]	[illegible]	Counted	[illegible]
Png	Populus nigra	Heavy Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
PSB	Prunus 'Sunset Boulevard'	Selected Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
PaP	Prunus avium 'Plena'	Selected Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
PcT	Prunus cerasifera 'Chanticleer'	Selected Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
Sau	Sorbus aucuparia	Selected Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
Sar	Sorbus aria	Heavy Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
SACR	Sorbus aucuparia 'Cardinal Royal'	Selected Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
SiB	Sorbus intermedia 'Brouwers'	Selected Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]
TcG	Tilia cordata 'Greenspire'	Extra Heavy Standard [illegible]	[illegible]	[illegible]	Counted	[illegible]

STRUCTURE TREES

CODE	SPECIES	SPECIFICATION	MIX	HEIGHT	DENSITY	NUMBER
Agl	Alnus glutinosa	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Bpe	Betula pendula	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Cmo	Crataegus monogyna	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Fs	Fagus sylvatica	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Psyl	Pinus sylvestris	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Pav	Prunus avium	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Qpe	Quercus petraea	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Scap	Salix caprea	0/1 Cutting. Branched. 2 brks. B	[illegible]	[illegible]	[illegible]	[illegible]
Sau	Sorbus aucuparia	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Vo	Viburnum opulus	1+1 Transplant - seed raised. Branched. 2 brks. B	[illegible]	[illegible]	[illegible]	[illegible]

STRUCTURE SHRUBS

CODE	SPECIES	SPECIFICATION	MIX	HEIGHT	DENSITY	NUMBER
Cav	Corylus avellana	1+1 Transplant - seed raised. Branched. 2 brks. B	[illegible]	[illegible]	[illegible]	[illegible]
Cmo	Crataegus monogyna	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Ia	Ilex aquifolium	Leader with Laterals. C 2L	[illegible]	[illegible]	[illegible]	[illegible]
Rca	Rosa canina	1+1 Transplant - seed raised. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Rfr	Rubus fruticosus	0/1 Cutting. Branched. 2 brks. B	[illegible]	[illegible]	[illegible]	[illegible]
Sn	Sambucus nigra	1+1 Seedling. Branched. 3 brks. B	[illegible]	[illegible]	[illegible]	[illegible]
Vo	Viburnum opulus	1+1 Transplant - seed raised. Branched. 2 brks. B	[illegible]	[illegible]	[illegible]	[illegible]

ORNAMENTAL SHRUBS

CODE	SPECIES	SPECIFICATION	POT SIZE	HEIGHT	DENSITY	NUMBER
BS	Bergenia 'Silberlicht'	Full Pot. C	[illegible]	-	[illegible]	[illegible]
Bse	Buxus sempervirens	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CcHB	Caryopteris x clandonensis 'Heavenly Blue'	Branched. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CAB	Ceanothus 'Autumnal Blue'	Leader with Laterals. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Csa	Cornus sanguinea	Branched. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
EfEG	Euonymus fortunei 'Emerald Gaiety'	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
FgEB	Festuca glauca 'Elijah Blue'	Full Pot. [illegible]	[illegible]	-	[illegible]	[illegible]
HRE	Hebe 'Red Edge'	Bushy. [illegible]	[illegible]	-	[illegible]	[illegible]
HpP	Hebe pinguifolia 'Pagei'	Bushy. [illegible]	[illegible]	-	[illegible]	[illegible]
LaH	Lavandula angustifolia 'Hidcote'	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
LB	Lonicera [illegible]	Full Pot. [illegible]	[illegible]	-	[illegible]	[illegible]
Lp	Lonicera pileata	Bushy. [illegible]	[illegible]	-	[illegible]	[illegible]
Ch	Choisya x ternata	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
PtPu	Pittosporum tenuifolium 'Purpureum'	Full Pot. [illegible]	[illegible]	-	[illegible]	[illegible]
PRR	Photinia x fraseri 'Red Robin'	Branched. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
POL	Prunus laurocerasus 'Otto Luyken'	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
RoMJ	Rosmarinus officinalis 'Miss Jessopp's Upright'	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
SoP	Salvia officinalis 'Purpurascens'	Full Pot. [illegible]	[illegible]	-	[illegible]	[illegible]
Sch	Santolina chamaecyparissus	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
SjLP	Spiraea japonica 'Little Princess'	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
SiC	Stephanandra incisa 'Crispa'	Branched. [illegible]	[illegible]	-	[illegible]	[illegible]
Stt	Stipa tenuissima	Full Pot. [illegible]	[illegible]	-	[illegible]	[illegible]
Vd	Viburnum davidii	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Vt	Viburnum tinus	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]

MARGINAL / AQUATICS SHRUBS

CODE	SPECIES	SPECIFICATION	MIX	HEIGHT	DENSITY	NUMBER
Ao	Anthoxanthum odoratum	Full Pot. Sept to April planting. British Native origin. C	[illegible]	-	[illegible]	[illegible]
Cpe	Carex pendula	Full Pot. Sept to April planting. British Native origin. C	[illegible]	-	[illegible]	[illegible]
Fu	Filipendula ulmaria	Full Pot. Sept to April planting. British Native origin. C	[illegible]	-	[illegible]	[illegible]
Ips	Iris pseudacorus	Full Pot. Sept to April planting. British Native origin. C	[illegible]	-	[illegible]	[illegible]
Maq	Mentha aquatica	Full Pot. Sept to April planting. British Native origin. C	[illegible]	-	[illegible]	[illegible]
Sci	Salix cinerea	0/1 Cutting. Branched. 2 brks. B	[illegible]	[illegible]	[illegible]	[illegible]
Ser	Sparganium erectum	Full Pot. Sept to April planting. British Native origin. C	[illegible]	-	[illegible]	[illegible]

INDIGENOUS HEDGE

CODE	SPECIES	SPECIFICATION	MIX	HEIGHT	DENSITY	NUMBER
Ac	Acer campestre	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Cmo	Crataegus monogyna	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Fs	Fagus sylvatica	1+1 Transplant - seed raised. B	[illegible]	[illegible]	[illegible]	[illegible]
Ia	Ilex aquifolium	Leader with Laterals. C 2L	[illegible]	[illegible]	[illegible]	[illegible]
Psp	Prunus spinosa	1+1 Transplant - seed raised. Branched. 2 brks. B	[illegible]	[illegible]	[illegible]	[illegible]
Rfr	Rubus fruticosus	0/1 Cutting. Branched. 2 brks. B	[illegible]	-	[illegible]	[illegible]

FORMAL HEDGE

CODE	SPECIES	SPECIFICATION	POT SIZE	HEIGHT	DENSITY	NUMBER
Fs	Fagus sylvatica	1+1 Transplant - seed raised. B	-	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Pl	Prunus lusitanica	Bushy. [illegible]	[illegible]	[illegible]	[illegible]	[illegible]

CLIMBERS

CODE	SPECIES	SPECIFICATION	POT SIZE	HEIGHT	DENSITY	NUMBER
HhG	Hedera helix 'Glacier'	Caned. Several Shoots. [illegible]	[illegible]	[illegible]	Counted	[illegible]

BULBS

CODE	SPECIES	SPECIFICATION	DENSITY	NUMBER
NFG	Narcissus 'February Gold'	[illegible]	[illegible]	[illegible]

Legend

- Existing category A trees to be retained and protected
- Existing category B trees to be retained and protected
- Existing category C trees to be retained and protected
- Existing trees to be removed
- Existing indicative extent of existing trees / vegetation to be retained and protected
- Proposed tree planting in 1m diameter weed free circles (see planting schedule)
- Proposed formal hedge planting (see planting schedule)
- Proposed indigenous hedge planting (see planting schedule)
- Proposed ornamental shrub planting (see planting schedule)
- Proposed marginal/ aquatic shrub planting (see planting schedule)
- Proposed climbers (see planting schedule)
- Proposed close mown amenity grass mix (see planting schedule)
- Proposed wildflower grass mix (see planting schedule)
- Proposed wet meadow grass mix (see planting schedule)
- Proposed interface between different mowing regimes
- Proposed structure shrub planting (see planting schedule)
- Proposed structure tree planting (see planting schedule)
- Proposed bulb planting (see planting schedule)
- Existing water course
- Proposed asphalt footpath
- Proposed hard landscape (e.g. gravel) in areas too small for planting
- Proposed reinforced grass for maintenance access
- Proposed protective fencing around proposed structure planting and existing trees to be retained
- Indicative location for proposed artwork / stonework feature
- Flood zone (by engineers)
- Site boundary

north

Rev D: 24/11/2021 - Site layout revised. Planting schedule updated. (GB)
Rev C: 29/10/2021 - Revised following client comment. Planting schedule updated. (GB)
Rev B: 28/10/2021 - Revised following updated site layout. Planting schedule updated. (GB)
Rev A: 18/08/2021 - Revised following updated site layout and engineer's comments. Planting schedule updated. (GB)

0 10 20 30 40 50 60 70 80 90 100m

General Notes

1. Prior to commencement of any work on site, protective fencing must be erected around existing trees to be retained in accordance with BS 5837 (2012).
2. Prior to any deep cultivation or excavation of planting pits the landscape contractor must check with the site manager / engineer for exact locations of any underground services.
3. Some tree positions may have to be amended to accommodate any amendments to locations of services.
4. For information on surface materials & details of hard landscape features such as walls & paving refer to architect's drawings.
5. Brindley Associates is not responsible for damage or failures of asphalt footpath constructed over wet ground.
6. For information on levels & drainage refer to engineer's drawings.
7. No information with regard to levels, drainage & underground services was available to us at time of preparation of drawing.
8. For Planting Notes and Maintenance & Management Proposals refer to separate A4 document.

Project: Sibbalds Brae, Bathgate	Client: Taylor Wimpey
Drawing Title: Landscape Planting Plan (Sheet 1 of 10)	
Scale: 1:1000 @ A1	Date: 28 / 06 / 2021
Drawing No: 1648 / 01 Rev D	Status: Planning
Drawn by: G Barcroft	Checked by: L Houghton

brindley ASSOCIATES

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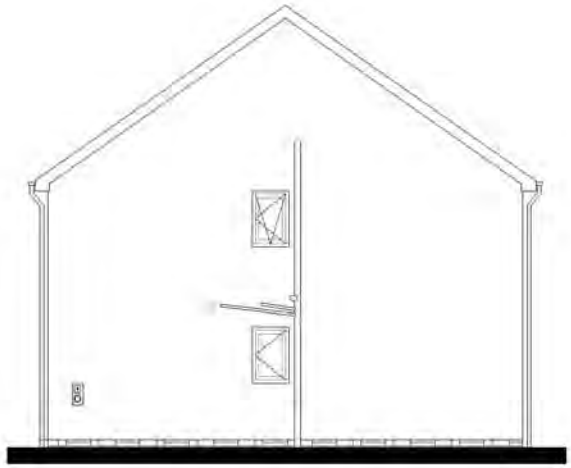
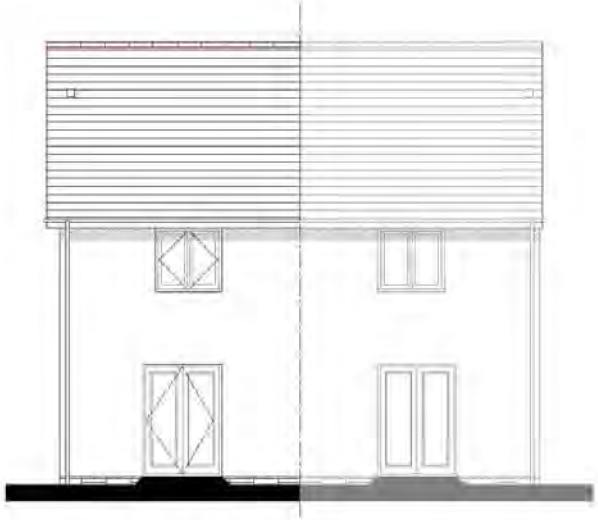
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

notes

C Dimensions added
B Do not scale notes removed
A Optional car charging point added FW

revision

TaylorWimpey

TAYLOR WIMPEY WEST SCOTLAND LIMITED
UNIT C, GROUND FLOOR, CIRRUS BUILDING
GLASGOW AIRPORT BUSINESS PARK
MARCHBURN DRIVE, ABBOTSINCH, PAISLEY PA3 2SJ
Tel: 0141 - 848 - 5500

drawing title
PLANNING DRAWING
TWES ELEVATION

housetype
ANDREW 4 TK

scale	date	drawn
1:100	OCT 2016	

job no.	file location

Scottish TK Range 2016

dwg no.	rev.
AND-4 TK/PL18	C

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FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

notes:

C Dimensions added
B Do not scale notes removed
A Optional car charging point added FW

revision

TaylorWimpey

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UNIT C, GROUND FLOOR, CIRRUS BUILDING
GLASGOW AIRPORT BUSINESS PARK
MARCHBURN DRIVE, ABBOTSINCH, PAISLEY PA3 2SJ
Tel: 0141 - 848 - 5500

drawing title
PLANNING DRAWING
TWES ELEVATIONS

housetype
BAXTER 4 TK

scale	date	drawn
1:100	OCT 2016	

job no.	file location

Scottish TK Range 2016

dwg no.	rev.
BAX 4 TK/PL18	C

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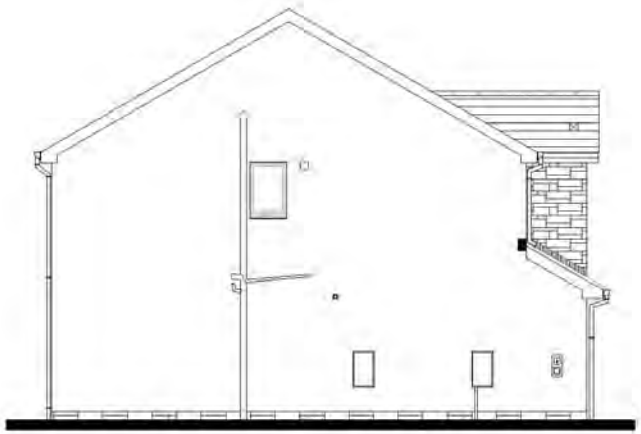
FRONT ELEVATION



SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION

notes

C Dimensions added
B Do not scale notes removed
A Optional car/charging point added PW

revision

TaylorWimpey

TAYLOR WIMPEY WEST SCOTLAND LIMITED
UNIT C, GROUND FLOOR, CIRRUS BUILDING
GLASGOW AIRPORT BUSINESS PARK
MARCHBURN DRIVE, ABBOTSINCH, PAISLEY PA3 2SJ
Tel: 0141 - 849 - 5500

drawing title
PLANNING DRAWING
TWES ELEVATIONS

housetype
DOUGLAS 4 TK

scale	date	drawn
1:100	OCT 2016	

job no.	file location

Scottish TK Range 2016

dwg no. DGS-4 TK/PL18 rev. C

NOTICE TO HOUSE - PURCHASERS
Property Misdescription Act 1991
Buyers are advised that this is a working drawing & is not intended to be treated as descriptive material describing, in relation to any particular property or development, any of the specified matters prescribed by any order made under the above Act.
The contents of this drawing may be subject to change at any time & alterations & variations can occur during the progress of the same without revision of the drawing. Consequently the layout, form, content & dimensions of the finished construction may differ materially from those shown.
Nor do the contents of this drawing constitute a contract, part of any contract or warranty.

FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION

notes

C Dimensions added
B Do not scale notes removed
A Optional cancharging point added FW

revision

TaylorWimpey

TAYLOR WIMPEY WEST SCOTLAND LIMITED
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MARCHBURN DRIVE, ABBOTSINCH, PAISLEY PA3 2SJ
Tel: 0141 - 849 - 5500

drawing title
PLANNING DRAWING
FEATURE STONE ELEVATIONS

housetype
FRASER 4 TK

scale	date	drawn
1:100	NOV 2017	-

job no.	file location

Scottish TK Range 2016

dwg no. FRA- 4TK/PL19 rev. C

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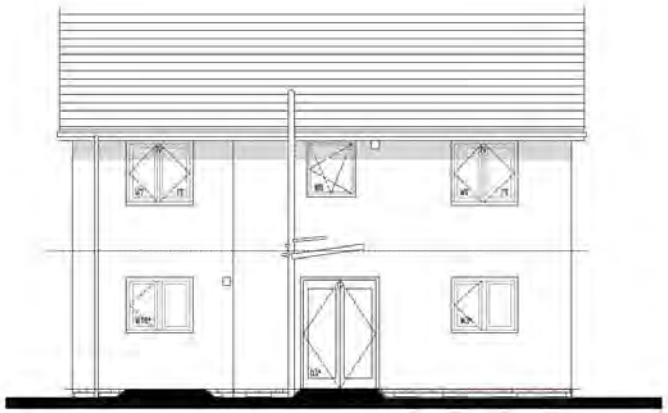
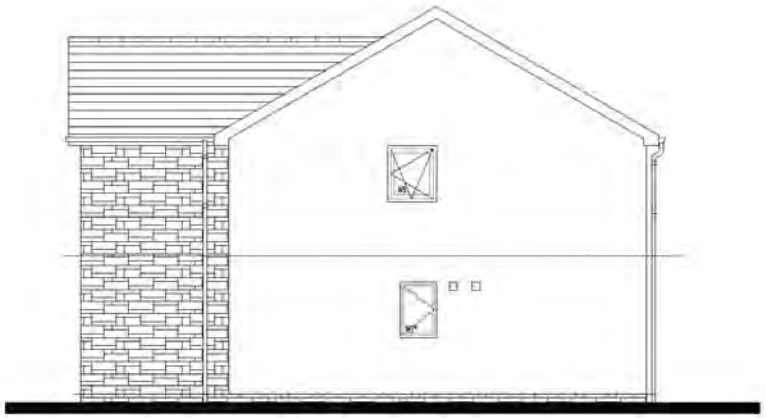
FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

notes

C Dimensions added.
B Do not scale notes removed.
A Optional cancharging point added. PW

revision

TaylorWimpey

TAYLOR WIMPEY WEST SCOTLAND LIMITED
UNIT C, GROUND FLOOR, CIRRUS BUILDING
GLASGOW AIRPORT BUSINESS PARK
MARCHBURN DRIVE, ABBOTSINCH, PAISLEY PA3 2SJ
Tel: 0141 - 849 - 5500

drawing title
PLANNING DRAWING
TWES ELEVATIONS - COLOUR

housetype
MAXWELL 4 TK

scale	date	drawn
1:100	OCT 2016	-

job no.	file location

Scottish TK Range 2016

dwg no.	rev.
MXL-4 TK/PL18	C

NOTICE TO HOUSE - PURCHASERS
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FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

notes

C Dimensions added
B Do not scale notes removed
A Optional car charging point added FW

revision

TaylorWimpey

TAYLOR WIMPEY WEST SCOTLAND LIMITED
UNIT C, GROUND FLOOR, CIRRUS BUILDING
GLASGOW AIRPORT BUSINESS PARK
MARCHBURN DRIVE, ABBOTSINCH, PAISLEY PA3 2SJ
Tel: 0141 - 848 - 5500

drawing title
PLANNING DRAWING
TWES ELEVATIONS

housetype
BLAIR 4 TK

scale	date	drawn
1:100	OCT 2016	

job no.	file location

Scottish TK Range 2016

dwg no.	rev.
BLR- 4 TK/PL18	C

NOTICE TO HOUSE - PURCHASERS
Property Misdescriptions Act 1991
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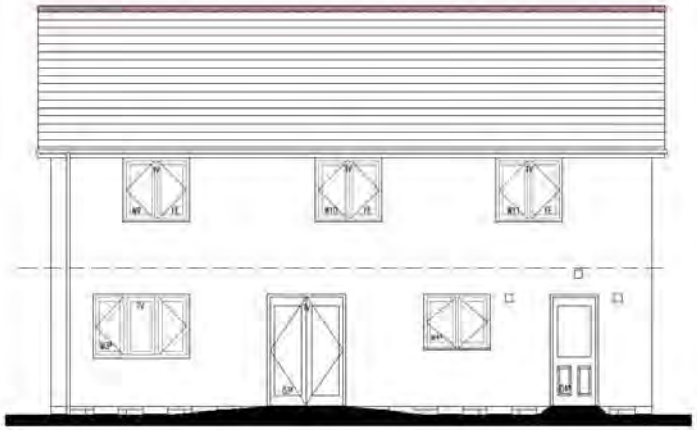
Nor do the contents of this drawing constitute a contract, part of any contract or warranty.

FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION

notes

revision

TaylorWimpey

TAYLOR WIMPEY WEST SCOTLAND LIMITED
UNIT C, GROUND FLOOR, CIRRUS BUILDING
GLASGOW AIRPORT BUSINESS PARK
MARCHBURN DRIVE, ABBOTSINCH, PAISLEY PA3 2SJ
Tel: 0141 - 849 - 5500

drawing title
PLANNING DRAWING
TWES ELEVATIONS - COLOUR

housetype
WALLACE 4 TK

scale	date	drawn
1:100	OCT 2016	-

job no.	file location

Scottish TK Range 2016

dwg no.	rev.
WAL-4 TK/PL18	B

DATA LABEL: OFFICIAL

Development Management

List of Delegated Decisions - 10th December 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.:	0761/LBC/21	**Recommendation:**	Grant Planning Permission
Proposal:	Listed building consent for sun room extension to each property (one with ramp access)		
Address:	2 & 3 The Steadings, Binny, Ecclesmachan, West Lothian, EH52 6NL (Grid Ref: 305172,673438)		
Applicant:	Ms Kim Tweedie	**Type:**	Other
Ward:	Broxburn, Uphall & Winchburgh	**Case Officer:**	Rachael Lyall

Summary of Representations

One objection -
- The proposals will unbalance the south elevation,
- Modern works will appear unrelated to existing property.

Planning response -
- The mirrored sun rooms will still align with the axis of symmetry that was created when the courtyard was previously altered and when the two wings and four stair towers were added to the property,
- The building features modern materials, specifically within the stair towers, and it is considered that the proposed works will integrate with these towers. In addition, the stonework proposed for the sunrooms is to match the stonework of the existing property.

Officers report

This application seeks listed building consent for sun room extensions onto the properties located at 2 & 3 The Steading's, Binny, Ecclesmachan.

The property is a category B listed building.

The proposed works are to be erected on the south elevation and are to measure 4.783m x 11.432m overall and to extend across the two properties (no 2. and no.3). The sun room extension at no.2 will also feature a small porch. Both of the sun rooms will feature glazed windows on each elevation and glazed patio doors on the western elevations. The proposed works will not impact upon the privacy of any neighbouring property or garden to a significant extent. The works will measure 3.131m in overall height from the lowest ground level to the eaves of the proposed flat roof.

The external finishing material proposed for the works are to match those of the existing listed property to ensure the works will integrate and are considerate to the existing listed building.

The design of the proposed sun rooms will integrate with and reflect the existing stair towers of the property. The proposed extensions will not be visible form within the main courtyard and the proposed works will be set back from the main facade of the listed building and will be slightly hidden by an existing boundary wall and planting.

HES raised no objections to the proposal however did recommend that a revised proposal was considered which demonstrated the abutting (fully-glazed) section of the extension set below the west range's eaves-line (i.e. the gutter line). It was advised that this would help achieve an appropriately light-touch and subsidiary appearance with the abutting section of the extension acting as a link from the existing steading.

The proposal has been revised and has been reduced in height to sit closer to the eaves of the existing property, however cannot be reduced any further without impacting upon the drainage and environmental performance. It is considered that the revised works are of an acceptable scale which will appear subservient and do not significantly impact upon the appearance or character of the listed building to a detrimental extent.

This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) and ENV 28 (Listed Buildings) 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 listed building consent.

Ref. No.:	1044/FUL/21	**Recommendation:**	Grant Planning Permission
Proposal:	Unrestricted class 1 retail use (removing food and drink restriction on planning permission 1453/P/03) and erection of 4m high acoustic barrier to service yard, trolley bays and plant zone		
Address:	Units 5 & 6, Stockbridge Retail Park, Falkirk Road, Linlithgow, West Lothian (Grid Ref: 298799,677029)		
Applicant:	Mr Bill Sarre Triple Jersey Ltd c/o Hawksford	**Type:**	Local Application
Ward:	Linlithgow	**Case Officer:**	Kirsty Hope

Summary of Representations

Three objections were received: -
- Noise concerns regarding the proposed increase in delivery hours from 6am until 11pm every day.
- Safety concerns regarding the acoustic fence extending towards Falkirk Road as this will enclose the public footpath.

Officers report

This application is for the unrestrictive class 1 retail (removing the previous condition restriction on food and drink within planning permission 1453/P/03) as well as for the erection of 4m high acoustic barrier to service yard, installation of trolley bays and a plant zone. The application also includes the extension to delivery times from the previous consent noted above to allow deliveries from 6am until 11pm daily.

The proposed removal of the food and drink restriction (by condition) is appropriate given the current climate regarding retail and the introduction of supermarkets in this area. The proposed removal of this condition is unlikely to have any detrimental consequences for the town centre.

The proposed acoustic barrier is of an appropriate scale, subject the condition that the fence projects no further forward than the existing fence on site.

The trolley bays are appropriate in scale and design, one trolley bay was altered to match the orientation of the others within the retail park.

WLC Environmental Health has objected to the proposed delivery hours. They would have no concerns subject to the condition that the delivery hours remain unchanged from the previous consent. They raised no other concerns with the other elements of the application.

WLC Roads and Transportation is satisfied with the proposals.

It is therefore recommended that planning permission be granted subject to conditions restricting delivery hours.

Ref. No.:	1047/FUL/21	**Recommendation:**	Refuse Permission
Proposal:	Siting of a static caravan		
Address:	3 Muirhall Mains, Station Road, Addiewell, West Lothian, EH55 8NN (Grid Ref: 299670,662108)		
Applicant:	Mr Steve Atkins	**Type:**	Local Application
Ward:	Fauldhouse & The Breich Valley	**Case Officer:**	Kirsty Hope

Summary of Representations

No representations were received.

Officers report

The application is for the siting of a caravan to be used as for permanent residential accommodation, within the garden grounds of 3 Muirhall Mains, Station Road, Addiewell. The site is located within the countryside.

Policy ENV 2 (Housing Development in the Countryside) of the LDP sets out the criteria whereby housing development in the countryside will be permitted. The proposal does not meet the terms of this policy. The proposal is also contrary to SG on Development in the Countryside.

It is therefore recommended that planning permission be refused.

Ref. No.:	1053/P/21	**Recommendation:**	Grant Planning Permission in Principle
Proposal:	Planning permission in principle for the erection of a house		
Address:	Land To East Of 57 Main Street, Stoneyburn, West Lothian, EH47 8BY, (Grid Ref: 297150,662436)		
Applicant:	Mr & Mrs G Rennie	**Type:**	Local Application
Ward:	Fauldhouse & The Breich Valley	**Case Officer:**	Kirsty Hope

Summary of Representations

One letter of objection was received -
Inaccurate application form - there are mature trees on the site.

Officers report

The application seeks planning permission in principle for the erection of a house at land to the East of 57 Main Street, Stoneyburn. The land is located within the settlement boundary of Stoneyburn.

Policy HOU 3 (Infill/Windfall Housing Development within Settlements) criterion (a) of the West Lothian Local Development Plan (LDP) states development should be in keeping with the character of the settlement and local area. Policy DES 1 (Design principles) of the LDP states "All development proposals will require to take account of and be integrated with the local context and built form".

The submitted plans have an indicative layout that shows that a dwelling house could be accommodated within the plot comfortably, with adequate garden amenity space and parking provision. The proposal involves providing a new vehicular access onto Main Street.

WLC Environmental Health and WLC Roads and Transportation are satisfied with the proposals, subject to conditions.
The Coal Authority has also raised no objection, however, it has requested suspensive conditions be attached, if consented.
Contaminated Land consultants have requested conditions be attached if consented.

Overall, and in view of the above, the proposal complies with the policies within the local development plan, subject to conditions and it is recommended that planning permission in principle is granted.

Ref. No.:	1054/H/21	**Recommendation:**	Grant Planning Permission
Proposal:	Extension to house and erection of outbuilding		
Address:	2 Riverbank Court, East Whitburn, West Lothian, EH47 0FD, (Grid Ref: 296847,665468)		
Applicant:	Mr & Mrs S Spence	**Type:**	Local Application
Ward:	Whitburn & Blackburn	**Case Officer:**	Rachael Lyall

Summary of Representations

One objection -
- Works are proposed to be constructed over sewage pipe,
- Overall height of works and impact on overshadowing,
- Removal of trees,
- Use of development and impact on noise.

Planning response -
- Not a material planning consideration,
- The proposed two storey works will be set back from the neighbouring boundary and side elevation of the neighbouring property to the west and the proposed works will be screened by a boundary wall and garage to the side. Therefore, any additional overshadowing will not be detrimental and will not significantly impact upon any habitable rooms or neighbouring gardens,
- The trees on site are not protected by a Tree Preservation Order,
- Not a material planning consideration.

Officers report

This planning application proposes the erection of an outbuilding and rear extension onto the property located at 2 Riverbank Court, East Whitburn.

The proposed two storey rear extension is to replace an existing decking and utility and the proposed works are to measure 8.655m in overall height from ground level to the ridgeline of the proposed hipped roof. The works will feature windows of the upper floor of the extension and patio doors and a single doorway on the rear elevation of the ground floor. The works also look to install a doorway within the side elevation and also looks to install a raised patio to the rear.

The materials proposed for the rear extension are to match those of the existing property.

The application also seeks permission for the erection of an outbuilding which is to measure 16.430m x 7.630m and is to be 3.865m in overall height from ground level to the ridgeline of the gable pitch roof. The outbuilding will be closed on 3 elevations and open on the front elevation. The outbuilding is to be externally finished with a white render.

The proposed outbuilding will be screened by fencing and soft landscaping to the rear of the site.

The houses within the surrounding area vary in size, design and scale, therefore the proposed works will not appear significantly out of context within the street scene. In addition, the proposed works will not be significantly visible within the main street and will therefore neither significantly impact upon the visual amenity. The proposed works are of an acceptable scale which will appear subservient to the existing property, will still allow for sufficient usable garden ground and will not detrimentally impact upon the residential amenity, in terms of privacy or overlooking, to a significant extent.

This proposal adheres to West Lothian Local Development Plan Policy DES 1 (Design Principles) and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide, 2020. It is recommended that planning permission is garnted.

Ref. No.:	1059/A/21	**Recommendation:**	Refuse Advertisement Consent
Proposal:	Display of an illuminated fascia sign		
Address:	117 High Street, Linlithgow, West Lothian, EH49 7EJ (Grid Ref: 300103,677082)		
Applicant:	Ms Zoe Hamilton Scott Hamilton Ltd	**Type:**	Other
Ward:	Linlithgow	**Case Officer:**	Rachael Lyall

Summary of Representations

Two objections -
- Works not in keeping with conservation area,
- Impact on visual amenity.

Officers report

This planning application proposes the installation of an illuminated fascia sign onto the premises located at 117 High Street, Linlithgow. The site is situated within a designated conservation area.

The current fascia sign is green in colour, is not illuminated and is considerate to the surrounding conservation area. The proposed signage is to be internally illuminated in white and is to measure 1.010m x 8.650m with the main text being located within the middle of the fascia signage and measuring 0.580m x 3.000m.

Roads and Transportation has raised no objections to the proposal and has advised that the proposal is acceptable without conditions.

West Lothian Council's Planning Guidance on Shopfronts and Advertisements in Conservation Areas states that "materials should be appropriate for the character of the rest of the building and surrounding area - in particular, the use of plastics or acrylic for shop signs and fascia boards will not be supported."

In addition, Policy DES 1 (Design Principles) of the LDP 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 external materials, and on built heritage.

The materials and colours proposed for the signage are not considerate to the surrounding conservation area and will have an adverse impact upon the visual amenity of the streetscape.

The planning guidance also states that "where illumination of the fascia is considered appropriate, this should be done by means of concealed top light tubes painted to match the background. Internal illumination, large spot lights or 'swan neck' style lights are unacceptable. Shiny, highly reflective and fluorescent colours and materials are not acceptable."

It is noted that illuminated signs appear on other premises within this street, however, these are of a much smaller scale which feature down lights or tube lights. This proposed sign is of a larger scale which will be illuminated significantly in comparison to the signage installed on other premises within the surrounding area and, as a result, will not integrate with the local context and will detrimentally impact upon the visual amenity of the street scene.

The proposal is therefore contrary to Policy DES 1 (Design Principles) and Policy ENV 24 (Conservation Areas) of the Local Development Plan, the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, and the associated planning guidance on shopfronts and advertisements within conservation areas. It is therefore recommended that the proposal is refused advertisement consent.

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Development Management

List of Delegated Decisions - 17th December 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.:	0972/H/21	**Recommendation:**	Grant Planning Permission
Proposal:	Erection of an outbuilding (in retrospect)		
Address:	6 Hillend Road,Winchburgh, West Lothian, EH52 6WD, (Grid Ref: 307944,675125)		
Applicant:	Mr Stuart Kerley	**Type:**	Local Application
Ward:	Broxburn, Uphall & Winchburgh	**Case Officer:**	Rachael Lyall

Summary of Representations

Two objections -
- Overall size of works more than 2.5m as shown in plans,
- Impact on overshadowing,
- Impact on rainwater drainage.

Planning response -
- The plans do demonstrate that the works measure 2.5m. However this is from ground level to the eaves and not the overall height, the applicant has confirmed that the overall height is 2.77m,
- See Handling Report,
- Not a material planning consideration.

Officers report

This planning application seeks retrospective planning permission for the erection of an outbuilding at 6 Hillend Road, Winchburgh.

The outbuilding measure 6.00m x 4.00m and measures 2.500m in height from ground level to the eaves of the flat roof. The outbuilding features sliding patio doors on the western elevation and a window on the northern elevation. The outbuilding has been externally finished using vertical timber boarding.

The erected works are significantly screened by a fence on each boundary. The erected works do not sit significantly higher than the boundary fence, therefore any additional overshadowing will not be considered detrimental and will not significantly impact upon any habitable room or rear garden. In

addition, the window and patio doors openings will be mainly screened and it is not considered that the works will adversely overlook.

The works will still allow for sufficient usable garden ground and it should be noted that the works would be considered permitted development and would not require planning permission if the works were located 1m away from each boundary. The works appear subservient to the existing property and are not considered to adversely impact upon the visual or residential amenity to a detrimental extent.

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.:	1081/H/21	**Recommendation:**	Refuse Permission
Proposal:	Two storey extension to house		
Address:	14 Haymarket Crescent,Eliburn, Livingston, West Lothian, EH54 8AP (Grid Ref: 303475,668379)		
Applicant:	Mr John Conn	**Type:**	Local Application
Ward:	Livingston North	**Case Officer:**	Lucy Hoad

Summary of Representations

None

Officers report

This planning application proposes the erection of a 2 storey (with attic) extension onto the rear elevation of the property

The detached 2 storey house is constructed of render and brick with a tiled pitched roof. The dwelling forms part of a residential estate comprising properties of a mixture of styles but similar construction/materials, ranging from detached bungalows to blocks of flats 4 storeys in height.

The proposed extension (5.6m x 7.0m) would project out from the property to a depth of 7m into the rear garden ground area, stopping at a distance of 1.79m from the neighbouring property No8 lying to the rear, 1.19m from No15 and 4.1m from No13, to either side. The roof of the addition would extend out from the dwelling at the ridge line of the main roof at 8.3m. The materials proposed for the works are to match those of the existing property.

The mass and scale of the proposed development is not deemed to be acceptable. The design of the addition incorporates a mansard roof at the height of the existing roof line and combined with the projected depth into the garden the overall effect of the development is one of dominance in relation to the appearance of the main dwelling. The proposed works will reduce the amount of useable garden ground to the rear.

The property lies on the edge of the residential estate in a row of dwellings which are prominent within the street scene fronting and visible from Houston Road. To either side of No 14 lie detached bungalows and to the rear at a higher ground level are detached properties of 2 storeys in height.

The proposed development will appear overbearing within this row of properties to the detriment of the streetscene and impact upon residential amenity as well as directly overlooking into the rear garden of the neighbouring property No13.

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, massing, design or amenity.

This proposal is contrary to West Lothian Local Development Plan, Policy DES1 (Design Principles) and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.

Ref. No.:	1105/H/21	**Recommendation:**	Grant Planning Permission Agenda Item 7
Proposal:	Erection of a garage (in retrospect)		
Address:	The Barn,Gowanbank, Westfield, West Lothian, FK1 2JY (Grid Ref: 291613,671171)		
Applicant:	Mr Mark Smyth	**Type:**	Local Application
Ward:	Armadale & Blackridge	**Case Officer:**	Rachael Lyall

Summary of Representations

One objection -
- Impact on listed building in terms of design and scale,
- Neighbour notification,
- Roof covering/tiles out of keeping with surroundings,
- Consultation comment from HES,
- No tree survey submitted and removal of shrubbery,
- Details of drainage layout not provided,
- Concerns regarding scaled drawings, accurate dimensions and location of garage,
- Proposed windows within plans.

Planning response -
- The garage is located well away from the listed property and is not considered to directly impact upon the listed property itself,
- A neighbour notification has been issued and this has been check and all details/addresses appear correct,
- The works are not significantly visible from the main street or when approaching the listed building, therefore the works are not considered to appear out of keeping. In addition, the works are of an acceptable scale and the materials used (timber) are considerate to the surroundings,
- As the works do not impact upon the listed building itself, listed building consent or a consultation comment from HES are not required,
- The applicant has confirmed that no trees were removed during the construction of the garage and that only a rotten bush was removed which does not require a tree survey,
- Not a material planning consideration,
- The drawings, photos and information provided are considered sufficient enough to carry out a full assessment on the works,
- The site photos provided do demonstrate a small circular window which has been assessed and is not considered to overlook any neighbouring property or impact upon the residential amenity.

Officers report

This planning application seeks retrospective planning permission for the erection of a garage at The Barn, Gowanbank.

The property is a category A listed building.

The erected garage measure 6.000m x 5.000m and measures 3.200m in overall height from ground level to the ridgeline of the gable pitch roof. The

garage features a garage door and small circular window on the front elevation. The proposed works do not directly overlook any neighbouring garden or property to a significant extent.

The garage has been erected using timber and the external walls have been painted in a red colour.

The works are not visible from the main street and therefore will not impact upon the visual amenity of the streetscene. In addition, the works are adequately set back from the listed building itself and are located within a wider garden area and as a result do not directly or detrimentally impact the visual amenity of the listed building. The proposed works neither impact upon the residential amenity in terms of overlooking or overshadowing.

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) and ENV 28 (Listed Buildings) 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.

DATA LABEL: OFFICIAL

Development Management

List of Delegated Decisions - 24th December 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.:	0516/FUL/21	**Recommendation:**	Refuse Permission
Proposal:	Erection of 4 industrial and storage units (class 5 & 6) totalling 538sqm with associated access and car parking		
Address:	Baird Road,Kirkton Campus, Livingston, West Lothian, EH54 7BX (Grid Ref: 303208,666458)		
Applicant:	Zeppelin Investments	**Type:**	Local Application
Ward:	Livingston South	**Case Officer:**	Steven McLaren

Summary of Representations

Officers report

The application relates to planning permission for the construction of a 538sqm industrial/storage building on land accessed off Baird Road, Kirkton Campus, Livingston. The proposed building will contain 4 units which can be utilised for Class 5 (general industrial) or Class 6 (storage or distribution) uses. The applicant previously gained consent for the refurbishment and conversion of the Baird Road building into 11 units and the proposed application would utilise the internal access road approved as part of that consent.

The proposed building would lie in part between the property at Baird Road and Simpson Parkway. Some infill of the undulating open space would need to be carried out to provide a level build platform for the building and as such the new building would be seen as a dominant feature on Simpson Parkway, which is characterised by an open aspect and landscaping along its length. The design of the building is such that it is utilitarian in design and whilst it may be possible to improve the overall appearance with architectural details, the impact of the building is such that it breaks within the designed build pattern of the estate. The development encroaches on existing landscape/open space and brings the development within 15m of the public road when all other buildings are set 20m+ from the road, setting an undesirable precedent for other similar developments within landscape areas. 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 build pattern in the area and impact adversely on the character of the landscape setting.

The proposals are therefore contrary to the following policies of the adopted West Lothian Local development Plan, 2018 and recommendation is to refuse planning permission.

EMP1 (safeguarding and developing existing employment land);
DES1 (design principles)

Ref. No.:	1152/H/21	**Recommendation:**	Grant Planning Permission Agenda Item 7
Proposal:	Extension to house and formation of decking		
Address:	35 Tippet Knowes Park,Winchburgh, West Lothian, EH52 6UR, (Grid Ref: 308345,675045)		
Applicant:	Ms F Wilson	**Type:**	Local Application
Ward:	Broxburn, Uphall & Winchburgh	**Case Officer:**	Lucy Hoad

Summary of Representations

1 objection has been received on the application, main points raised include:

Removal of hedge
Ownership/location of hedge within adjoining property
Loss of privacy

Officers report

This planning application proposes the erection of a single storey extension and formation of decking to the rear elevation of the property
The semi-detached house is constructed of render and brick with a tiled roof. The dwelling fronts onto a small green and forms part of a residential estate comprising properties of a mixture of styles but similar construction/materials. The rear garden is bounded by fencing and mature shrubbery. The ground slopes gently down to the street at the rear.

Consent was granted for an extension to the rear of the property in January 2021 (1122/H/20) subject to 2 conditions in respect of the use of matching materials and agreement to boundary treatment.

The proposed extension (5.1 x 6.1) with pitched roof is of a similar height and footprint to the approved design and will project out from the main build line across the entire width of the rear elevation to include fire walls.

In terms of materials, the external walls are to be constructed of render and brick and the roof finished in tile, all to match the existing house. A double door and low stepped timber decking area will provide access to the garden. The frames of the doors and windows are to be constructed of upvc (white).

The addition will be visible from public view from the main street. In terms of design, the proposal is considered to be visually acceptable, being modest in scale, subordinate to the main build, and constructed of appropriate materials.

Concern in the form of an objection has been raised as to the ownership, location and loss of the mature hedge in place at the boundary of the adjoining properties and a resultant loss of privacy. The issue of ownership of the hedge is a civil mattter. Provided a condition is used to agree boundary treatment to include screening of the proposed deck area, residential amenity should be preserved. There will be no significant impact on the neighbouring properties in terms of privacy or access to light.

The scale, massing and materials of the proposed development are considered to be visually acceptable in relation to the main dwelling house and the proposal is not considered to have an adverse impact on the visual amenity of the area or the residential amenity of the neighbouring properties.

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, massing, design or amenity.

DATA LABEL: OFFICIAL

Development Management

List of Delegated Decisions - 7th January 2022

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.:	1063/FUL/21	**Recommendation:**	Refuse Permission
Proposal:	Change of use and alterations to bank (class 2) to form a ground floor flat		
Address:	55 High Street, Linlithgow, West Lothian, EH49 7ED (Grid Ref: 300306,677117)		
Applicant:	Mr R Hogg	**Type:**	Local Application
Ward:	Linlithgow	**Case Officer:**	Alexander Calderwood

Summary of Representations

No representations have been received for this application.

Officers report

This application seeks full planning permission for the change of use and alteration of a bank (class 2) to form a ground floor flat. The proposal relates to a Category B listed building within the Linlithgow Palace and High Street Conservation Area.

Policy TCR 1 (Town Centres) of the West Lothian Local Development Plan 2018 (LDP), states that any retail change of use proposal will only be permitted if it does not adversely impact the vitality and viability of the town centre and it is satisfactory in terms of other Local Development Plan policies. It also states that it only supports the conversion of upper floors of commercial premises to residential within town centres. There is no provision for residential development at ground floor level. Within the context of this application all of the properties at ground floor level within the main town centre area on the segment of High Street between the Kirkgate and Station Road are commercial. There are only a couple of examples of residential development at ground floor level outwith this area and these relate to buildings with an established residential use. Therefore, the conversion of the ground floor to residential of this prominent category B listed building would have an adverse impact on the vitality and viability of the town centre as it would erode the supply of commercial premises. The proposal does not comply with Policy TCR1.

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 layout, scale, massing, design, external materials or amenity; and no adverse impact on built heritage.
Policy ENV 24 (Conservation Areas), states that proposals within conservation areas must have regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area and will require appropriate high standards of design, materials, siting and implementation.
Policy ENV 28 (Listed Buildings), states that the council will protect listed buildings and will have particular regard for their special architectural, historic features and, where appropriate, archaeological interest in considering proposals for their alteration, extension or change of use.

In the context of this application the proposals seek to replace a window on the front elevation of the building with a new door. The window is original and follows the glazing pattern of the windows adjacent. The proposed door would not fit in with the building context. This alteration is not compliant with Policies DES 1, ENV 24 and ENV 28.

The proposal is contrary to the terms of the four LDP policies set out above. It is recommended that planning permission is refused.

Ref. No.:	1064/LBC/21	**Recommendation:**	Refuse Listed Building Consent
Proposal:	Listed building consent for internal alterations and alterations to doors and windows to form ground floor flat		
Address:	55 High Street, Linlithgow, West Lothian, EH49 7ED (Grid Ref: 300306,677117)		
Applicant:	Mr R Hogg	**Type:**	Other
Ward:	Linlithgow	**Case Officer:**	Alexander Calderwood

Summary of Representations

1 objection was received from the Architectural Heritage Society of Scotland (AHSS) and concerns were raised by Historic Environment Scotland (HES). The nature of the comments are as follows:
- Object to the subdivision of the front space, as this does not respect the most significant public interior of this building (AHSS).
- The submission has not detailed whether or not there is any decorative plasterwork behind the suspended ceiling within the building (HES).
- The plan drawings provided do not accurately reflect the property's internal layout as depicted in the photos. There is a lack of submitted information to assess suitability of proposal (HES).

Officers report

This application seeks listed building consent for internal alterations and alterations to doors and windows to form a ground floor flat. The proposal relates to a Category B listed building within the Linlithgow Palace and High Street Conservation Area.

No detail has been provided on what features may or may not be behind the suspended ceiling within the property. Additionally, the submitted plan drawings provided do not accurately reflect the property's internal layout as depicted in the photos. There is a lack of submitted information to assess suitability of proposal.

Additionally, this application seeks to replace a window on the front elevation of the building with a new door. The window is original and follows the glazing pattern of the windows adjacent. The proposed door would not fit in with the context.

The alterations are not compliant with Policy DES 1 (Design Principles), ENV 24 (Conservation Areas) and ENV 28(Listed Buildings) of the Local Development Plan. It is recommended that Listed Building Consent is refused.