



Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

28 June 2022

A meeting of the **Development Management Committee** of West Lothian Council will be held within the **MS Teams Virtual Meeting** on **Wednesday 6 July 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 08 June 2022 (herewith).

Public Items for Decision

5. Application No.1034/P/21 - Planning permission in principle for the erection of 11,148sqm of business (class 4), general industry (class 5) and storage and distribution (class 6) buildings for use as film studio/stage development, including access, car parking, landscaping and associated works (amended description) at The Pyramids Business Park, Bathgate (herewith)

6. Application No.1245/P/21 - Planning permission in principle for the erection of 2 houses at land between 27 and 29 Wellview Lane, Murieston, Livingston (herewith)
7. Application Nos.0226/A/22 and 0227/LBC/22 - Advertisement consent and listed building consent for the display of replacement fascia sign, installation of replacement illuminated and non-illuminated signs at the Black Bitch Tavern, 12 West Port, Linlithgow (herewith)
8. Application No.0240/FUL/22 - change of use of shop and upper flat with extensions and alterations to building to form 8 flats at 64-66 Charles Crescent, Bathgate (herewith)
9. Application No.0320/FUL/22 - Erection of a single storey extension at Green Tree Tavern, 45 East Main Street, Broxburn

Public Items for Information

10. Consider list of delegated decisions on planning applications and enforcement actions for the period 3 to 24 June 2022 (herewith)
11. Appeals :-
 - (a) Application No.1026/FUL/18: Erection of 65 Houses (as varied from 67 Houses) with associated access, suds, open space and landscaping at Site K, Mossend, West Calder - Appeal allowed
 - (b) Application No.1027/P/18: Planning Permission in principle for residential development for 22 units at Site Y4, Mossend, West Calder - Appeal allowed
 - (c) Application No.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, EH47 7BW - Appeal allowed
 - (d) Application No.0838/PO/21: Modification of planning obligation relating to planning permission 0349/FUL/11 and 0337/P/13 to remove town centre improvements contribution at Site J & Y1, Mossend, West Calder - Appeal allowed
 - (e) Application No.0839/PO/21: Modification of planning obligation relating to planning permission 0349/FUL/11 and 0337/P/13 to remove town centre improvements contribution at Site Y2a, Y2b & Y3, Mossend, West Calder - Appeal allowed
 - (f) Application No.1061/PO/21: Modification of planning obligation relating to planning permission 1044/P/08 to remove cemetery

contribution at Land at Armadale Station, Southdale - Appeal allowed

(g) Application No.1154/FUL/21: Formation of a 50 Space Park and Ride Facility with associated works at land north of Station Road, Kirknewton - Appeal submitted

(h) Reference No.ENF/0310/21: The alleged extension of garden ground, and erection of decking over watercourse at 15 Ballencrieff Mill, Bathgate - Appeal submitted

12. Action Taken in terms of Standing Order 31 (Urgent Business) - To note the action taken in terms of Standing Order 31 (Urgent Business) to provide approval for the submission of a response to the DPEA in relation to Planning Appeal PPA-400-2140, for an application at land south of Sibbalds Brae and west of Falside Crescent, Bathgate (herewith)

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



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.

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, 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:-

- James Millar, Interim Monitoring Officer and 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

January 2022

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within MS TEAMS VIRTUAL MEETING, on 8 JUNE 2022.

Present – Councillors Stuart Borrowman (Chair), William Boyle, Pauline Clark, Tom Conn, Lawrence Fitzpatrick, Pauline Stafford and George Paul

1. DECLARATIONS OF INTEREST

Agenda Item 5 (App No.0244/FUL/22) - Councillor William Boyle declared an interest in that he had a business connection to the agent who was in attendance at the meeting, so would not participate in the item of business

Agenda Item 6 (App No.0190/FUL/22) - Councillor William Boyle stated a connection in that his daughter had two pets registered at the veterinary practice but would participate in the item of business,

2. ORDER OF BUSINESS

Committee intimated it wished to ask questions on an application listed on the Delegated List and on Agenda Item 9b.

Committee agreed that all other items of business for information were to be taken as read in accordance with the terms of Standing Order 8(3).

3. MINUTE

The committee approved the Minute of its meeting held on 27 April 2022.

4. APPLICATION NO.0244/FUL/21

Councillor William Boyle, having previously declared an interest, took no part in the following 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: -

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0244/FUL/21	Erection of a house with associated works at Dechmont House, Woodlands Park, Deans, Livingston	Refuse planning permission

The committee then heard from Mr Colin Hardie, the applicant's agent, who spoke in support of the application.

Decision

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

5. APPLICATION NO.0190/FUL/22

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

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0190/FUL/22	Change of use from garage and car sales to veterinary clinic (class 2) at Mill Road Industrial Estate, Linlithgow Bridge, Linlithgow	Refuse planning permission

The committee then heard from Mr Stuart McMorrow, the applicant, and from Councillor Sally Pattle, a local ward member, who both spoke in support of the application.

Committee also noted that whilst Mr Richard Moss, the applicant's agent, was in attendance he did not wish to address committee but was available for questions.

Decision

To unanimously agree to grant planning permission with conditions delegated to the Development Management Manager as committee determined that the proposal did conform with policies DES1 as there was no adverse impact on the industrial estate; policy EMP1 in that it would safeguard and increase employment in the industrial estate; and policy TCR2 in that the applicant had demonstrated that there was not an alternative location within the town centre for the needs of the type of business and that the industrial estate was already supporting a number of businesses that were Class 2 use.

6. APPLICATION NO.0027/FUL/22

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

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0027/FUL/22	Demolition of stables and erection of house, land to north of Westfield House,	Refuse planning permission

Westfield

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

Decision

To grant planning permission, as committee agreed by a majority that the location was no less sustainable than others due to the recent reinstatement of a bus service; there was no architectural merit or amenity value to the existing buildings; and it was a brownfield site.

Additionally, committee agreed that, conditions be delegated to the Development Management Manager, including those conditions required by the statutory consultees and the removal of the caravan from the site prior to the completion and occupation of the house. A note was to be added that advice should be sought regarding removal of asbestos. The pp was also granted subject to a planning obligation, which required to be concluded prior to the grant of planning permission.

7. LIST OF DELEGATED DECISIONS

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

A list (copies of which had been circulated) of delegated and enforcement action for the period 29 April to 27 May 2022 was submitted for the information of committee.

Decision

To note the list of delegated decisions.

8. APPEALS

The committee noted that the following appeal which had been submitted to Scottish Minister had been dismissed :-

Application No.Proposal

1182/P/20

Planning Permission in Principle for a mixed-use development including residential, commercial, park and ride site, solar voltaic array and associated works at site at Uphall, Broxburn, West Lothian, EH52 5NT

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

Application No.Proposal

0501/FUL/21

Section 42 appeal against refusal of Planning Application 0501/FUL/21 without complying with part of Condition 10 of residential Planning Permission 0848/FUL/19 at land to west of Hartwood Road, West Calder, West Lothian, EH55 8LG

The committee noted that the following appeals which had been submitted to Scottish Ministers, they had no remit to consider :-

Application No.Proposal

1170/FUL/21

Erection of A House at Meadowhead Cottage, Addiewell, West Lothian, EH55 8HL

0023/H/22

Two storey extension to side of house at 44 Millcraig Place, Winchburgh, West Lothian, EH52 6WH

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

Application No.Proposal

1209/FUL/21

Erection of 17 houses with associated Works at land south of 9-13 West Mains Crofts, West Calder, West Lothian, EH55 8FL

1254/P/21

Planning Permission in Principle for A 17.8 Ha Residential Development (Approximately 300 No. Units), With Ancillary Community Uses and Associated Works at Land South of Cannop Crescent, Stoneyburn, West Lothian, EH47 8EH

0259/CLU/22

Certificate of Lawfulness for the continued use of an existing caravan as living accommodation at site to the north of Westfield House, Main Road, Westfield, Bathgate, EH48 3DF

ENF/0301/21

The alleged breach of planning control by the unauthorised change of use from open space to private garden ground and erection of

ENF/0355/21

decking at 15 Ballencrieff Mill,
Bathgate, West Lothian, EH48 4LL

Change of use from open space to
private garden ground and erection
of decking (retrospective planning
application refused, Ref:
0801/FUL/21) at 13 Ballencrieff Mill,
Bathgate, West Lothian, EH48 4LI



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Planning permission in principle for the erection of 11,148 sqm of business (class 4), general industry (class 5) and storage & distribution (class 6) buildings for use as film studio/stage development, including access, car parking, landscaping and associated works (amended description) at The Pyramids Business Park, Bathgate, EH48 2EH

2 DETAILS

Reference no.	1034/P/21	Owner of site	London and Regional Property
Applicant	LR Hack GP Limited on Behalf of LR Edinburgh LP	Ward & local members	Bathgate Councillor Harry Cartmill Councillor Willie Boyle Councillor Pauline Stafford Councillor Tony Pearson
Case officer	Matthew Watson	Contact details	01506 283 506 matthew.watson@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by the Head of Planning, Economic Development & Regeneration

3 RECOMMENDATION

Grant planning permission in principle, subject to the attached conditions

4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Planning permission in principle is sought for the erection of 11,148 sqm of business (class 4), general industry (class 5) and storage & distribution (class 6) buildings for use as film studio/stage development.
- 4.2 The submitted plans show that the application site is 8.18 ha in size. The site is on the eastern edge of the Pyramids Business Park and currently comprises a service yard, car park, a small area of hardstanding and a coppice of predominately mature trees. The site is bound by a road at its south and east boundaries with soft landscaping to the north. A further coppice of mature trees lies to the east of the application site on the other side of the road.

- 4.3 The trees within and adjacent to the application site to the east are covered by a Tree Preservation Order (TPO) (Tree Preservation Order (No.4) 2022 – Roundhill Copses, Pyramids Business Park, Bathgate). The trees in question are not within the Ancient Woodland Inventory but do appear on historic maps dating back to 1853. A total of 55 trees have been surveyed within the application site boundary.
- 4.4 It is proposed to remove 46 of the 55 trees within the application site, including all the mature trees. Nine of the young trees within the site are to be transplanted elsewhere within the wider Pyramids site.
- 4.5 The proposed site plan shows five warehouse style buildings within the site and a car park to the south of the existing road.
- 4.6 The application site is located within the settlement boundary of Bathgate and within a designated employment area, as identified in the adopted West Lothian Local Development Plan, 2018 (LDP).
- 4.7 The Pyramids Business Park is located to the south east of Bathgate. It is a 93 acre (37.6 ha) site with 375,000 sq ft (34838 sq m) of flexible office, distribution warehousing, studio and production space. The business park sits within landscaped grounds and has two large car parking areas to the south west and north east of the building. It is accessed via Junction 3 of the M8 with a roundabout access from the A7066 to the north.
- 4.8 A range of users are currently operating within the Pyramids Business Park, including two film studios. The existing film studios are located at the eastern end of the building, adjoining the boundary of this application site, and total 82,000 sq ft of space. Studio 1 is 33,000 sq ft (3065 sq m) in size and Studio 2 is 49,000 sq ft (4552 sq m) in size. The studios have been used for the filming of T2 Trainspotting by Sony, Outlaw King by Netflix and Shetland by ITV. At the time of application submission, the BBC were filming the second series of Good Omens at the site.
- 4.9 The application is accompanied by the following documents:
 - Arboricultural Impact Assessment
 - Biodiversity Net Gain Assessment
 - Consideration of Alternatives and Design Evolution
 - Design and Development Brief
 - Drainage Strategy Report
 - Economic Impact Assessment
 - Environmental Risk Assessment (Phase 1 Contaminated Land) Report
 - Flood Risk Assessment
 - Landscape Maintenance Schedule
 - Phase 2 Tree Report
 - Planning Statement
 - Pre-application Consultation Report
 - Preliminary Ecological Appraisal
 - Transport Statement
 - Tree Survey

History

4.10 The relevant site history is set out below:

- 0932/EIA/21: EIA screening opinion for erection of an 11,148sqm class 4, 5 and 6 development including access, car parking, landscaping and associated works, EIA Not Required, 16/09/2021
- 0690/PAC/21: Proposal of application notice for 11,148 sqm (120,000 sqft) of class 4, 5 and 6 development, including access, car parking, landscaping and associated works, Consultation approved, 05/07/2021
- 0722/CLU/14: Certificate of lawfulness for a 237sqm data centre at units 10a & 10b, Approved, 12/12/2014
- 0642/A/14: Installation of ground mounted signage, Withdrawn, 18/11/2014
- 0687/FUL/09: Installation of cooling condenser unit, Granted, 29/10/2009
- 0757/FUL/06: Erection of an 11,150 sqm extension, Granted, 24/01/2007
- 1101/A/02: Erection of a free-standing sign, Refused, 27/01/2003
- 1042/FUL/01: Removal of planning condition to allow the site to be used for Class 4,5 & 6 uses (Business, General Industrial and Storage or Distribution), Granted, 27/12/2001

EIA Development

- 4.11 The scale and nature of the development is such that it falls within the description of development set out in Class 10 (b) of Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017 (EIA Regulations).
- 4.12 A screening assessment has been carried out in accordance with the EIA Regulations and, due to its location and characteristics of potential impact, the development does not constitute EIA development.

Equalities Impact

- 4.13 The application has been assessed and has no impact in terms of equalities or human rights.

5. REPRESENTATIONS

- 5.1 One letter of support has been received from Screen Scotland, which is the national agency for the growth of the film and TV sector, through development of the local industry in tandem with attracting international projects of scale to Scotland.
- 5.2 A summary of the representation is located in the table below.

Comments	Response
<ul style="list-style-type: none"> Developing the site would be hugely beneficial for attracting projects of scale to Scotland, providing training for crew, and opportunities for a wide range of local businesses as well as talent. 	<ul style="list-style-type: none"> Noted. See further assessment at Section 8 below.
<ul style="list-style-type: none"> These proposals have the potential to significantly enhance the Pyramids' available film / TV studio and build space. 	<ul style="list-style-type: none"> Noted. See further assessment at Section 8 below.
<ul style="list-style-type: none"> The potential long-term impacts that this addition to the site could have for the industry would be invaluable, transformative, and maintain Scotland's reputation as a strong player in the global market. 	<ul style="list-style-type: none"> Noted. See further assessment at Section 8 below.

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 Arboricultural Officer	Yes	<p>The area in question is a high value group of trees that are worthy of preservation and retention.</p> <p>The tree reports are written in favour of the development and undervalue the importance of the trees from an aesthetic, historical, environmental and conservation perspective.</p>	Noted. See assessment in Section 8 below.
WLC Parks & Woodland	No	<p>Further habitat surveys are required for bats to confirm whether the trees proposed for removal are being used by bats. Further eDNA testing for great crested newts is also recommended.</p> <p>Recommends the use of a construction and environmental management plan (CEMP)</p>	Noted. These surveys, the CEMP and the woodland management plan can be secured by condition.

Consultee	Objection?	Comments	Planning Response
		with a precautionary method statement for GCN. A management plan for a minimum of 30 years to ensure the new woodland to ensure adequate compensation for the loss of mature woodland.	
WLC Roads & Transportation	No	No objection to the application.	Noted.
WLC Environmental Health	No	No objection, subject to conditions regarding electric vehicle charging points and construction hours.	Noted. It is proposed to attach these conditions.
WLC Flood Risk Management	No	The flood risk assessment requires an uplift in climate change allowance to 35%. The drainage strategy sees aboveground sustainable drainage features absent, which is disappointing.	Noted. Conditions are proposed to further update these documents.
WLC Contaminated Land Advisor	No	Condition further intrusive investigations - phase 2	Noted. Conditions will be attached, if granted.
Coal Authority	No	No objection subject to a condition requiring intrusive investigations and remediation, if needed.	Noted. It is proposed to attach this condition.
Edinburgh Airport	No	The proposal does not conflict with aerodrome safeguarding criteria.	Noted.
Bathgate Community Council	N/A	No response received.	N/A

7. PLANNING POLICY

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

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

7.3 The relevant development plan policies are listed below:

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018) EMP 1 Safeguarding and Developing Existing Employment Land	Expansion of premises in Class 4, 5 and 6 uses within designated employment areas is supported, subject to four criteria being met.	The proposal meets the criteria of EMP 1 and is acceptable in principle. See the assessment in Section 8 for more detail.	Yes
LDP ENV 9 Woodland, Forestry, Trees and Hedgerows	This policy states there is a presumption against development that adversely affects woodlands, including those covered by a TPO, unless there is a proven locational need and it achieves significant public benefits.	The economic benefits likely to result from the proposal will result in significant public benefits. See the 'Impact on Trees' assessment in Section 8 below. The proposal complies with Policy ENV 9.	Yes
LDP ENV 10 Protection of Urban Woodland	This policy states that proposals which involve removal of urban woodland will only be supported where it achieves significant public benefits.	The economic benefits likely to result from the proposal will result in significant public benefits. See the 'Impact on Trees' assessment in Section 8 below. The proposal complies with Policy ENV 10.	Yes
LDP ENV 20 Species Protection and Enhancement	Development that would affect a species protected by European or UK law will not be permitted unless it meets the four criteria.	Further survey work for protected species are required and these will be conditioned. With this condition in place, the proposal complies with Policy ENV 20.	Yes
LDP ENV 34 Art and Development	This policy states the implementation of a public art project at Junction 3 of the M8 and other suitable locations on the M8 is promoted.	A condition is proposed to cover a public art project/plan.	Yes
LDP DES 1 Design Principles	All development proposals will require to take account of and be integrated with the	The loss of mature trees within the context of the Pyramids Business Park is justified due to the economic benefits of the proposal.	Yes

Plan and Policy	Policy Summary	Assessment	Conform?
	local context and built form.	The detailed design of the proposed development will come through the matters specified in condition application.	
LDP EMG 3 Sustainable Drainage	Developers may be required to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development.	Whilst the council's Flood Risk team is not objecting to the submitted DIA, they do note the lack of above ground SUDS and lack of rainwater harvesting is disappointing. An updated DIA is to be conditioned to address these comments.	Yes
LDP EMG 6 Vacant, Derelict and Contaminated Land	Where it is suspected by the council that a development site may be contaminated, the developer will be required to undertake a site investigation, to the satisfaction of the council.	The applicant submitted a phase 1 desktop study, which is acceptable. A Phase 2 intrusive site investigation is required to be conditioned.	Yes

7.4 Other relevant policy guidance and documents are listed below:

- Scottish Planning Policy 2014 (SPP)
- Supplementary Guidance
 - Public Art
- Non-Statutory Planning Guidance (PG)
 - Planning for Nature
 - Flooding & Drainage
 - Air Quality

8. ASSESSMENT

8.1 The determining issues in respect of this application are listed below:

Principle of Development

8.2 Policy EMP 1 states that development for Class 4, 5 and 6 uses in designated employment areas is acceptable, subject to the following criteria being met:

- (a) the proposal would be compatible with neighbouring land uses;
- (b) the proposal would not have a detrimental impact on the amenity of the area;

- (c) the transport implications of the proposal are capable of being effectively managed; and
 - (d) any infrastructure deficiencies or requirements are capable of being satisfactorily remedied.
- 8.3 In terms of EMP 1 (a), the application proposes Class 4, 5 and 6 uses for a film studio/stage development. This use is compatible with existing uses within the Pyramids Business Park, including the space within the building that is currently being used as a film studio.
 - 8.4 With regards to EMP 1 (b), the proposed removal of the coppice of trees will have an impact on visual amenity given the prominence of these trees within the wider landscape of the Pyramids Business Park. As set out below, the economic benefits of the scheme are viewed as outweighing the impact of the loss of trees.
 - 8.5 The transport implications of the proposed development are acceptable and no infrastructure deficiencies need to be remedied as a result of the proposal. The proposal complies with EMP 1 (c) and (d).
 - 8.6 Overall, the proposed development complies with Policy EMP 1 and the principle of development is acceptable, subject to meeting other development plan policy.

Economic Benefits

- 8.7 The applicant has submitted an Economic Impact Assessment (EclA) with this planning application.
- 8.8 The EclA highlights the potential for significant job creation within West Lothian and Scotland, both in the short and long term as a result of the proposed development.
- 8.9 The applicant proposes to spend £25 million on expanding current film and tv studio facilities by 120,000 sq ft (11,148 sq m), as well as an additional £2million to upgrade the common parts and existing amenities within the Pyramids Business Park such as the café and gym.
- 8.10 The one-off build and fit out of the planned new studios are predicted to create 105 local jobs. The proposed development is predicted to create 170 full time equivalent (FTE) jobs in West Lothian with £6.1m in annual wages, as well as 310 FTE jobs in Scotland.
- 8.11 Scottish Planning Policy para 29 states that one of the 13 principles of decision making in the Scottish planning system is “giving due weight to net economic benefit”.
- 8.12 The proposal represents a significant opportunity for West Lothian with the proposal likely to result in the creation of a high number of skilled jobs.
- 8.13 If this project does not proceed there is the potential to lose this opportunity for long term positive economic impact to another local authority, nation or country. The market for film and TV production has significantly increased and the demand for suitable production space has also increased. The creative film and TV industry is growing and there is the potential for this to become a significant industry for Scotland.

Impact on Trees

- 8.14 Policy ENV 9 states at criterion (a) that ‘there will be a presumption against development proposals which involve the loss of or damage to, woodlands [and] groups of trees (including trees covered by a tree preservation order (TPO))’. It is stated at criterion (b) of ENV 9 that “Proposals that involve the removal of woodland in part or in its entirety will only be supported where it would achieve significant and clearly defined public benefits”.
- 8.15 Policy ENV 10 states that woodlands within an urban area “that contribute to townscape, landscape amenity, biodiversity, cultural or historic value, particularly where their loss would jeopardise ongoing contribution to place-making and/or green network objectives, will be protected from development. Proposals that involve the removal of urban woodland in part or in its entirety will only be supported where it would achieve significant and clearly defined public benefits”.
- 8.16 A tree survey has been submitted with the application. The trees in question are stated to be predominately early mature and young trees with a small number of semi-mature and mature trees. Of the 55 trees surveyed, 9 trees are category A, 4 trees are category B, 30 trees are category C and 12 trees are recommended for removal due to poor condition.
- 8.17 The council's arborist has questioned the validity of the classification assessment of trees carried out and states that the importance of the trees has been undervalued from an aesthetic, historic, environmental and conservation perspective. In addition, the council's arborist questions why the applicant has not considered alternative siting.
- 8.18 The applicant has since submitted a designed document titled ‘Consideration of Alternatives and Design Evolution’. This document sets out the requirements and principal components of a film studio and the four alternative locations for the film studio that have been considered by the applicant.
- 8.19 The four alternatives in question have been ruled out for the reasons in the table below. Graphical illustrations of the alternative options are available within the presentation pack.

	Option A	Option B
Location	Located approximately 300m to the southwest of the existing Studios on land which is currently grazing land	Located approximately 400m to the southeast of the existing Studios on land which is currently grazing land
Issues	<ul style="list-style-type: none"> Operationally, the physical distance of 300m is too remote from the existing studio facilities located on the east side of the Pyramids building Noise and vibration disturbance from M8 motorway Increased development cost 	<ul style="list-style-type: none"> Operationally, the physical distance of 300m is too remote from the existing studio facilities located on the east side of the Pyramids building Noise and vibration disturbance from M8 motorway Privacy and security compromised by proximity to publicly accessible bridleway/core path Coal Authority High Risk Development Area Increased development cost
Overall Suitability	Not viable as a location	Not viable as a location

	Option C	Option D
Location	<p>Located to the east of the existing studios.</p> <p>Northern sound stages (Studios 3 and 4) are relocated to the north of the copse of trees and Southern sound stages (Studios 5, 6 and 7) are pushed southwards, over the internal road and into the base of the Round Hill</p>	<p>Located to the east of the existing studios.</p> <p>Northern sound stages (Studios 3 and 4) are turned horizontally and stepped to fit within the internal access road and avoid the steep banking to the north.</p> <p>Two Southern sound stages (Studios 5 and 6) are located closer to the copse of trees to avoid eating into the road, car parking and the Round Hill</p>
Scale	Delivers 120,000 sq. ft. of additional space for film studio use	Delivers only 80,000 sq. ft. of additional space for film studio use
Issues	<ul style="list-style-type: none"> • Building location clashes with existing pond due to change in levels. • Building is raised above existing ground level. • Existing perimeter roadway re-routed within the site. • The connection between the workshops in the existing building and the new stages is poor • Stages are provided with single sided access only where the industry requirement is for double sided (known as diverse) access. • Car parking spaces lost due to relocation of stages. • No space for production parking and associated uses. • Building built into site contours and additional retaining structures required. 	<ul style="list-style-type: none"> • Reduces the proposed 120,000 sq. ft of Stage Space to only 80,000 sq. ft of Stage Space • Stepped arrangement of Studios 3 and 4 reduces flexibility of combining stages. Arrangement of adjoining stages to make single 60,000 sq. ft stage or single 40,000 sq. ft stage is an industry necessity • Film and High-End TV minimum requirement is 120,000 sq. ft. Anything less than this by even +/- 10,000 sq. ft renders the development potentially unlettable (e.g. considered by industry operators such as Wardpark Studios, First Stage Studios, Jordan Studios, Apple TV, Amazon, Sony etc.). • Development as a whole becomes unviable - 1:1 ratio of Stage Space to ancillary becomes irreconciled noting "make do" stage space.
Overall Suitability	Not viable as a location	Not viable as a format or location

8.20 The reasons for the applicant choosing the proposed site of the film studio are set out in the below table:

Application Proposal	
Location	<p>Located to the east of the existing studios.</p> <p>Sound stages (Studios 3, 4, 5, 6 and 7) are located within the internal access road. The copse of 12 no. mature trees requires to be felled to facilitate the development</p>
Scale	Delivers 120,000 sq. ft. of additional space for film studio use
Issues	<ul style="list-style-type: none"> • Provides a service yard with large manoeuvring space, clear perimeter roadway and space for production parking and associated uses • External facing elevations contain no access doors and restrict views into stages • Good connection between existing building workshops and proposed stages • Diverse (double-ended) access to stages which is an industry requirement • Potential for interconnecting doors between stages • Distinct parking spaces for cars and production unit base parking
Overall Suitability	Viable as a location and site design

8.21 The applicant is also proposing a significant level of replanting, including 115 transplant trees (not including the 9 that are to be transplanted from within the coppice), 264 standard trees, 82 feathered trees and 42 multi-stem, bushy trees.

- 8.22 Notwithstanding the council's arborist's questions over the validity of the categorisation of trees in the tree survey, the mature trees on the application site are of significant historic, aesthetic and conservation value within the wider Pyramids site. The site has been wooded since at least the 1850s and has continued to be wooded despite being bisected by a railway line (now the road running between the coppices) and the building of the Motorola plant in the 1990s.
- 8.23 However, the level of job creation that is likely to result from the proposed development, as well as other economic opportunities that may result from the development, is highly significant for West Lothian. The applicant is proposing a significant amount of replanting with 503 trees being planted for the loss of 46 trees. This represents replanting on an 11 for 1 basis.
- 8.23 On balance, these factors weigh in favour of the removal of the coppice of trees. The loss of these mature trees is regrettable and unfortunate. However, the economic benefits of the proposal through a substantial level of job creation will deliver a significant public benefit in the context of policies ENV 9 and 10. The removal of the coppice of trees is therefore justified, in this specific instance.
- 8.24 A condition is proposed that will prevent the felling of the trees until a lawful site start is made following a matters specified in conditions application.
- 8.25 The proposed replanting and landscaping is also proposed to be secured by condition. Moreover, a 30 year woodland management plan will be conditioned to ensure the new landscaping within the site is maintained.
- 8.26 On balance, the loss of trees covered by a TPO is acceptable due to the economic benefits of the proposal, which will bring significant public benefits in the form of job creation.

9. CONCLUSION AND RECOMMENDATION

- 9.1 In summary, the principle of a film studio development in this location is acceptable. The loss of the coppice of mature trees, which are subject to a TPO, is unfortunate and regrettable. However, the proposal will likely result in significant economic benefits through the creation of a substantial number of skilled jobs for West Lothian. The proposal will deliver significant public benefits in the context of policies ENV 9 and ENV 10 of the LDP, which justifies the loss of trees subject to a TPO, in this instance.
- 9.2 It is therefore recommended that planning permission in principle is granted, subject to conditions.

10. 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: 6 July 2022**

Draft Conditions: Pyramids Business Park – 1034/P/21

1. No tree felling shall be carried out until an application(s) for matters specified in conditions has been approved and construction of the buildings approved under a matters specified in conditions application has commenced.

Reason: To ensure that the mature trees to be felled are not felled until a detailed application is in place for the development of the site.

2. No work shall begin until the written approval of the planning authority has been given for the undernoted matters, and the development shall be carried out in accordance with that approval. The submissions shall be in the form of a detailed layout (including landscaping and car parking) and shall include detailed plans, sections and elevations of the buildings and all other structures.

Approval of Matters:

- a) Siting, design and external appearance of all buildings proposed to be erected on the site;
- b) Means of access to all buildings;
- c) Existing and proposed ground levels and proposed finished floor levels;
- d) Further habitat surveys, including a bat survey and a further eDNA testing for great crested newts
- e) A construction and environmental management plan (CEMP)
- f) A 30 year woodland management plan
- g) Electric vehicle charging points
- h) An updated drainage impact assessment
- i) A Phase 2 intrusive site investigation report
- j) Archaeological report
- k) A public art project/plan

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

3. All landscaping shall be implemented in accordance with the approved drawings 221730_OP_GA_X001 and 221730_OP_GA_D001. All new planting shall be maintained for a period of 30 years from its implementation.

Any trees, shrubs or hedges that within a period of 30 years from implementation 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 otherwise agreed in writing with the planning authority.

All landscaping works required by the terms of this permission shall be implemented in accordance shall be implemented in the first planting season following the occupation of the first building or the completion of the development, whichever is sooner.

Reason: To ensure replanting of trees and the satisfactory landscaping of the development, in the interest of visual and environmental amenity.

4. The details submitted under condition 2 g) shall include the following:

A woodland management plan that sets out maintenance arrangements for newly planted trees and shrubs across the application site for a minimum of 30 years and who is responsible for maintenance, 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 trees and other soft landscaping to be planted across the site.

5. The details under condition 2 h) shall include the following:

Details of the positioning and appearance of three active ready to use 50kW electric vehicle charging points with a CCS or CHAdeMO connector, other agreed provision, as well as who will be responsible for managing and maintaining charging infrastructure shall be submitted to and approved in writing by the planning authority. Thereafter, the approved details shall be implemented prior to the occupation of any of the film studio units.

Reason: In the interests of sustainability.

6. The details submitted under condition 2 h) shall include an updated drainage assessment with a scheme for sustainable drainage (SUDS) surface water treatment that shall be developed in accordance with the Water Assessment & Drainage Assessment Guide (published by SUDS Working Party) and The SUDS Manual C753 (published by CIRIA) for the written approval of the planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

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

7. The details submitted under condition 2 i) shall include the following:

Part 1

An updated Phase 2 intrusive site investigation incorporating a survey of the extent, scale and nature of contamination, and an updated conceptual model of the site shall be submitted to and approved in writing by the planning authority. The Phase 2 report shall cover additional intrusive investigation in the areas around the farm steading at the east of the site, additional gas monitoring and confirmation of the required concrete classification.

Part 2

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

Part 3

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

be submitted to and approved in writing by the planning authority prior to commencement of the new use of the land.

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

8. The details submitted under condition 2 j) shall include the following:

No development shall commence until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved by the planning authority under condition 1 of this permission. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the planning authority in agreement with its archaeologist (West of Scotland Archaeology Service).

Reason: To safeguard the archaeological interest of the site.

9. The details submitted under condition 2 k) shall include the following:

Prior to the commencement of development, a public art project/plan, including an implementation strategy, shall be submitted to and approved in writing by the planning authority. Thereafter, the public art plan/project shall be implemented in accordance with the approved details.

Reason: To ensure compliance with the Supplementary Guidance on Developer Contributions Towards Public Art.

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

Noise (Construction)

- Any work required to implement this planning permission that is audible within any adjacent noise sensitive receptor or its curtilage shall be carried out only between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on a Saturday and at no time on a Sunday. This includes deliveries and operation of on site vehicles and equipment.
- No generators shall be audible within any residential properties between the hours of 2100 and 0800.

Noise (Vehicles/Plant)

- All site vehicles (other than delivery vehicles) must be fitted with non-tonal broadband reversing alarms.
- Heavy goods vehicles shall not arrive or leave the site except between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on a Saturday. No heavy goods vehicles shall arrive or leave the site on a Sunday.

Vibration (Construction)

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

planning authority. Thereafter the development shall be implemented in accordance with the details as approved.

Site Compound

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

Waste

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

Wheel Cleaning

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

Reason: In the interests of visual and environmental amenity.

Screen Scotland
Waverley Gate
2-4 Waterloo Place
Edinburgh
EH1 3EG

29 Oct 2021

PYRAMIDS BUSINESS PARK DEVELOPMENT PLANS

Dear Craig McCorriston,

On behalf of Screen Scotland, I am writing to express strong support for the planning application by Ashfield Land for the expansion of Pyramids Business Park.

Screen Scotland is the national agency for the growth of the film and TV sector and our role includes developing the local industry in tandem with attracting international projects of scale to Scotland.

The Pyramids are well established on Scotland's industry map and have been vital in building the sector over the past decade. They have hosted domestic projects such as ITV/BBC's SHETLAND, locally originated projects of scale such as Netflix's OUTLAW KING, and Amazon's GOOD OMENS.

These proposals have the potential to significantly enhance **the Pyramids' available film / TV studio and build space.**

The global production boom has accelerated during the pandemic, with growth of 16% **reported in 2020 to \$220bn, growing to \$250bn in 2021.** **Scotland's share of that market has grown during this period, due to its expanded stage and build space footprint at FirstStage Studios in Leith.** In our role as Screen Commission for Scotland, liaising regularly with inbound production and local industry, we are in no doubt that a further share of the market can be captured if Scotland can expand its infrastructure even further.

A commensurate growth in trained crew is essential for Scotland to fully capitalised on that growth and Screen Scotland, Skills Development and the Scottish Government are investing in skills programmes across all genres of production and at all career stages.

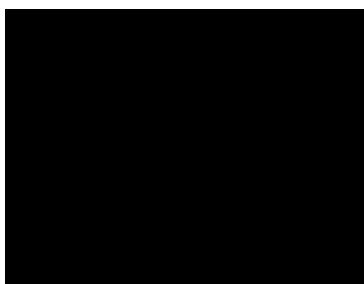
With the Pyramids already established as a production base, West Lothian is recognised by the industry as a favourable location with productions from leading companies such as Netflix repeatedly choosing to return to the area, and with Prime Video's **Good Omens** currently in situ.

Ashfield Land have a strong reputation to the global production industry and the site is known to be of quality. Developing the site would be hugely beneficial for attracting projects of scale to Scotland, providing training for crew, and opportunities for a wide range of local businesses as well as talent.

The potential long-term impacts that this addition to the site could have for the industry would be invaluable, transformative, and maintain Scotland's reputation as a strong player in the global market.

We at Screen Scotland hope that their application can be supported to encourage the development and growth that we are all working towards achieving.

Yours faithfully



ISABEL DAVIS
Executive Director

Development Management Committee

06 July 2022

Item 5 - Application : 1034/P/21

Planning permission in principle for the erection of 11,148 sqm of business (class 4), general industry (class 5) and storage & distribution (class 6) buildings for use as film studio/stage development, including access, car parking, landscaping and associated works (amended description)

The Pyramids Business Park / Bathgate EH48 2EH







1034/P/21 - The Pyramids Business Park / Bathgate EH48 2EH

Development Management - West Lothian Civic Centre - EH54 6FF

(c) Crown copyright and database right 2022 OS Licence number 100037194

100 0 100 m





The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the works. Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.

Do not scale drawing. Figured dimensions to be worked to in all cases.

Where products have been specified, PRP have reviewed applicable products available in the UK at the time of writing the specification, from which products named in the specification have been selected.

Where the contractor wishes to propose alternative products, representative samples and a full technical appraisal should be submitted by the contractor to the employer demonstrating that their proposed alternative has equal or better performance.

Any alternative products are subject to design team, building control, warranty provider and employer acceptance.

CDM REGULATIONS 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environment Assessment Record.

All intellectual property rights reserved.

KEY

- Proposed Buildings
- Main Building Entrance
- Soft Landscaping
- Hard Landscaping
- Trees Existing
- Trees Proposed

NOTES

- Context based on drawing provided by applicant.
- Existing building based on drawing provided by applicant.
- Application site based on topographical survey provided by Mason Surveys dated 12/05/2021 refer to drawings 50578/2001 to 50578/2005.

Rev	Date	Description	VP	JH
P01	23/09/21	Planning Issue		

Pyramids Business Park - Bathgate
PROPOSED SITE PLAN

Project	Origin	Zone	Level	Type	Role	Number
PYR	PRP	ZZZ	RF	DR	A	002010

Revision
P01
Status
PLANNING

Drawn: VP Checked: JH Date: SEPT 2021 Scale: @ A0 1:500

PRP prp-co.uk
Manchester
0161 242 8950



LEGEND

BOUNDARIES

- Owner Ship Boundary
- Site Boundary
- Existing Site Contours
- Scottish Water Assets Wayleave

SOFT LANDSCAPE

Trees

- Existing Willow Trees
- Existing Tree Planting
- Existing Ancient Woodland
- W1: Woodland Planting Mix
- W2: Tree Planting Mix
- W3: Wet Woodland Planting Mix
- Planting Mix

Shrubs

- Existing Shrub
- S1: Planting Shrub Mix 1

Grasses

- S1: Species Rich Grassland
- S2: River Floodplain / Water Meadow

HARD LANDSCAPE

Fencing and Gates

- W1: Timber post & wire fence with rabbit proof mesh
- W2: Woodland Fencing Single Leaf Gate

Paving

- P1: Grasscrete

NOTES

- This drawing is to be read in conjunction with all other drawings and specifications.
- Do not scale off this drawing. Written dimensions to be taken only.
- Any discrepancies found between this drawing and other drawings and specifications in the construction documents must be referred to the Landscape Architect prior to work commencing.
- This drawing must not be copied in whole or in part without prior written consent of Optimised Environments Ltd.

DRAWING INFORMATION BASED UPON

Emaspike: © Crown copyright and database rights 2022
Ordnance Survey 1000031573

OS OpenData: Contains OS data © Crown copyright and
database right (2022).

Final Issue - for Planning	MS	21.03.2022
Issue	Revision	Initial Date

open
optimised environments ltd

2nd Floor | 20-21 The Quadrant | Bathgate | Glasgow | G66 1JH
0141 821 8800 | info@openenvironments.com

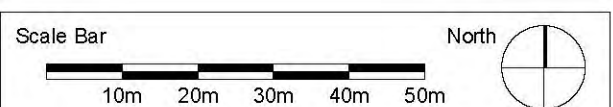
LONDON
Unit 6 | 20-21 The Quadrant | Bathgate | Glasgow | G66 1JH
0141 821 8800 | info@openenvironments.com

MANCHESTER
20-21 The Quadrant | Bathgate | Glasgow | G66 1JH
0141 821 8800 | info@openenvironments.com

Client
LONDON + REGIONAL PROPERTIES

Project
Pyramids Business Park
Bathgate

Drawing Title
Landscape Plan
X001



Scale: 1:1000@A0 Date: March 2022
By: ms Status: PLANNING
Checked: sw Approved: bp

Drawing Number
221730_OP_GA_X001

Computer File: P:\022021730_FullPlan\GA\GA01\GA01.dwg

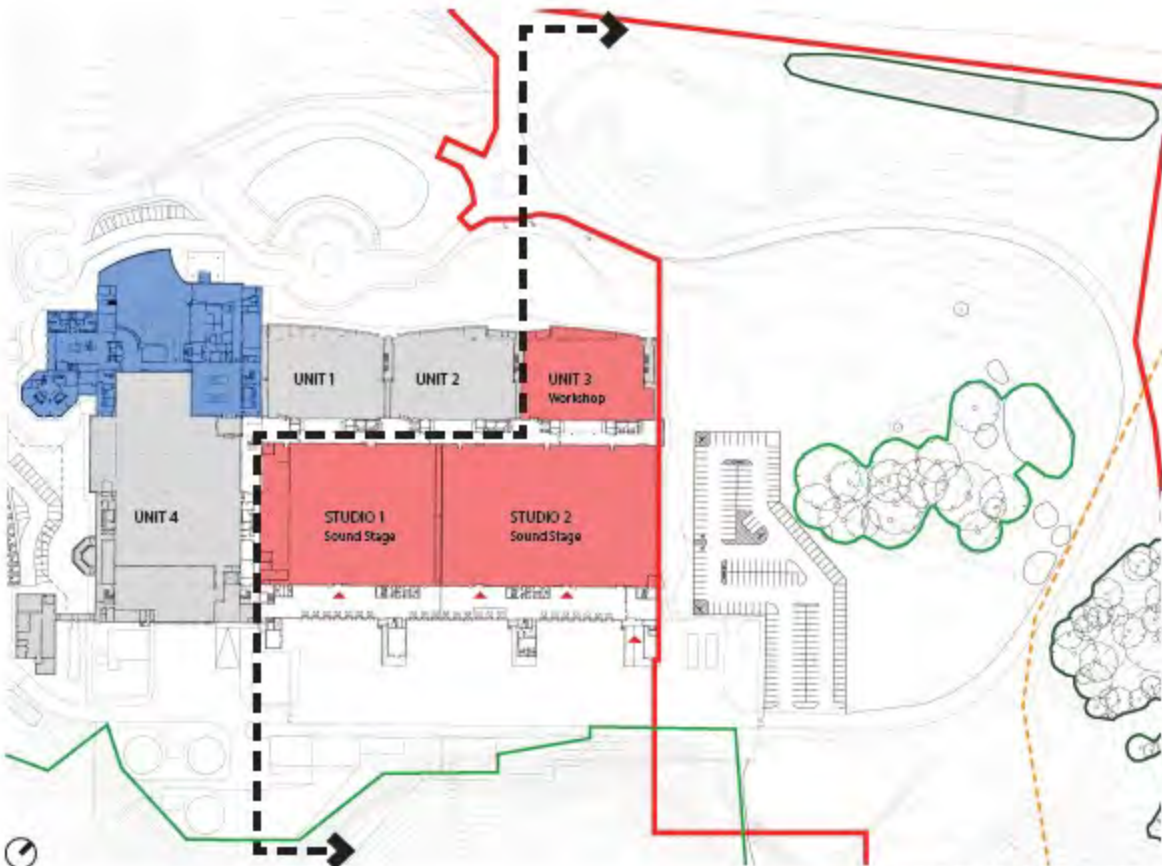
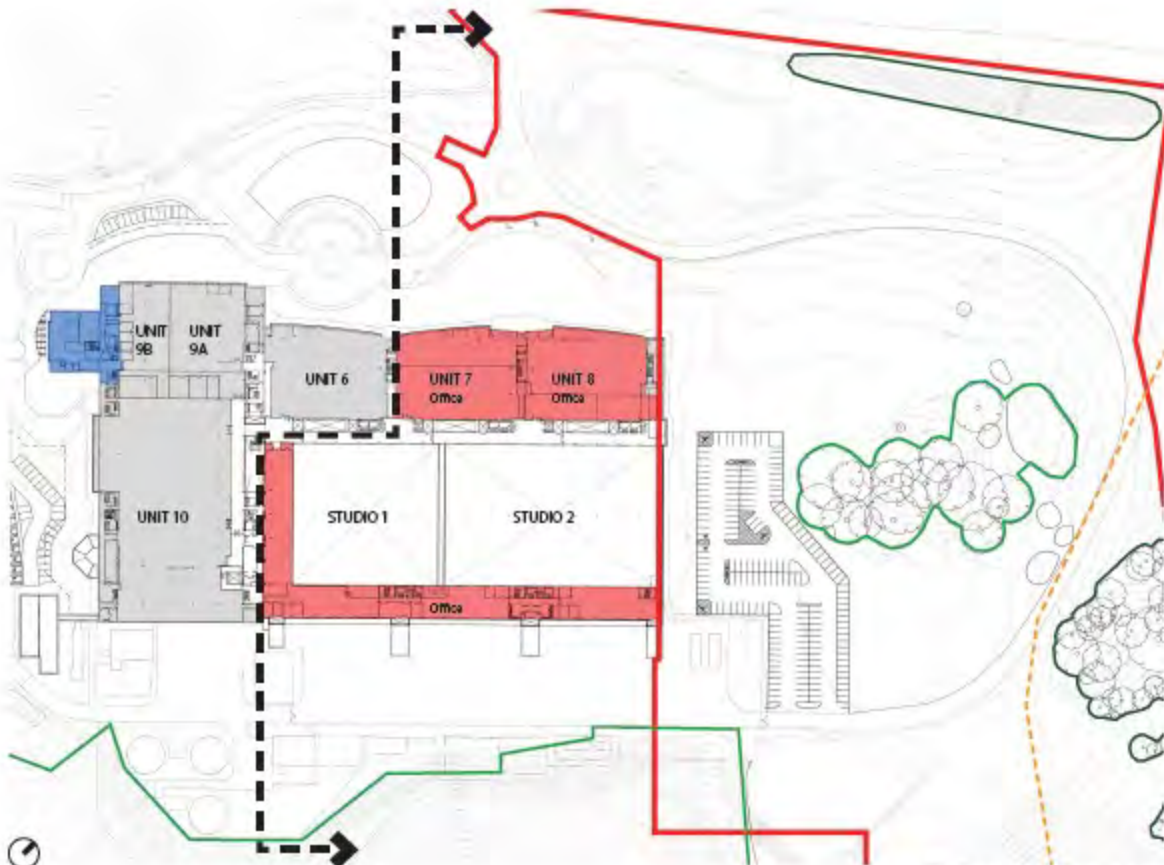


Figure 4; Plan As Exsting: Ground Floor

KEY

- Planning Application Boundary
- Shared Amenity Space
- Tenanted Office
- ↔ Line of Studio Demise
- Exsting Film Studio Use
- ▲ Sound Stage Entrance



KEY

- Planning Application Boundary
- Shared Amenity Space
- Tenanted Office
- ↔ Line of Studio Demise
- Existing Film Studio Use
- ▲ Sound Stage Entrance

Figure 5; Plan As Existing: First Floor



- Planning Application Boundary
- Shared Amenity Space
- Tenanted Office
- ↔ Line of Studio Demise
- Film Studio Use
- ▲ Sound Stage Entrance

- 40 -



Figure 7: Site Constraints Plan - Alternative New Build Locations

KEY

- Ownership Boundary
- Planning Application Boundary
- Coal Authority - Development High Risk Area
- Ancient Woodlands
- Existing Mature Trees
- Statutory Services and Associated Easement
- Area of Flood Risk
- Existing Water Feature
- Existing Landscape Feature
- Steep Bank / Gradient
- Noise Source
- Existing Film Studio Use
- Vehicular Access

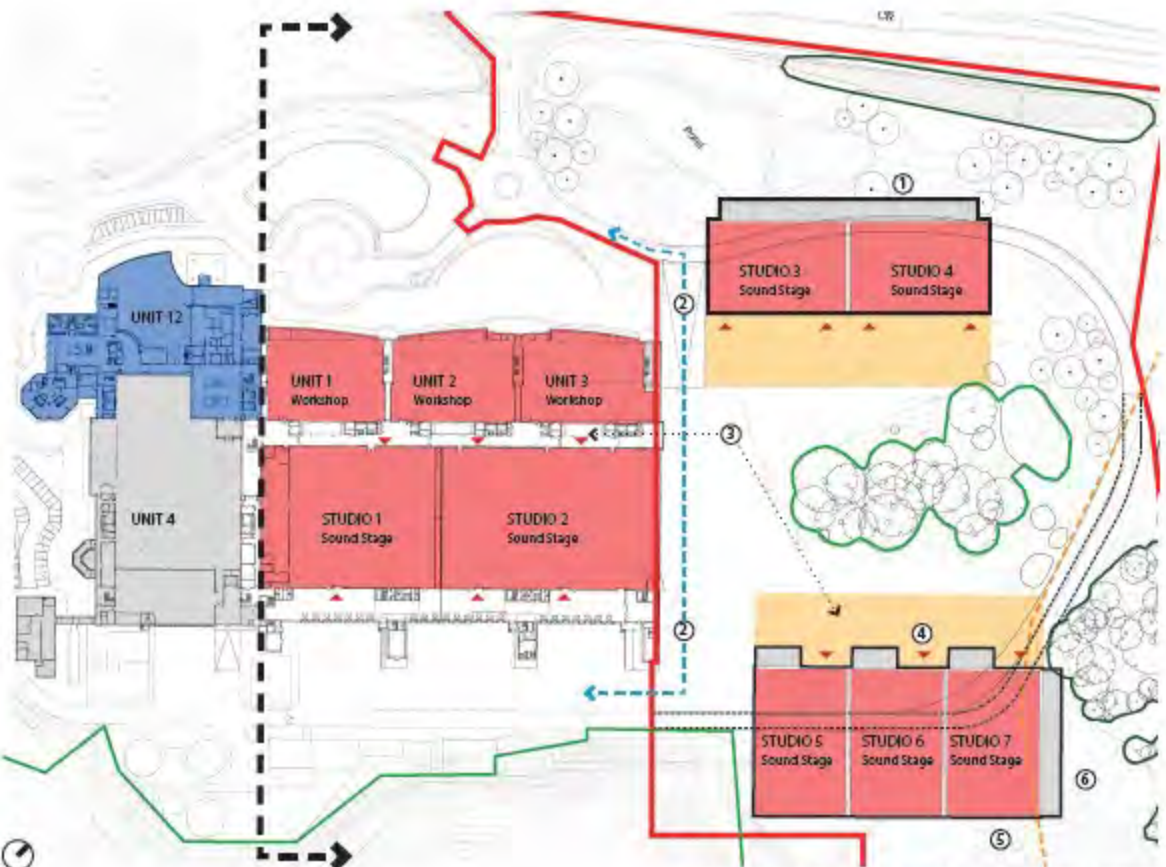


Figure 8: Plan As Proposed: Ground Floor - ALTERNATIVE LAYOUT C

KEY

- Planning Application Boundary
- Shared Amenity Space
- Tenanted Office
- ↔ Line of Studio Demise
- Film Studio Use
- Service Yard
- ▲ Sound Stage Entrance

NOTES

- Delivers 120,000 sq ft of additional space for Studio Use
- ① Building location clashes with existing pond and due to the change in level building is raised above existing ground levels
- ② Existing perimeter roadway re-routed within the site

- ③ The connection between the workshops in the existing building and the new stages is poor
- ④ Stages are provided with single sided access only
- ⑤ Car parking spaces lost due to relocation of stages

- ⑥ Building built into site contours and additional retaining structures required

















DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Planning permission in principle for the erection of 2 houses at Land between 27 and 29 Wellview Lane, Murieston, Livingston, West Lothian, EH54 9HU.

2 DETAILS

Reference no.	1245/P/21	Owner of site	Mr & Mrs Gordon Connolly
Applicant	Mr & Mrs Gordon Connolly	Ward & local members	Livingston South Councillor Lawrence Fitzpatrick Councillor Peter Heggie Councillor Peter Johnston Councillor Moira Shemilt
Case officer	Alexander Calderwood	Contact details	01506 280000 Alexander.calderwood@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Peter Heggie

3 RECOMMENDATION

Grant planning permission in principle subject to the attached conditions and the applicant entering into a planning obligation

4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Planning permission in principle is sought for the erection of 2 houses on land between 27 and 29 Wellview Lane, Murieston. The site is vacant land within a residential estate located on the south side of Livingston. The south eastern and south western boundaries of the application site coincide with the settlement boundary of Livingston, as identified in the West Lothian Local Development Plan.
- 4.2 The submitted plans indicate that the application site is approximately 2300 square metres in area. The submitted plans illustrate 2 detached dwellings within the application site, with 29 Wellview Lane bordering the site immediately to the west and 27 Wellview Lane bordering the site immediately to the east. Access to the site would be via a new vehicular access formed to the north and parking provision for 2 vehicles per dwelling is shown on the submitted plans.

History

4.3 The relevant site history for the wider area is set out below:

- **LIVE/0760/FUL/98** – Demolition of house and erection of 27 houses and related new roads and landscaping – **Approved: 15/12/98**
- **LIVE/0642/FUL/99** – Erection of 30 houses and ancillary works – **Approved: 14/02/00**
- **LIVE/0679/FUL/00** – Removal of condition 8 and 14 of planning 0642/99 to allow larger rear gardens plots 3-12 and remove proposed footpath/bridleway – **Approved: 22/09/00**
- **LIVE/1118/FUL/00** – Variation of condition 0642/99 to allow up to 15 houses to be occupied in any one academic year between 1 August and 31 July – **Approved: 27/01/01**

EIA Development

4.4 The scale and nature of the development is such that it is not EIA development. It does not fall within Schedule 1 or Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017 (EIA Regulations).

Equalities Impact

4.5 The application has been assessed and has no impact in terms of equalities or human rights.

5. REPRESENTATIONS

5.1 Eight letters of objection and 3 letters of neutral comments were submitted in relation to the original proposals. The proposals were amended and re-notified on 2 occasions. No new objections from different households were received, but 4 households that had objected previously, objected again.

5.2 No objections have been withdrawn.

5.3 A summary of representations is located in the table below and the letters are attached to this report.

Comments	Response
<ul style="list-style-type: none"> • Concern over the boundaries detailed in the submitted plans, which included land that does not belong to the plot of land seeking planning consent. 	<ul style="list-style-type: none"> • In the subsequent submissions/revisions the boundary line in the plans has been corrected.
<ul style="list-style-type: none"> • Concern that the density of the development is unsuitable because the wider estate was granted for 30 units in 2000 (29 of which have been built), and the application was earmarked for 1 unit. 	<ul style="list-style-type: none"> • Whilst a 30 unit estate was granted in 2000, additional units can be achieved as long as there are no adverse implications for neighbouring properties and as long as a satisfactory residential environment can be achieved. • In terms of density, the layout is in

Comments	Response
	<p>keeping with the spatial pattern of the wider estate. The distance between the proposed units and neighbouring properties is similar to the distance between properties within the wider estate.</p> <ul style="list-style-type: none"> • Additionally, the application site is one of the larger plots in the estate and so has the potential to accommodate 2 units.
<ul style="list-style-type: none"> • Concern that the proposal is out of character within the context of the surrounding estate. 	<ul style="list-style-type: none"> • Revised plans were submitted showing the removal of the original proposed garages to the front of the application site. Whilst many of the neighbouring properties have detached garages there is no reason that their absence would have an adverse implications for the character of the wider area. It will in turn free up more open space to the front of the 2 units. • Additionally, the application is for planning permission in principle. Therefore, a full assessment of the impact of the development on the character of the wider area cannot be undertaken until a detailed application has been submitted. The proposed siting and layout of the development indicates that this could be achieved.
<ul style="list-style-type: none"> • Concern that the proposal will have adverse implications for neighbouring residential amenity. 	<ul style="list-style-type: none"> • Revised plans were submitted showing the two proposed units sitting almost gable to gable with the properties immediately adjacent. Whilst they may not be directly in line with one another, this is not notably different from the relationship between other properties in the wider estate. • When a detailed application is submitted, further assessment of the impact on residential amenity will take place.
<ul style="list-style-type: none"> • Concern that the design of the proposals are unsuitable. 	<ul style="list-style-type: none"> • Revised plans were submitted showing the removal of the original proposed garages to the front of the application site. When a detailed

Comments	Response
	application is submitted further assessment of the suitability of the design will take place. The proposed siting and layout of the development are 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 Education Planning	No	Contributions shall be required for secondary education facilities.	Noted. Should planning permission be granted, the relevant developer contributions will need to be secured via a legal agreement/planning obligation.
WLC Roads & Transportation	No	Requested the following condition: - The first 6m of the access shall be surfaced in bituminous material.	Noted. Condition to be attached to the decision notice.
Contaminated Land Advisor	No	The desk study is approved and sufficient for planning permission to be granted. The need for a Phase 2 Intrusive Investigations can be conditioned within the planning permission in principle. The requirement for a Remediation Strategy and subsequent verification report to be confirmed on completion of the Phase 2 Assessment.	Noted, Phase 2 SI to be conditioned.

7. PLANNING POLICY

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

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

7.3 The relevant development plan policies are listed below:

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018) DES1 - Design Principles	All development proposals will require to take account of and be integrated with the local context and built form.	The proposal is acceptable in terms of design and appearance and will not have any significant detrimental impact on the immediate neighbours or the surrounding area.	Yes
LDP HOU 3 Infill/Windfall Housing Development within Settlements	New housing development will be supported on sites within settlement boundaries subject to certain criteria.	The site falls within the settlement boundary of Livingston on what is clearly an example of an infill site. The site is within a residential estate and residential units lie immediately to the east and west. The site is acceptable for residential development in principle.	Yes
LDP INF1 - Infrastructure Provision and development obligations	The council will seek developer obligations in accordance with Scottish Government Circular 3/2012.	The applicant will require to pay contributions by way of an upfront payment or S75 agreement. No decision will be issued until payment or agreement is concluded.	Yes – Subject to the relevant planning obligations being secured by legal agreement.
LDP EMG 3 – Sustainable Drainage	Developers may be required to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development.	The permission will be conditioned requiring full drainage details to be submitted as part of the detailed application that will follow.	Yes.
LDP EMG 6 – Vacant, Derelict and Contaminated Land	Where it is suspected by the council that a development site may be contaminated, the developer will be required to undertake a site investigation, to the satisfaction of the council.	The applicant submitted a phase 1, which will require further intrusive works via condition.	In part, however, this could be achieved by condition.

7.4 Other relevant policy guidance and documents are listed below:

- Scottish Planning Policy 2014 (SPP)
- Designing Streets
- Statutory Supplementary Guidance (SG):
 - Residential Development Guide (2019)

8. ASSESSMENT

8.1 The determining issues in respect of this application are listed below:

Layout, scale, massing, design

8.2 The proposed development falls within an existing residential estate which was granted planning permission for 30 units under LIVE/0642/FUL/99. 29 units have been built and the current planning application seeks to develop on the vacant, 30th plot. Whilst the estate was approved for 30 units, additional units can be achieved as long as there are no adverse implications for neighbouring properties and as long as a satisfactory residential environment can be achieved.

8.3 The layout is in keeping with the spatial pattern of the wider estate. The distance between the proposed units and neighbouring properties is similar to the distance between properties within the wider estate. Additionally, the application site is one of the larger plots in the estate and so has the potential to accommodate 2 units. The layout of the two units is such that they are in keeping with the character of the wider estate. The proposals were amended and renotified on two occasions. The original submission showed the 2 units much further back (to the south) into the site and significantly out of line with the neighbouring properties. The latest revisions now show the 2 units in a better location, more in line with the neighbouring residential properties and in turn, more suitable within the context of the surrounding area.

8.4 Revised plans were submitted showing the removal of the originally proposed garages to the front of the application site. This has removed the garages from a prominent location adjacent to the road and access. Transportation was consulted on the application and has confirmed its support of the proposals, the access and the parking provision on the basis that it is conditioned that the first 6m of the access shall be surfaced in a bituminous material.

Residential Amenity

8.5 The original submission showed the 2 units much further back into the site and significantly out of line with the neighbouring properties. The gable walls of the proposed units overlooked almost the entirety of the neighbouring dwelling's rear garden grounds (to the east and west) which would have had an unacceptable overbearing and imposing impact. They would have had an unacceptable impact on neighbouring residential amenity. The latest revisions show the two proposed units sitting almost gable to gable with the properties immediately adjacent. As amended, the proposals will not have a detrimental impact on neighbouring residential amenity.

9. CONCLUSION AND RECOMMENDATION

- 9.1 The proposal complies with policies DES1 (Design Principles), HOU 3 (Infill/Windfall Housing Development) within Settlements, INF1 (Infrastructure Provision and development obligations), EMG 3 (Sustainable Drainage) and EMG 6 (Vacant, Derelict and Contaminated Land) of the West Lothian Local Development Plan 2018; as well as the associated supplementary guidance titled 'Residential Development Guide', 2019.
- 9.2 It is therefore recommended that planning permission in principle be granted, subject to conditions and the applicant entering into a planning obligation.

10. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Site Plan
- Representations
- Local Member Referral Form

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

Craig McCorriston
Head of Planning, Economic Development and Regeneration

Date: 06.07.22



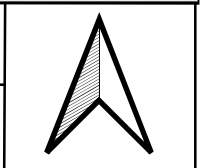
Agenda Item 6



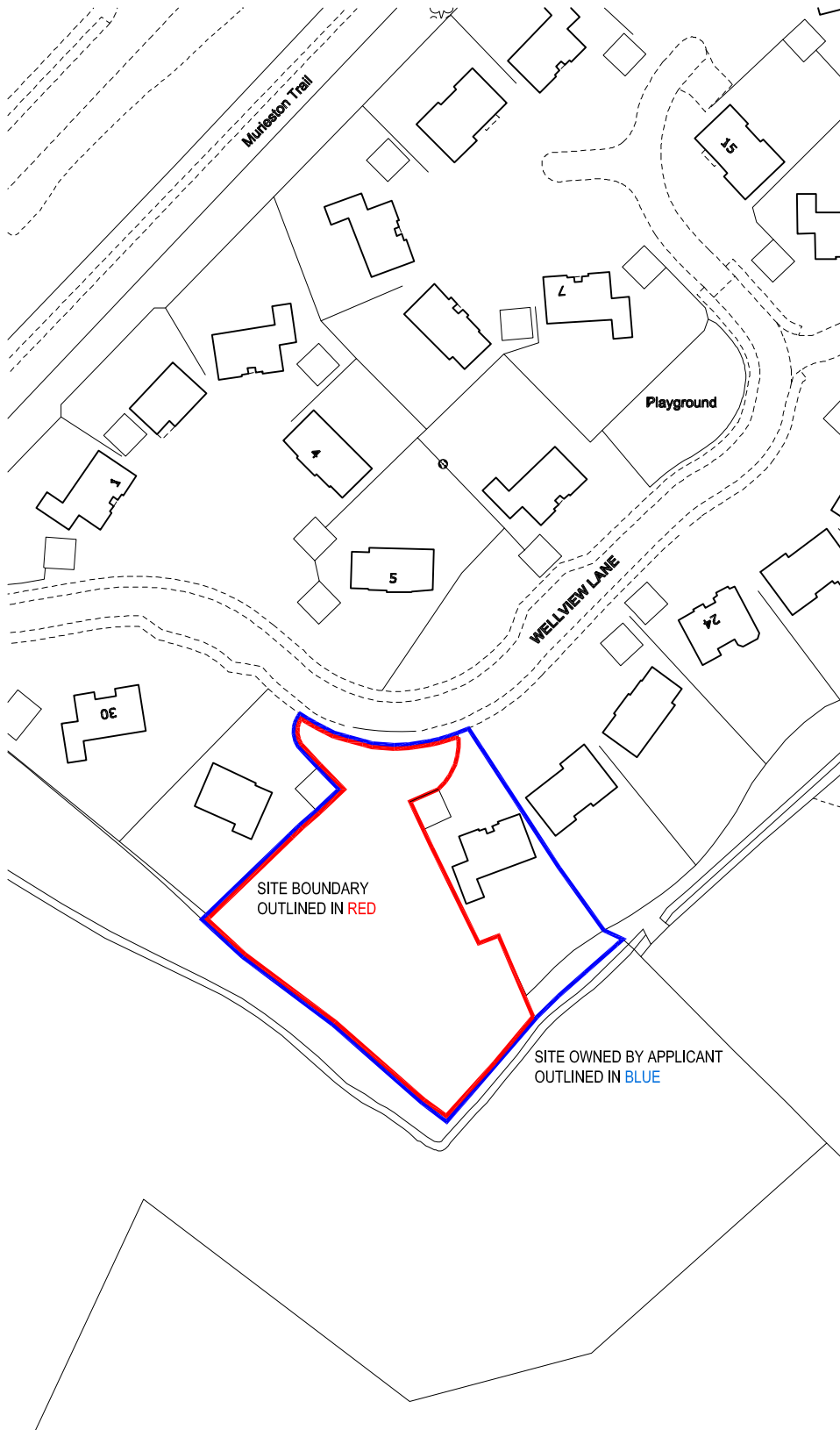
1245/P/21 - Land Between 27 And 29 Wellview Lane Murieston Livingston EH54 9HU

Development Management - West Lothian Civic Centre - EH54 6FF

(c) Crown copyright and database right 2022 OS Licence number 100037194







WELLVIEW LANE
LIVINGSTON

LOCATION PLAN

PLANNING

21061 - P01A

1:1250 (A4)

SW

A 22/06/22 BOUNDARY ALTERED

0 20m 40m 60m

SCALE 1:1250

SITE BOUNDARY
OUTLINED IN RED

SITE OWNED BY APPLICANT
OUTLINED IN BLUE

Unless otherwise assigned, the copyright of this drawing is reserved by QB Wood Architects Limited and is issued with the caveat that it is not copied or disclosed to any third party, either wholly or in part, without the written permission of QB Wood Architects Limited.

Variations and modifications to work shown in this drawing should not be carried out without written permission of QB Wood Architects Limited, who accept no liability whatsoever for alterations made to this drawing by any third party other than themselves.

All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004, as amended 2021.

All works to comply with the relevant Codes of Practice and British Standards and shall be carried out to the highest standard of craftsmanship by skilled and qualified persons of the respective trades and in accordance with good building practice.

The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations.

Do not scale from this drawing at any time. Use figured dimensions only. All setting out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancies reported to the architect immediately.

All dimensions are to the structure and exclude any plaster / plasterboard finishes.

QB Wood | architects
The Station Master's Office
Dalmeny Station
South Queensferry, EH30 9JP

T. 0131 319 1260
E. info@qbwoodarchitects.com
www.qbwoodarchitects.com

Location Plan [1:1250]



WELLVIEW LANE
LIVINGSTON

SITE PLAN

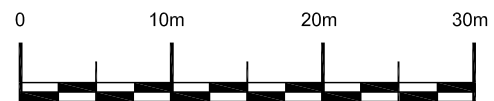
PLANNING

21061 - P02D

1:500 (A3)

SW

A	16/12/21	SITE BOUNDARY
B	10/02/22	BUILDING LINE AND DIMENSIONS
C	23/02/22	PLANNERS COMMENTS
D	12/05/22	PLANNERS COMMENTS



SCALE 1:500



Unless otherwise assigned, the copyright of this drawing is reserved by QB Wood Architects Limited and is issued with the caveat that it is not copied or disclosed to any third party, either wholly or in part, without the written permission of QB Wood Architects Limited.

Variations and modifications to work shown in this drawing should not be carried out without written permission of QB Wood Architects Limited, who accept no liability whatsoever for alterations made to this drawing by any third party other than themselves.

All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004, as amended 2021.

All works to comply with the relevant Codes of Practice and British Standards and shall be carried out to the highest standard of craftsmanship by skilled and qualified persons of the respective trades and in accordance with good building practice.

The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations.

Do not scale from this drawing at any time. Use figured dimensions only. All setting out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancies reported to the architect immediately.

All dimensions are to the structure and exclude any plaster / plasterboard finishes.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Ms angela murtagh

Address: 5 wellview lane Murieston Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: Can I have more information please on the position of the new garages on one of the attached documents. More so the garage on the side of No.29. My concern is there maybe Road Safety/Access issues with regard to inadequate parking for the cars and the lack of our footpath if cars are left outside the garage doors.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mrs HAZEL Wilson

Address: 29 WELLVIEW LANE MURIESTON LIVINGSTON EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the proposals in Planning Application 1245/P/21 for the reasons listed below:

1. Density of Development

The Council's Local Development Plan gave guidance in the mid-1990s and showed the area now occupied as Wellview Lane zoned for 'low density residential development'.

Council Guidance on the density of development was confirmed with Planning Permission granted in 2000 on the basis of 30 units, and the approved Location Plan showing a SINGLE dwelling on the site in question e.g. at no. 28. Bryant Homes built 29 homes, and the plan of the development clearly shows a vacant plot (plot 3, later numbered as no. 28) marked up with a SINGLE dwelling.

Density of development at Wellview Lane is long established and approved by the Council as 30 units and the PRINCIPLE of a SINGLE dwelling at no. 28 is well established.

Hence, I object to the Application in Principle for two dwellings.

2. Loss of Residential Amenity and Character

Ref: Council's adopted Local Development Plan 'All development proposals will require to take account of and should be integrated with the local context and built form'.

Ref: Council's Supplementary Guidance Residential Development Guide

2.1 Character

Wellview Lane is a low density development of 30 units, currently 29 are constructed. One plot (no. 28) is vacant with no current buildings in the form of sheds, garages, or other. The low density of development sets the character of and distinguishes Wellview Lane from surrounding streets.

The two storey properties are detached and the majority (24 detached/5 integral) have detached garages. These are located either alongside, or set slightly forward of the house - no garages are located to the rear, or remotely to the front. This creates a development characterised by open gardens to the front (and rear), with several areas of open amenity (communal and private). Properties are carefully orientated to avoid /minimise overlooking, and this is particularly evident along the southern boundary through nos. 20 - 30.

Corner plot for no. 28 is narrow to the north and wide to the south, which creates difficulties fitting two dwellings into the plot - the shape and singular access dictating that houses be located further south into the plot, with increasing risk of overlooking/loss of privacy to adjacent properties.

Garages associated with the proposed two dwellings are shown located in front of the build line, in an area of prominent open space within the current streetscape.

The proposed development will have an adverse effect on the character of Wellview Lane due to the loss of open area and lack of respect for established build lines.

2.2 Residential Amenity

Residential amenity will be impacted and those neighbours who currently look across to an open area will, under the proposed development, look out onto an unattractive frontage comprising four garage doors.

The two dwelling layout places Houses 1 and 2 significantly closer to 27 and 29 Wellview Lane respectively, and the proposed garages approx. 15m closer to 5 Wellview Lane than would be required for a single dwelling as indicated on the original permission. This creates unnecessary erosion of privacy for existing properties as well as the new properties, together with an unnecessary loss of amenity to existing properties, loss of daylight, overlooking and visual intrusion (assuming two storey houses).

3. Design Principles

According to the Council Local Development Plan (Policy Des 1 Design Principles) development proposals should be 'high quality in their design', and 'proposals which are poorly designed will not be supported', further proposals 'should have no adverse implications for public safety'.

The Application shows proposed garages the same plan size and adjoined to existing garages at 27 and 29, resulting in the creation of two blocks of 'lock-up' style garages.

- Appearance of the proposed 'Lock-up' garages is contrary to the character of Wellview Lane and will have a detrimental impact on the neighbourhood thus indicating a significant departure from the character of Wellview Lane.
- Safety - Access to the garages of 28 is shown direct from the street and does not allow a 'set-

back' distance (6m in the Council's Supplementary Guidance for Residential Development) to ensure vehicles do not exit from a garage onto a highway (this includes the path), an essential requirement for the purposes of public safety. Safety issues also arise with the acute angle for vehicle manoeuvres.

- Distance shown from garage to front entrance of no. 28 is approx. 20m - an unrealistic layout which does not afford a practical layout for everyday use.
- Construction of the garage of no. 28 as shown will require structural changes to the garage of no. 29 (including roof, wall, foundations, roof guttering and drainage).

Accordingly, the Application fails to meet the requirements of Policy DES1 and demonstrates poorly designed proposals.

4. Supplementary Guidance Residential Development - Small Scale Residential Infill Development

- lack of sufficient detail

This Application in Principle is in regard to an 'Infill Site' within an existing residential development.

Council Guidance states the 'Council's preference is that an application is made for full permission'. As such full details of the development are required - including details of the type of dwelling, number of storeys, plans and elevations, materials, levels, cross-sections, details of neighbouring properties (list not exhaustive).

The current submission for Planning in Principle does provide the required level of detailed information to allow assessment of a 'small scale infill residential development' as required in Council Supplementary Guidance.

The application is missing basic information regarding the type of dwelling and no. of storeys which would be material to deciding an application in principle.

5. Conclusion

I am not opposed to development on plot 28 and would support a well-designed single dwelling with detached garage in keeping with the original approved plan for Wellview Lane. To fully reflect Planning Policy and established character of Wellview Lane, any approval of planning permission should be conditioned such that it:

- Does not increase the existing housing density e.g. 30 units in Wellview Lane
- Does not include garages located either to the rear, or remotely to the front, of the dwellings
- Includes garages separate from those of adjoining properties
- Respects the established build lines of the development
- Does not impact adversely on adjacent properties and streetscape
- Does not encroach beyond established boundaries or unnecessarily build on established open space

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Edward Galek

Address: 1 Linview Lane Murieston Livingston EH549HQ

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: The boundaries of the land backs on to our land and has been marked on the location plans incorrectly and on land that does not belong to the plot of land that is seeking planning. I do not have a problem with the application except for the boundary to the rear.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Mark Johnston

Address: 9 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: It would be good to understand more about the actual build and design of the houses. Also the garages appear to change the open and natural look of the street. Be good to see more plans on how they will actually look.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr David Guest

Address: 10 Wellview Lane Livingston EH549HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We have reviewed the drawings and plans, we have two concerns:

1. That these two house don't match/ fit in with the same properties in the rest of the street. There seems to generally be 4 design types. Will these houses be in keeping/ similar design to the rest of the street?

2. Our other concern is the placement of the garages for both properties. It seems that where they are situated so that if car was parked in front of the garage, it would be positioned on the footpath. The entrance to the properties is on a bend which would make it dangerous if people needed to step on to the road when a car was entering or leaving the street.

If the garages could be moved into where they are passed the current gates, then I wouldn't be objecting.

12th Jan 2022
By email and hand delivery

29 Wellview Lane
Murieston
Livingston
EH54 9HU

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

Dear Sirs

**Objection to Planning Application 1245/P/21 - Land Between No 27 and No 29
Wellview Lane (Plot 28)**

I received a neighbour notification for the above application on the 30th of Dec 2001, with a deadline for response of the 13th January 2021. It contained no layout plans or other useful information. A single layout sketch plan was made available on the council's website on the 5th January 2022. There has been no pre-consultation sought from neighbouring properties on the proposal.

The application by the developer is for an infill site in an established residential development and not a field as stated on the application. As such the choice of an outline application seems contrary to the Council's guidance (Section 597 of the RDG refers).

I object to the proposed application for Plot 28 Wellview Lane for the reasons outlined below.

1. The proposal does not meet the requirements of the Council's Planning Policy, (LDP and DES 1) and Residential Development Guide.

The Application does not meet with the Council's Planning Policy as it does not respect its surroundings and is not in keeping with the established built form and as such will detract from and not contribute to the local environment, character and amenity of Wellview Lane.

The established design context and built form of the development within Wellview Lane is of large garden single plot (4/5 bedroom) homes, fronting onto an open streetscape and sitting behind landscaped gardens and common areas. Houses are set out to established build lines, ensuring high levels of privacy whilst reinforcing the high amenity of the neighbourhood. In support of this, garages and vehicle parking areas are positioned close to and in front of the houses.

The resulting open and spacious aspect of the streetscape is a defining characteristic of the development and is of high amenity value to residents (see photos in Appendix 1). These design principles also ensure private rear gardens throughout the development, which are free from the intrusion of noise, light and movement associated with vehicular access and egress to properties.

Application 1245/P/21 is in contrast to this character (i.e. houses behind the build lines, buildings on open space, garages distant from properties etc) and as such creates many unnecessary impacts on Amenity.

2. The material consideration of Density of Development

I object to the change of established density from 30 to 31 plots in Wellview Lane by the proposal of two dwellings on an established single plot.

The Application has not demonstrated any clear societal need to increase the housing density of Wellview Lane. Planning Approval was given in 2000 (see layout plan in Appendix 2) for a density of 30 homes in Wellview Lane. It also established the principle for a single house on plot 28, positioned on the established build lines, fully in keeping with the design principles, local context and character of the development.

3. The material consideration of Design and Layout (Houses)

The plot cannot accommodate two houses along the established build lines and requires the developer to depart from the established build lines (see photo and plan in Appendix 3), thereby creating unnecessary and adverse impacts.

As the proposed plan is drawn to footprint it does not give a full representation of the building's envelope and presence on the plot.

The design layout is an unwelcome and unnecessary departure from the established build lines and constitutes a poor design which should not be supported in line with Planning Policy.

4. The material consideration of Design and Layout (Garages)

The proposed garage locations are located 20m from their respective houses, positioned in a lock-up fashion with neighbouring garages, and are not in keeping with the established local context, use and built form (Appendix 1). They are also located outside of the established access gate and wall which has positioned Plot 28 in the existing streetscape for over 20 years.

At present all residents enjoy the amenity of close proximity of their vehicles to garage storage and housing access, without detriment to their neighbours. The proposed layout by comparison is poorly designed, will add an ugly frontage in a prominent part of the streetscape and would be an ill-suited departure from nature of development in Wellview Lane.

The aerial photograph in Appendix 4 gives an impression of how the garages will appear on plan. No similar arrangement exist anywhere within the local context of the Wellview Lane and surrounding area.

5. The material consideration of Amenity

Because the two properties proposed in Plot 28 are being located behind the established build line (Appendix 3), they will unnecessarily impinge on the amenity of the neighbouring properties.

Such encroachment is unnecessary and in choosing to promote two houses, the developer is creating an unnecessary infringement of the privacy enjoyed by the existing properties at 27 and 29 Wellview Lane (as well as that which could be enjoyed by a new single property for Plot 28).

Two properties situated behind the build line will have greater adverse impact on light penetration and over-shadowing to the existing properties, particularly in low-sun periods of the year.

Two properties bring greater building mass, presence and noise closer to and within greater sight line of the established properties

Finally, it is of note that the bare minimum of information has been provided and the ground-level sketch plan provided does not give an overall impression of the total plan area, height, roof line and presence of the buildings.

6. The material consideration of Environmental Impact – Loss of Open Space

The application places the garages within and adversely impacts an important area of established open space and streetscape which is contrary to Planning Policy and DES 1 (consideration of impact on Streetscape).

The open streetscape is defining character of Wellview Lane. On entering the lane, the open-space character is immediately established through the open aspects of the properties 1 through 4 Wellview Lane to the left. This continues through the aspects of plots 29, 28, 27, and 26 on the right before returning to the left front of Plot 5 and the common open space beyond. (See Appendix 1)

These open spaces have been maintained over the past 20 years by an active development control in the property deeds. This control was established in recognition of the amenity that the open space provides, as intended by the carefully planned original design. The application departs from this and if approved will create a precedent for the erosion of this amenity through other developments on the established open spaces of the lane.

The proposed development breaks the flow of open space in a prominent location and reduces this amenity by introducing two double garages in front of the established curtilage of plot 28, and moreover massing these with existing garages.

This constitutes poor design, will create an ugly frontage to plot 28 and should not be supported.

7. The material consideration of Road Safety.

I object to the Application as it creates unnecessary road safety concerns.

There is inadequate set back distance (the Council's recommended distance being 6m) to the proposed garages. Appendix 5 shows the position of the garages as proposed against the recommend 6m set back line.

The position of the garages will also result in cars frequently straddling the footpath. The layout also makes no allowance for the level difference between the road and the existing garages in this location.

This constitutes poor and unsafe design and should not be supported.

In concluding my response to the application, I would state that I am not opposed to development on Plot 28 and would support a well-designed single dwelling and detached

garage in keeping with the current development. The plot is unused, overgrown and would benefit from well considered development.

To fully reflect the Council's Planning Policy, and to ensure any development respects and enhances the long-established character of Wellview Lane, I would respectfully ask that any planning approval supports the developments established design principles and thereby: -

- Does not allow departure from the established build lines of the development
- Maintains the established housing density (30 houses for Wellview Lane)
- Does not place garages together in a lock-up fashion
- Does not unnecessarily build on established open space
- Places garages in close proximity to the front of property, set back a minimum distance from the lane.
- Prevents vehicles from and retains the privacy of the rear gardens.

Your Sincerely

Mark Wilson

Mr Mark Wilson

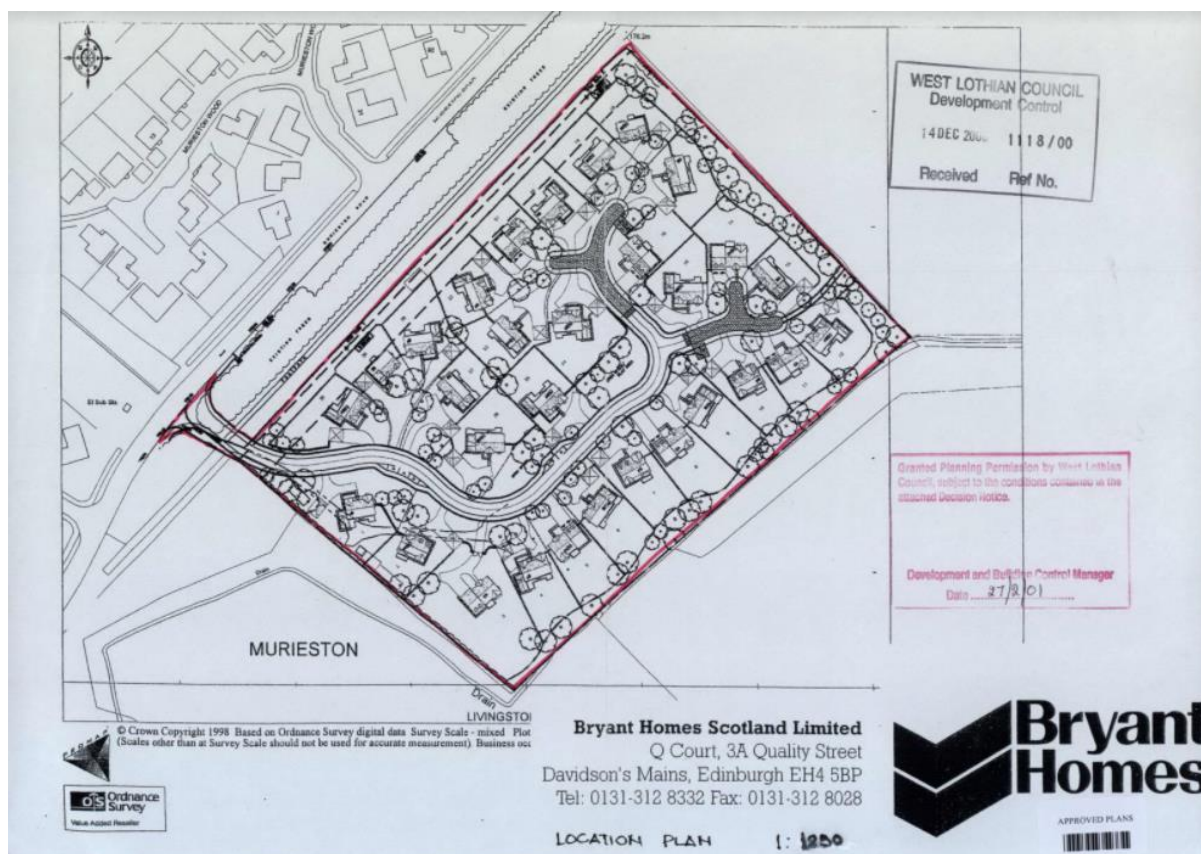
Appendix 1 - Local Context, Built Form, Streetscape and Character



Key Features

- Properties with open front gardens to enhance the open feeling of the streetscape.
- Landscaped areas in addition to the front gardens to enhance the streetscape
- Garages in close proximity to houses and cars parked in close proximity
- Established build lines to ensure housing is aligned
- Large rear gardens restricted to pedestrian access
- No vehicle access behind houses and build lines
- Established corner plots are very large plots and all have single dwellings

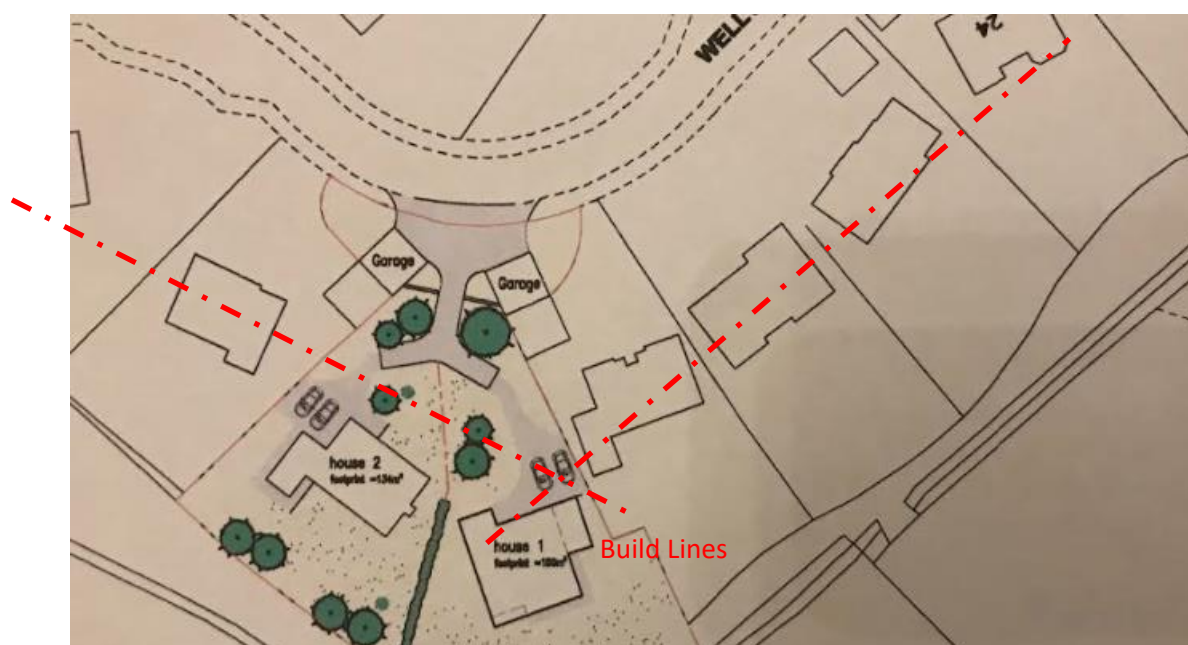
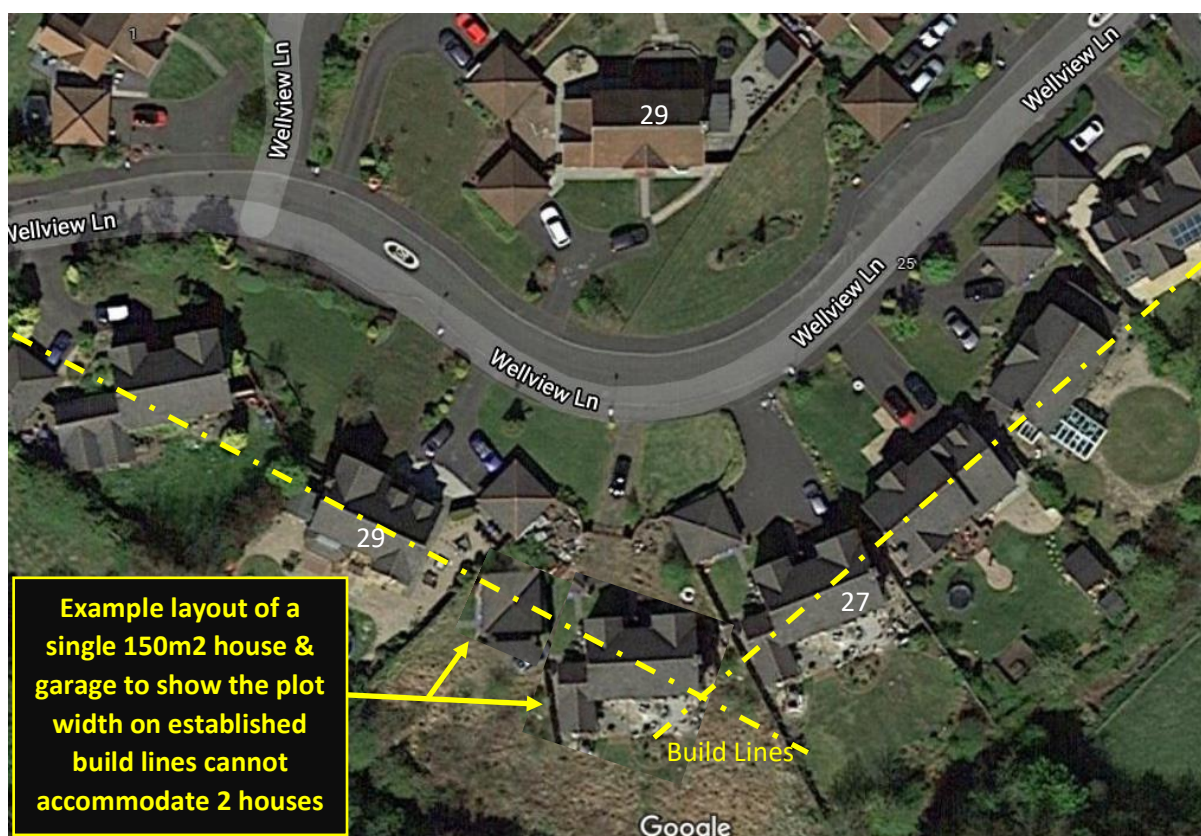
Appendix 2 - Approved Planning Drawing - Wellview Lane



Note

- Housing density of 30 properties
- Plot between no 27 and 29 shows a single dwelling built on the build line with large rear garden
- All other corner plots set out with a single dwelling on the relevant build lines

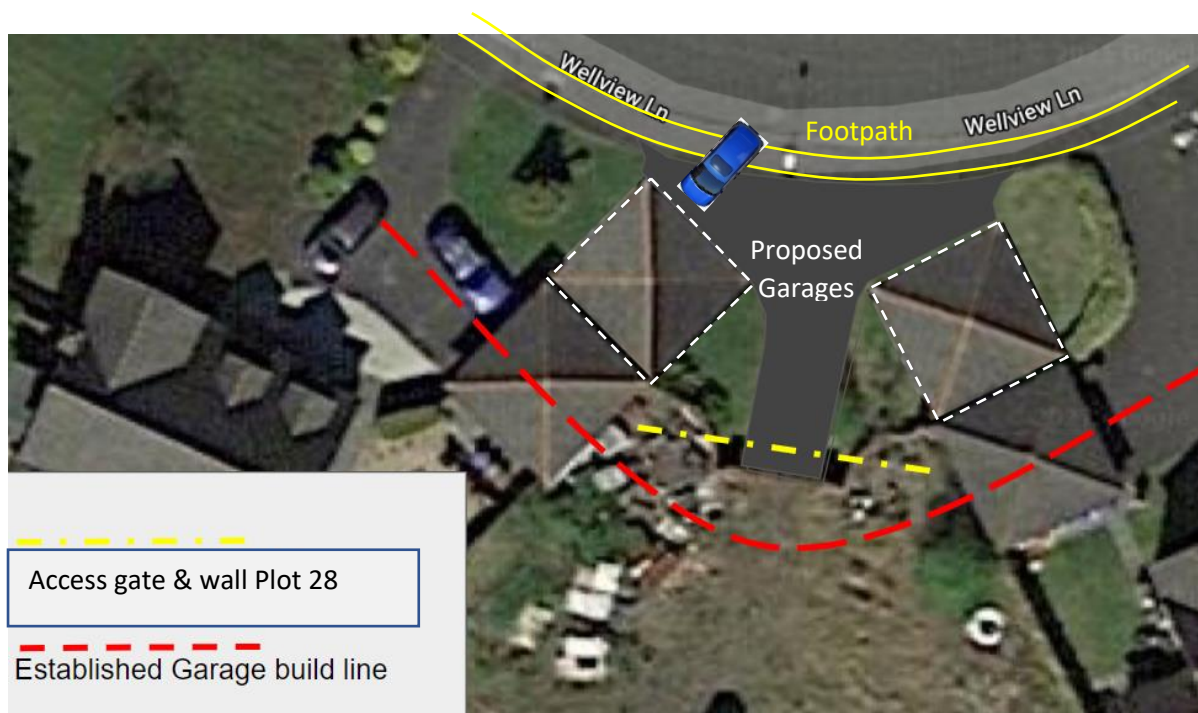
Appendix 3 – Established build lines and proposed property positioning



Notes

- Proposed 2 houses are positioned well behind the established build lines
- Application plan uses "floor plan" area and not actual roof plan area as per the image
- It is worth noting Plot 5 and its setting within large surrounding grounds which is the established context of corner plots in Wellview Lane

Appendix 4 – Proposed Garages



Key Features

- The proposed garages allow no space for maintenance of existing garage walls and gutters
- The proposed garages are located dangerously close to the footpath
- The proposed garages are located in front of the established (for over 20yrs) plot entrance wall and gate
- The proposed garage access is 20m from the proposed house
- The proposed garages are closer to the neighbouring properties than the property to which they are allocated
- The proposed garages are located on a prominent open space and aspect of the streetscape
- The proposed garages positioning takes no account of level differences between roads and existing garages

Appendix 5 – In-sufficient Garage Set Back



Points of Note

- Garage roof plan is approx. 6.5m * 6.5m
- Set Back arrows drawn at 6m
- Distance from proposed garage to footpath is less than 2m
- Average familiar car length approx. 4.5m
- Will result in cars frequently straddling the footpath

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Graham Maciver

Address: 15 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. Objection to the proposal to build two houses on the plot. The plot in question has been derelict since the street was built around twenty years ago. During the present process it has come to my attention that it has been approved throughout that time for a single dwelling. I have seen the original 2000 approved plan, the dwelling on which plan is in entirely in character with the rest of the development. Adhering to that plan would remain the appropriate course today and would maintain the density of the rest of the street.

I would also question the necessity of building two houses on the plot at all. Despite having had permission for a single house two decades ago, the land has been left derelict. There has not during my time in the street been any use made of it other than to park vehicles among the undergrowth.

2. Objection to the proposal to build garages so close to the street. The other properties on the street: (a) are set back from the street; and (b) have garages set back from the street i.e. with driveways/carports between the garage and roadway. The street is thus a light, open space with clear views along pavement and roadways, and across each plot. To build garages per the application (i.e. directly adjacent to the pavement) would be out of character with the rest of the development. The lack of a driveway/car port would also cause access issues for other residents, as unlike them the owners of such garages would require to use the roadway for stopping, turning, locking etc.; if multiple vehicles were involved the owners would have to use the street for parking, unlike all of the other homeowners in the development.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Colin MacDonald

Address: 22 Wellview Lane Livingston EH549HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We purchased our property as part of the initial development and were assured that the plot being discussed would be a single dwelling in keeping with the remainder of the estate.

The estate was planned with 30 houses and the plot No28 would be developed in line with the existing houses regarding size and style.

The proposed construction of 2 smaller homes on a single plot would detract from the existing development.

The 2 homes are being set back behind the current building line to fit on the plot and would not be in keeping with the existing development.

The proposed siting of 2 garages at the roadside would mean that there is no room to park in front of the garage without obstructing the pavement. This was demonstrated with a mock up on site to demonstrate the layout and it clearly showed no room for a vehicle in front of the garage.

The location of the garages would be on a bend in the street where any manoeuvring would require reversing onto the bend.

It would be safer if there was a single dwelling with an adequate driveway as shown on the original development plan.

The visual aspect of the estate would be detrimentally affected as the proposed garages would reduce the open space that our development is known for.

The garages are facing onto the road unlike the other detached garages in the development and could not be obscured by landscaping.

I am happy to support any application for a single dwelling with suitable driveway and garage set back as per the original development plan.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr David Baxendale

Address: 21 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The original plan for the development at Wellview Lane was intended to total 30 dwellings, 29 built by the developer and the final plot (subject of this planning application) for one further dwelling. The proposal to site 2 properties on this plot is not in keeping with that plan and detrimental to the existing development.

The wish to build two properties on to the plot requires the applicant to locate the garages in front of the existing building line - that being the front wall. This will create a frontage that extends well beyond this point and conflicts sharply with the layout of the estate. Any new development should not be allowed to extend beyond the existing building line.

The location of the garages will cause a public safety hazard being so close to the footpath and with direct access to the road at a point where the view of oncoming traffic is restricted due to a bend immediately to the north side.

I have no objection to the applicant erecting a single dwelling, design of which is in keeping with the other properties, and which respects the existing building line.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr DOUG JAMESON

Address: 20 Wellview Lane LIVINGSTON EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am led to believe that the original plan for the development at Wellview Lane was intended to total 30 dwellings. The proposal to site 2 properties on this plot would exceed the total number to 31 plus the fact that the proposed plan is not in keeping with the original plan apparently.

The proposal to build two properties on to the plot requires the applicant to locate the garages in front of the existing building line. - that being the front wall. Currently, there is an abandoned motor vehicle and trailer on the plot which is an eyesore! To locate the garages as per the proposed plan would create another eyesore! It conflicts with the layout of the estate. Any new development should not be allowed to extend beyond the existing building line.

From: [Planning](#)
To: [Calderwood, Alexander](#)
Subject: FW: Planning Objection Application Number 1245/P/21 - [OFFICIAL]
Date: 12 January 2022 07:07:24

DATA LABEL: OFFICIAL

Shannon Fairley
Planning Technician
Development Management
Shannon.fairley@westlothian.gov.uk

-----Original Message-----

From: Stuart Boyd [REDACTED]
Sent: 11 January 2022 18:40
To: Planning <Planning@westlothian.gov.uk>
Subject: Planning Objection Application Number 1245/P/21

Hi,

11 January 2021

Mr and Mrs S Boyd
I Wellview Lane Murieston
EH549HU

I am writing regarding the proposed planning on plot 28 between 27 and 29 Wellview Lane. I have documented my concerns and objections below.

My understanding is that this plot was approved in 2000 as a single building plot and fully in keeping with the design principles of the development. The proposal of 2 buildings would contradict this and look out of character to the rest of the development, the fact that the plot is named as 28 and looking at the size of it compared with the others plot would confirm that it is only suitable as a 1 single building.

My further objection is the proposal for separate garages at the front of the plans, firstly looks out of place with the other housing designs and I doubt if any vehicle could be parked outside without impacting the current footpath, especially since this plot is at a bend in the road. In addition any street parking would have been designed for 30 houses and not 31.

Regards

Mr and Mrs S Boyd

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>

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

[Please remember to wash your hands. 20200807]<<https://www.nhsinform.scot/coronavirus>>

13/3/22

Dear Sirs

Objection to Planning Application P 1245/P/21

Please see attached letter - this replaces our letter dated 9/3/22. A copy of the enclosed letter has been emailed to Alexander Calderwood and Planning team.

Many thanks

Harriet Wilson

13th March 2022
By email and hand delivery

29 Wellview Lane
Murieston
Livingston
EH54 9HU

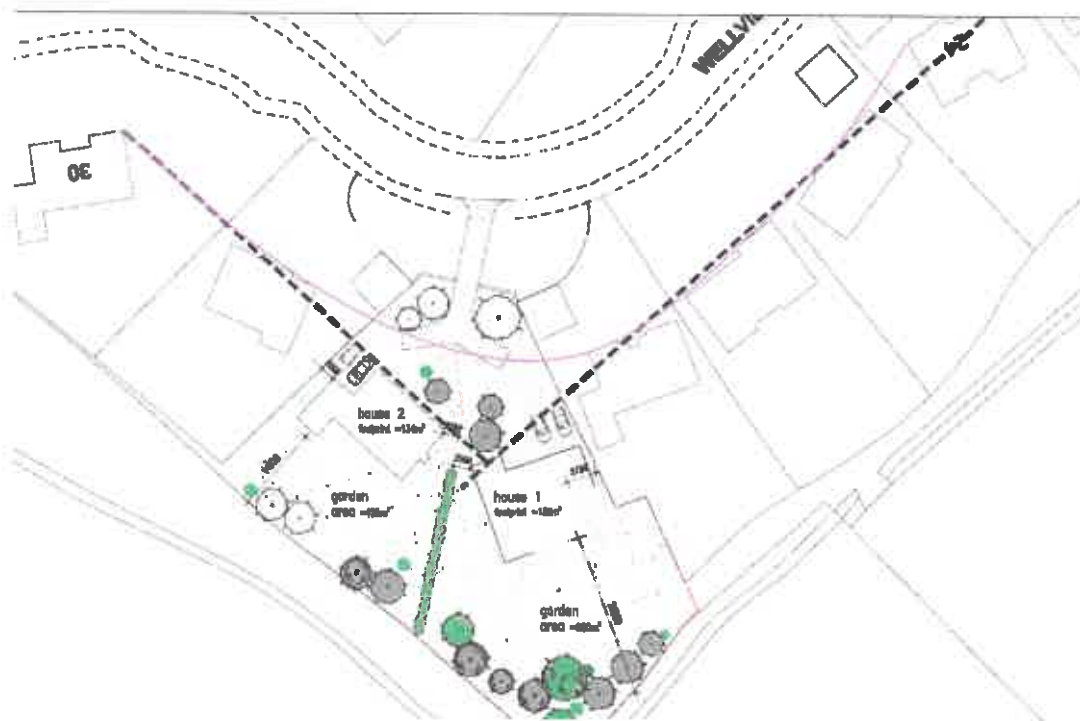
Development Management Manager,
West Lothian Council,
Civic Centre,
Howden South Road,
Livingston,
EH54 6FF

Dear Sirs

Planning Application 1245/P/21 - Land Between No 27 and No 29 Wellview Lane (Plot 28)
Objection to revised drawings 21061-PO2C

We received the Notice of Amended Plans Submitted on the 3rd March 2022 with a deadline of 14th March (revised 9th March to 21st March) for comments.

After carefully considering the revised plans, we are sorry that we cannot remove our objection to the planning in principle using revised Site Plan C, which we reproduce below.



The dotted building line shown in the Site Plan C is shown as linear and is misleading.

Using architectural software, it is apparent that the established build line at this location is an elliptical build line, as shown by the purple line on the map above.

In repositioning, the side elevation of House 2 has moved 3m closer to our property, now being only 2 metres from the boundary. This leaves most of the house protruding beyond the rear elevation of our property, and the fact that this has moved closer to the private area of our back garden (by 3m), means that the mass and scale of this protrusion will be **just as substantial** as before. The position of House 2 represents an erosion of our amenity and will be oppressive to ourselves, impacting significantly on our residential and visual amenity as shown in the 3d visualisations presented below, produced from Site Plan C.



A similar situation is also still present in respect of House 27.



In addition to the above rendered image from the 3d architectural model, we include below a photograph taken looking along our rear elevation with a marker post in place to show the extent of House 2. This extends to beyond 30% of our back garden curtilage and will dominate the private area of our rear garden.



Site Plan C

We would also dispute the distances shown on the drawings. These could be misunderstood.



The applicant's site plan shows the distance to the path and not the house. The length to the rear boundary to the house is 12.423m. We believe that the house dimensions and positions should be fixed with clear and accurate dimensions provided to defined reference points.

We have no objection to a property in this plot of land. However, we do not want our visual and residential amenity dominated by a substantial structure only 2 metres from our property and protruding significantly beyond our rear elevation

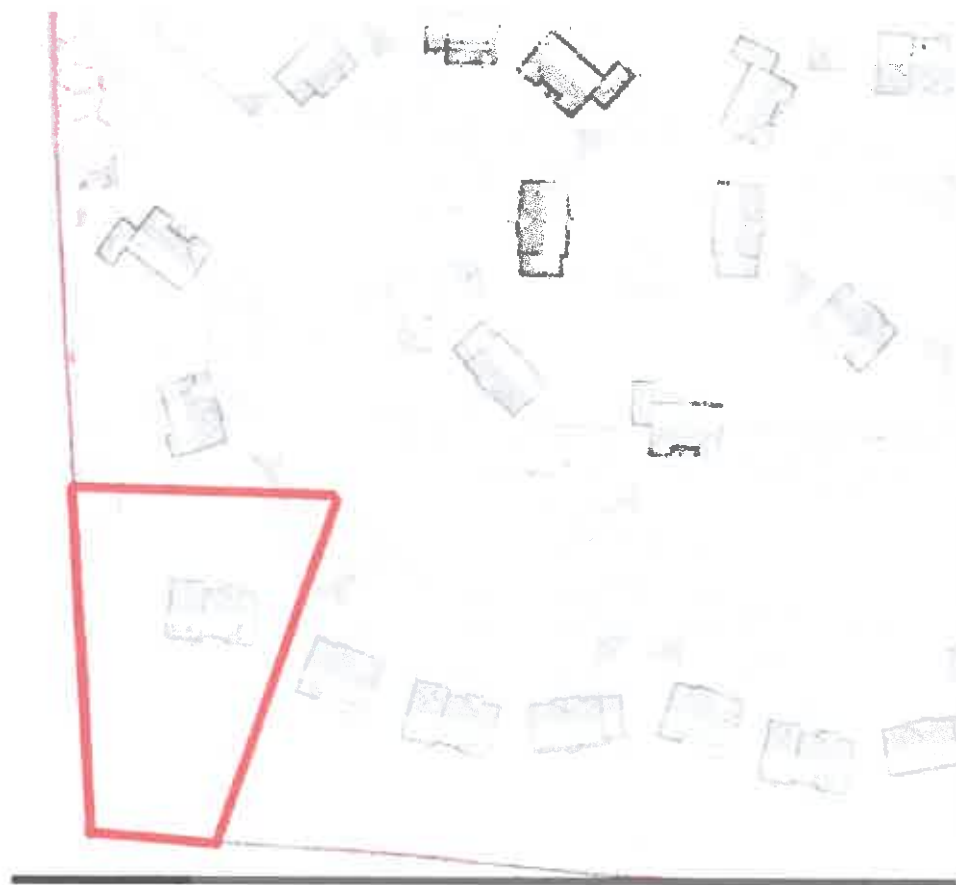
In this regard we refer to 'WLC Supplementary Guidance Residential Development Guide-Small Scale Residential Infill' (536), which states that in areas of established residential development the Council's **overriding objective** will be to avoid the significant erosion of, amenity and privacy enjoyed by the people who currently live there....'.

Should Plan C be resubmitted to show House 2, moved a minimum of 4.7m forward of the current proposal, such that there is no building of substantial scale and mass protruding beyond our rear elevation and interfering with our residential and visual amenity, we would consider removing our objections.

However, as things stand, we are objecting on the following grounds.

Our material planning considerations in objection to this application are;

- The proposal will produce a structure whose mass and scale will dominate the private area of our rear garden, causing an impact on our residential and visual amenities. Our house was purchased with the knowledge that if any building were getting constructed, it would be in accordance with the plans below. Also, that there is a similar impact at number 27.
- The proposals would increase the density of the buildings to that greater than the original design of the actual planning application (Previous planning applications are a material planning consideration).
- The proposal is of poor design and would be detrimental to the visual amenity of the original development by causing a greater mass of buildings at this corner. In addition, this will cause a precedent to which other corner plots may be used as a material consideration when applying for planning permission.



In addition, we would ask that a condition be attached to the consent by the planning authority that House 2 cannot be built beyond the rear elevation of number 29 Wellview Lane.

We invite the Case Officer to visit our property to appreciate the true scale and impact of the proposals as this cannot be understood by a 1:500 site plan.

Yours Sincerely
 Mr & Mrs Wilson
 29 Wellview Lane
 EH54 9HU

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Graham Maciver

Address: 15 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer to my previous comments dated 14 January. Taking those in reverse order:

a. One of the specific objections at my comment 2 has been addressed, in that the two on-street garages are no longer part of the revised plan. However it appears from the new plan that there are to be no garages as part of the proposed development. All of the other houses in the street have garages, either separately or as part of the ground floor. It is not clear whether the buildings now proposed will have garages on the ground floor (the presence of cars on the plan suggests perhaps not). It is impossible to say whether the revision has addressed the risk of parking, congestion and blockages on the street. I therefore have to maintain my objection to that extent.

b. My comment 1 is not addressed, as the revised plan remains for two houses. I maintain that comment.

In addition I have seen the additional neighbour comment of 13 March from Mrs Wilson. Her observation there about the building line being elliptical, rather than the angular dotted line shown on the revised plan, looks to be plainly correct. It is disappointing that the revised plan should have attempted to portray otherwise.

I cannot speak to her observations regarding the rear elevations of the proposed buildings, but they do look to be an unavoidable consequence of alignment on the basis of the dotted line rather than along the elliptical line.

Together this reinforces the observation in my comment 1 that adherence to the original plan is the

correct course. Its approval and sale twenty years ago, on the basis of a single dwelling, looks to have been a deliberate and logical choice, in keeping with the rest of the street. Given the narrower frontage of the plot at the elliptical line, it does appear that the proposal for two houses may simply be incompatible with the scheme of the development.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mrs Fiona MacDonald

Address: 22 Wellview Lane Livingston EH549HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We purchased our House on the basis that there would be a single house on this plot. A single number was allocated. Based on the plans the two houses proposed have been pushed back into the plot, well behind the true curved build line. They will be visible from my rear garden removing my open aspect. They are far closer together than all the houses in the road. The proposed double garages on the original application have been removed but the footprints of the houses have not changed. Either the houses will have no garage or they will have integrated garages making the houses much smaller. The value of each will be significantly less than the other houses in the road. This is likely to reduce the value of my house. I object strongly to the erection of two inferior houses on this plot planned for a single large family home, in keeping with the rest of the houses on Wellview Lane.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Stuart Boyd

Address: 1 Wellview Lane Livingston Eh549hu

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The amended plans are an improvement, however I still object on the basis that the original plans when the development was created was for 1 house, the 2 houses planned are not in keeping with the remainder of the development. It is not clear if they will have any garages and I am still concerned regarding available parking around the entrance and on street parking.

I have no objection to the building of 1 property and in keeping with the rest of the development.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mrs Fiona MacDonald

Address: 22 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed plan is for two houses. I bought my house on the understanding the plot was for a single house. Only one house number has been allocated. The proposed houses have no garage so will be totally out of character for the road. They are set back from the true build line which is a curve following the line of the road. The build line shown is at a sharp angle which and has been artificially created by chopping off the corner of the two adjacent houses. I object strongly to the building of two inferior houses in the space allocated for a single house in keeping with those already present.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mrs Suzanne Boyd

Address: 1 Wellview Lane Livingston Eh549hu

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My initial objection was due to two houses being built on this plot, which is contrary to the original plans. Despite a number of revised plans, it still shows as two houses, the size of the houses is not in keeping with the street and I fear this could have an impact on the house values, in addition the concerns about parking etc still remain.

30th May 2022

29 Wellview Lane
Murieston
Livingston
EH54 9HU
By email

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

Dear Sirs

**Planning Application 1245/P/21 - Land Between No 27 and No 29 Wellview Lane (Plot 28)
Objection to revised drawings 21061-P02D**

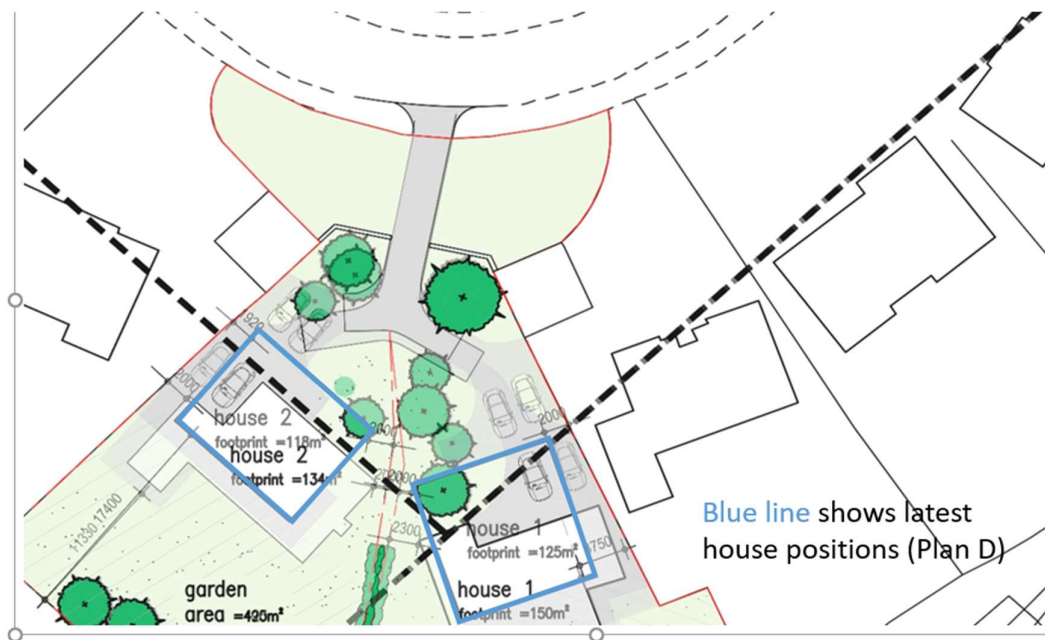
We received a Notice of Amended Plans on 25th May with an expiry date of 27th May, which was subsequently extended to 3rd June 2022.

The revised layout drawing for the above application is reproduced below.



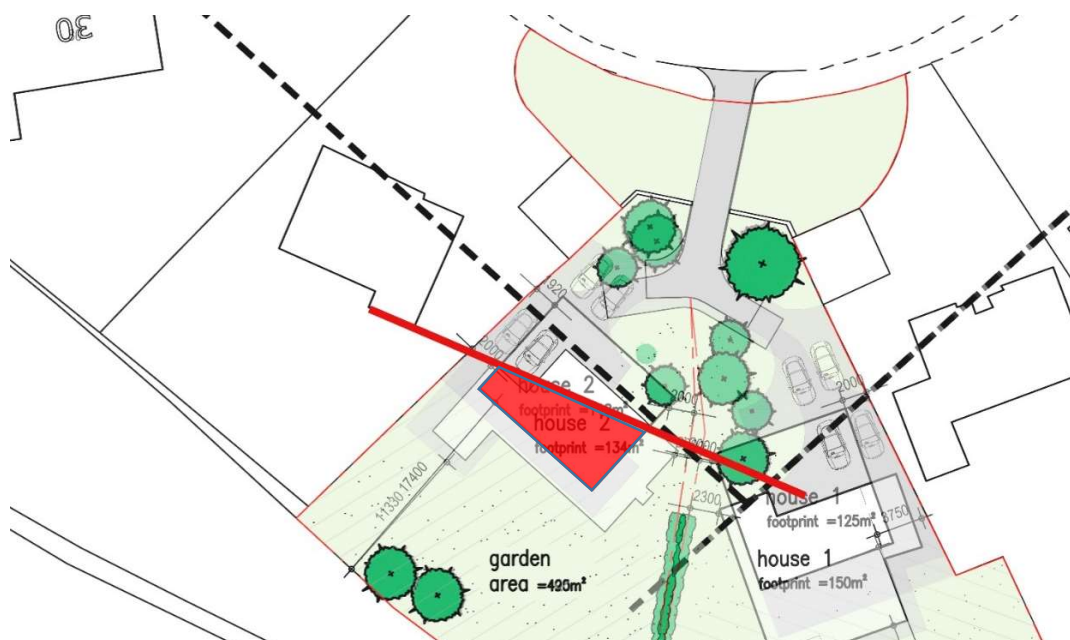
We have previously made reasonable requests for House 2 to be positioned gable to gable with no.29 (i.e. moved forward a min of 4.7m from the position shown in Rev C), recognising the Council's overriding objective for infill development to avoid significant erosion of amenity.

In considering the latest layout, we have had the new revision overlain on the previous drawing.



As can be seen, the differences between the previous plan and the new plan are minimal when it comes to House 2. The rear elevation of House 2 has moved forward **less than 2m**, when there is ample space for it to be brought further forward (i.e. a minimum of 4.7m) and repositioned more sympathetically (i.e. gable to gable).

The result is that more than 50% of House 2 projects behind our rear elevation as shown below. This would have an overbearing effect on the private area of the first 3 metres of our garden.



Had House 2 been repositioned recognising the proper, established building line the indicative layout would be as below.



It is evident the plot shape prevents two houses (even of the smaller size now shown) being positioned sympathetically to the adjacent properties and close to the established build line. Trying to accommodate two properties on this site (even without 2 double garages), results in unacceptable impacts on existing adjacent properties.

This reinforces why the site was originally approved for a single house.

Unfortunately, therefore we must object in principle as we do not want our visual and residential amenity unnecessarily impacted by House 2.

The latest layout has not addressed our concerns as raised in our previous objections and these are restated below;

- The proposal will produce a structure whose mass and scale will dominate the private area of our rear garden, causing an impact on our residential and visual amenities. Our house was purchased with the knowledge that if any building were to be constructed, it would be in accordance with the plans below (ref the original planning approval and developers site plan).
- The proposals would increase the density of the buildings to that greater than the original design of the actual planning application (previous planning applications are a material planning consideration).
- The proposal is of poor design and would be detrimental to the visual amenity of the original development by causing a greater mass of buildings at this corner. In addition, this will create a precedent to which other corner plots may be used as a material consideration when applying for planning permission.

Following four revisions, it has not been possible to design a two-house layout without overbearing impact on neighbouring properties. This is a clear indication that the proposal for two dwellings is unsuitable in principle.

We hope the planning authority is now minded to refuse the application for two dwellings in principle.

Yours Sincerely
Mr & Mrs Wilson
29 Wellview Lane

PROPOSED DELEGATED PLANNING DECISIONS

☒ LOCAL MEMBER REFERRAL REQUEST ☒

In accordance with standing orders members wishing a planning application to be heard at the Development Management Committee have to either represent the ward in which the application site is located or be chair of Development Management Committee and complete and return this form to Development Management within 7 days and by 12 Noon.

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

<https://planning.westlothian.gov.uk/publicaccess/>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p>Application Reference Number</p> <p>.....1245/P/21.....</p> <p>Site Address</p> <p>Land Between 27 And 29 Wellview Lane Murieston, Livingston, West Lothian, EH54 9HU</p> <p>.....</p> <p>Title of Application</p> <p>....Erection of two houses</p> <p>.....</p> <p>Member's Name</p> <p>Cllr Peter Heggie.....</p> <p>Date</p> <p>.....10 June 2022.....</p>	<p>Applicant Request..... <input type="checkbox"/></p> <p>Constituent Request..... ✓</p> <p>Other (please specify)..... <input type="checkbox"/></p>

Development Management Committee

06 July 2022

Item 6 - Application : 1245/P/21

Planning Permission in principle for the erection of two houses

Land between 27 and 29 Wellview Lane / Livingston - EH54 9HU





1245/P/21 - Land Between 27 And 29 Wellview Lane Murieston Livingston EH54 9HU

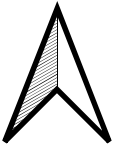
Development Management - West Lothian Civic Centre - EH54 6FF

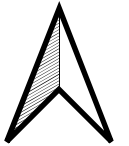
(c) Crown copyright and database right 2022 OS Licence number 100037194

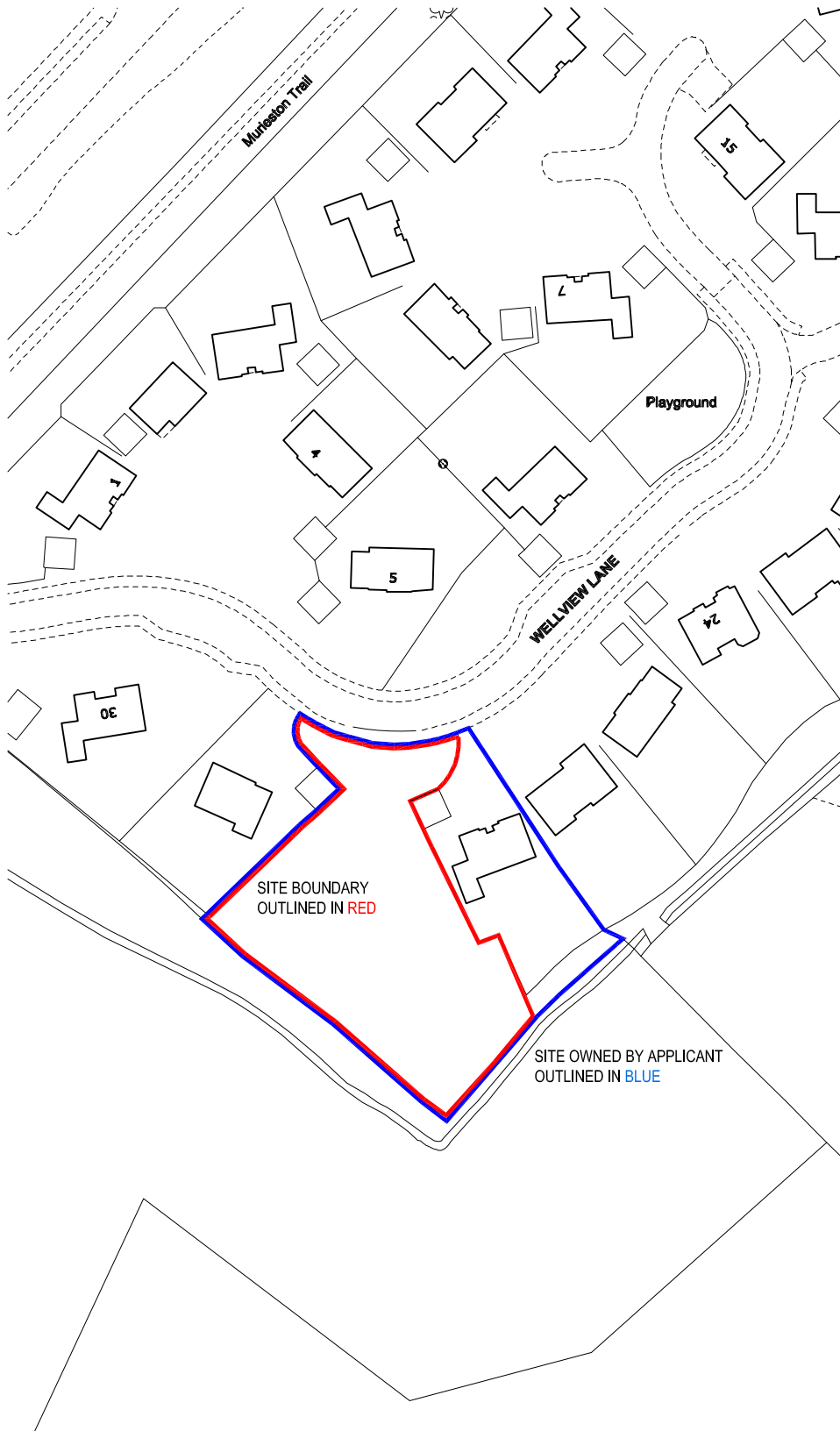
25

0

25 m







WELLVIEW LANE
LIVINGSTON

LOCATION PLAN

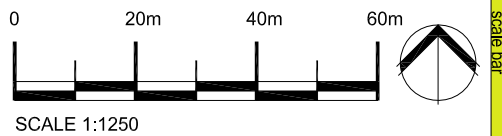
PLANNING

21061 - P01A

1:1250 (A4)

SW

A 22/06/22 BOUNDARY ALTERED



Location Plan [1:1250]

Unless otherwise assigned, the copyright of this drawing is reserved by QB Wood Architects Limited and is issued with the caveat that it is not copied or disclosed to any third party, either wholly or in part, without the written permission of QB Wood Architects Limited.

Variations and modifications to work shown in this drawing should not be carried out without written permission of QB Wood Architects Limited, who accept no liability whatsoever for alterations made to this drawing by any third party other than themselves.

All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004, as amended 2021.

All works to comply with the relevant Codes of Practice and British Standards and shall be carried out to the highest standard of craftsmanship by skilled and qualified persons of the respective trades and in accordance with good building practice.

The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations.

Do not scale from this drawing at any time. Use figured dimensions only. All setting out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancies reported to the architect immediately.

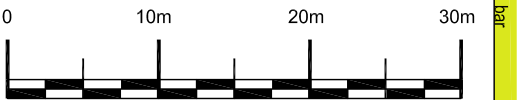
All dimensions are to the structure and exclude any plaster / plasterboard finishes.

QB Wood | architects
The Station Master's Office
Dalmeny Station
South Queensferry, EH30 9JP

T. 0131 319 1260
E. info@qbwoodarchitects.com
www.qbwoodarchitects.com



A	16/12/21	SITE BOUNDARY
B	10/02/22	BUILDING LINE AND DIMENSIONS
C	23/02/22	PLANNERS COMMENTS
D	12/05/22	PLANNERS COMMENTS



SCALE 1:500



Unless otherwise assigned, the copyright of this drawing is reserved by QB Wood Architects Limited and is issued with the caveat that it is not copied or disclosed to any third party, either wholly or in part, without the written permission of QB Wood Architects Limited.

Variations and modifications to work shown in this drawing should not be carried out without written permission of QB Wood Architects Limited, who accept no liability whatsoever for alterations made to this drawing by any third party other than themselves.

All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004, as amended 2021.

All works to comply with the relevant Codes of Practice and British Standards and shall be carried out to the highest standard of craftsmanship by skilled and qualified persons of the respective trades and in accordance with good building practice.

The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations.

Do not scale from this drawing at any time. Use figured dimensions only. All setting out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancies reported to the architect immediately.

All dimensions are to the structure and exclude any plaster / plasterboard finishes.











DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Advertisement consent and listed building consent for the display of replacement fascia sign, installation of replacement illuminated and non-illuminated signs at the Black Bitch Tavern, 14 West Port, Linlithgow

2 DETAILS

Reference no.	0226/A/22 and 0227/LBC/22	Owner of site	Greene King Pub Co.
Applicant	Greene King Pub Co.	Ward & local members	Linlithgow Councillor Tom Conn Councillor Pauline Orr Councillor Sally Pattle
Case officer	Steven McLaren	Contact details	01506 282404 steve.mclaren@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Tom Conn

3 RECOMMENDATION

3.1 Grant advertisement consent and grant listed building consent.

4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Advertisement consent and listed building consent is sought to change the details of the main fascia sign above the bar entrance, the associated projecting hanging sign, the wall graphics on the eastern part of the building and the graphics on the gable. It is also proposed to amend plaque details and provide a history information board on the building frontage.
- 4.2 The overall design of the signage broadly reflects that of the current building signage but the applicant is proposing to change the name of the public house from The Black Bitch to The Willow Tree, with associated changes in the graphics of the projecting hanging sign and the gable sign from an image of a black greyhound to a willow tree.
- 4.3 A heritage/design statement has been submitted with the application, which is available in the online case file, and provides a synopsis of origins of the term Black Bitch and sets out reasons for the name change. The applicant has taken a commercial decision to change the name to something the applicant considers more appropriate in today's society.

- 4.4 Changing the name of a commercial property and assessing whether a proposed name would offend or not is not a material planning consideration. Signage content is regulated by the Advertising Standards Agency rather than through planning legislation. Consequently, the only planning consideration in respect to these applications is the acceptability of the signs, in particular the lettering style, size and locations on the building and the impact on the character of the building.

Planning History

- 4.5 The relevant site history is set out below:

- 0751/FUL/91 - Installation of a satellite dish, granted 25/10/91
- 0555/A/04 and 0556/LBC/04 - Erection of various illuminated fascia and projecting signs, granted 23/7/04.
- 0876/LBC/06 - Listed building consent for the installation of various illuminated signage types, granted 16/10/06.
- 0933/A/06 - Erection of various illuminated and non-illuminated signage, granted 16/10/06.
- 0736/LBC/19 - Listed building consent for repainting of exterior and display of signage (as amended), granted 12/9/19.
- 0737/A/19 - Display of illuminated projecting sign and fascia sign, sign written wall text and amenity boards (as amended), granted 12/9/19
- 0797/FUL/19 - Repainting of exterior of building, granted 12/9/19.

Equalities Impact

- 4.6 The application has been assessed and has no impact in terms of equalities or human rights.

5. REPRESENTATIONS

- 5.1 There have been over 70 representations received for the advertisement consent application and over 480 on the listed building consent application, including an objection from Linlithgow and Linlithgow Bridge Community council. Of these 500+ representations, the significant number relate to the name change, the character of the applicant and comments on the local use of the term black bitch. As these are not material planning considerations they are not considered further in the assessment of these applications.

- 5.2 Thirty three (33) representations make reference to the form of the signage or the effect on the historic environment and as a result are material. Those representations are copied with this report. All other representations are available in the online case file for inspection. There have been five letters of support for the applications.

- 5.3 A summary of the material representations is located in the table below.

Comments	Response
<ul style="list-style-type: none"> • Design of the fascia. • Material change to current appearance. 	<ul style="list-style-type: none"> • The design of the fascia, including font type, and other signage is similar to that previously granted under applications 0737/A/19 and 0736/LBC/19 and are acceptable.

Comments	Response
<ul style="list-style-type: none"> Materials proposed are not appropriate for a conservation area. Use of Vinyl contravenes planning rules. 	<ul style="list-style-type: none"> The design and materials of the fascia, are similar to those previously granted under applications 0737/A/19 and 0736/LBC/19 and are acceptable.
<ul style="list-style-type: none"> Impact on historic environment and heritage of the town. Change of signage detracts from historical story of Linlithgow. Erosion of historical and cultural nature of the town. 	<ul style="list-style-type: none"> Whilst the current name of the pub has been in use for some time, the re-naming of this commercial property does not, in so far as it is a planning consideration, remove or detract from the history of the town, its emblem or the story of the black bitch.
<ul style="list-style-type: none"> Historical significance of The Black Bitch emblem. The frontage and signage of the Black Bitch pub is synonymous with Linlithgow. 	<ul style="list-style-type: none"> Whilst the current name of the pub has been in use for some time, the re-naming of this commercial property does not, in so far as it is a planning consideration, remove or detract from the history of the town, its emblem or the story of the black bitch
<ul style="list-style-type: none"> Details of information board need to be provided. 	<ul style="list-style-type: none"> Noted. The content of the information board is a matter for the applicant. The size, design and appearance of the proposed board is acceptable and replaces an existing notice board.
<ul style="list-style-type: none"> Listing of the buildings is because of their special architectural or historic interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 	<ul style="list-style-type: none"> The Act requires that special regard be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest. The signage on the building is modern and is not an original feature of the building which may require protection or preservation. The Black Bitch name does not form part of the listing of the building.
<ul style="list-style-type: none"> Contrary to national policy Historic Environment Policy for Scotland. HEPS “decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance”. Erosion of the sense of place and identity of Linlithgow. 	<ul style="list-style-type: none"> It is acknowledged that the coat of arms is centuries old and reference has been made to its record from 1790. It is also acknowledged that the terminology and references within the town are unique. The changing of the name of the public house does not, however, impact on that narrative.

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
West Lothian History and Amenity Society	Yes	References made to ancient coat of arms and historical reference to the Black Bitch term within Linlithgow	Noted, the change of name of a public house does not diminish the historical facts relating to the origin of the term.
Linlithgow Civic Trust	Yes	Various comments made including relating to the wording on the information board, the historic nature of the name of the pub, the extent of public and political support for the existing name and comments on Greene King.	Noted. Whilst the current name has been in use for a considerable period of time, it does not form part of the listing. This is a commercial decision to change the name of the pub. The signage has been updated previously and is not an historic feature of the building.
Historic Environment Scotland	No	Being a Category C listed building, HES has no locus in this application. A name change is not expected to require listed building consent as this is a common occurrence. Focus would be expected on the preservation of historic features.	Noted, the current signage is modern and is not part of the historic character of the building. The proposals to not impact on any historical features. The name does not form part of the listing of the building and whilst there is significant local support for the retention of The Black Bitch name, there are no material planning grounds to refuse advertisement consent or listed building consent.

7. PLANNING POLICY

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

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018) DES1 - Design Principles	All development proposals will require to take account of and be integrated with the local context and built form.	The proposed scale and design of signage proposed for the building uses the same font size, design and materials for the signage as previously approved for an update of The Black Bitch signage in 2019. The replacement signage integrates with the building design and its surrounding context.	Yes
LDP ENV24 – Conservation Areas	New development will not be permitted which would have any adverse effect on their character and appearance. Proposals must have regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area	The proposed scale and design of signage proposed for the building uses the same font size, design and materials for the signage as previously approved for an update of The Black Bitch signage in 2019. The replacement signage is in keeping with the character and appearance of the conservation area.	Yes
LDP ENV28 – Listed Buildings	The council will protect listed buildings and will have particular regard for their special architectural, historic features	The existing signage on the building is modern and not a special feature. The name does not form part of the listing of the building and its replacement does not impact on the historical nature of the building. The replacement details are in keeping with the character and appearance of the listed building.	Yes

7.4 Other relevant policy guidance and documents are listed below:

- Scottish Planning Policy 2014 (SPP)
- HES: Managing Change in the Historic Environment – Shopfronts & Signs
- Historic Environment Policy for Scotland (HES), 2019
- Non-Statutory Planning Guidance (PG)
 - The Historic Environment

8. ASSESSMENT

8.1 The determining issues in respect of this application are listed below:

Advertisement Consent

- 8.2 The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 sets out that when a planning authority considers an application for advertisement consent it shall have regard to the amenity of the area and suitability of the use of the site for the display of an advertisement and take into account the local character and any historic or architectural features.
- 8.3 The planning authority shall also have regard to public safety of road users and consider whether any such display will obscure or hinder traffic signs etc. In this regard, the display of signage as proposed is acceptable and the proposed signage, other than the name and logo, uses the same overall design and materials as previously approved in 2019.
- 8.4 The proposals therefore accord with policy DES1 (design principles) and ENV24 (Conservation Areas) of the adopted West Lothian Local Development Plan, 2018 and the terms of the Advertisement Regulations. There are no material reasons to refuse advertisement consent.

Listed Building Consent

- 8.5 The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out that when considering the grant of listed building consent for any works, consideration should be given to preserving the building or its setting or any features of special or architectural or historic interest in the building or structure.
- 8.6 The granting of listed building consent should have regard to the preservation of particular features of the building, either as part of it or after severance. The works must be made good and any damage repaired. The existing signage is modern and is not an historic feature of the building and therefore does not merit or require preservation.
- 8.7 Historic Environment Scotland's guidance, Shopfronts & Signs, makes reference to the physical nature of the works to a building and the retention or reinstatement of historic features. There is no reference to the retention of a specific name of a commercial building since these can change.
- 8.8 An objector makes reference to the policy document Historic Environment Policy for Scotland (HEPS) and that the change erodes the sense of place for Linlithgow. HEPS is a non-statutory document which provides guidance rather than as a matter of law or statute. The document however states that "Cultural significance means aesthetic, historic, scientific or social value for past, present or future generations. Cultural significance can be embodied in a place itself, its fabric, setting, use, associations, meanings, records, related places and related objects."
- 8.9 Whilst there is cultural significance to the story of the greyhound and the local significance of this story and the term black bitch, the re-naming of a public houses and the replacement of recently installed signage with an alternative name does not denigrate or detract from the town's history or local references.

- 8.10 In terms of the impact of the proposed signage on the historic character of this Category C listed building, the proposals are essentially no different from the signage previously approved in 2019. The proposals therefore accord with policy ENV28 (listed buildings) adopted West Lothian Local Development Plan, 2018 and there are no material reasons to refuse listed building consent.

Name Change

- 8.11 The current name does not form part of the listing of building and the signboard is not part of the historic character of the building. This is a commercial decision to change the name and there are no material planning reasons to refuse permission for the new signage.

9. CONCLUSION AND RECOMMENDATION

- 9.1 It is acknowledged that there is significant local support to retain the existing name of the pub due to the local historical significance of the name.
- 9.2 The applications submitted must be considered on their merits. The replacement signage design and impact on the Category C listed building is acceptable and it is a matter for the owner of the premises whether to implement the signage.
- 9.3 It is therefore recommended that advertisement consent and listed building consent be granted.

10. BACKGROUND REFERENCES & ATTACHMENTS
--

- Draft conditions
- Location Plan
- Signage details
- Local Member Referral Form
- Valid Material Representations

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

Craig McCorriston

Head of Planning, Economic Development and Regeneration Date: 6 July 2022

Draft Conditions:

0226/A/22 – Advertisement Consent

- (1)
 - (a) All advertisements displayed and any land used for the display of advertisement, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the planning authority.
 - (b) Any hoarding or similar structure or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the planning authority.
 - (c) Where any advertisement is required under the Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the planning authority.
 - (d) Before an advertisement is displayed on land, the permission of the owner of that land or other person entitled to grant permission shall be obtained.

Reason In the interest of visual amenity

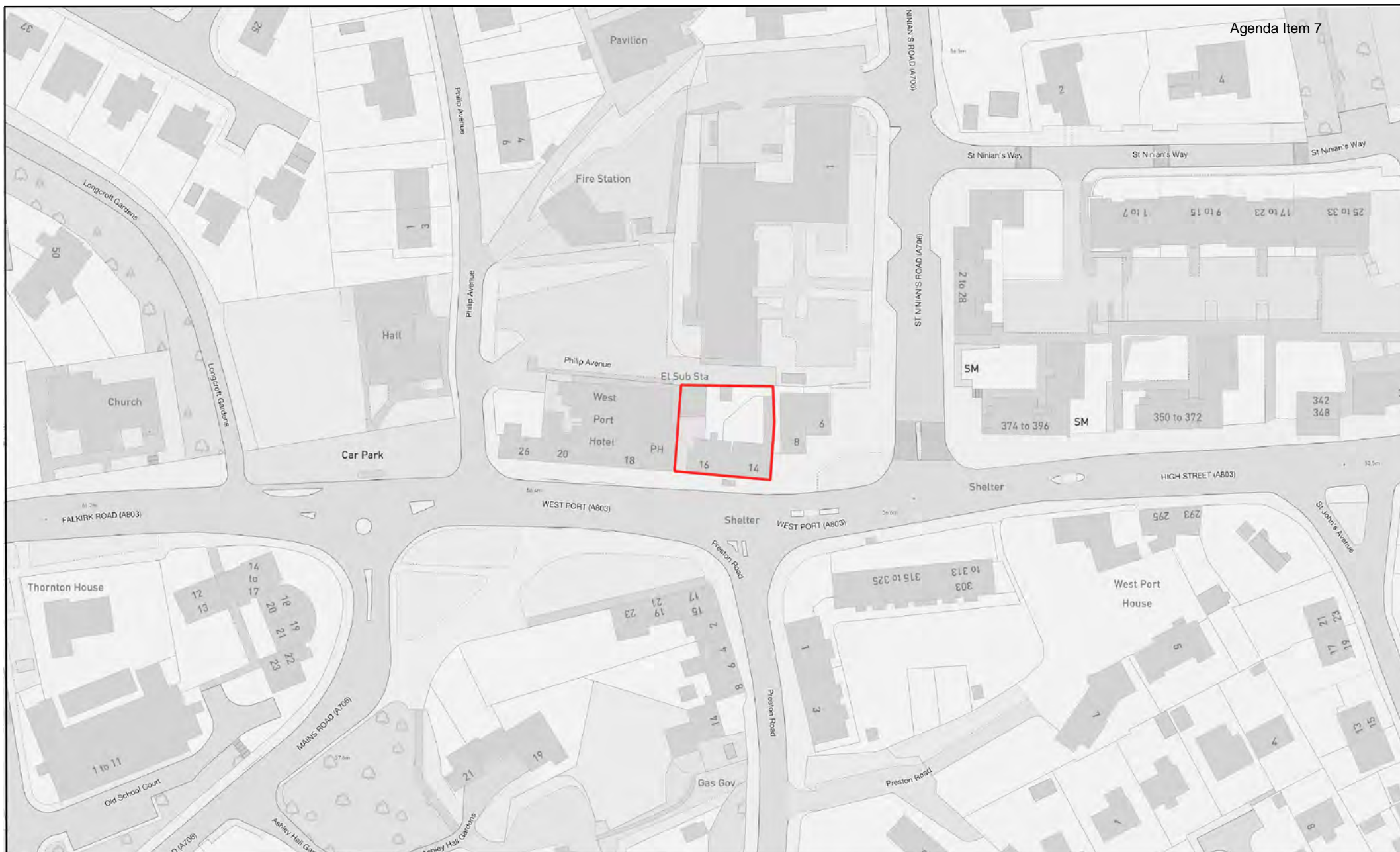
- (2) For the avoidance of doubt, fascia sign ITEM 02 on drawing reference 166956 (REV E) shall be formed with a bullnose rim to match the detail on the existing building signage, and the building graphics to the front and gable shall be painted and not vinyl transfers, to the satisfaction of the planning authority.

Reason In the interest of visual amenity.

0227/LBC/22 – Listed building consent

- (1) During the removal of signage from the building, care shall be taken to avoid damage to the fabric of the building. Where this occurs, repairs shall be carried out to the satisfaction of the planning authority. Existing fixing points and drilled holes in the fabric of the building shall be re-used wherever practicable to avoid further damage to the building. Where drill holes are not to be re-used, these shall be filled with a suitable mortar and painted, to the satisfaction of the planning authority.

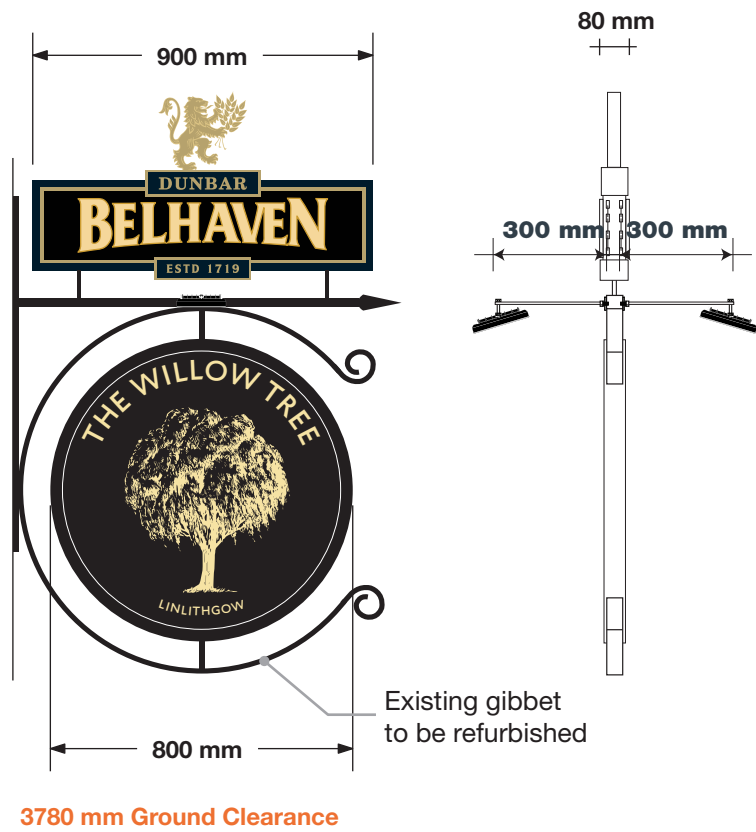
Reason to protect the integrity of the building structure and to prevent water ingress into open holes, whether hidden or not.



PLANNING DRAWING - Proposed Signs

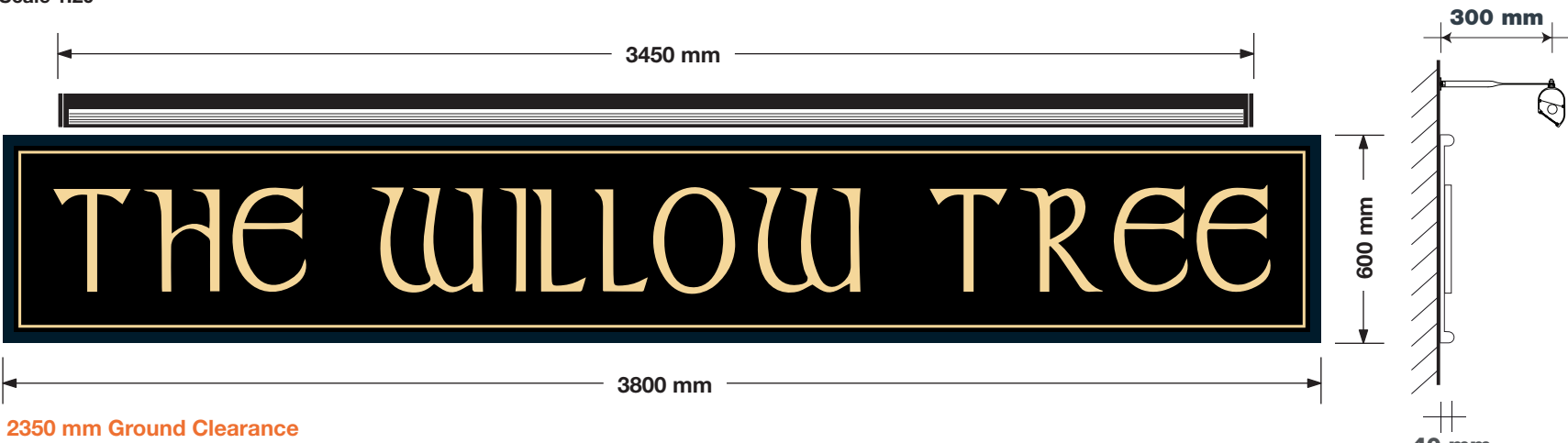
ITEM 01 (Qty 1) BH 02 SPECIAL
PROJECTING PICTORIAL SIGN

- Featuring:**
- Retain Belhaven internally illuminated header
 - 800mm diameter projecting pictorial sign.
 - Retain existing gibbet and 2no. LED slimline floodlights.
 - Face & trim finished RAL 9005.
 - 3D colour pictorial to both sides.
 - Face applied vinyl housename & secondary text Oracal 651 Cream.
- Scale 1:20



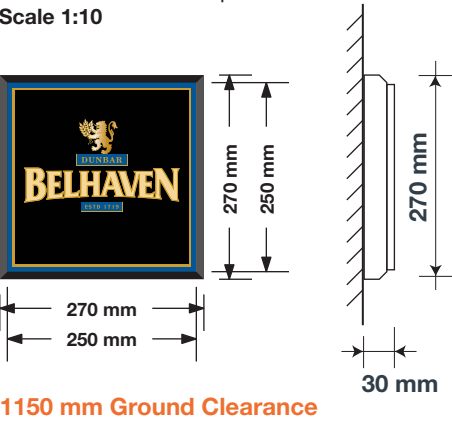
ITEM 02 (Qty 1) BH 03A
ALUMINIUM FASCIA 19MM FOAMEX LETTERS.

- Featuring:**
- Flat 2mm aluminium fascia panel finished RAL 9005.
 - 32mm bullnose trim finished Pantone 296 C.
 - 19mm foamex letters finished Pantone 7402.
 - Face applied vinyl coachline Oracal 651 Cream.
 - Retain existing LED trough lighting.
- Scale 1:20



ITEM 03 (Qty 2) BH 17
BELHAVEN PLAQUE

- Featuring:**
- Vitreous enamel plaque.
 - Fixed to black timber pattress.
- Scale 1:10



Sign Colour

Pantone 296 C

Pantone 7402C

RAL 9005

Building Colour

White
(window colours as existing)

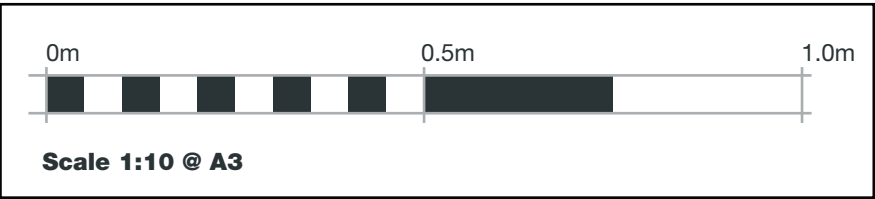
Little Greene
Invisible Green

DH
Oxford Blue

Brand Typefaces

Primary : St Edmund Sans Regular
Alba by Scriptorium font for existing letters

Secondary : St Edmund Sans Regular



PLANNING DRAWING - Proposed Signs

ITEM 04A & 04B (Qty 2) BH 09
WALL MOUNTED AMENITY.

Featuring:
- 2mm flat aluminium panel finished RAL 9005.
- 32mm bullnose trim finished RAL 9005.
- Face applied vinyl amenity text & decoration Oracal 651 Cream.
- Face applied digitally printed sports logos & crest, 5yr matt laminate.
Scale 1:20



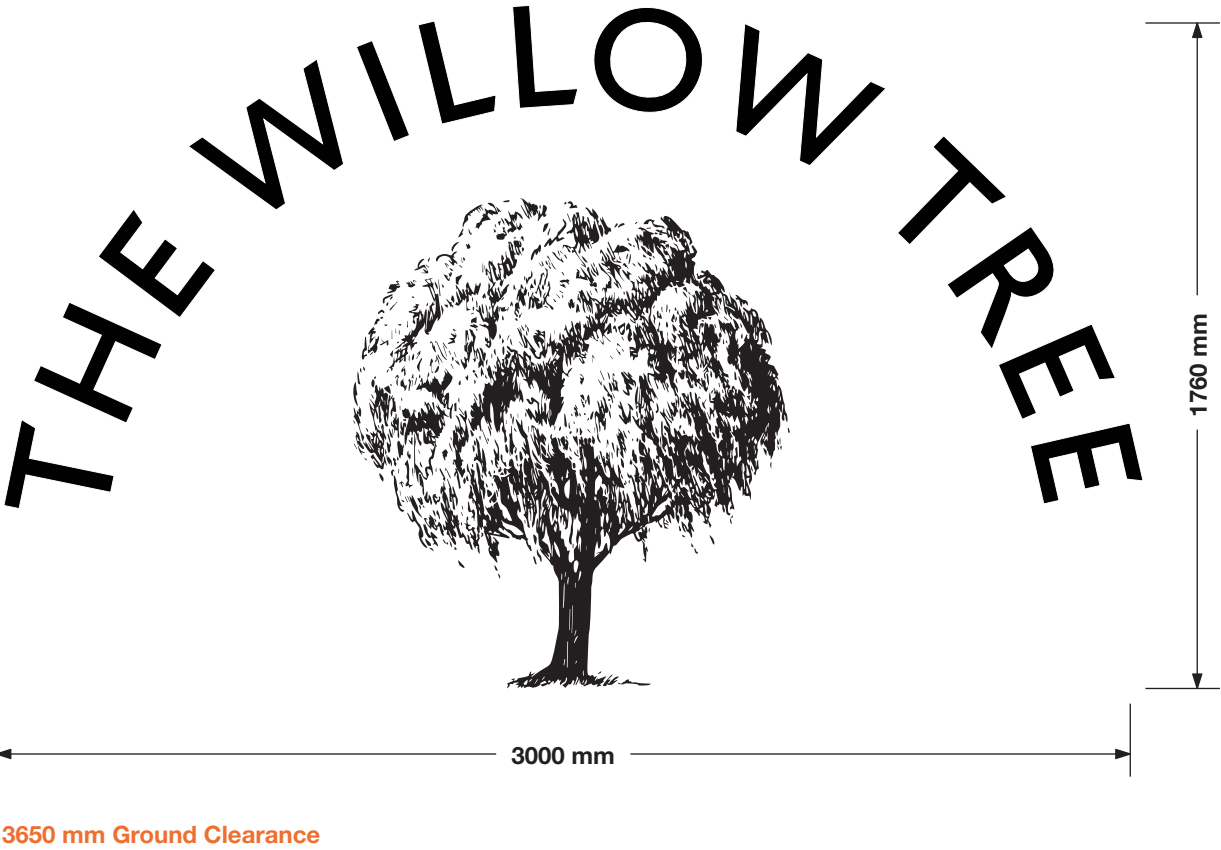
ITEM 06 (Qty 1) BH SPECIAL
SIGN WRITING

Featuring:
- Sign written 'House Name' & display
Scale 1:20



ITEM 05 (Qty 1) BH SPECIAL
SIGN WRITING

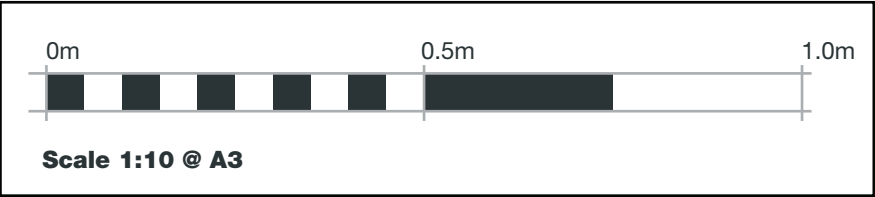
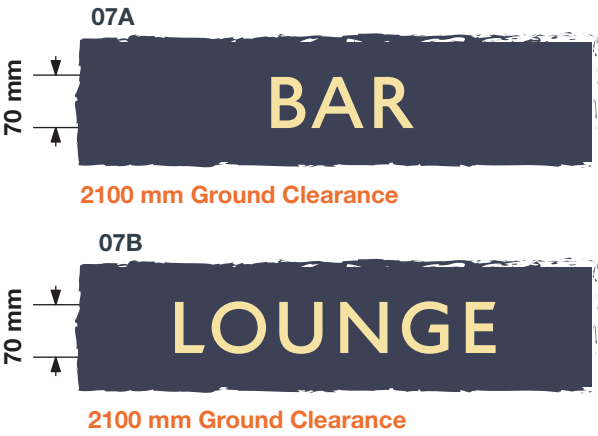
Featuring:
- Sign written 'House Name' & display
Scale 1:20



ITEM 08 (Qty 1) BH SPECIAL
DELETED

ITEM 07A & 07B (Qty 2) BH
SIGN WRITING

Featuring:
- Retain existing sign writing.
Scale 1:10





Development Management

WEEKLY LIST OF APPLICATIONS RECEIVED

☒ LOCAL MEMBER REQUEST FORM ☒

Weekly List for the week commencing

28 th March 2022

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

18 th April 2022

PLEASE NOTE:

In accordance with standing orders any request for an application to be referred to Development Management Committee has to be from a member of the ward in which the application site is located or Chair of the Development Management Committee.

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

<https://planning.westlothian.gov.uk/publicaccess/>

<p>Action Required (please tick ✓)</p> <p><input type="checkbox"/> Contact me to discuss these proposals</p> <p><input checked="" type="checkbox"/> Refer this application to the Development Management Committee</p> <p><input type="checkbox"/> Other (please specify)</p>	<p>Application Number Advert Application is Ref : 0226/A/22 Listed Building application is Ref : 0227/LBC/22 </p> <p>Member Tom Conn </p> <p>Signed Tom Conn </p> <p>Dated 20/4/22 </p>
--	--

My reasons for this action are:
 Constituent request

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr ALEX GORDON

Address: 60 BARONSHILL AVENUE LINLITHGOW EH49 7JG

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Due to historical values and on planning grounds the change is unnecessary. The existing situation forms part of the cultural history of the Burgh. The application forms or contains no material matters that would constitute a change in circumstance. The proposal is formed on the basis that there have been objections to the existing situation. None of these matters of objection have been listed by numbers or by substance of their value as an objection. They would appear to be in a significant minority attempting to undermine the value of the Burgh's historical values.

Alex Gordon diptp mrtpi.

Comments for Planning Application 0226/A/22

Application Summary

Application Number: 0226/A/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Alison Fraser

Address: 17th Strawberry Bank Linlithgow EH496BJ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the design of the fascia and the changing of the name of this pub. Greene King are attempting to destroy the legitimate heritage of the area by fabricating the notion that the name of The Black Bitch Tavern is racist. Anyone who bothers to find out about the history of the name should realise that there is nothing racist about a female black dog taking care of its master.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Alistair Old

Address: 53, Philip Avenue Linlithgow EH49 7BH

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this application for listed building consent, it being noted that the listing of the buildings is because of their special architectural or historic interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Listed building consent is required for changes to a listed building which affect its character as a building of special architectural or historic interest.

The Black Bitch Pub has been in existence for well over a century and is regarded as part of the town's living history and heritage as well as being a curiosity to many visitors to the town. The historic story of the legendary Black Bitch is also displayed inside the pub.

The pub and its name the "Black Bitch" is central to community life within the town as its name is associated with generations of families, as people born in the town are known as "Black Bitches". The Black Bitch is also one of the Town's Coat of Arms registered with the Lord Lion King of Arms in Scotland. Removal of the current name from the pub will damage the historic character of the premises.

The Black Bitch name, and the pub, is famous throughout Scotland. It is strongly associated with the town of Linlithgow and is similar to Greyfriar's Bobby in Edinburgh, another historic dog.

Greene King have publicly announced that, in their opinion, the current name is racist and offensive and they want to change the name to the "Willow Tree". They argue the new name is historic, however, the Willow tree they refer to is known locally as Katie Wearie's Tree, which will also cause confusion with local folklore in Linlithgow.

If this application is granted it will severely damage the town's heritage and its historic connections with the Black Bitch pub, and continue the insult that the current Black Bitch name is racist and offensive.

In a unanimous motion by West Lothian Councillors, Greene King were sent a letter from the Council asking them to respect the history of the town. Greene King have chosen to ignore this request from the council. It is, therefore, clear that this application needs to be referred up to the Development Management Committee for review by the councillors of West Lothian, to understand the damage likely to be caused to the Listed Building's Historic character, and the Royal and Ancient Burgh of Linlithgow's reputation as the townsfolk fight to retain the character of the public house on the town's High Street.

I understand that current planning legislation going through the Scottish Parliament addresses the issue of communities having a bigger say in their identity and "Place " and as we have a 12,000 name petition online and locally in Linlithgow asking Greene King to leave the name alone I would ask that this also be taken into consideration.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Alistair Old

Address: 53, Philip Avenue Linlithgow EH49 7BH

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I notice within this planning application there is a notice board which Greene King have said will be used to tell the history of the pub. They do not however detail what they intend putting on that Notice board. I want to know in detail what they intend putting on the proposed History of the pub as it is extremely important that it does not further damage the reputation of the Black Bitch in the town.

As you will be aware by the number of objections being received and by the West Lothian Councilors unanimous motion censuring Greene King for their attempt to assert that the town's Black Bitch mascot is racist and offensive, that this pub name change is highly unpopular and causing real anger in the town.

It is clear that the Company is continuing to use the excuse that the name is racist and offensive and needs to be changed. It is also clear that they may make this statement on the information board outside the pub, which is something the council, and 12,000 people who signed the petition object to.

It is also likely that if they do allude to the name being offensive it could lead to vandalism of the building and signage and this needs to be avoided at all costs. The current pub name has survived for over a century with no offence being taken until this English Brewery decided it was. This is despite being given all the information about the legend and the town demonstrating that it has no racist connotations. A Black Female dog is still defined as a Bitch therefore there can be no offence taken especially with the Pictorial depiction of the Black Bitch.

You will also be aware that this company put up a sign outside the Footballer and Cricketers Arms

in Linlithgow stating that they had installed the old stained glass windows in the Lounge bar when clearly they had thrown them out despite it being a planning requirement that they be installed to retain the listed building character.

They have clearly breached planning control and have until the 7th April to install the original panels (or Facsimiles of the originals), or try to evade their obligation to preserve the character of the Pub as planning intended. This breach of planning should be noted while considering this application.

It is clear this company is being deceitful about their love of the history of Linlithgow and has a reputation for Cultural vandalism across the UK. I am therefore objecting to this proposal on the basis that there needs to be public scrutiny of what they intend to say about the Black Bitch on the notice board. If it continues to describe the Black Bitch as racially offensive, it goes against all the Civic Leaders recommendations and the West Lothian Council motion and the 12000 people who are opposed to the name change of an important element of the Towns heritage and character. I therefore urge the planning department to refer the application to the Council for consideration as to whether what this company presents, as the reason for the change of name, is acceptable within the Local Community

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Anne Topping

Address: 50 Avontoun Park Linlithgow EH49 6QG

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

The Black Bitch is a listed building because of its age, but also because of its place in the history of the Town. The planning section of the Council's website states the following:

"The historic environment of West Lothian plays an important part in the quality and character of the area...The protection and enhancement of the historic environment is important in order to enable all of us, as well as future generations, to value and enjoy."

If Linlithgow's historic environment is to be protected then this application to change the signage must be rejected. Nine hundred years of history cannot be cast aside. The Black Bitch is a cultural asset and the retention of the name is supported by the vast majority of Linlithgow's inhabitants.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Ben Butler

Address: 84 High Street Linlithgow EH49 7AQ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I believe if the council support this renaming from Greene King they should strike all mentions of the Burgh from the town. The name is part of the town's history and the name should become part of a listed status for the public house and forever immutable.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Craig Sandbach

Address: 28 pilgrims hill Linlithgow Eh497ln

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to any material change to the current appearance of the building. It's historical impact should not be washed away

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Craig Watson

Address: 53 Kettil'stoun Mains Linlithgow EH49 6SH

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objection on the basis of the historical significance of the Black Bitch name, identity, logo, and signage being lost from the town in one of it's most signicant locations and landmarks, the Black Bitch public house being synonomous with the town of Linlithgow.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr David Connor

Address: 3 Springfield Court Linlithgow EH49 7TH

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to this on the basis of maintaining the history and heritage of Linlithgow High Street and the town itself. These premises are an important and historic part of Linlithgow High Street, which includes the name of the pub as well as the fabric of the building itself.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr David Corry

Address: 18a High Street Linlithgow EH49 7AE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Use of vinyl in signage which contravenes planning rules.

Comments for Planning Application 0226/A/22

Application Summary

Application Number: 0226/A/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Derek Pattle

Address: 2 Union Road LINLITHGOW EH497DY

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Derek Pattle

2, Union Road, Linlithgow

EH49 7DY

14th March 2022

Name Change and new Signage at Black Bitch Tavern, 14 West Port EH49 7AZ

Dear Sir,

I would like to object to the proposed changes to be made to the Black Bitch Tavern at 14 West Port Linlithgow EH49 7AZ.

One of the key purposes of Town Planning is to balance the Environment/Heritage of a Town with the requirement for sustainable growth in both housing and business development.

The proposed name change and associated Signage alterations for the Black Bitch Tavern at the West Port of Linlithgow is because (according to the owners) the name The Black Bitch is racist.

The Black Bitch reference is to a +600-year-old legend of a Black Greyhound, who showed great loyalty and bravery in swimming out into an island on Linlithgow Loch with food to sustain her owner during his incarceration there. This is a story that has inspired generations of Linlithgow dwellers and has resulted in the image of the Black Bitch to feature in numerous Linlithgow organisations and is identified as a badge of honour by those who were born in the Town. The image of the Black Bitch chained to a tree on the island is a key part of Linlithgow's "new" (2017) Coat of Arms.

In many respects this Black Bitch story - is very similar to the famous Greyfriars Bobby story of Edinburgh, and the associated pride this inspires.

Therefore, I strongly object to both the proposed name change to The Willow Tree (a reference to

the maligned Reform Act of 1832 and its association with the break-up of small Scottish communities). The main reason being the harm and undermining of one of the strong community beliefs and traditions, combined with the direct implication Linlithgow and the habitants of Linlithgow are racist.

As further evidence I would urge the Planning committee to read the recent article from the renowned human's rights activist and academic Sir Geoff Palmer of Heriot Watt, who has backed calls for the Black Bitch name to be retained on the historic tavern.

Yours Sincerely

Derek Pattle

Comments for Planning Application 0226/A/22

Application Summary

Application Number: 0226/A/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Elizabeth Coupe

Address: 3 Justinhaugh Drive Linlithgow Bridge EH49 7QP

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am objecting to the changing of the signs at The Black Bitch public house this is a very old pub named after the dog on the coat of arms of Linlithgow. It is an insult to the people of Linlithgow who are proud to be called Black Bitches.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Ms Fiona McGowran

Address: 79 The Vennel Linlithgow EH49 7ET

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I think the use of Neon signs is out of keeping with the historical environment.

I do not believe the name should be changed as it is a valuable reference to our local history and indeed to the history of West Lothian.

It is not a racist term and we should celebrate nuance while it is still allowed to exist.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Gayle Paxton

Address: 94 Avontoun Crescent Linlithgow EH49 6JR

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The pub and signage is historically significant to Linlithgow and would be detrimental to change it.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Henry Parsons

Address: 16 Bruce Road Glasgow G41 5EJ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Black Bitch signage is of historic and significant historical importance. The council should endeavour to maintain the town's links to the past.

Comments for Planning Application 0226/A/22

Application Summary

Application Number: 0226/A/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Jane Doherty

Address: Strathavon Cottage Linlithgow EH49 7PX

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I believe a change of signage detracts from the historical story of Linlithgow

Comments for Planning Application 0226/A/22

Application Summary

Application Number: 0226/A/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Ms Jane MacCallum

Address: 3 Old School Court Linlithgow EH49 7AW

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: What will the detail of the sign say, especially regarding why Greene King felt the need to change the historic name of the pub - a name that is used in the coat of arms of the town. The materials for the sign are not appropriate for the conservation area of the high street.

Greene King have ridden roughshod over local views and have no appreciation of the history of this pub and its associated name. There is no need to replace the current sign.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr John Aitken

Address: Sulisker, Springfield Grange off Blackness Road Linlithgow EH49 7GR

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This historic pub has been named The Black Bitch (or the Black Bitch Tavern) for a long time. It is a traditional local name that should be retained. I object to any change of signage on the grounds of maintaining local history and preventing disrespect of the Black Bitch name, which means so much in Linlithgow.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr John Brogan

Address: 23 Madderfield Mews LINLITHGOW EH49 7HD

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Sirs,

I object to the proposed changes to the frontage and signage of the Black Bitch Inn, Linlithgow, on the grounds that these changes are not necessary, and go against the history and traditions of the town

The Black bitch Inn is the oldest pub in Linlithgow, operating since the 17th century. The name is not racist or sexist, but refers to a 13th century legend about a black female dog which saved the life of her master.

to this day, people who are born in the town, of whatever race or gender are proud to be known as Black Bitches.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Jonathon Simpson

Address: 21 Kinacres Grove Boness EH51 9LT

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The frontage and signage of the Black Bitch pub is synonymous with Linlithgow and its people. Any change to the frontage or signage, especially by removing or altering the pub's present name "Black Bitch" would be a literal, in the truest sense of the word, insult to the town of Linlithgow and the many thousands of people who consider themselves to be Black Bitches of Linlithgow.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Graeme Grant

Address: 30 Oatlands Park Linlithgow EH49 6AS

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear WLC Planning, I am objecting in my capacity as Chair of the Linlithgow and Linlithgow Bridge Community Council, and this objection should be viewed as by the Linlithgow and Linlithgow Bridge Community Council.

The objection is on the basis that the proposed renaming of the Black Bitch tavern by Greene King has clearly generated a massive level of distrust between the community and Greene King. Greene King have not only besmirched the good name of our historic town by suggesting that the name of the pub held some racist overtones, but have consistently refused to engage in any meaningful dialogue with the community. The relationship between Greene King and the local community of Linlithgow and Linlithgow Bridge has essentially completely broken down. There is no trust in the community for anything Greene King says or does and in fact there exists a deep level of distrust.

On the basis of the above, the Community Council objects in absolute terms to this planning application as it is totally unclear what the final content of these boards will be and how they will be presented by Greene King. Whatever is on these boards will be very closely observed by the local community and the risk that they will cause further offence to the substantial majority of the community is a risk that the Community Council feels is unacceptable given the ongoing level of animosity the community holds Greene King in.

The Linlithgow and Linlithgow Bridge community Council feels it would be deeply inadvisable for the West Lothian Council to approve this application and we will be deeply disappointed were you to do so. We will view that as a failure to represent the best interests of the people of the town by favouring an organisation that has already attempted to bring the whole history and reputation

of the town into question on a national and need international platform.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Lesley Blyth

Address: 2 West Port Place Linlithgow EH49 7DE

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the name change, as the name has a great deal of meaning to the people of Linlithgow and is also represented by the statue of the Black Bitch further along the High Street of Linlithgow. It's an unnecessary change. With regards to the sign itself I live close by and an illuminated sign is most unwelcome and hardly in keeping with the historical nature of Linlithgow.

From: Nuala Lonie

Sent: 09 April 2022 15:20

To: Planning <Planning@westlothian.gov.uk>

Subject:

Black Bitch Tavern, 12 – 14 West Port, Linlithgow, EH49 7AZ

Ref 0227/LBC/22

Dear Sir

We wish to object to the design of the proposed replacement signs and fascia sign at 12 – 14 West Port. The loss of reference on the signs to the Black Bitch of Linlithgow is contrary to the national policy for protecting the historic environment (HEPS), which specifically draws attention to the importance of intangible aspects of historic sites, which “resonate with our sense of place [and] identity”.

The association of the Black Bitch with Linlithgow and its coat of arms is centuries old. It is mentioned in the Old Statistical Account of 1790, when it was already of such long standing that its origin was unknown – suggesting a long history even at that time. The association remains alive and recognised for what it is – a historic reference – in the town today, as the recent erection of a statue of the Black Bitch confirms.

There can be no question but that removing the name “Black Bitch” would erode something of the sense of place and identity of this historic small town. The name, in fact, is so unlikely to a modern ear that it is obvious on a moment’s thought that it must have some significance other than the pejorative one assumed by Greene King. Their misplaced sensitivity reflects only ignorance and lack of appreciation of the wider context within which the name is embedded.

Again to quote HEPS, “decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance”. Greene King’s proposal is clearly not so informed.

On this ground, and on the earlier mentioned ground of erosion of the sense of place and identity of Linlithgow the proposal is contrary to national guidance on dealing with historically significant sites and should not be given approval.

Yours sincerely

Jim and Nuala Lonie

Canal House, Manse Road, Linlithgow, EH49 6AJ, Tel 01506 842452

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Martin Burns

Address: 2 Golf Course Road Linlithgow EH49 6EL

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The Black Bitch is a listed building because of its age, but also because of its place in the history of the Town. The planning section of the Council's website states the following:

"The historic environment of West Lothian plays an important part in the quality and character of the area...The protection and enhancement of the historic environment is important in order to enable all of us, as well as future generations, to value and enjoy."

If Linlithgow's historic environment is to be protected then this application to change the signage must be rejected. Nine hundred years of history cannot be cast aside. The Black Bitch is a cultural asset and the retention of the name is supported by the vast majority of Linlithgow's inhabitants.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mary Easson

Address: 21a St Ninians Linlithgow EH49 7BN

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the proposal to change the name of The Black Bitch Tavern on the basis that this would represent a diminution of the character of the town of Linlithgow, built up over many centuries . This proposal would represent an erosion of the historical and cultural heart of the community which is as important to the built environment as the buildings themselves. Located at the entrance to the Royal Burgh, the tavern's name keeps alive a local legend that has much to teach us in the 21st century and of which local people are rightly proud.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Nicola Lemon

Address: 58 Drum Farm Lane Bo'ness EH51 9RJ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The Black Bitch is a listed building because of its age, but also because of its place in the history of the Town. The planning section of the Council's website states the following:

"The historic environment of West Lothian plays an important part in the quality and character of the area...The protection and enhancement of the historic environment is important in order to enable all of us, as well as future generations, to value and enjoy."

If Linlithgow's historic environment is to be protected then this application to change the signage must be rejected. Nine hundred years of history cannot be cast aside. The Black Bitch is a cultural asset and the retention of the name is supported by the vast majority of Linlithgow and surrounding areas inhabitants.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Pauline Orr

Address: 75 Braehead Drive Braehead Drive Linlithgow EH49 6DZ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to strongly object to the replacement of fascia sign, installation of replacement illuminated and non illuminated signs and in particular to the change of name as inferred by the owners Greene King. To change the name carries a substantial risk of detrimentally affecting the community spirit of the town in relation to its history and civic record.

It is irresponsible to make the change on the basis of racism and I am particularly aggrieved at this being married to a man not only born and raised in the town but also of aboriginal descent on his mothers side. I do not believe that appropriate public consultations have been taken and have certainly not been aware of any means by Green King to seek full and proper consult with the people of Linlithgow themselves.

The name Black Bitch emblem is synonymous with the town, and is encompassed in our school emblems, local organisations etc.

Linlithgow has a history and traditions, the property is listed and to afford it with an illuminated sign is in itself completely unacceptable. An illuminated sign is not historically appropriate.

In addition Green King in Linlithgow have a reputation for not adhering to or following planning consent instructions and cannot be trusted to undertake any change whatsoever to a building of such historic significance.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, instalaltion of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Robert Martin

Address: 115 Sheriffs Park Linlithgow EH49 7SR

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I submit that this application is incomplete in that it fails to disclose the complete nature of these works. The works involve removal of an element of public art at the gable end of The Black Bitch tavern that faces east, and its replacement inter alia with a name that has no historical or cultural connection with the town of Linlithgow.

I am astonished that the remaining Councillor running for re-election in Linlithgow Ward has not stopped this scandalous proposal from going forward.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mr Ronald Smith

Address: 4 Rivaldsgreen Crescent LINLITHGOW EH49 6BB

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this application for listed building consent, it being noted that the listing of the buildings is because of their special architectural or historic interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. In this case, the interest is primarily in the historic interest of the current pub name, the 'Black Bitch', which relates to the hunting dog which has been depicted in the civic insignia of Linlithgow since at least 1296 when the relevant burgh seal was appended to deeds, now preserved in the UK National Archives at Kew. In 1673, Linlithgow's two coats of arms (depicting St Michael and the 'Black Bitch') were formally registered by the Lord Lyon King of Arms. A popular legend credits the black greyhound for sustaining its starving master on an island in Linlithgow Loch which has led to those born and bred in Linlithgow, male or female, being proud to call themselves 'Black Bitches'. Given this history, and the fact that the name has never been seen as racist, it is entirely inappropriate that the pub be renamed as part of the current proposals.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Ruth Watson

Address: Acrewood 61 Blackness Road Linlithgow EH49 7JD

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the removal of the existing signage.

Sign replacement? It is a name change, taking the history from our town. No one is offended by the existing name/signage and the town would like things left as is.

From:

Sent: 21 May 2022 10:59

To: Planning <Planning@westlothian.gov.uk>

Subject: Complaint: Planning Application 0227/LBC/22 Black Bitch Tavern 14 West Port
Linlithgow West Lothian EH49 7AZ

I want to make a complaint about Planning Application 0227/LBC/22 Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ. It is just under three years since approval was granted for the original sign. The original signage alludes to the fact that the premises in question were named after the historic Black Bitch of Linlithgow. This has significant heritage value to Linlithgow & its resident. The owners, whilst content to install the original sign have now decided that the original wording is a racist slur. In granting permission for such a change, West Lothian Council would be agreeing with the false statement that the sign was indeed racist. This cannot be allowed.

Also, the application contains a section titled History under which there is a phrase in Latin. There is no translation available on the application to determine what if anything this says. This may in turn prove to be racist. They need to provide an English version for their application & resubmit.

Sean Frost
117 Sheriffs Park
Linlithgow
EH49 7SR



Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Sharon Corry

Address: 98Avalon Gardens Linlithgow EH49 7PL

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to the vinyl signage as this contravenes the planning regulations as well as the lighting.

Furthermore, this change of name will affect local business in the town due to the unpopular decision to move away from the historical links.

Comments for Planning Application 0227/LBC/22

Application Summary

Application Number: 0227/LBC/22

Address: Black Bitch Tavern 14 West Port Linlithgow West Lothian EH49 7AZ

Proposal: Listed building consent for the display of fascia sign, installation of replacement illuminated and non illuminated signs

Case Officer: Steven McLaren

Customer Details

Name: Mrs Siobhan Samson

Address: 12 Muirhouses Avenue Bo'ness EH51 9DJ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly oppose this application as it's unnecessary change to a listed building.

Listed buildings deteriorate every time they are tampered with. Leave the existing sign and name in place to reflect the heritage of Linlithgow.

Development Management Committee

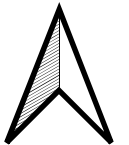
06 July 2022

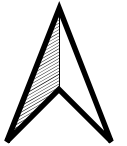
Item 7 - Application : 0226/A/22 and 0227/LBC/22

Display of fascia sign, installation of replacement illuminated and non illuminated signs

14 West Port / Linlithgow / EH49 7AZ









Signage previously approved and implemented



BELHAVEN
THE WILLOW TREE
14-16 WEST PORT
LINLITHGOW
EH49 7AZ

166956 (REV E)
01/03/22 - LS

COPYRIGHT :
THE ATTACHED DESIGNS AND ILLUSTRATIONS
ARE INTENDED SOLELY FOR, AND SHOULD
ONLY BE USED BY, THOSE TO WHOM THIS
DESIGN SPECIFICATION IS ADDRESSED.

**THE CONTENTS ARE STRICTLY
PRIVATE AND CONFIDENTIAL.**

ANY FORM OF REPRODUCTION,
DISSEMINATION, COPYING, DISCLOSURE,
MODIFICATION OR DISTRIBUTION IS STRICTLY
PROHIBITED WITHOUT THE PRIOR WRITTEN
CONSENT OF ASHLEIGH SIGNS LTD

(COMPANY NUMBER : 1325080)

WHOSE REGISTERED ADDRESS IS:
ASHLEIGH HOUSE, BECKBRIDGE ROAD,
NORMANTON INDUSTRIAL ESTATE,
NORMANTON, WF6 1TE



05



GREENE KING
BURY ST EDMUNDS

BELHAVEN
THE WILLOW TREE
14-16 WEST PORT
LINLITHGOW
EH49 7AZ

166956 (REV E)
01/03/22 - LS

COPYRIGHT :
THE ATTACHED DESIGNS AND ILLUSTRATIONS
ARE INTENDED SOLELY FOR, AND SHOULD
ONLY BE USED BY, THOSE TO WHOM THIS
DESIGN SPECIFICATION IS ADDRESSED.

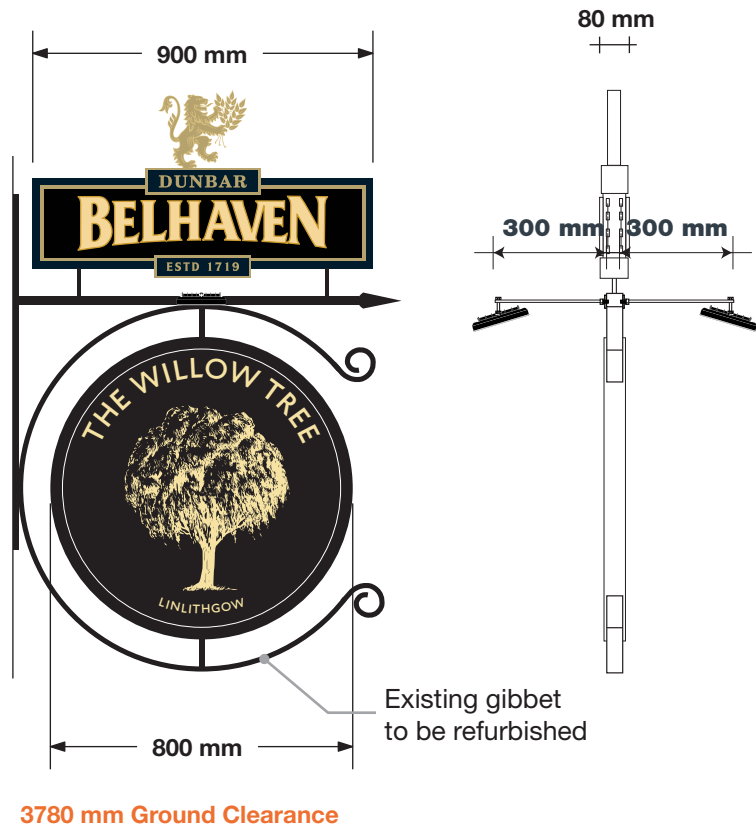
THE CONTENTS ARE STRICTLY
PRIVATE AND CONFIDENTIAL.
ANY FORM OF REPRODUCTION,
DISSEMINATION, COPYING, DISCLOSURE,
MODIFICATION OR DISTRIBUTION IS STRICTLY
PROHIBITED WITHOUT THE PRIOR WRITTEN
CONSENT OF ASHLEIGH SIGNS LTD
(COMPANY NUMBER : 1325080)
WHOSE REGISTERED ADDRESS IS:
ASHLEIGH HOUSE, BECKBRIDGE ROAD,
NORMANTON INDUSTRIAL ESTATE,
NORMANTON, WF6 1TE

Signage as proposed

PLANNING DRAWING - Proposed Signs

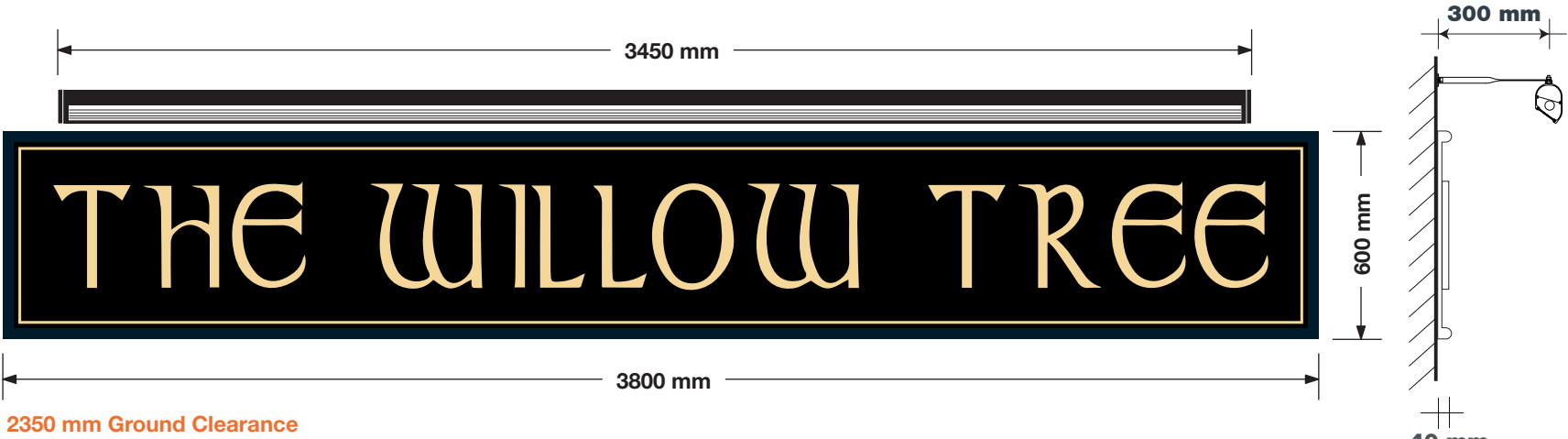
ITEM 01 (Qty 1) BH 02 SPECIAL
PROJECTING PICTORIAL SIGN

- Featuring:**
- Retain Belhaven internally illuminated header
 - 800mm diameter projecting pictorial sign.
 - Retain existing gibbet and 2no. LED slimline floodlights.
 - Face & trim finished RAL 9005.
 - 3D colour pictorial to both sides.
 - Face applied vinyl housename & secondary text Oracal 651 Cream.
- Scale 1:20



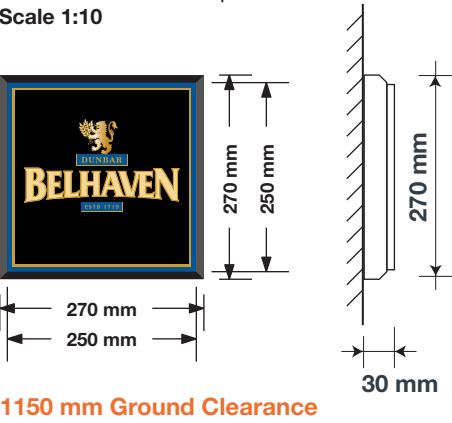
ITEM 02 (Qty 1) BH 03A
ALUMINIUM FASCIA 19MM FOAMEX LETTERS.

- Featuring:**
- Flat 2mm aluminium fascia panel finished RAL 9005.
 - 32mm bullnose trim finished Pantone 296 C.
 - 19mm foamex letters finished Pantone 7402.
 - Face applied vinyl coachline Oracal 651 Cream.
 - Retain existing LED trough lighting.
- Scale 1:20



ITEM 03 (Qty 2) BH 17
BELHAVEN PLAQUE

- Featuring:**
- Vitreous enamel plaque.
 - Fixed to black timber pattress.
- Scale 1:10



Sign Colour

Pantone 296 C

Pantone 7402C

RAL 9005

Building Colour

White
(window colours as existing)

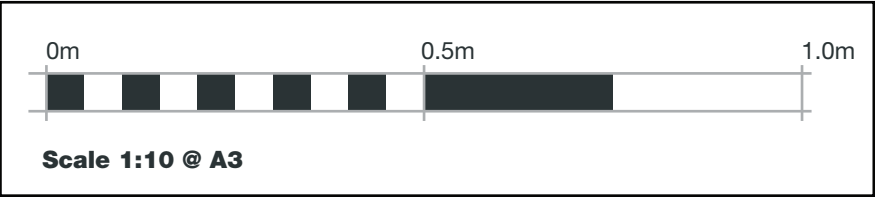
Little Greene
Invisible Green

DH
Oxford Blue

Brand Typefaces

Primary : St Edmund Sans Regular
Alba by Scriptorium font for existing letters

Secondary : St Edmund Sans Regular



PLANNING DRAWING - Proposed Signs

ITEM 04A & 04B (Qty 2) BH 09
WALL MOUNTED AMENITY.

Featuring:

- 2mm flat aluminium panel finished RAL 9005.
- 32mm bullnose trim finished RAL 9005.
- Face applied vinyl amenity text & decoration Oracal 651 Cream.
- Face applied digitally printed sports logos & crest, 5yr matt laminate.

Scale 1:20

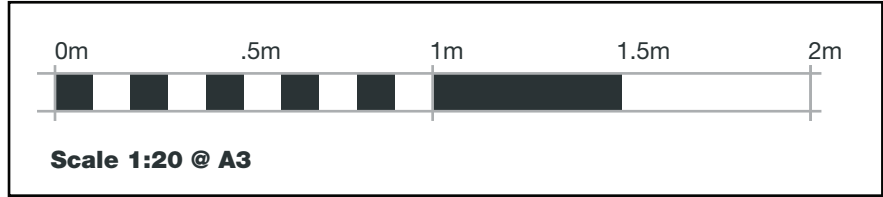


ITEM 06 (Qty 1) BH SPECIAL
SIGN WRITING

Featuring:

- Sign written 'House Name' & display

Scale 1:20

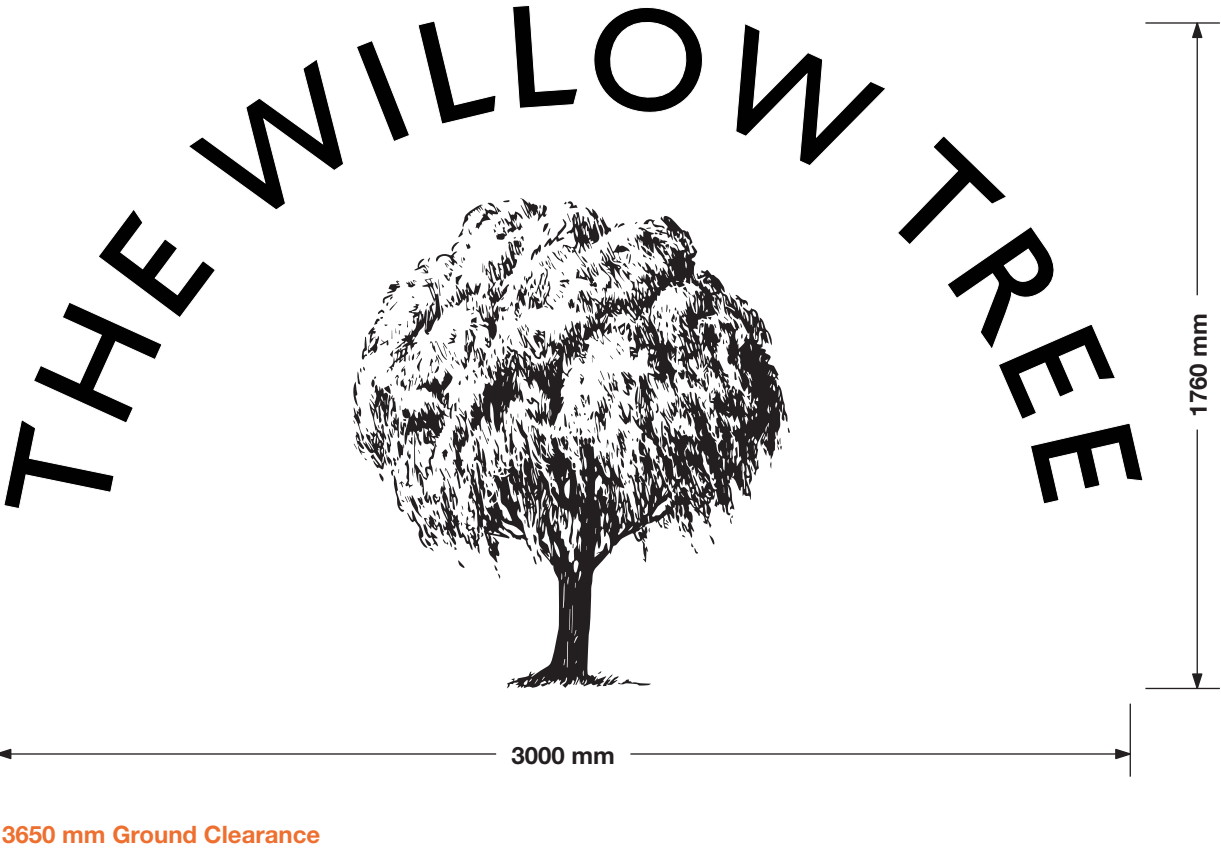


ITEM 05 (Qty 1) BH SPECIAL
SIGN WRITING

Featuring:

- Sign written 'House Name' & display

Scale 1:20



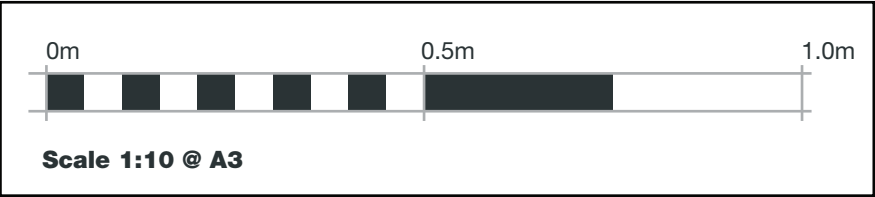
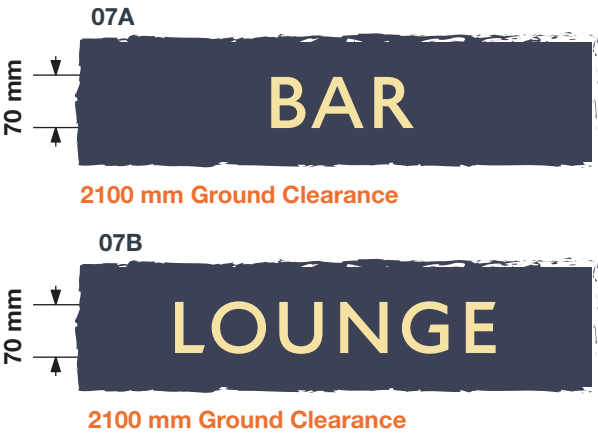
ITEM 08 (Qty 1) BH SPECIAL
DELETED

ITEM 07A & 07B (Qty 2) BH
SIGN WRITING

Featuring:

- Retain existing sign writing.

Scale 1:10





DUNBAR
BELHAVEN
ESTD 1748



THE BLACK BITCH


LIVE
ENTERTAINMENT
—
LOUNGE & PUBLIC
BARS
—
FUNCTION
ROOM


BEER
GARDEN
BT Sport
sky sports

Linlithgow Academy
Scholarship
Bus Stop

Linlithgow Academy
Scholarship
Bus Stop

LITTER
&
DOG WASTE
BIN

THE BLACK BITCH



BAR

THE BLACK BITCH







Google Street View, 2018



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Change of use of shop and upper flat with extensions and alterations to building to form 8 flats at 64-66 Charles Crescent, Bathgate.

2 DETAILS

Reference no.	0240/FUL/22	Owner of site	Mr N & Mrs R Bader
Applicant	Tilloch Developments	Ward & local members	Bathgate Cllr Willie Boyle Cllr Harry Cartmill Cllr Tony Pearson Cllr Pauline Stafford
Case officer	Kirsty Hope	Contact details	01506 282413 Kirsty.hope@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Willie Boyle.

3 RECOMMENDATION

Refuse planning permission.

4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Planning permission is sought for the change of use of a shop and upper flat with extensions and alterations to building to form 8 flats located at 64-66 Charles Crescent, Bathgate. The site at present has a vacant shop unit on the ground floor with storage areas and a 3 bedroom flat on the upper floor.
- 4.2 The submitted proposed plans indicate 3 (1-bedroom) flats on the ground floor, 4 (1-bedroom flats) on the first floor and 1 (1-bedroom) flat on the second floor, with new access stair extension to the gable elevation. Parking provision for 8 vehicles is at the front of the property.

History

- 4.5 The relevant site history is set out below:

- 0876/FUL/21 - Change of use of shop and upper flat with extensions and alterations to building to form 8 flats was Withdrawn on 28 January 2022

- LIVE/0580/FUL/03 - Erection of 6 houses, conversion of shop units to form 5 flats and replacement of flat roof with pitched roof was Refused on 27 August 2003, then appeal was allowed by DPEA on 16 December 2003.

EIA Development

- 4.6 The proposal is not EIA development as it does not fall within Schedule 1 or Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017 (EIA Regulations).

Equalities Impact

- 4.8 The application has been assessed and has no impact in terms of equalities or human rights.

5. REPRESENTATIONS

- 5.1 No letters of objection have been received.

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 Education Planning	No	The 1-bedroom flats are exempt from contributions.	Noted.
WLC Roads & Transportation	No	1 Parking space is required for each flat, depth of each space to be 6metres from the back of 2m of footway. Attach advisory on vehicle access permit to be obtained.	Noted. Conditions and an advisory shall be attached, if granted.
WLC Environmental Health	No	Attach conditions in relation to air quality and noise during construction.	Noted. Conditions shall be attached, if granted.
WLC Flood Risk Management	No	No record of historic flooding. No surface water drainage assessment submitted or a drainage layout.	Noted. Details were not sought from the applicant. These details shall be required before any permission is issued should committee be minded to grant.

Consultee	Objection?	Comments	Planning Response
WLC Waste Services	No	Each flat should have 3 bins. The incline to the roadside for collections is unsuitable.	Noted. Plans show only 2 bins per flat and the location of the bins as well as the access to collections is not suitable.
WLC Open Space	No	No loss of formal or informal open space.	Noted.

7. PLANNING POLICY

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

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018) DES1 - Design Principles	All development proposals will require to take account of and be integrated with the local context and built form.	The proposed flat roof design is not in-keeping with the surrounding area. The parking layout is hard against the building. No adequate private amenity space is provided. No adequate bin provision or bicycle storage are proposed.	No
LDP HOU 3 - Infill/Windfall Housing Development within Settlements	Housing will only be permitted where it meets criteria a-i.	Whilst a residential use may be suitable for this location, the proposal is overdevelopment. No surface water drainage information was submitted. Proposed levels not provided for parking area.	No
LDP INF1 - Infrastructure Provision and development obligations	The council will seek developer obligations in accordance with Scottish Government Circular 3/2012.	The LDP and statutory guidance, sets out the required developer obligations and these are listed below in relation to this site: • Cemetery Provision	Yes – Subject to the relevant planning obligations being secured by legal agreement.

Plan and Policy	Policy Summary	Assessment	Conform?
LDP EMG 3 – Sustainable Drainage	SuDS will be a required part of all proposed development as a means of treating/attenuating surface water and managing flow rates.	No drainage assessment or layout was submitted.	No, however, this could be achieved by the submission of further details or by condition.

7.4 Other relevant policy guidance and documents are listed below:

- SG on Residential Development Guide adopted April 2019
- SG on Flooding & Drainage adopted April 2019
- SG on Developer Contributions towards Cemetery Provision adopted August 2021

8. ASSESSMENT

8.1 The determining issues in respect of this application are listed below:

Principle of development

- 8.2 The application is for the change of use of a shop and upper flat with extension and alterations to building to form 8 flats at Charles Crescent, Bathgate.
- 8.3 The proposal would result in a crammed development with very little private amenity space for each flat. The rear site boundary is only 2 metres from the rear elevation of the building and would result in a poor-quality residential environment. Too much accommodation is being sought within the existing building.

Design

- 8.4 The proposed two-storey flat roof is not in keeping with the character of the surrounding residential area. Whilst it is noted there is an existing single storey flat roof, this allows amenity space for the existing upper flat. The proposal involves removal of this existing feature and replaces it with a flat roof first floor extension which would join the adjacent building that has a hipped roof. This would result in a discordant design feature that would harm the visual amenity of the streetscape. The proposal is contrary to Policy DES 1 (Design Principles) within the local development Plan.

Transportation

- 8.5 Parking whilst the submitted plans indicate parking for 8 vehicles, parking is tight against the front elevation of the building and directly outside bedroom windows. No levels details were provided despite there being a change in existing levels at this location. It is considered the proposed parking arrangement would have a crammed appearance and harm visual and residential amenity.

8.6 There is no cycle storage proposed and very limited land for this to be provided on site.

Waste Provision

8.7 Plans show only 2 individual wheelie bins per flat, the council's requirement is for 3 bins per flatted dwelling. Plans also show bins positioned along the gable and rear elevation of the building. This would result in bins being immediately below Livingroom and Bedroom windows. Further, WLC Waste Services have advised that the incline for access to the roadside collections is not suitable. Overall, the waste provision proposals are inadequate and inappropriate which in turn would harm residential amenity.

9. CONCLUSION AND RECOMMENDATION

9.1 The proposal tries to accommodate too much residential housing for the site and fails to create a satisfactory residential environment. Overall, the proposal represents cramming and would have an unacceptable impact on the character of the locality, streetscape and residential amenity.

9.2 In particular, the proposal conflicts with criteria a, c, d and e of policy DES1 (Design Principles) and criteria a, d and f of policy HOU3.

9.3 In conclusion, the proposal does not comply with policy DES1 (Design Principles) and policy HOU3 (Infill/Windfall Housing Development within Settlements) nor does it comply with the Supplementary Guidance on Residential Development Guide 2019 within the local development plan. The proposal also fails to comply with policy EMG3 (Sustainable Drainage) and the SG Flooding & Drainage within the local development plan.

9.4 It is therefore recommended that planning permission be refused.

10. BACKGROUND REFERENCES & ATTACHMENTS

- Draft reasons for refusal
- Location plan
- Existing elevations and floor plan
- Proposed elevations and ground floor plan
- First and second floor plans
- Street elevation
- Local Member Referral Form

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

Craig McCorriston
Head of Planning, Economic Development and Regeneration

Date: 6 July 2022

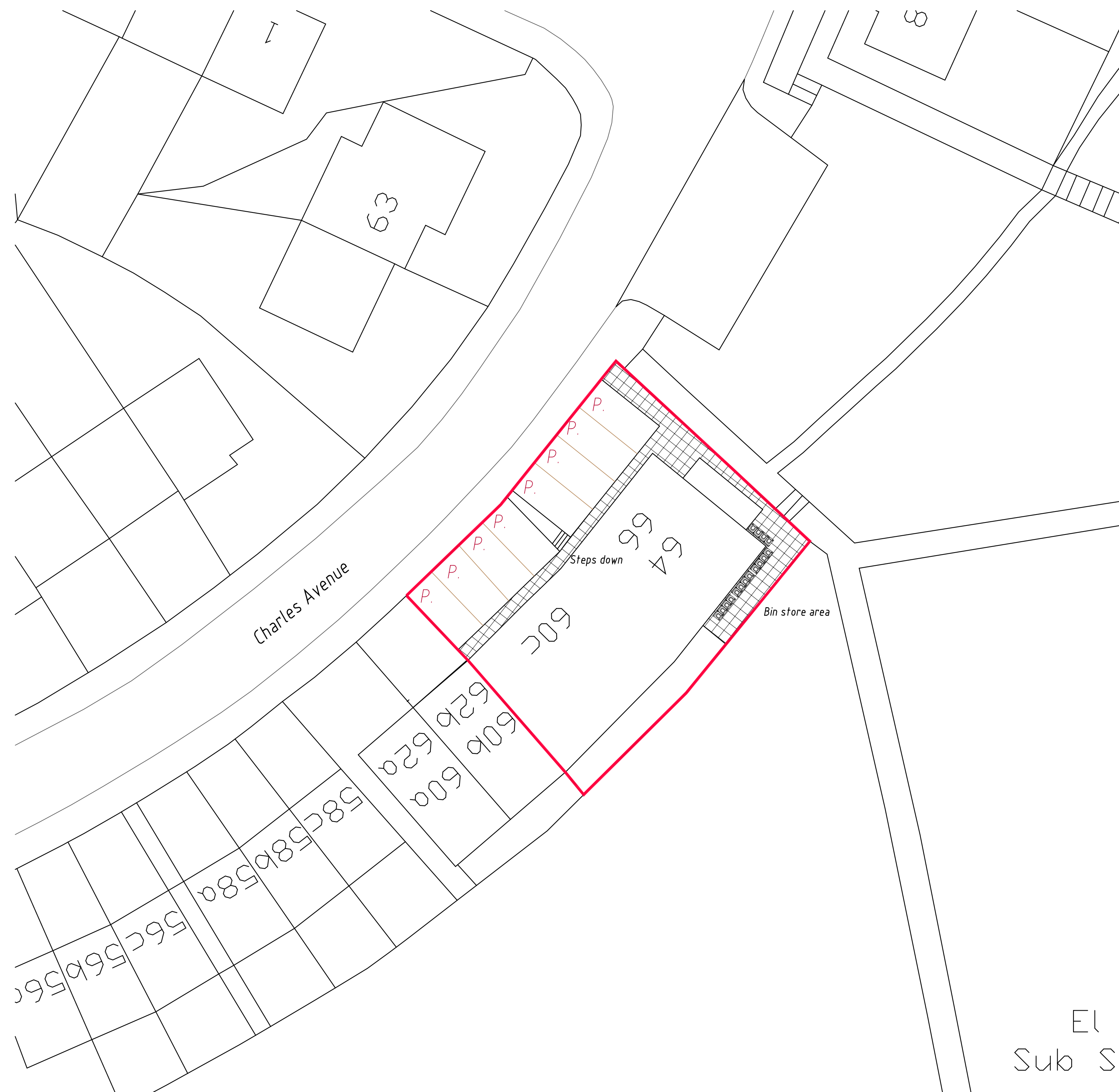
DRAFT REASONS FOR REFUSAL – APPLICATION 0240/FUL/22

Reasons for refusal

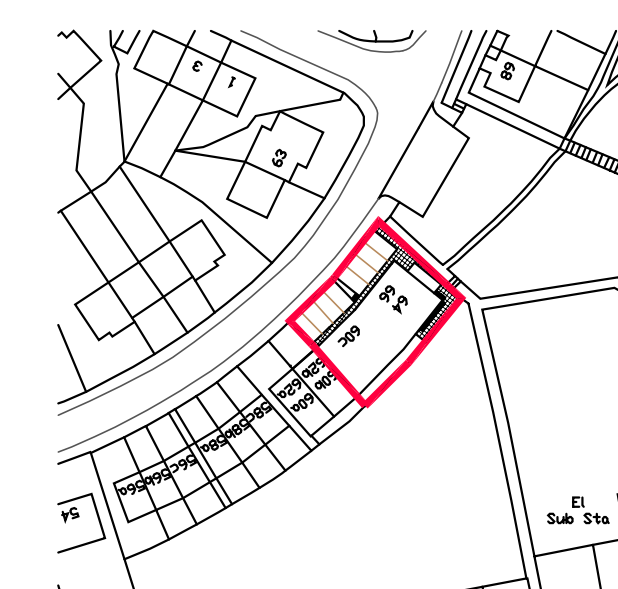
1. The proposed development is unacceptable in that it does not create a satisfactory residential environment but would harm the character of the locality, streetscape and residential amenity.

The proposal would be contrary to policies DES1 (Design Principles), HOU 3 (Infill/Windfall Housing Development within Settlements) nor does it comply with the Supplementary Guidance on Residential Development Guide, of the West Lothian Local Development Plan 2018.

2. The applicant has not submitted a drainage assessment nor has the applicant satisfactorily demonstrated that the surface drainage water can be treated, stored and controlled and as such, the proposal is contrary to Policy EMG 3 (Sustainable Drainage) and the Supplementary Guidance on Flooding and Drainage 2019 of the West Lothian Local Development Plan, 2018.
3. The proposed refuse provision fails to meet the council's standards. The location, access for waste collections and bin provision are not satisfactory. The proposal is therefore contrary to DES1 (Design Principles) of the West Lothian Local Development Plan 2018) nor does it comply with the Supplementary Guidance on Residential Development Guide.
4. Inadequate details were provided in relation to the changes in ground levels for the proposed parking provision. The proposal is therefore contrary to both DES1 (Design Principles), HOU 3 (Infill/Windfall Housing Development within Settlements) nor does it comply with the Supplementary Guidance on Residential Development Guide, of the West Lothian Local Development Plan 2018.



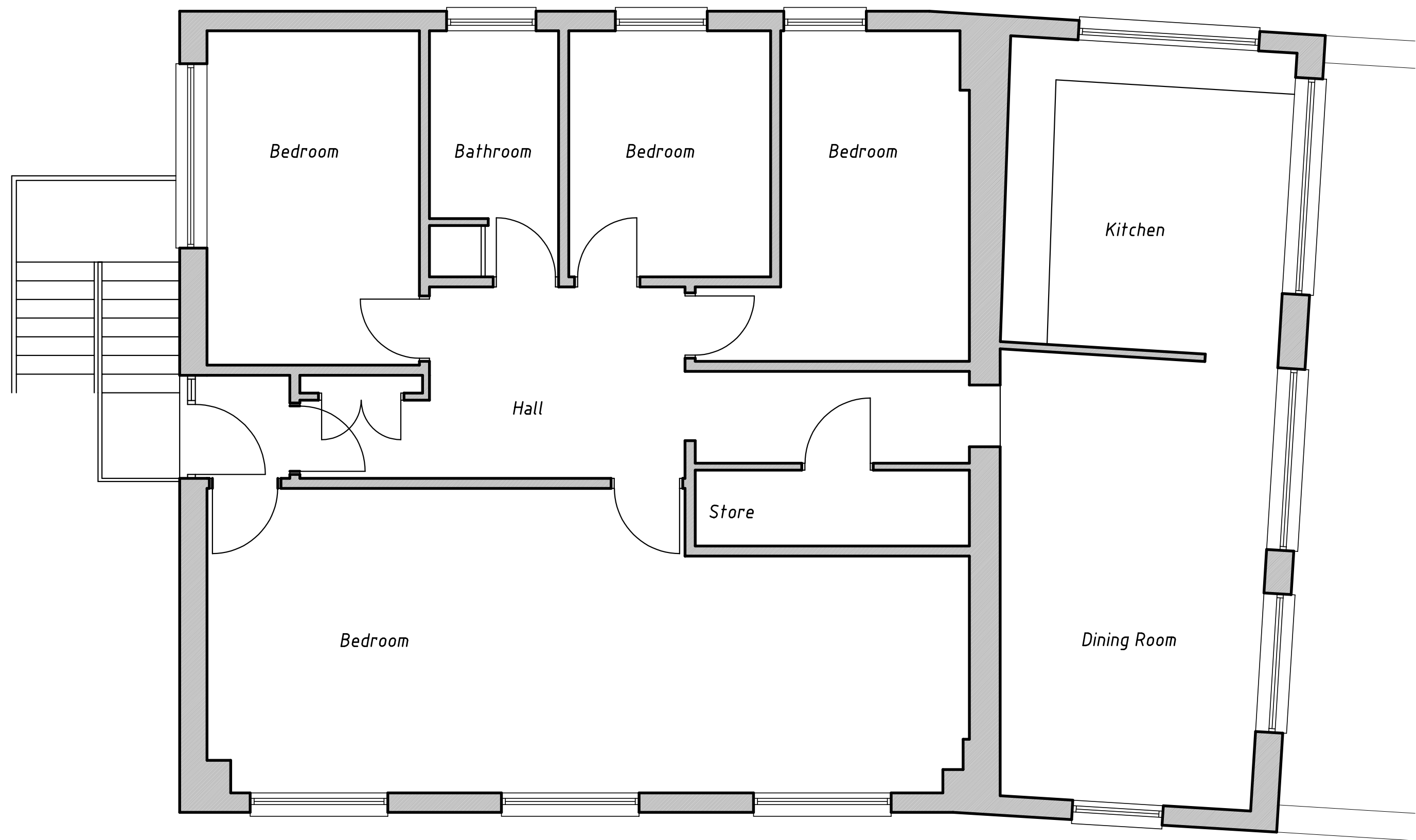
Block Plan 1:500



Location Plan 1:1250



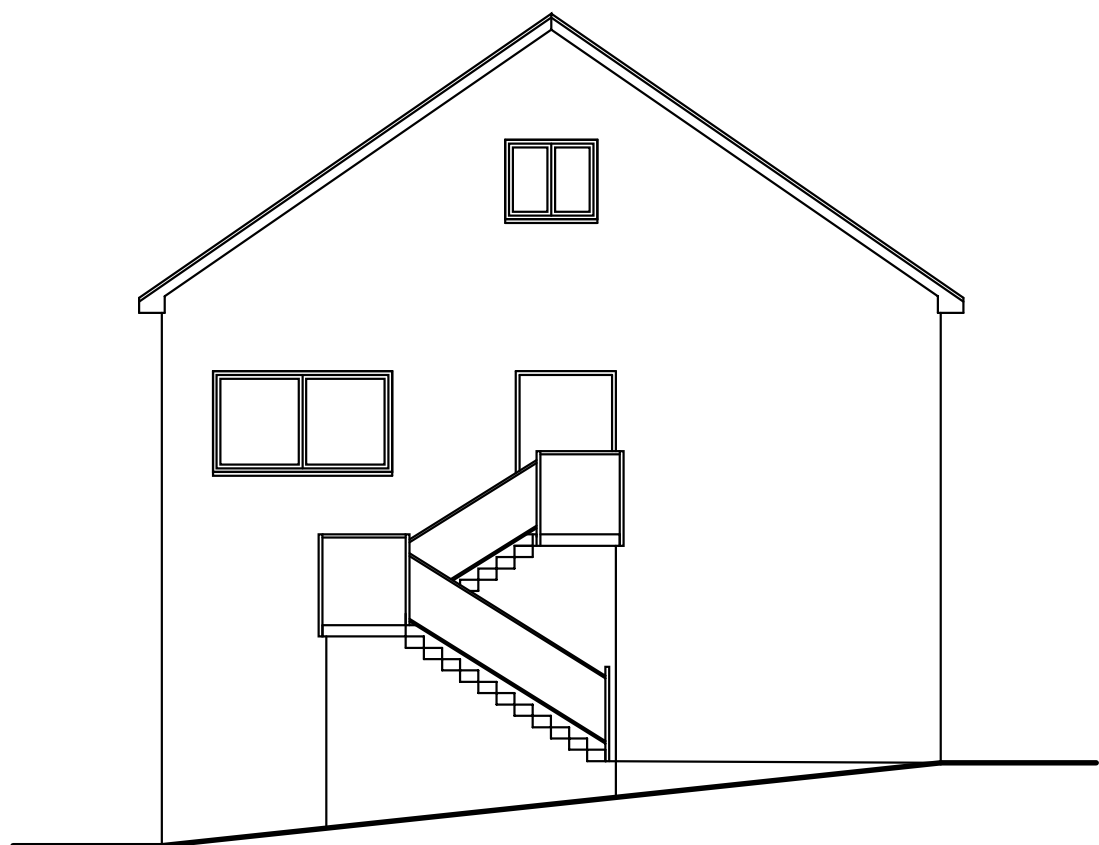
title: <i>Block and Location Plan</i>	
client: <i>Tillot Developments</i>	
project: <i>Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate</i>	
scale: <i>as noted @A1</i>	date: <i>Jun 21</i>
drawing number: <i>21/008/PL01A</i>	
HARDIE ASSOCIATES Ltd.	
78 HOPETOWN STREET BATHGATE WEST LOTHIAN EH48 4PD tel: 01506 633979 email: charlie@hardie-associates.co.uk copyright : Hardie Associates Ltd.	



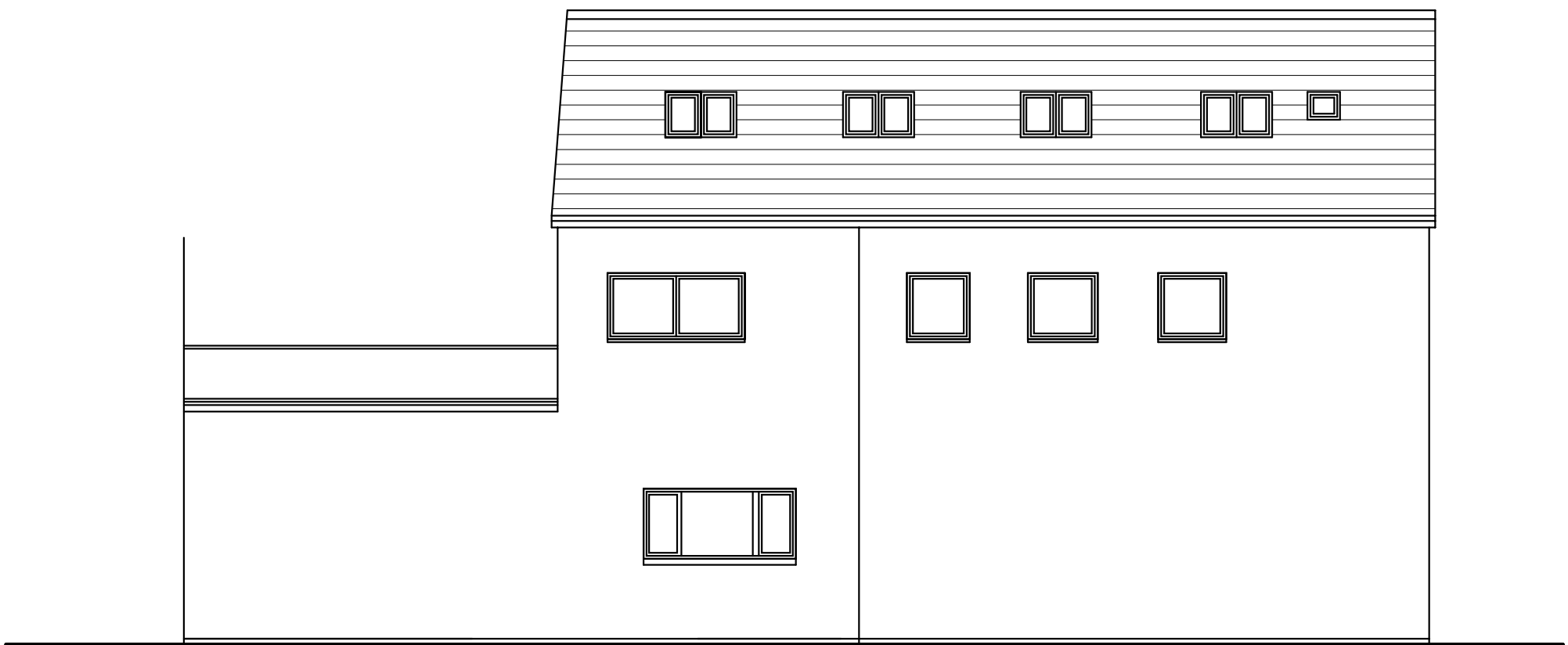
First Floor Plan 1:50



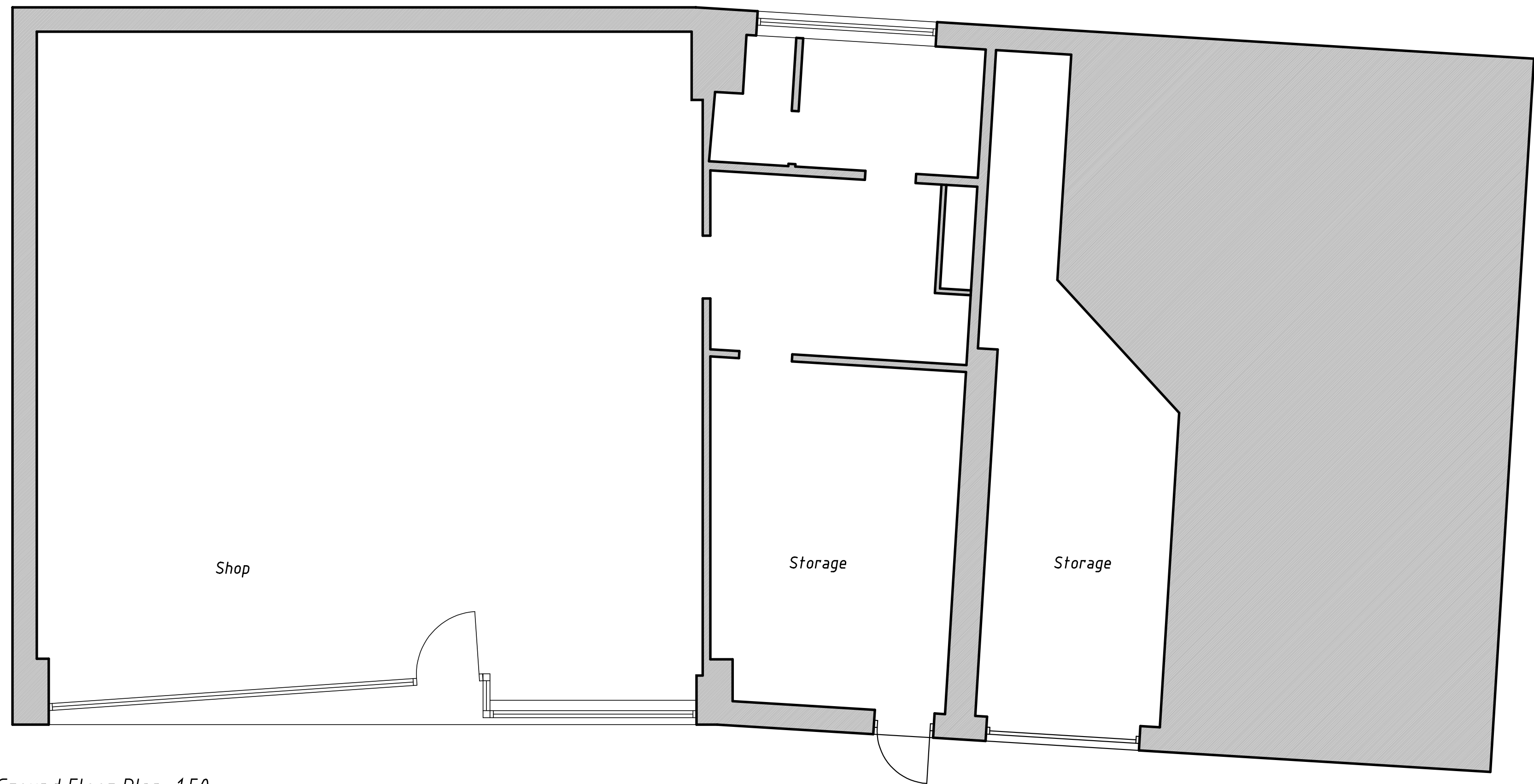
Front Elevation (1:100)



Rear Elevation (1:100)

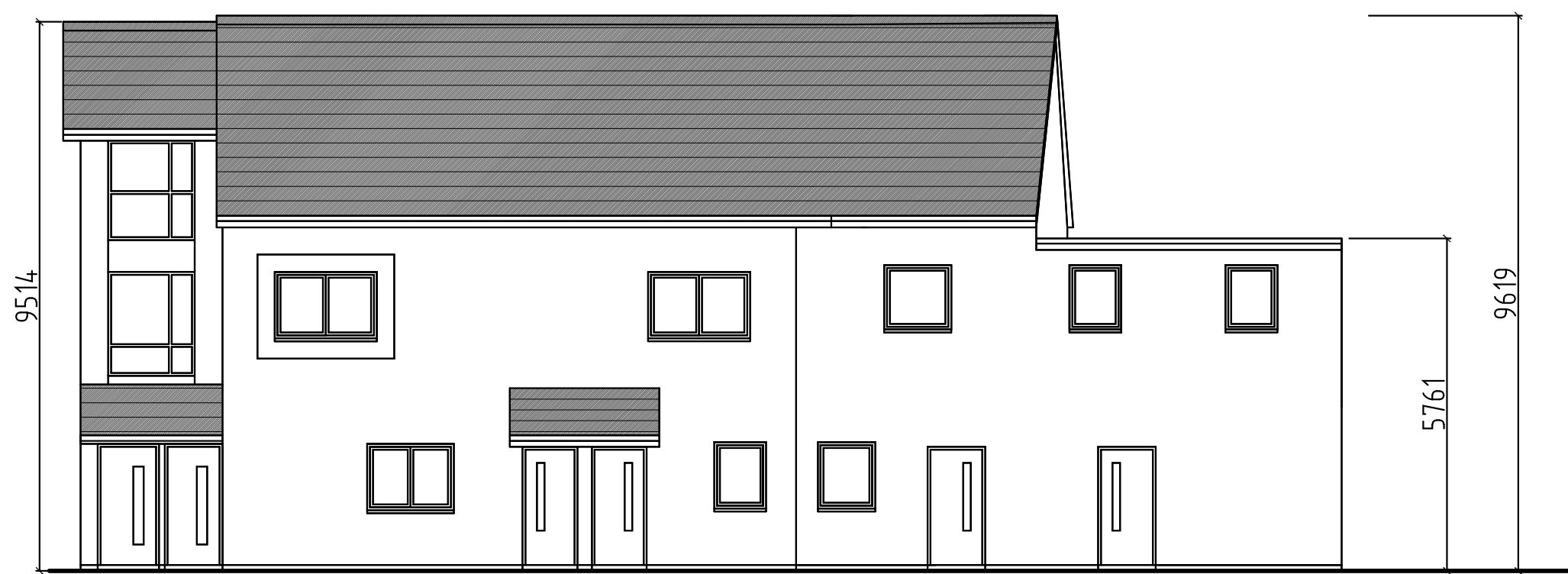


Rear Elevation (1:100)

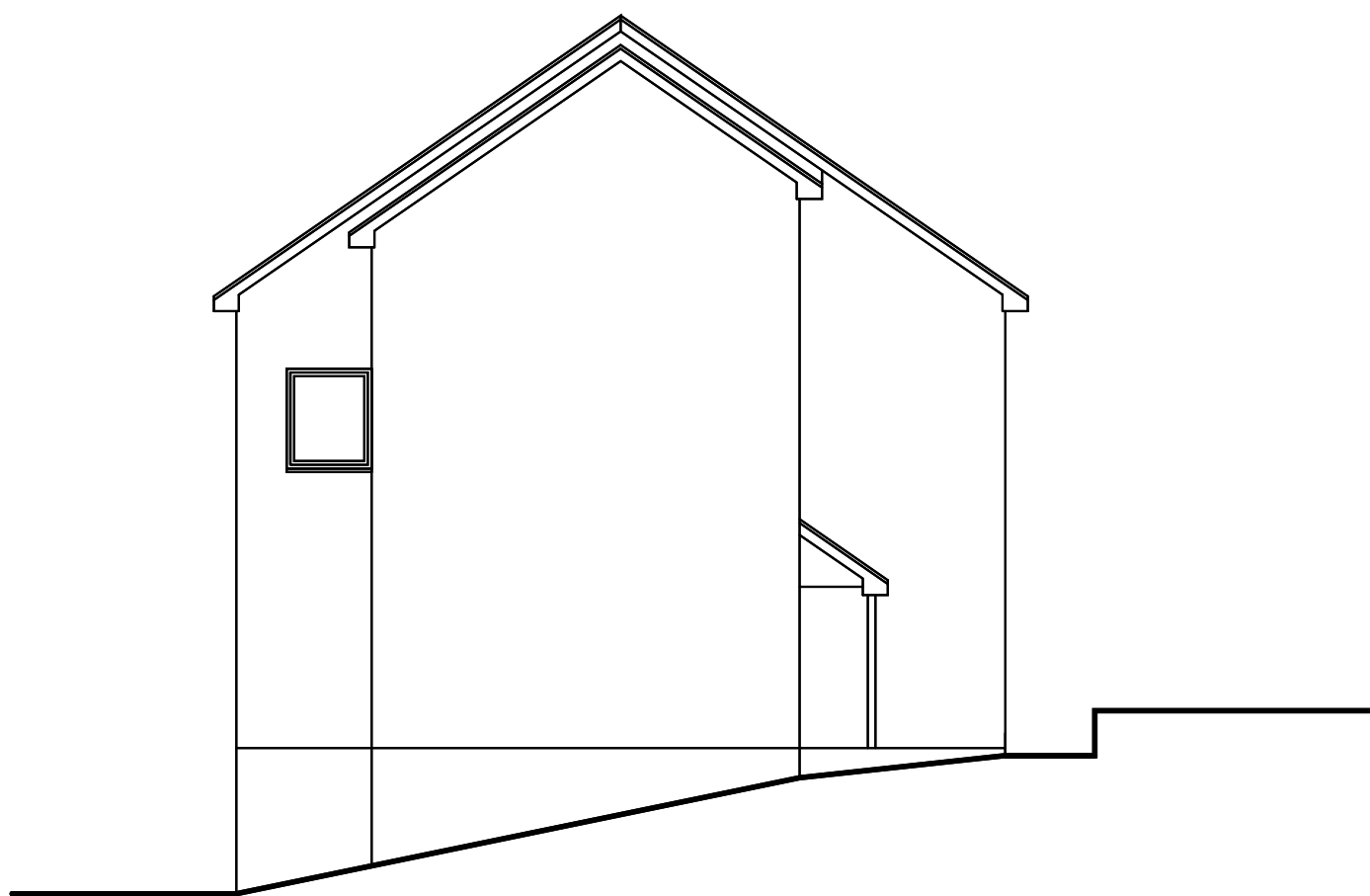


Ground Floor Plan 1:50

title: Existing Plans & Elevations	
client: Tilloch Developments	
project: Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate	
scale: 1:50/1:100 @ A1	date: Aug 21
drawing number: 21/008/EX01	
HARDIE ASSOCIATES Ltd.	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD tel: 01506 63979 email: chardie@hardie-associates.co.uk copyright : Hardie Associates Ltd.	



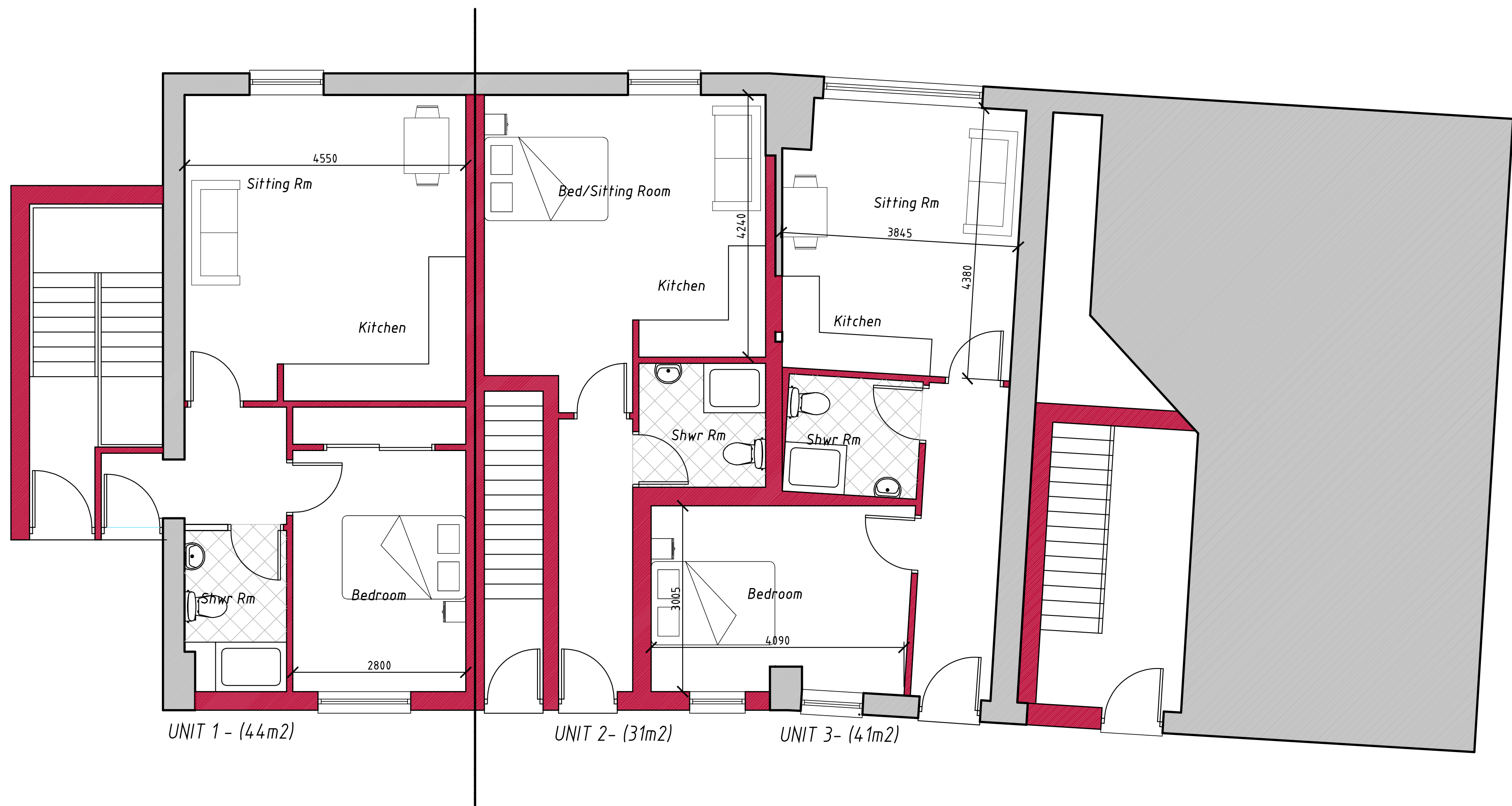
Front Elevation (1:100)



Side Elevation (1:100)

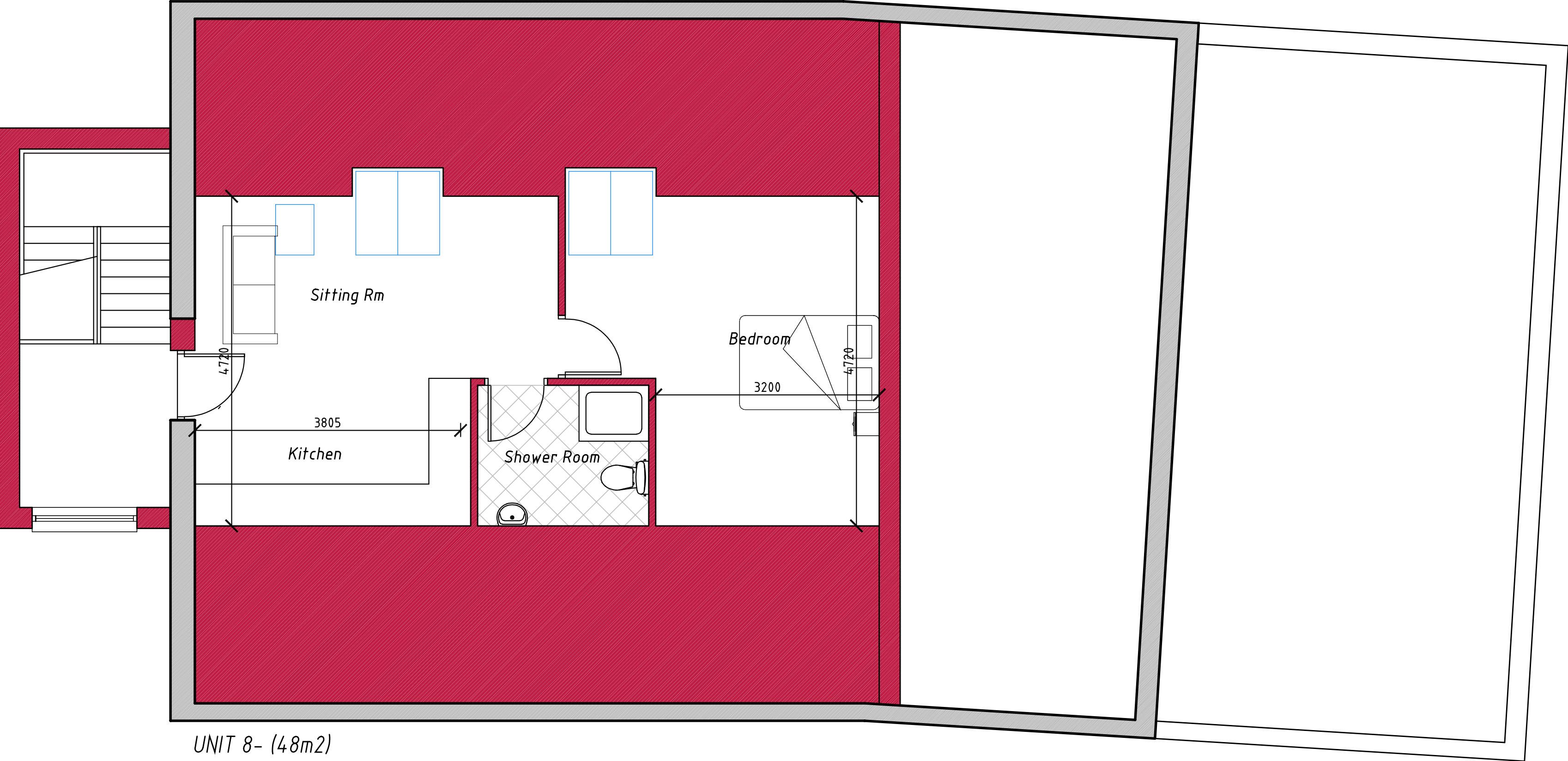


Rear Elevation (1:100)



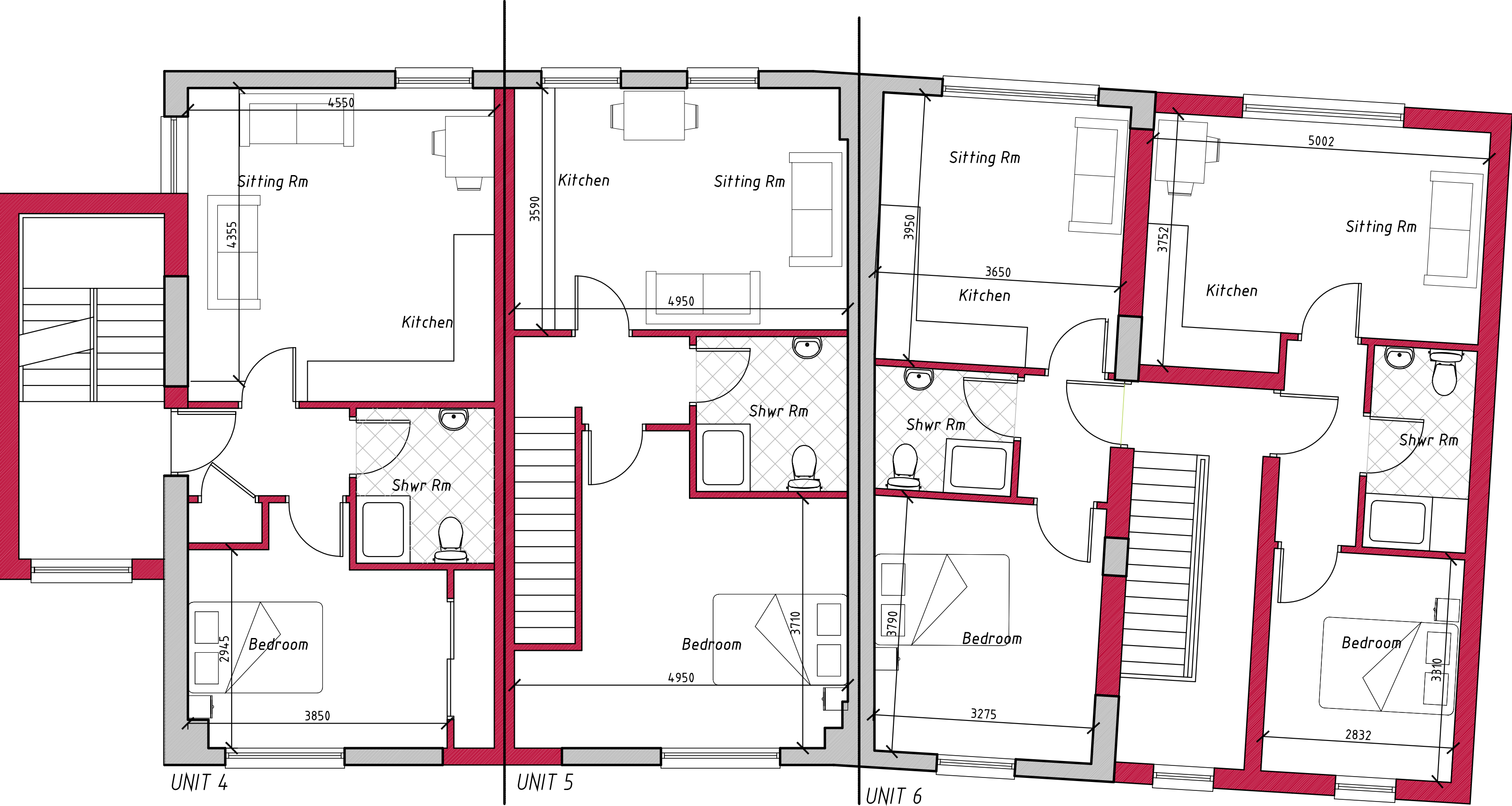
Ground Floor Plan 1:50

title: GF Plan & Elevations	
client: Tilloch Developments	
project: Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate	
scale: 1:50/1:100 @ A1	date: Jun 21
drawing number: 21/008/PL02B	
HARDIE ASSOCIATES Ltd.	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD tel: 01506 633979 email: charlie@hardie-associates.co.uk copyright : Hardie Associates Ltd.	



UNIT 8- (48m2)

Second Floor Plan 1:50



UNIT 4

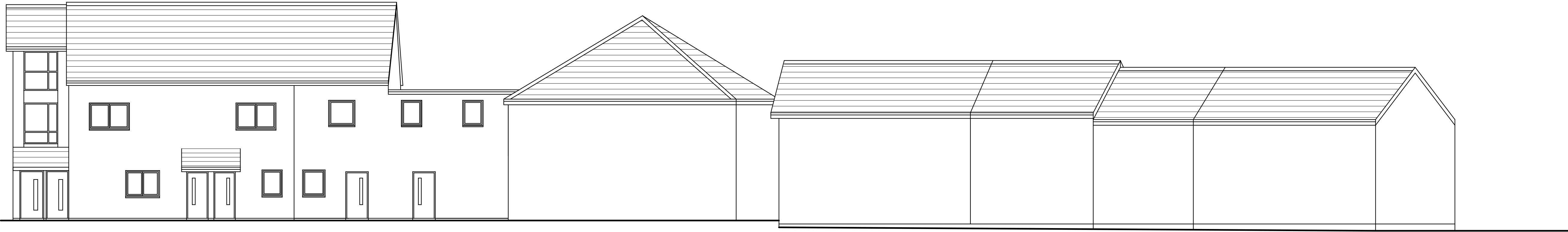
UNIT 5

UNIT 6

UNIT 7

First Floor Plan 1:50

title: <i>First & Second Floor Plan</i>	
client: <i>Tilloch Developments</i>	
project: <i>Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate</i>	
scale: <i>1:50 @ A1</i>	date: <i>Jun 21</i>
drawing number: <i>21/008/PL03</i>	
HARDIE ASSOCIATES Ltd.	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD	
tel: 01506 633979 email : chardie@hardie-associates.co.uk copyright : Hardie Associates Ltd.	



Street Elevation (1:100)

title: <i>Street Elevation</i>	
client: <i>Tilloch Developments</i>	
project: <i>Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate</i>	
scale: <i>1:50/1:100 @ A1</i>	date: <i>Mar 22</i>
drawing number: <i>21/008/PL05</i>	
<div>HARDIE ASSOCIATES Ltd.</div>	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD <small>tel: 01506 639779 email: charlie@hardie-associates.co.uk copyright: Hardie Associates Ltd.</small>	



**West Lothian
Council**

**Planning Services
Development Management Committee**

☒ LOCAL MEMBER REFERRAL REQUEST ☒

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

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

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
Application Reference Number 0240/Ful/22	Applicant RequestX
Site Address 64-66 Charles Crescent Bathgate West Lothian EH48 1JG	Constituent Request
Title of Application Change of use of shop and upper flat with extensions and alterations to building to form 8 flats	Other (please specify) <input type="checkbox"/>
Member's Name Cllr Willie Boyle	
Date 25/05/22	

Development Management Committee

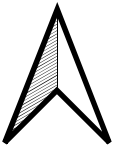
06 July 2022

Item 8 - Application : 0240/FUL/22

Change of use of shop and upper flat with extensions and alterations to building to form 8 flats

64-66 Charles Crescent / Bathgate / EH48 1JG







**West Lothian
Council**

0240/FUL/22- 64-66 Charles Crescent / Bathgate EH48 1JG

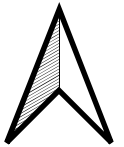
Development Management - West Lothian Civic Centre - EH54 6FF

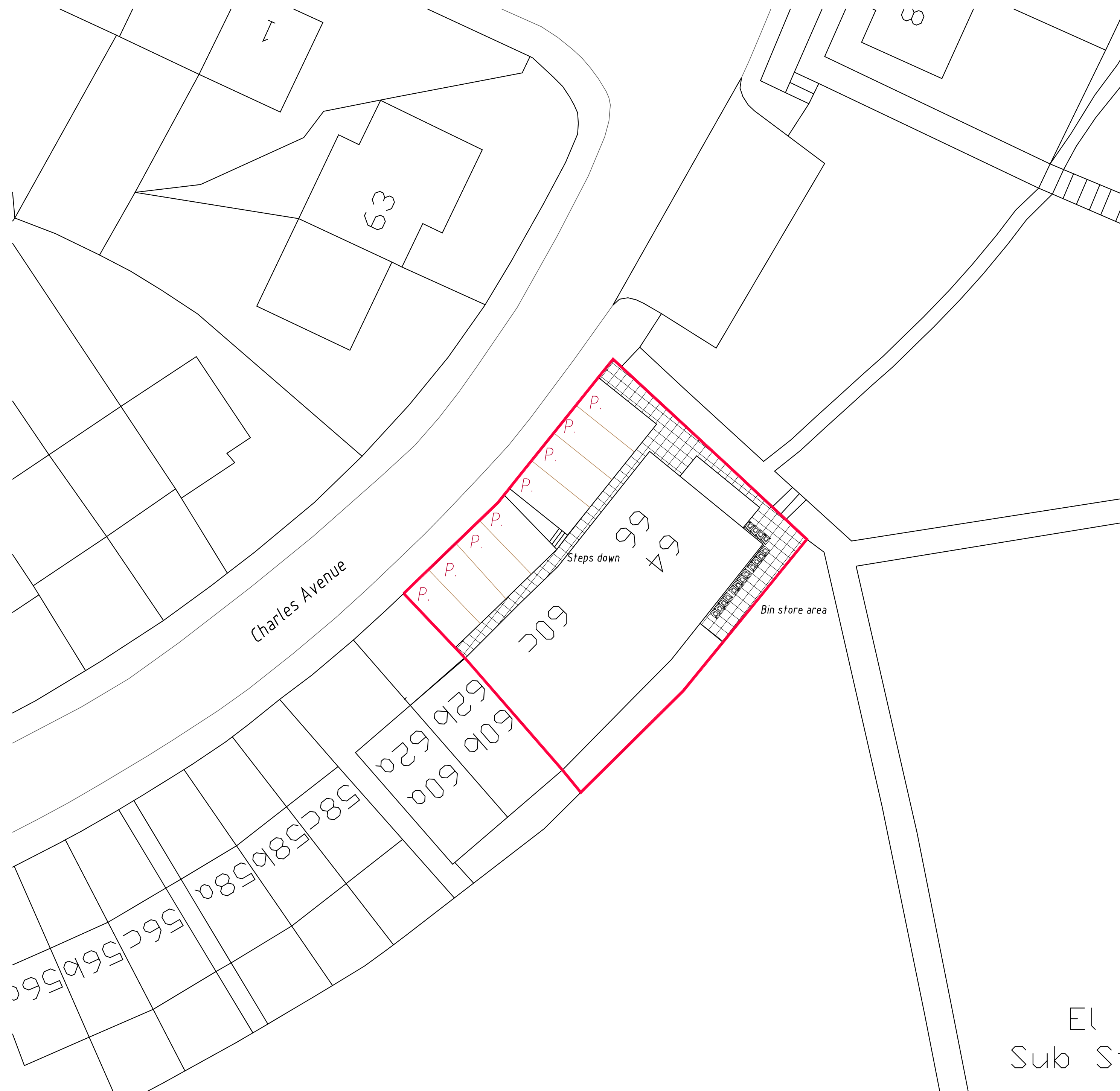
(c) Crown copyright and database right 2022 OS Licence number 100037194

25

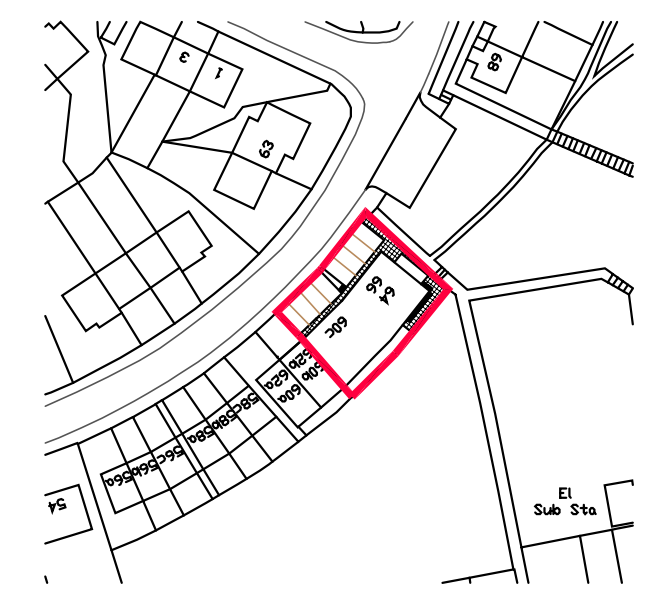
0

25 m



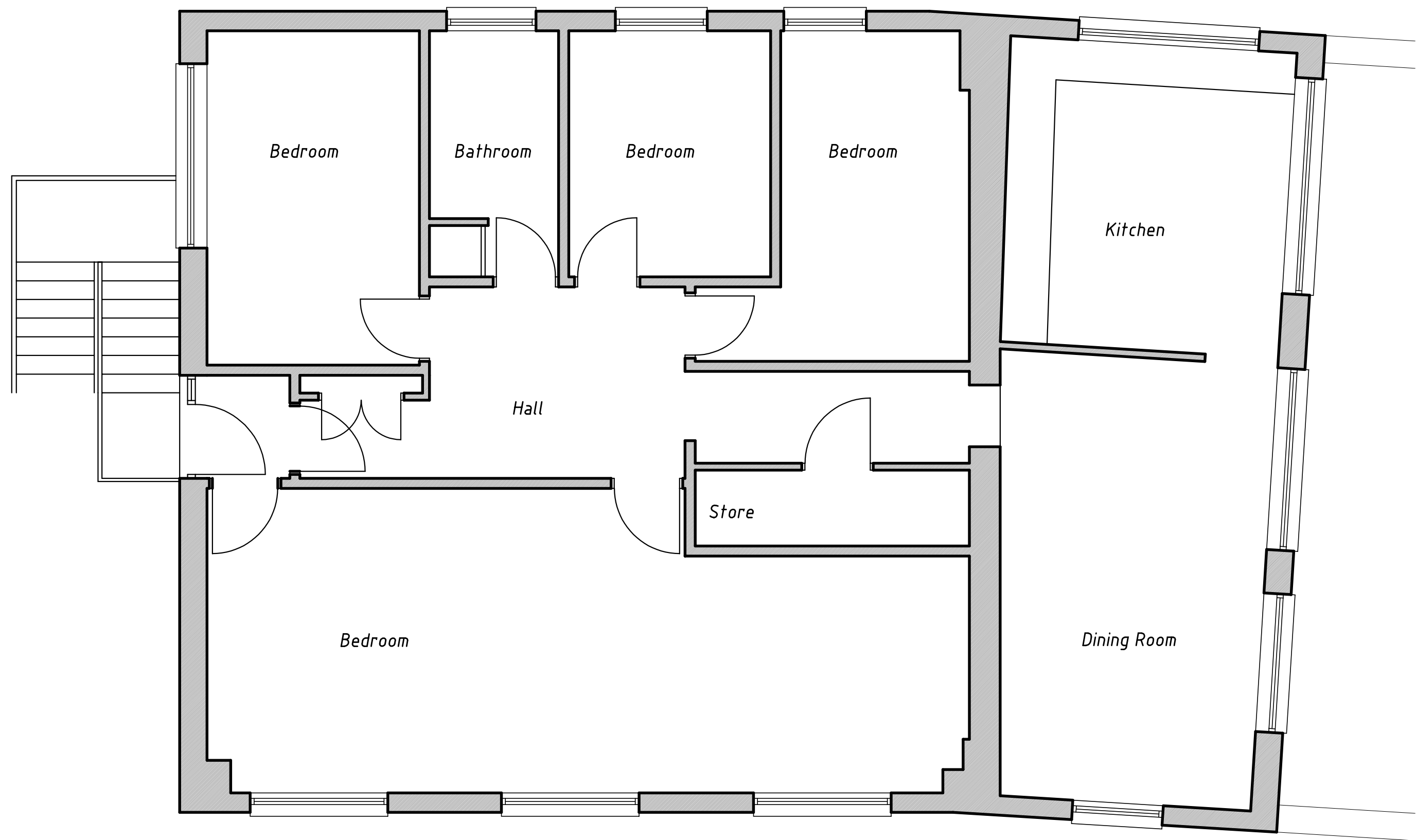


Block Plan 1:500



Location Plan 1:1250

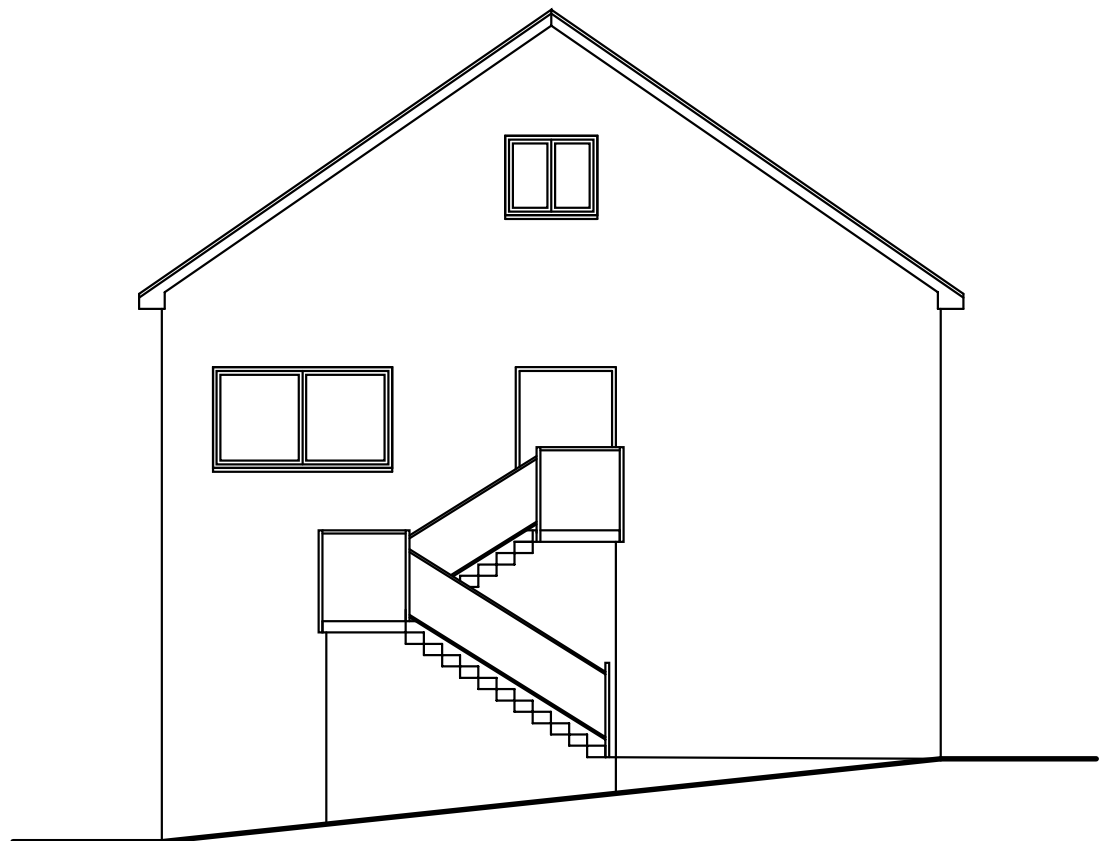
title: <i>Block and Location Plan</i>	
client: <i>Tilloch Developments</i>	
project: <i>Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate</i>	
scale: <i>as noted @A1</i>	date: <i>Jun 21</i>
drawing number: <i>21/008/PL01A</i>	
HARDIE ASSOCIATES Ltd.	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD tel: 01506 439779 email: chardie@hardie-associates.co.uk copyright : Hardie Associates Ltd.	



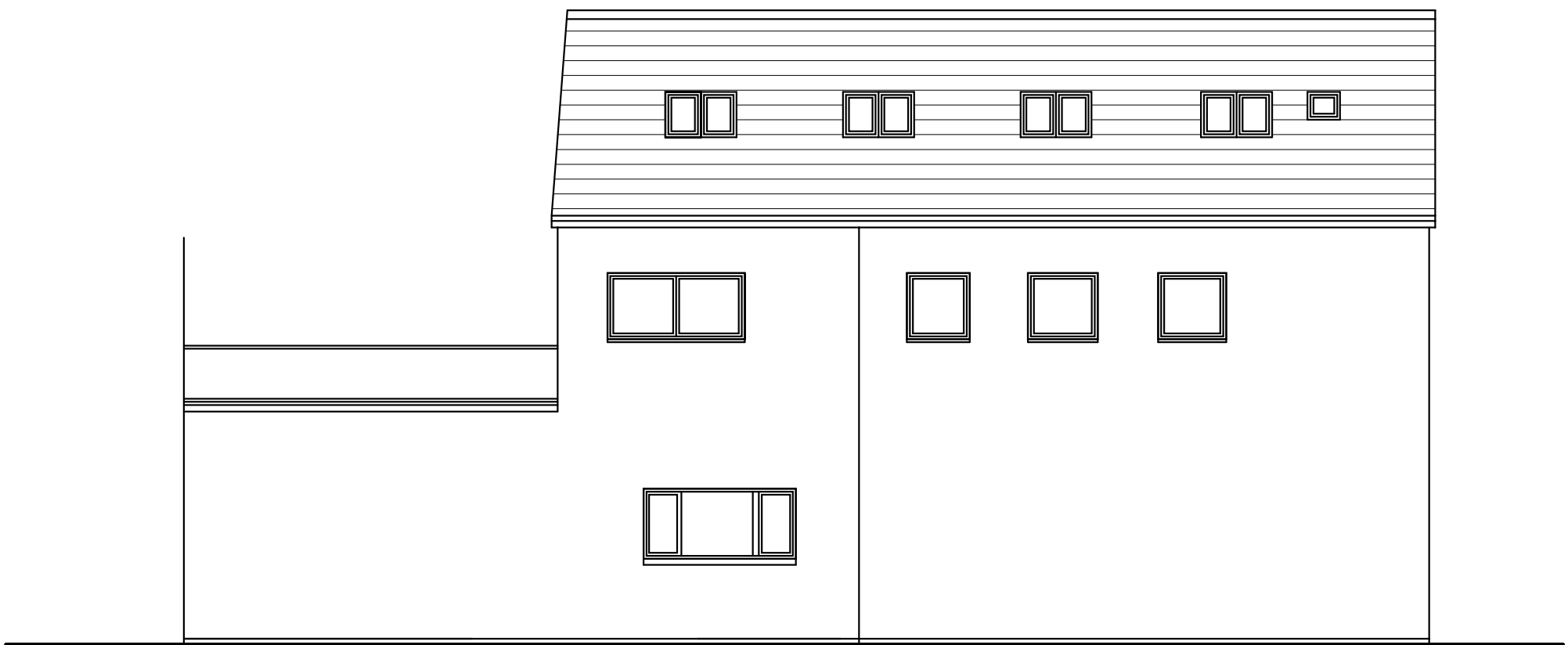
First Floor Plan 1:50



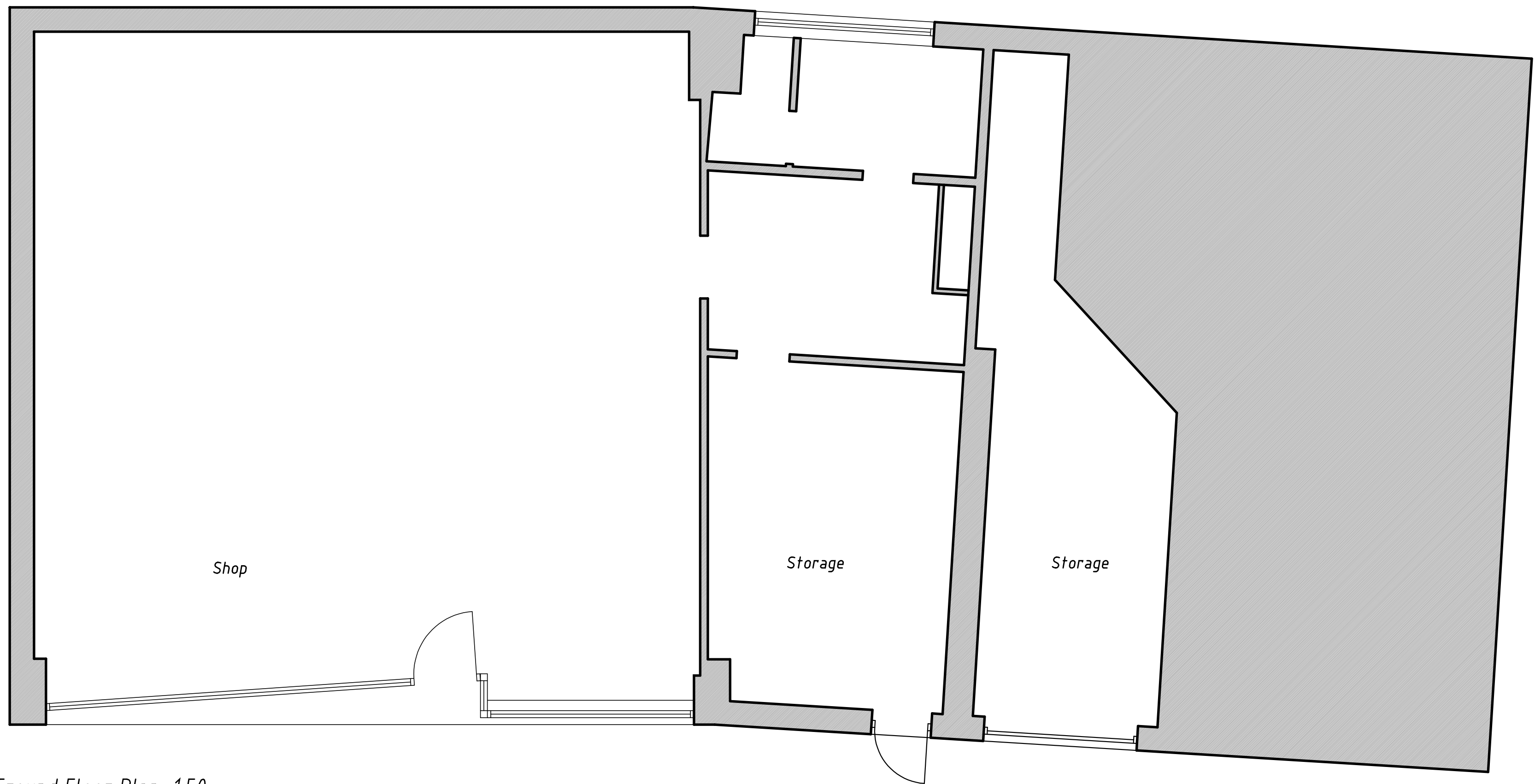
Front Elevation (1:100)



Rear Elevation (1:100)

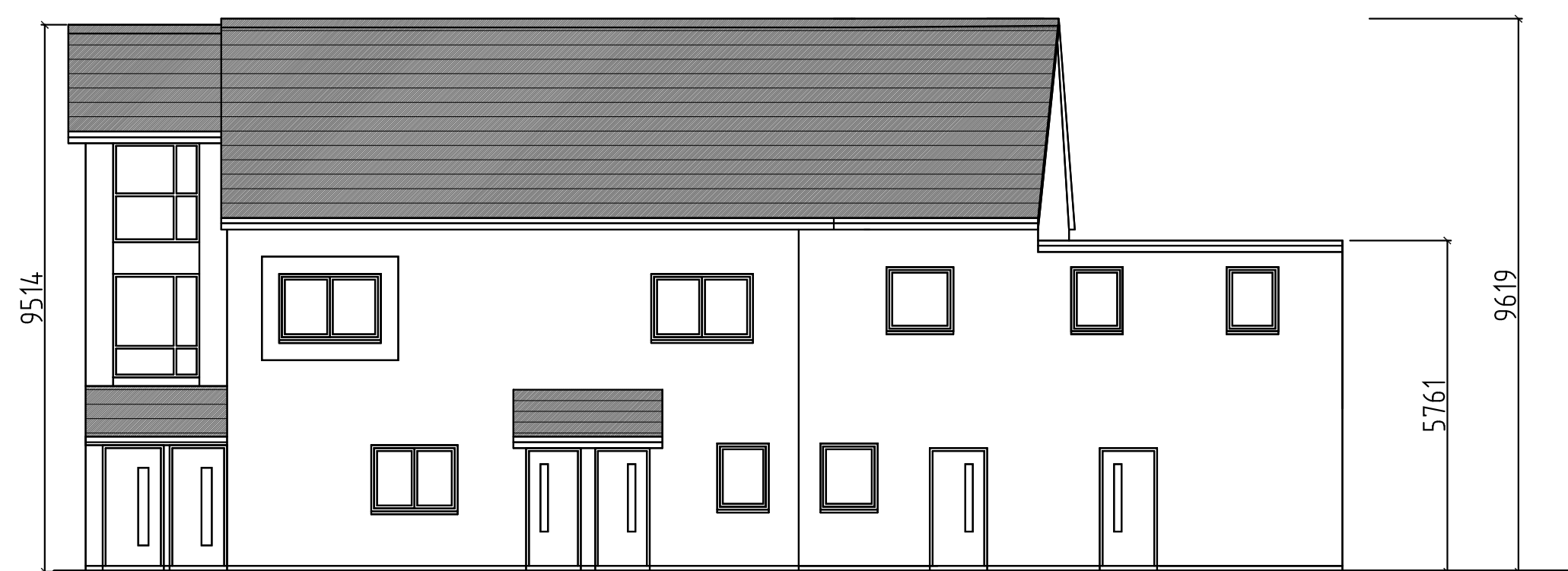


Rear Elevation (1:100)

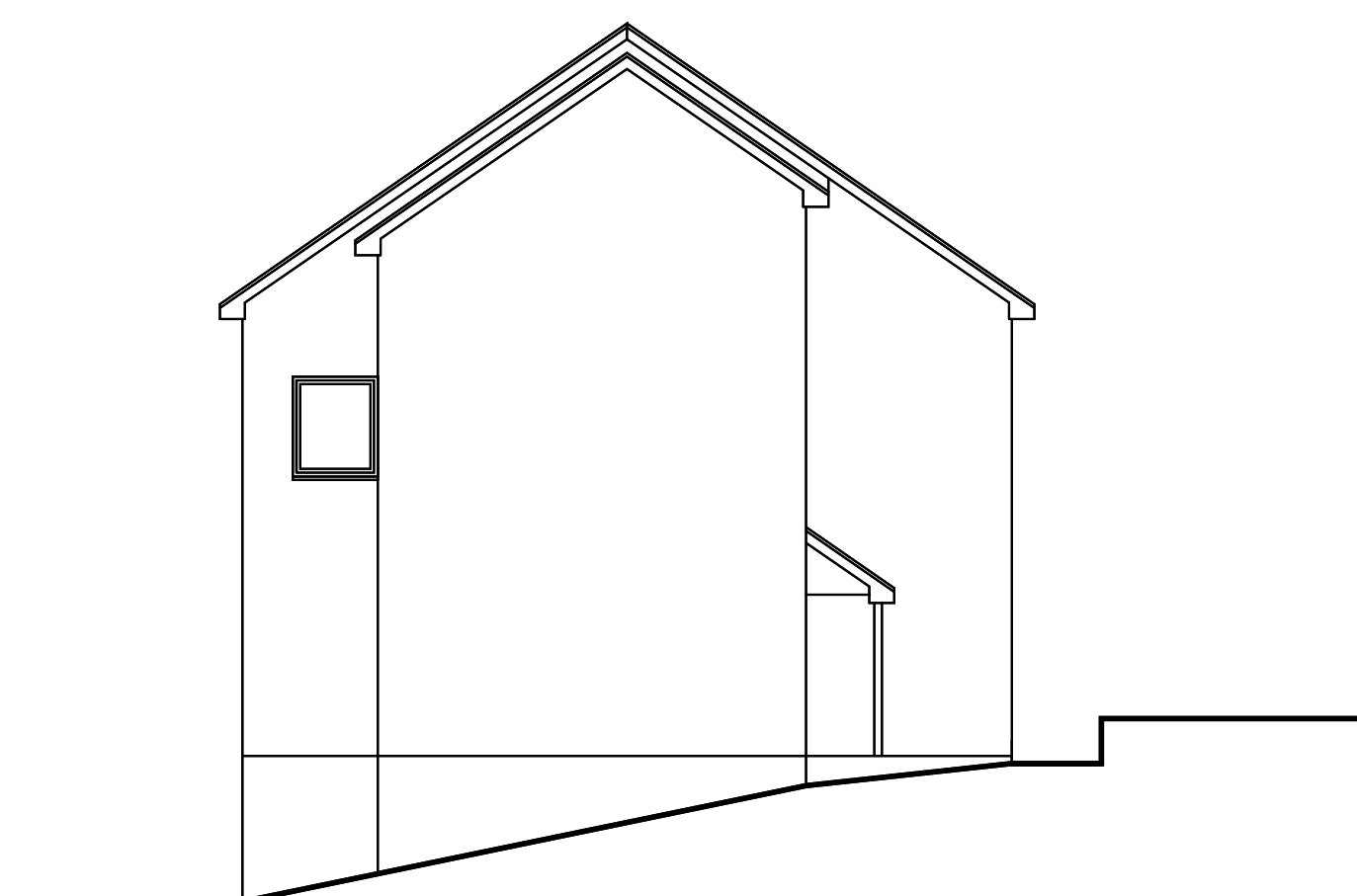


Ground Floor Plan 1:50

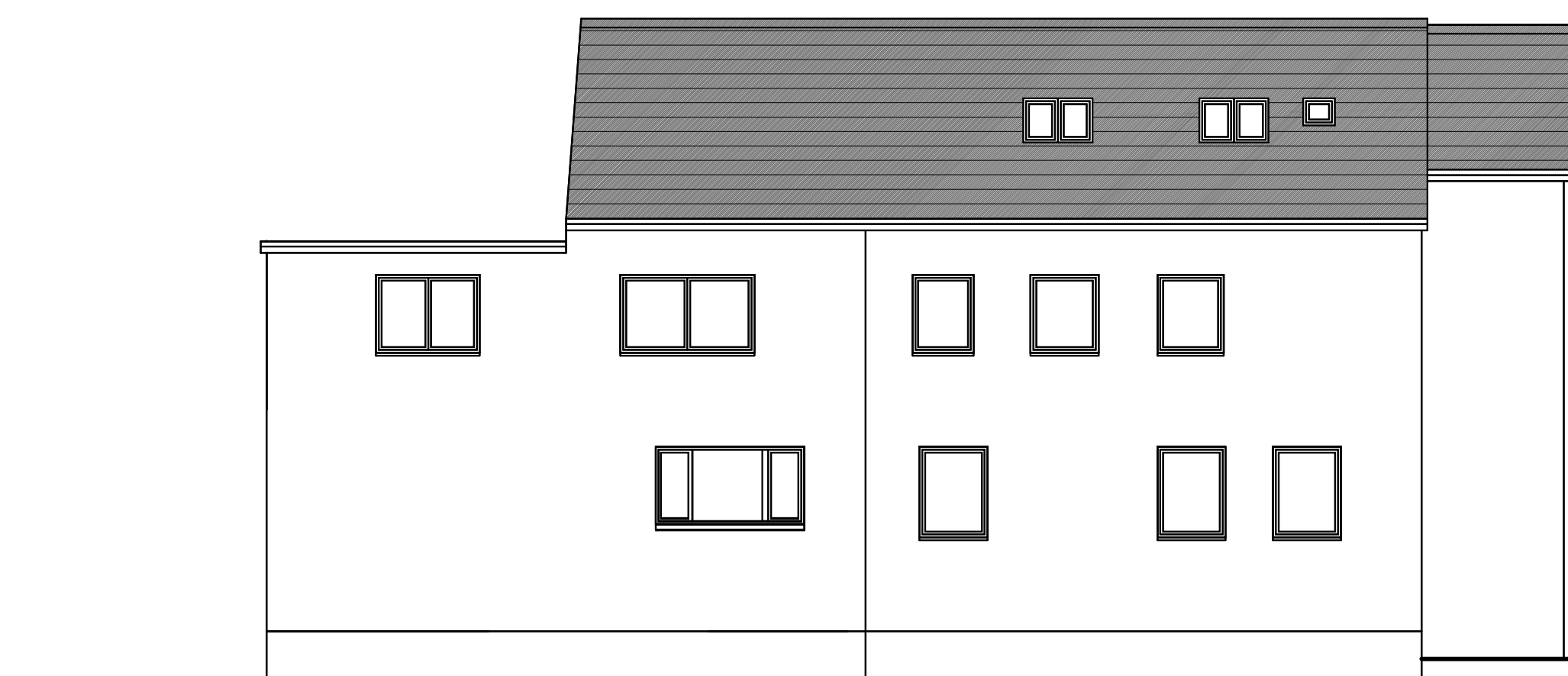
title: Existing Plans & Elevations	
client: Tilloch Developments	
project: Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate	
scale: 1:50/1:100 @ A1	date: Aug 21
drawing number: 21/008/EX01	
HARDIE ASSOCIATES Ltd.	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD tel: 01506 63979 email: chardie@hardie-associates.co.uk copyright : Hardie Associates Ltd.	



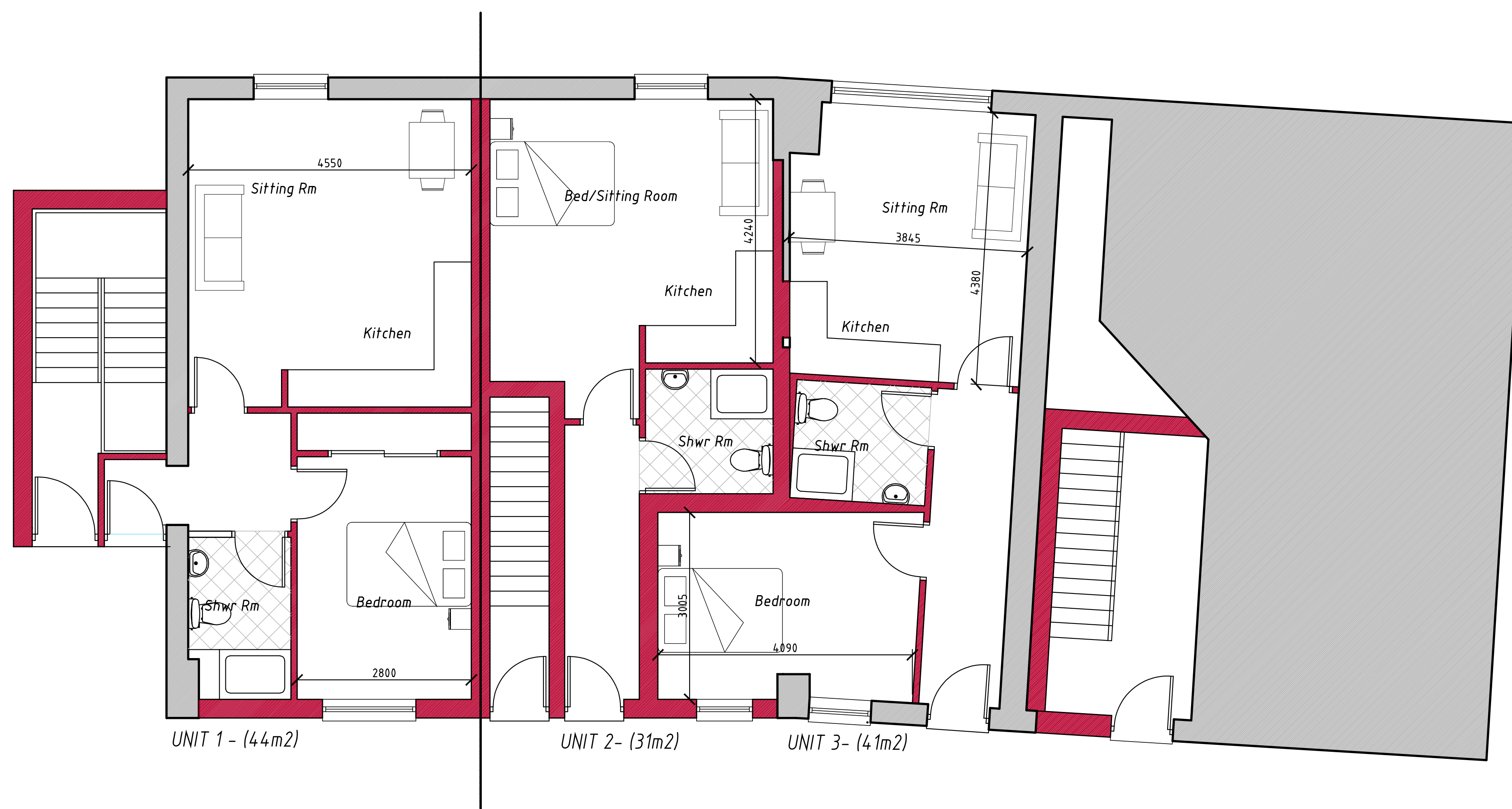
Front Elevation (1:100)



Side Elevation (1:100)

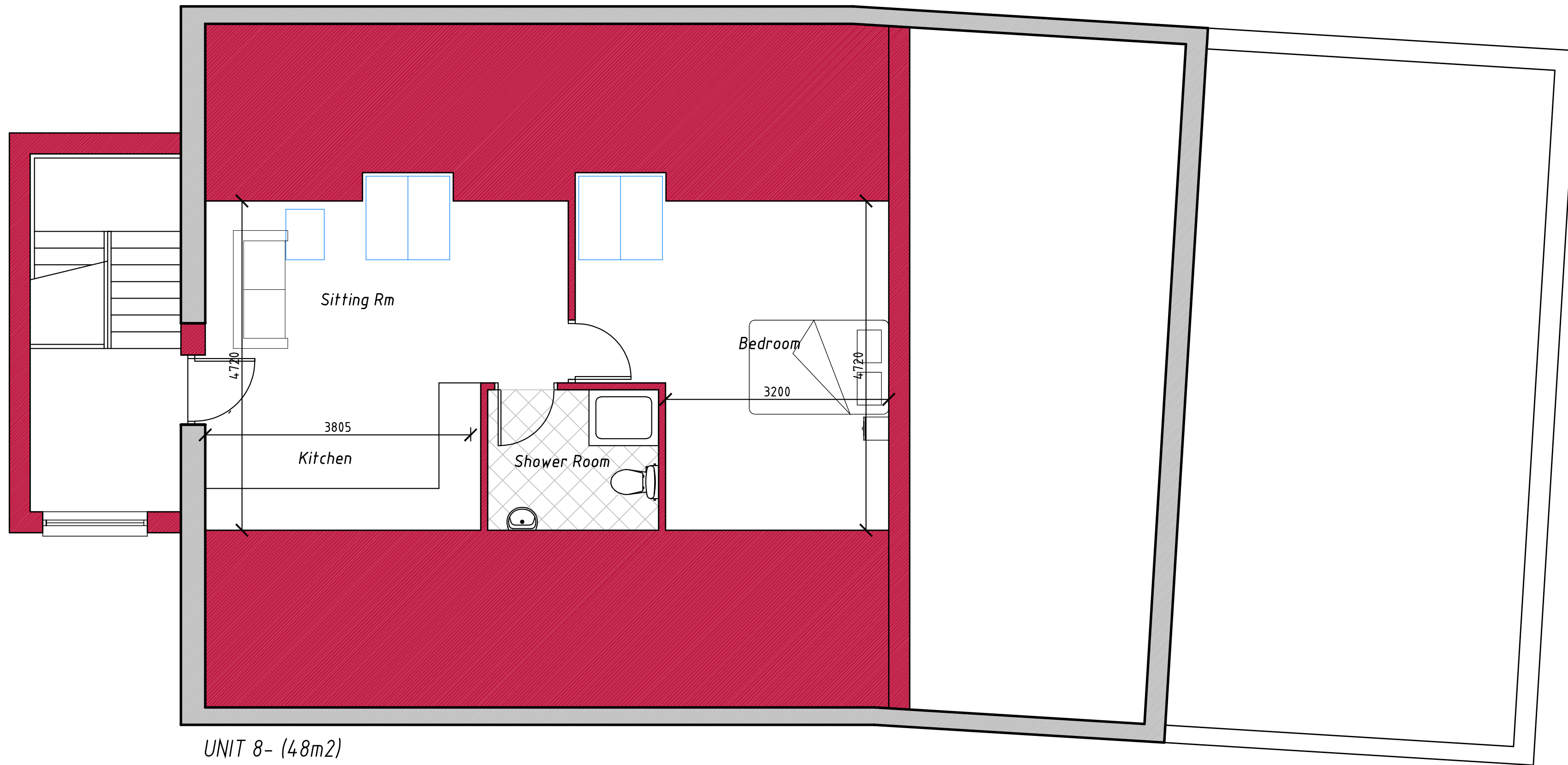


Rear Elevation (1:100)



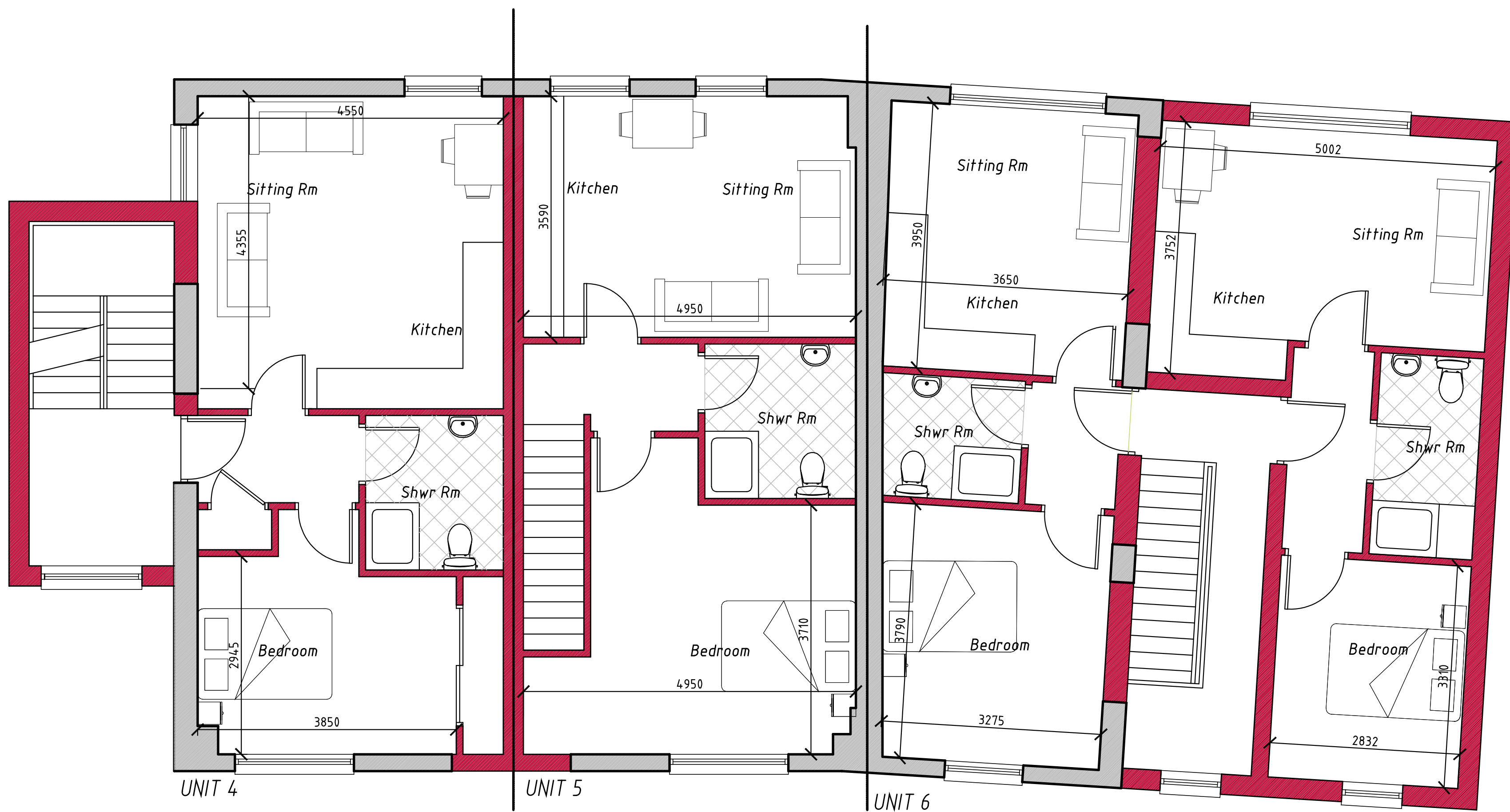
Ground Floor Plan 1:50

title: GF Plan & Elevations	
client: Tilloch Developments	
project: Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate	
scale: 1:50/1:100 @ A1	date: Jun 21
drawing number: 21/008/PL02B	
HARDIE ASSOCIATES Ltd.	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD	
tel: 01506 633979 email: charlie@hardie-associates.co.uk copyright : Hardie Associates Ltd.	



UNIT 8- (48m2)

Second Floor Plan 1:50



UNIT 4

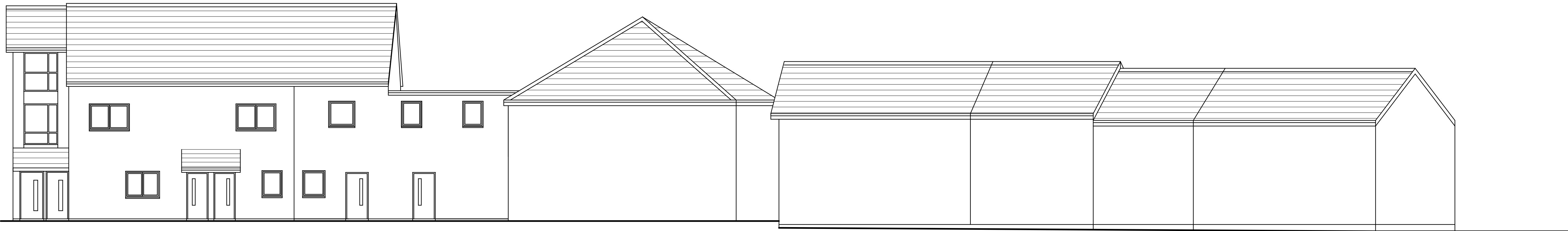
UNIT 5

UNIT 6

UNIT 7

First Floor Plan 1:50

title: <i>First & Second Floor Plan</i>	
client: <i>Tilloch Developments</i>	
project: <i>Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate</i>	
scale: <i>1:50 @ A1</i>	date: <i>Jun 21</i>
drawing number: <i>21/008/PL03</i>	
HARDIE ASSOCIATES Ltd.	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD	
tel: 01506 633979 email: chardie@hardie-associates.co.uk copyright : Hardie Associates Ltd.	



Street Elevation (1:100)

title: <i>Street Elevation</i>	
client: <i>Tilloch Developments</i>	
project: <i>Conversion & Extension to form 7 flats 64-66 Charles Crescent Bathgate</i>	
scale: <i>1:50/1:100 @ A1</i>	date: <i>Mar 22</i>
drawing number: <i>21/008/PL05</i>	
<div>HARDIE ASSOCIATES Ltd.</div>	
78 HOPETOUN STREET BATHGATE WEST LOTHIAN EH48 4PD <small>tel: 01506 639779 email: charlie@hardie-associates.co.uk copyright: Hardie Associates Ltd.</small>	









DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Erection of a single storey extension at Green Tree Tavern, 45 East Main Street, Broxburn.

2 DETAILS

Reference no.	0320/FUL/22	Owner of site	GT Tavern Limited
Applicant	GT Tavern Limited Green Tree Tavern 45 East Main Street Broxburn EH52 5AB	Ward & local members	Broxburn, Uphall & Winchburgh Councillor Angela Doran-Timson Councillor Diane Calder Councillor Janet Campbell Councillor Ann Davidson
Case officer	Rachael Lyall	Contact details	01506 281110 Rachael.lyall@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Diane Calder

3 RECOMMENDATION

Refuse planning permission.

4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Planning permission is sought for the erection of a single storey rear extension at 45 East Main Street, Broxburn. The premises are currently a public house and are located on the corner of the junction with Greendykes, within the conservation area.
- 4.2 The submitted plans demonstrate that the proposed public house extension will measure 5.300m x 4.500m and 2.475m in overall height from ground level to the eaves of the proposed flat canopy roof. The extension is to feature glazed screens and a double door on one of the side elevations, and bi-folding patio doors on the rear (north) elevation, which will lead out to an open seating area, which is currently being used as a beer garden. There is no record of planning permission for the beer garden.
- 4.3 The proposal also includes re-building an external masonry wall in order to enclose a storage area.

History

4.5 The relevant site history is set out below:

- LIVE/1172/FUL/06 - Erection of smoking shelter to rear – Granted Conditional Planning Permission on 28th December 2006
- LIVE/0122/A/14 - Erection of a fascia sign – Refused Advertisement Consent on 21st March 2014
- 0765/FUL/18 – Erection of public art – Granted on 18th September 2018

EIA Development

4.6 The scale and nature of the development is such that it does not fall within the description of development set out in Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017 (EIA Regulations).

Equalities Impact

4.7 The application has been assessed and has no impact in terms of equalities or human rights.

5. REPRESENTATIONS

5.1 No objections were received.

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 Environmental Health	Yes	The development has the potential to create noise disturbance when in construction and in use as part of the licensed premises given the close proximity of residential dwellings.	Noted. Recommended to refuse planning permission.

7. PLANNING POLICY

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

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

7.3 The relevant development plan policies are listed below:

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018) DES1 - Design Principles	All development proposals will require to take account of and be integrated with the local context and built form.	The proposal will impact upon the surrounding context and the character and amenity of the area as a result of noise and will have an adverse impact upon the local community.	No
West Lothian Local Development Plan (LDP) (2018) ENV24 – Conservation Areas	New development will not be permitted which would have any adverse effect on their character and appearance.	The proposed works will not impact on the visual amenity of the conservation area.	Yes
West Lothian Local Development Plan (LDP) (2018) TCR3 - Commercial Entertainment and Hot Food Premises	Proposals for most forms of commercial entertainment developments will be supported in principle however it must be demonstrated that there will be no adverse impact on the amenity of adjacent residential properties, or the surrounding area generally, by virtue of noise or disturbance.	The proposed works have the potential to create noise disturbance during construction stages but, more significantly, when in use as part of the licensed premises which will have a detrimental impact on the residential amenity of the dwellings located immediately adjacent the premises.	No
West Lothian Local Development Plan (LDP) (2018) EMG5 - (Noise)	There is a presumption against developments that are likely to generate significant amounts of noise being located adjacent to noise sensitive uses.	The proposal is located close to existing residential properties and the proposal is likely to generate significant amounts of noise when in use by members of the public.	No

7.4 Other relevant policy guidance and documents are listed below:

- Planning and Noise (2017) Supplementary Planning Guidance

8. ASSESSMENT

8.1 The determining issues in respect of this application are listed below:

Residential Amenity

- 8.2 Although the proposed works do not raise any concerns regarding overlooking or overshadowing, the use of the extension would generate significant noise disturbance. Given the close proximity of residential dwellings, Environmental Health has recommended that the application is refused planning permission on the grounds of potential noise disturbance which will significantly and detrimentally impact upon residential amenity.
- 8.3 When considering the potential for noise caused by the proposed works and the impact upon the adjacent residential properties, the works are contrary to Policies TCR3 (Commercial Entertainment and Hot Food Premises), which states that developments and proposals should have no adverse impact on the amenity of adjacent residential properties, or the surrounding area generally, by virtue of noise or disturbance. In addition, the works are also contrary to Policy EMG5 (Noise) as the proposal is likely to generate significant amounts of noise and is located close to noise sensitive developments, such as existing housing.

9. CONCLUSION AND RECOMMENDATION

- 9.1 The proposal does not comply with West Lothian Local Development Plan Policies DES 1 (Design Principles), TCR3 (Commercial Entertainment and Hot Food Premises) and EMG5 (Noise).
- 9.2 It is therefore recommended that planning permission be refused.

10 BACKGROUND REFERENCES & ATTACHMENTS

- Draft Reasons for Refusal
- Location Plan
- Floor Plans & Elevations
- Local Member Referral Form

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

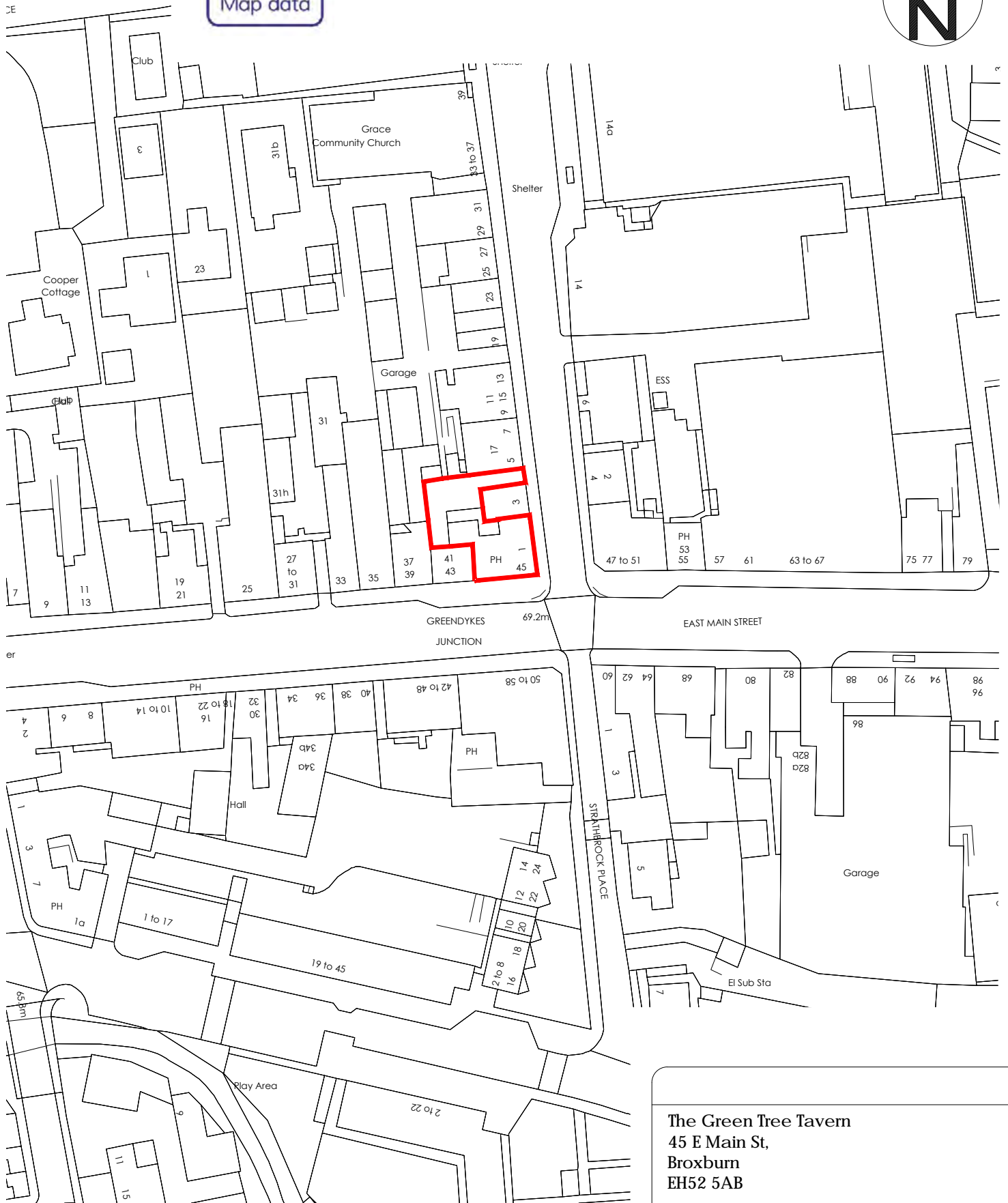
Craig McCorriston
Head of Planning, Economic Development and Regeneration Date: 6th July 2022

DRAFT REASONS FOR REFUSAL – APPLICATION 0320/FUL/22

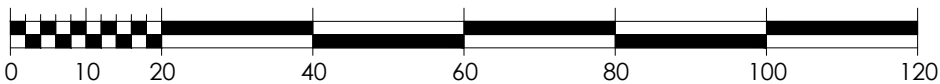
Reasons for refusal

1. The works are contrary to Policy TCR3 (Commercial Entertainment and Hot Food Premises) of the West Lothian Local Development Plan, 2018 which states that developments and proposals should have no adverse impact on the amenity of adjacent residential properties, or the surrounding area generally, by virtue of noise or disturbance. In addition, the works are contrary to Policy EMG5 (Noise) as the proposal is likely to generate significant amounts of noise and is located close to existing housing, which is noise sensitive development.
2. The proposal is also contrary to Policy DES1 of the West Lothian Local Development Plan as the proposal will have a detrimental impact upon the surrounding context and the character and amenity of the area as a result of noise and disturbance.





COORDINATES: NT082722 (Easting: 308282, Northing: 672238)



Scale 1:1000

The Green Tree Tavern
45 E Main St,
Broxburn
EH52 5AB

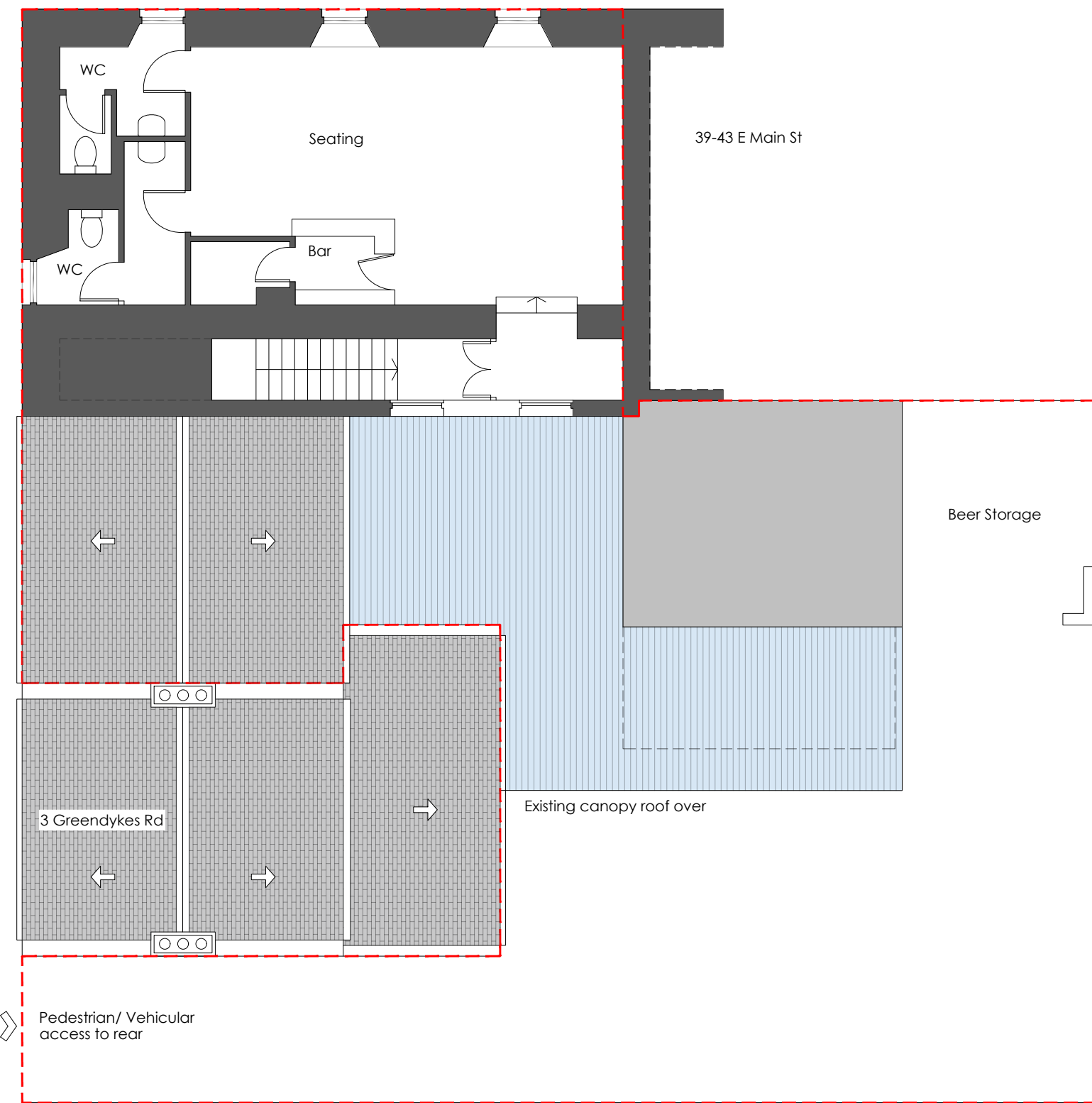
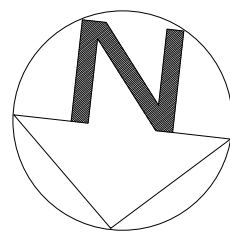
Drg no: AL(0)01

Rev:

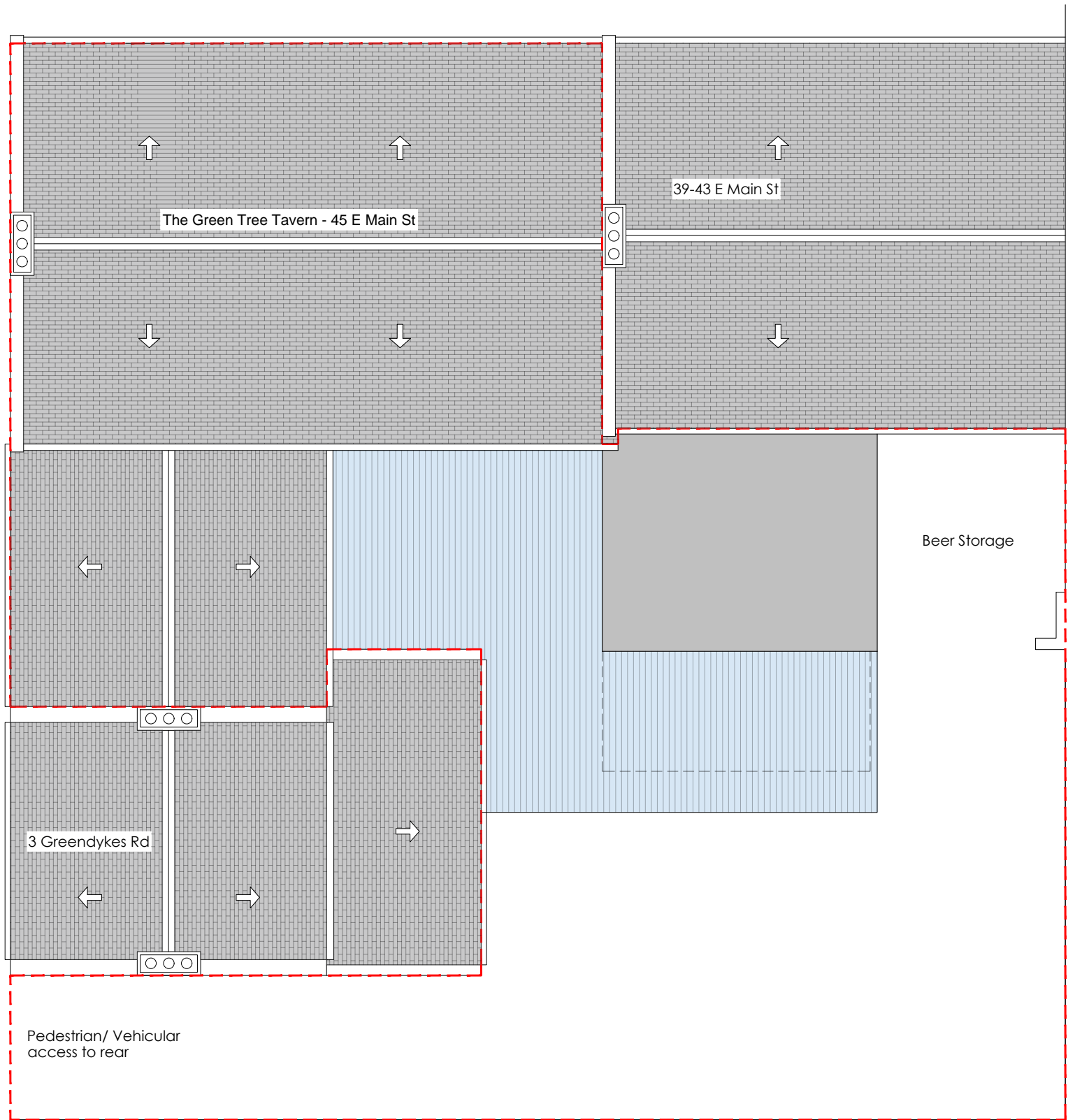
LOCATION PLAN

Scale: 1:1000 @ A4

Date: 20/03/22

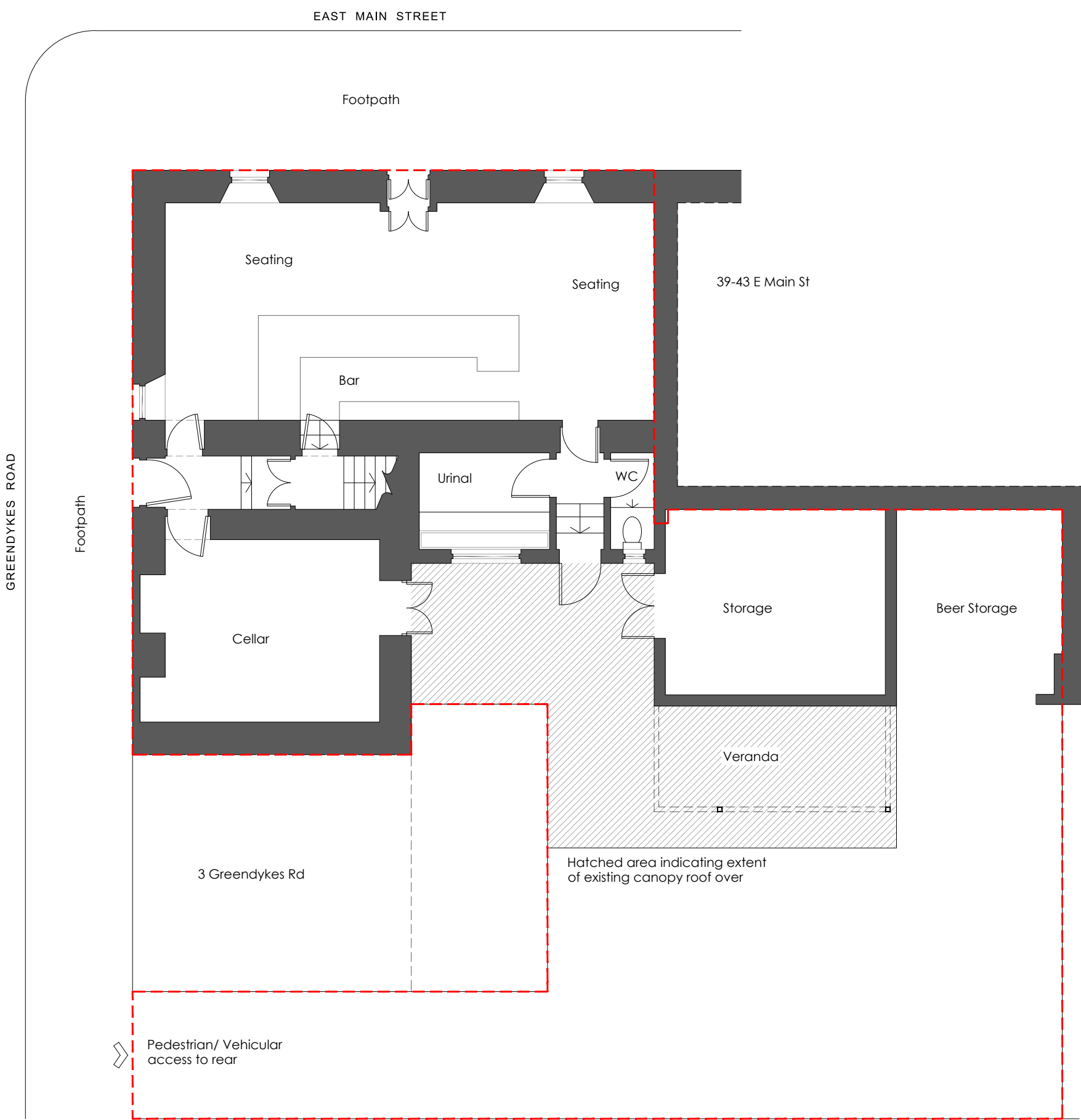


EXISTING - FIRST FLOOR PLAN 1:100



EXISTING - ROOF PLAN 1:100

- - - - - Indicates boundary owned by The Green Tree Tavern



EXISTING - GROUND FLOOR PLAN 1:100

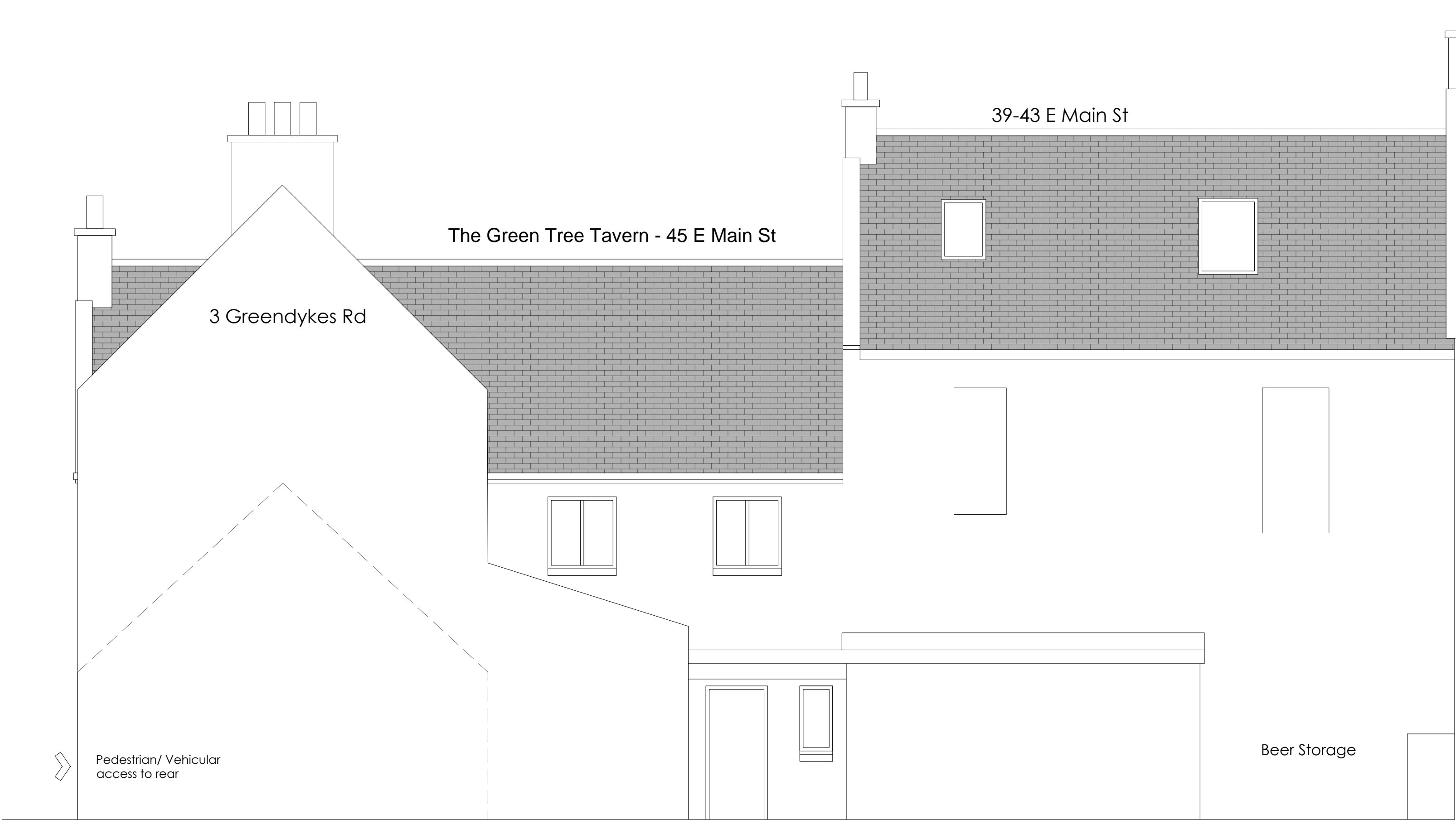
The Green Tree Tavern	
Proposed Rear Alteration and Extension The Green Tree Tavern 45 E Main St Broxburn EH52 5AB	
Drg no: AL(0)04	Rev:
EXISTING FLOOR AND ROOF PLANS	
Scale: 1:100 @ A1	Date: 22/03/22



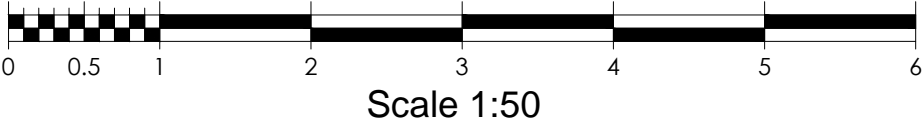
EXISTING - FRONT (SOUTH) ELEVATION OFF EAST MAIN STREET 1:50



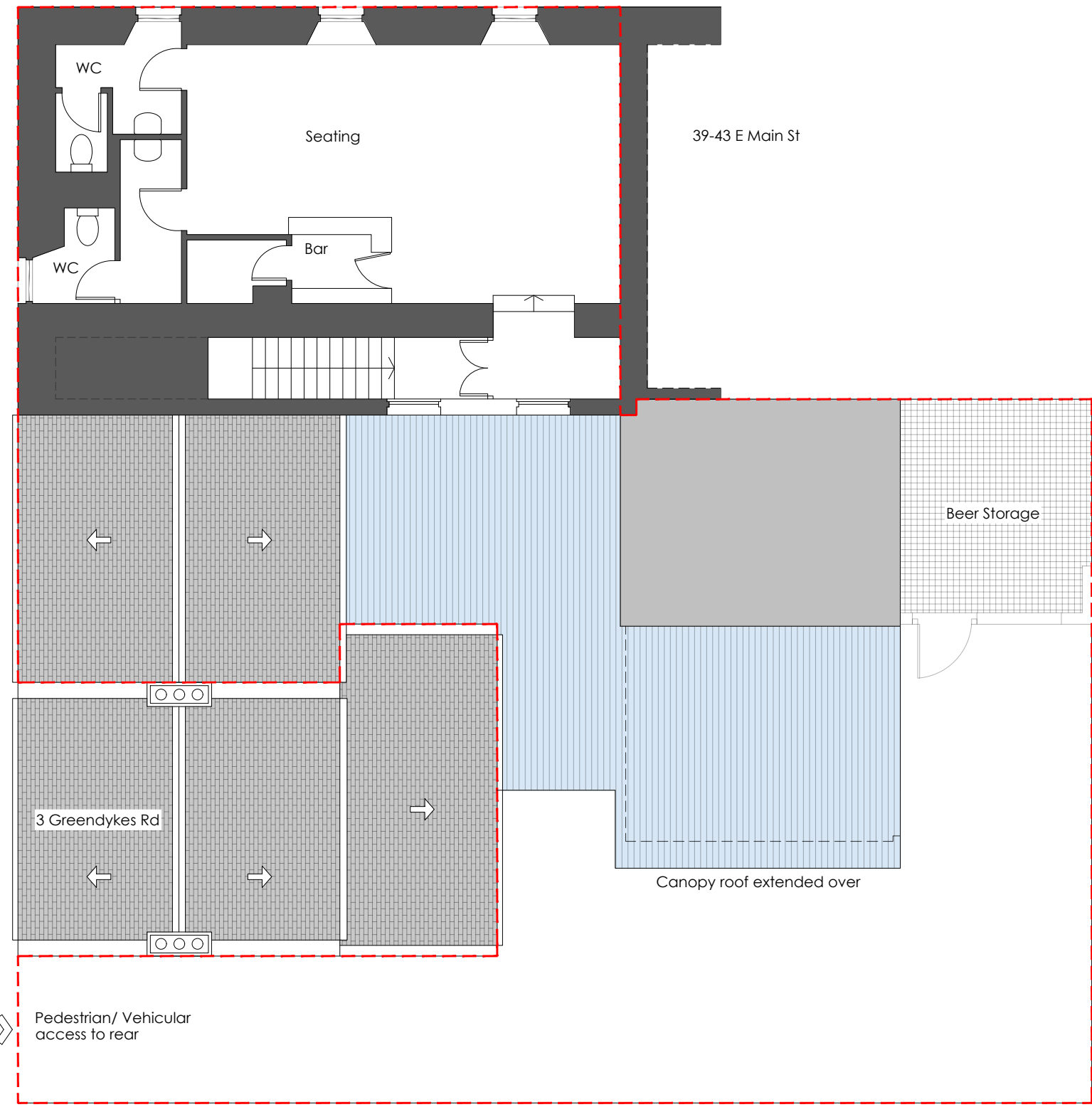
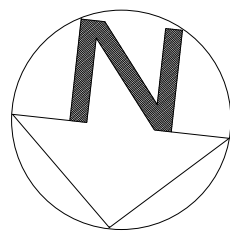
EXISTING - GABLE (EAST) ELEVATION OFF GREENDYKES ROAD 1:50



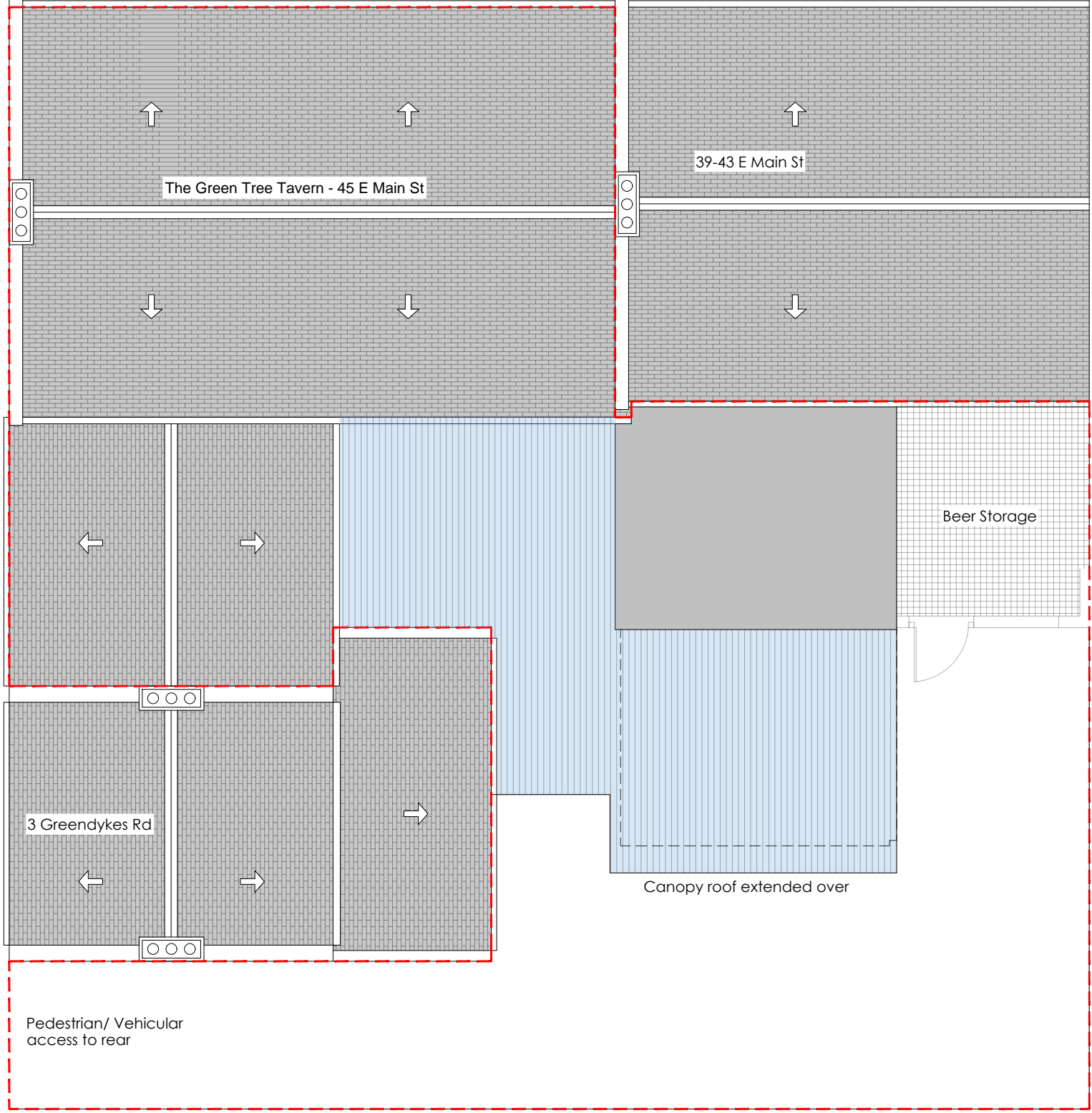
EXISTING - REAR (NORTH) ELEVATION FROM PEDESTRIAN/ VEHICULAR ACCESS TO REAR 1:50



The Green Tree Tavern	
Proposed Rear Alteration and Extension The Green Tree Tavern 45 E Main St Broxburn EH52 5AB	
Drg no: AL(0)05	Rev:
EXISTING ELEVATIONS	
Scale: 1:100 @ A1	Date: 22/03/22

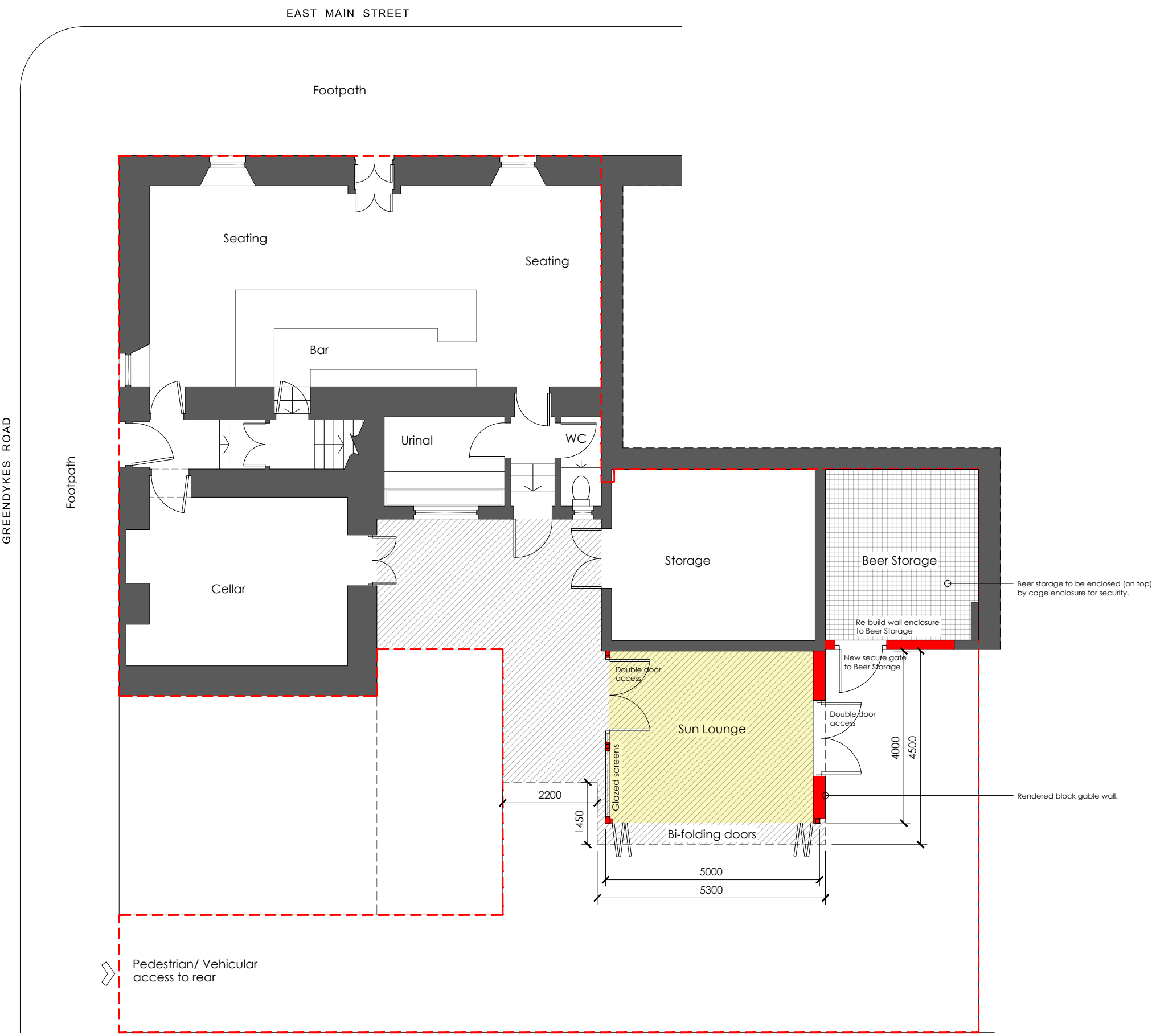


PROPOSED - FIRST FLOOR PLAN 1:100



PROPOSED - ROOF PLAN 1:100

Indicates boundary owned by The Green Tree Tavern

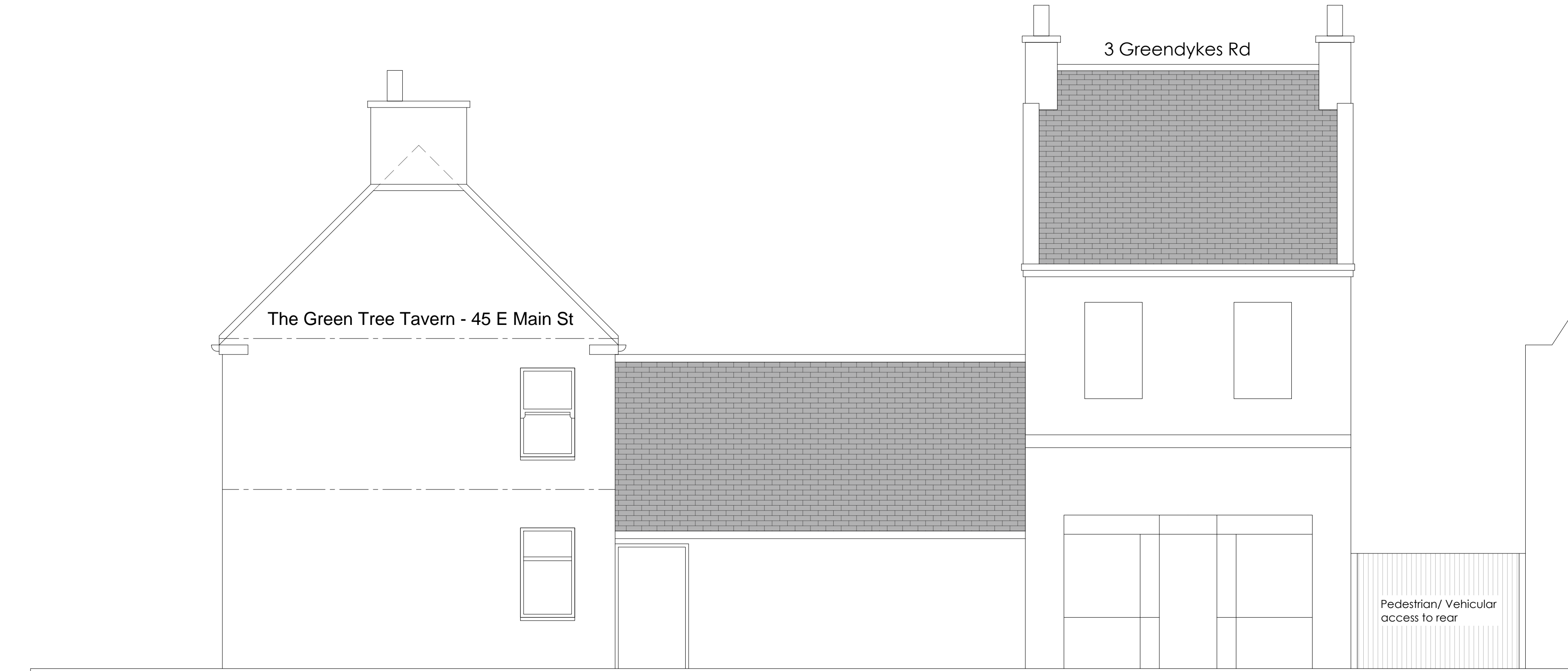


PROPOSED - GROUND FLOOR PLAN 1:100

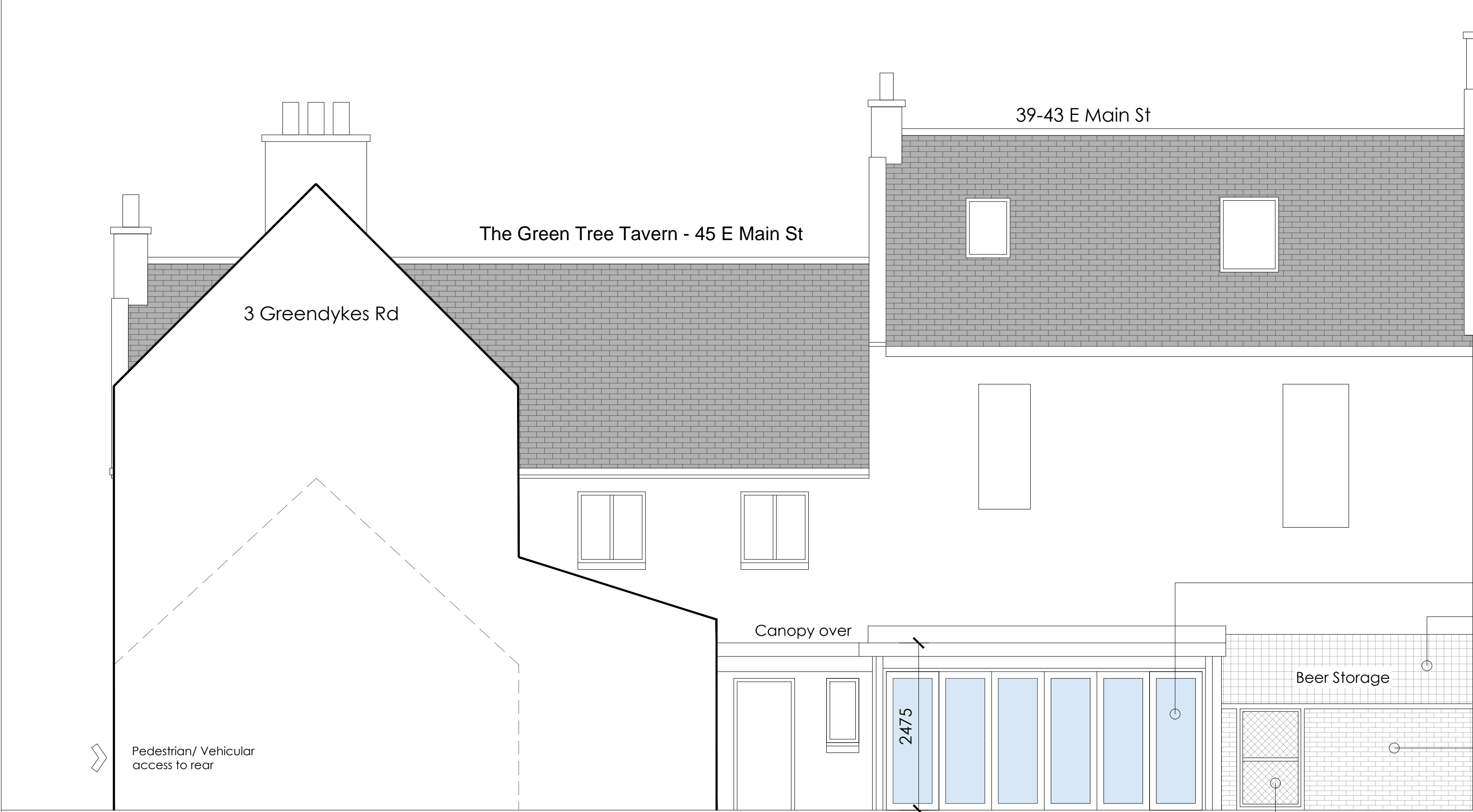
The Green Tree Tavern	
Proposed Rear Alteration and Extension The Green Tree Tavern 45 E Main St Broxburn EH52 5AB	
Drg no: AL(0)06	Rev:
PROPOSED FLOOR AND ROOF PLANS	
Scale: 1:100 @ A1	Date: 22/03/22



PROPOSED - FRONT (SOUTH) ELEVATION OFF EAST MAIN STREET 1:50

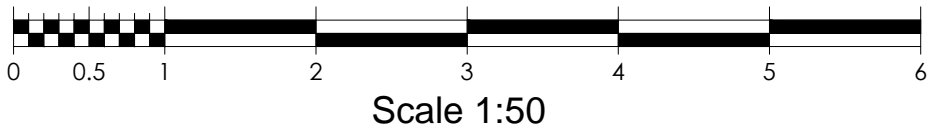


PROPOSED - GABLE (EAST) ELEVATION OFF GREENDYKES ROAD 1:50



PROPOSED - REAR (NORTH) ELEVATION FROM PEDESTRIAN/ VEHICULAR ACCESS TO REAR 1:50

- Bi-folding doors to Sun Lounge
- Beer storage to be enclosed (on top) by metal cage enclosure for security.
- Masonry wall to be re-built to enclose Beer storage.
- New security gate to Beer storage.



The Green Tree Tavern	
Proposed Rear Alteration and Extension The Green Tree Tavern 45 E Main St Broxburn EH52 5AB	
Drg no: AL(0)07	Rev:
PROPOSED ELEVATIONS	
Scale: 1:100 @ A1	Date: 22/03/22

PROPOSED DELEGATED PLANNING DECISIONS

☒ LOCAL MEMBER REFERRAL REQUEST ☒

In accordance with standing orders members wishing a planning application to be heard at the Development Management Committee have to either represent the ward in which the application site is located or be chair of Development Management Committee and complete and return this form to Development Management within 7 days and by 12 Noon.

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

<https://planning.westlothian.gov.uk/publicaccess/>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
Application Reference Number 0320/FUL/22	Applicant RequestX..... <input type="checkbox"/>
Site Address Green Tree Tavern Main Street Broxburn	Constituent Request <input type="checkbox"/>
Title of Application Planning	Other (please specify) <input type="checkbox"/>
Member's Name Cllr Diane Calder	
Date 23 May 2022	

Development Management Committee

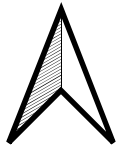
06 July 2022

Item 9- Application : 0320/FUL/22

Erection of a 20-sqm extension to the rear of public house

The Green Tree Tavern - 45 East Main Street - Broxburn EH52 5AB







**West Lothian
Council**

0320/FUL/22-Green Tree Tavern / 45 East Main Street / Broxburn - EH52 5AB

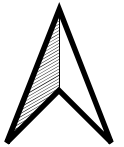
Development Management - West Lothian Civic Centre - EH54 6FF

(c) Crown copyright and database right 2022 OS Licence number 100037194

25

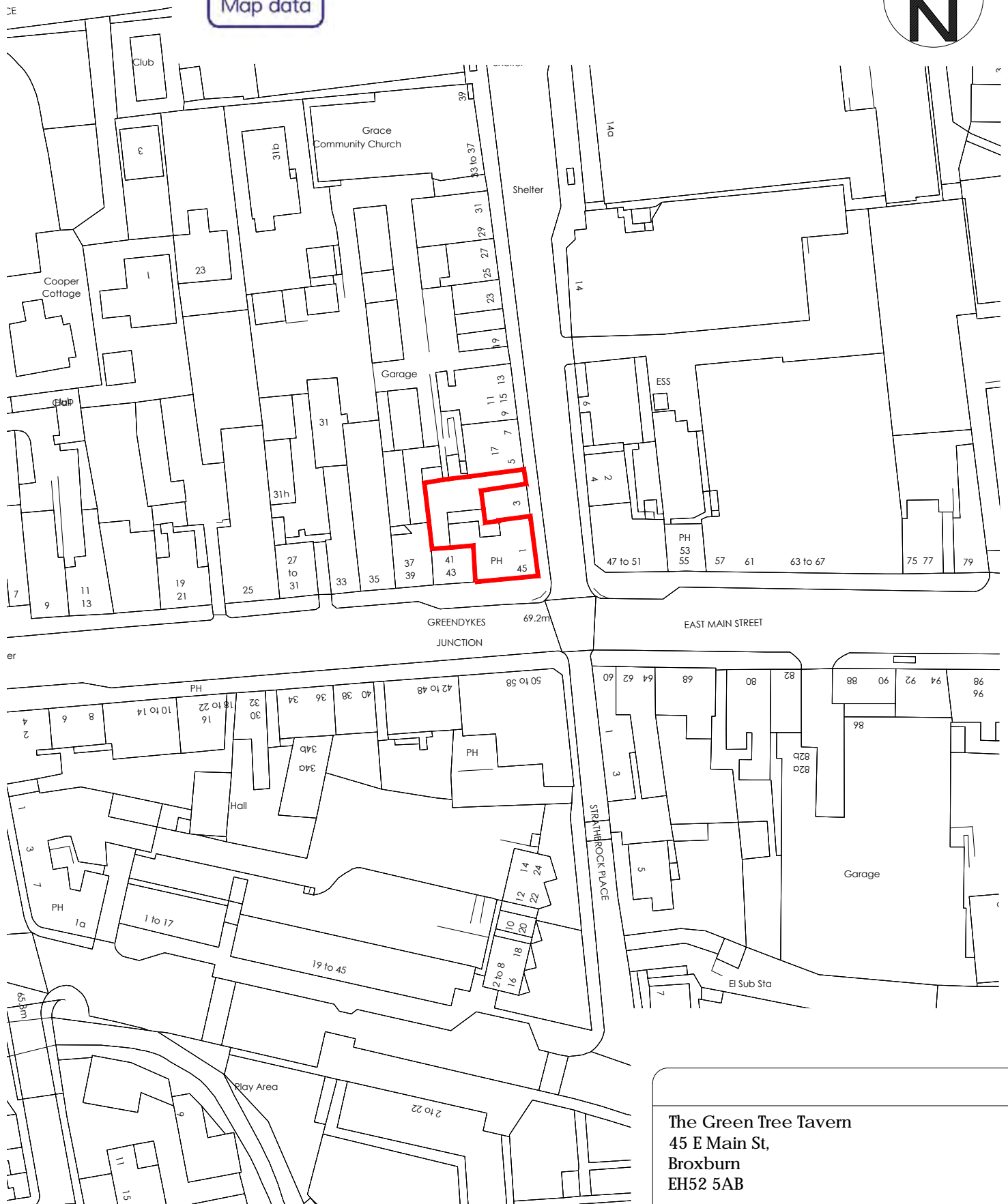
0

25 m

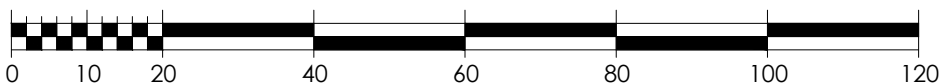




© Crown copyright and database rights 2019 Ordnance Survey License No.100048957. The representation of road, track or path is no evidence of a boundary or right of way. The representation of features as lines is no evidence of a property boundary.



COORDINATES: NT082722 (Easting: 308282, Northing: 672238)



Scale 1:1000

The Green Tree Tavern
45 E Main St,
Broxburn
EH52 5AB

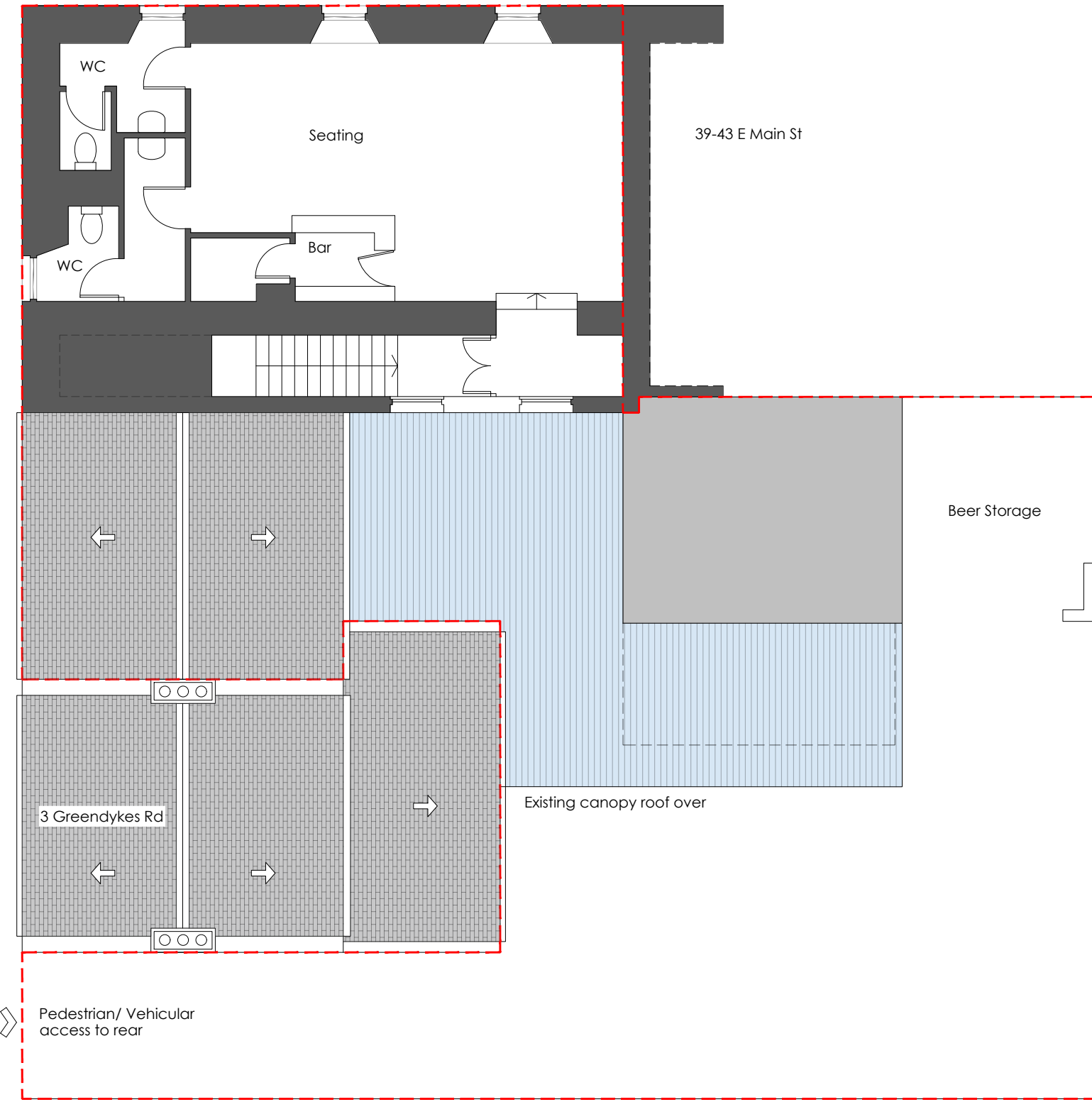
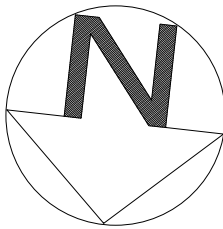
Drg no: AL(0)01

Rev:

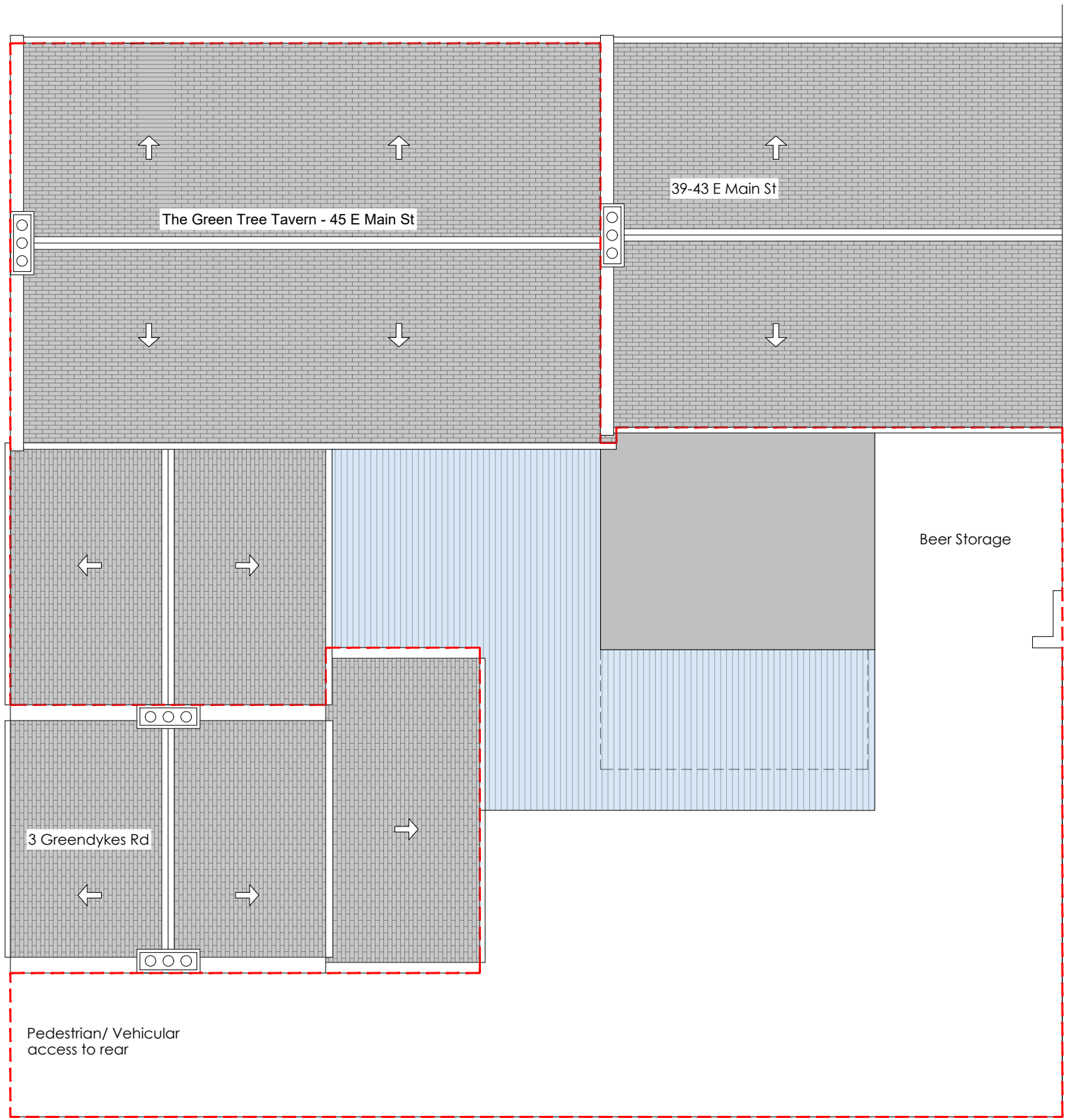
LOCATION PLAN

Scale: 1:1000 @ A4

Date: 20/03/22

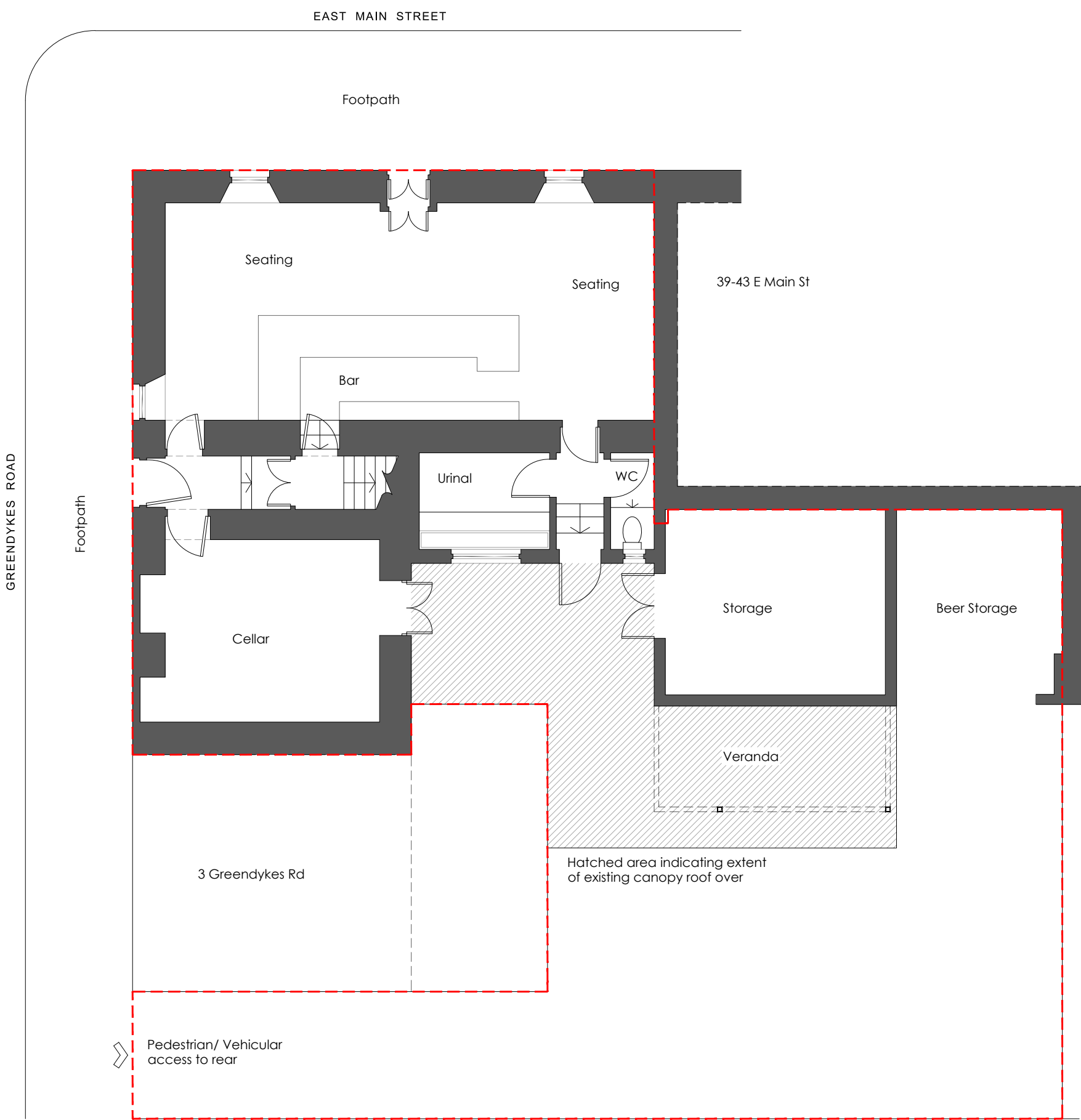


EXISTING - FIRST FLOOR PLAN 1:100



EXISTING - ROOF PLAN 1:100

Indicates boundary owned by The Green Tree Tavern

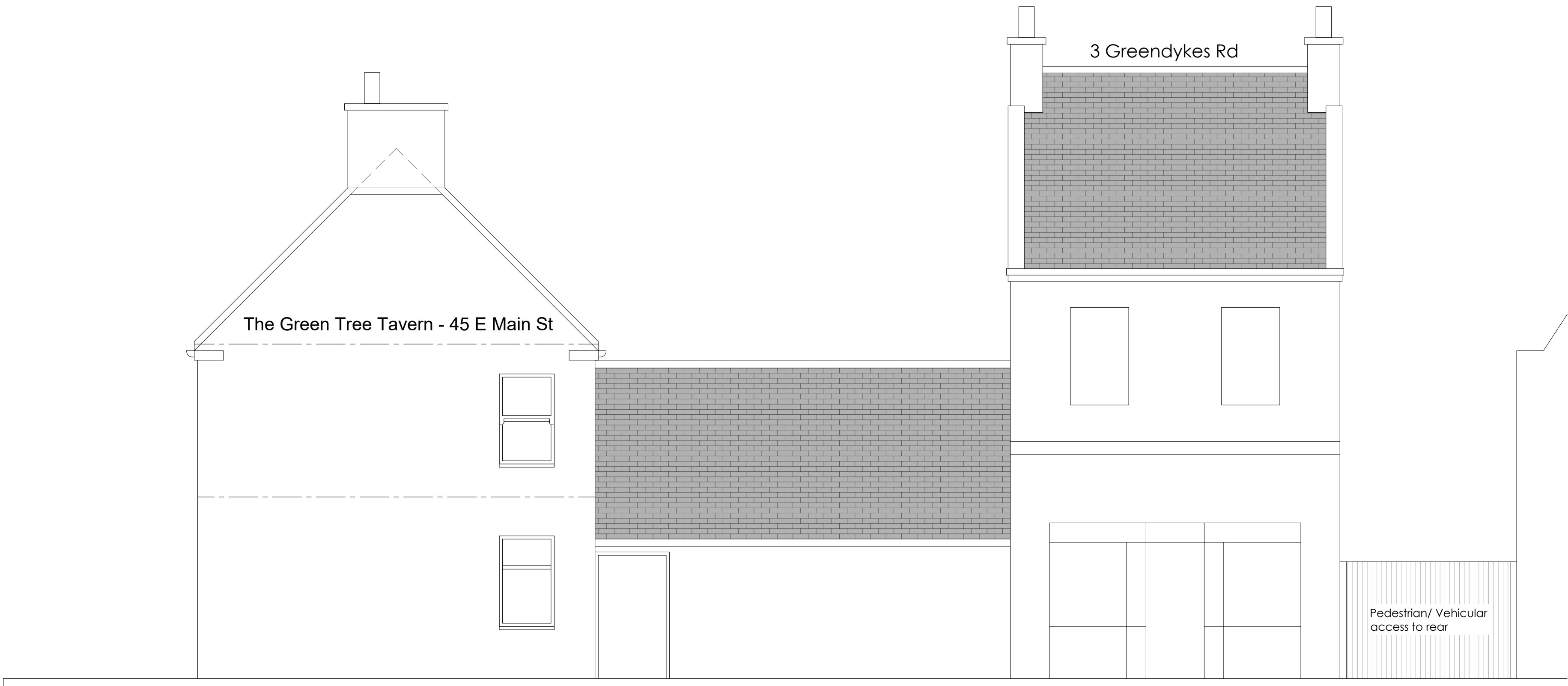


EXISTING - GROUND FLOOR PLAN 1:100

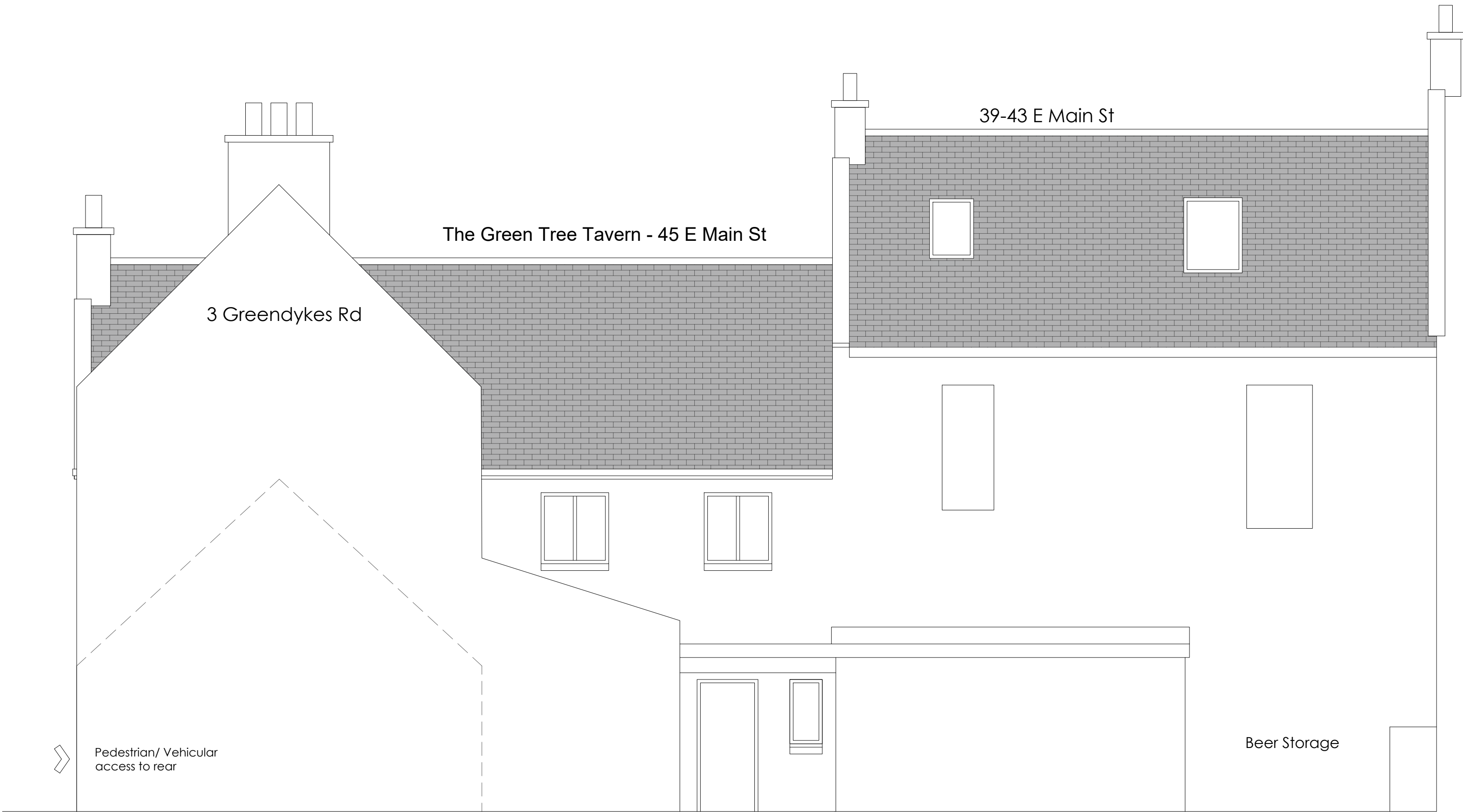
The Green Tree Tavern	
Proposed Rear Alteration and Extension The Green Tree Tavern 45 E Main St Broxburn EH52 5AB	
Drg no: AL(0)04	Rev:
EXISTING FLOOR AND ROOF PLANS	
Scale: 1:100 @ A1	Date: 22/03/22



EXISTING - FRONT (SOUTH) ELEVATION OFF EAST MAIN STREET 1:50



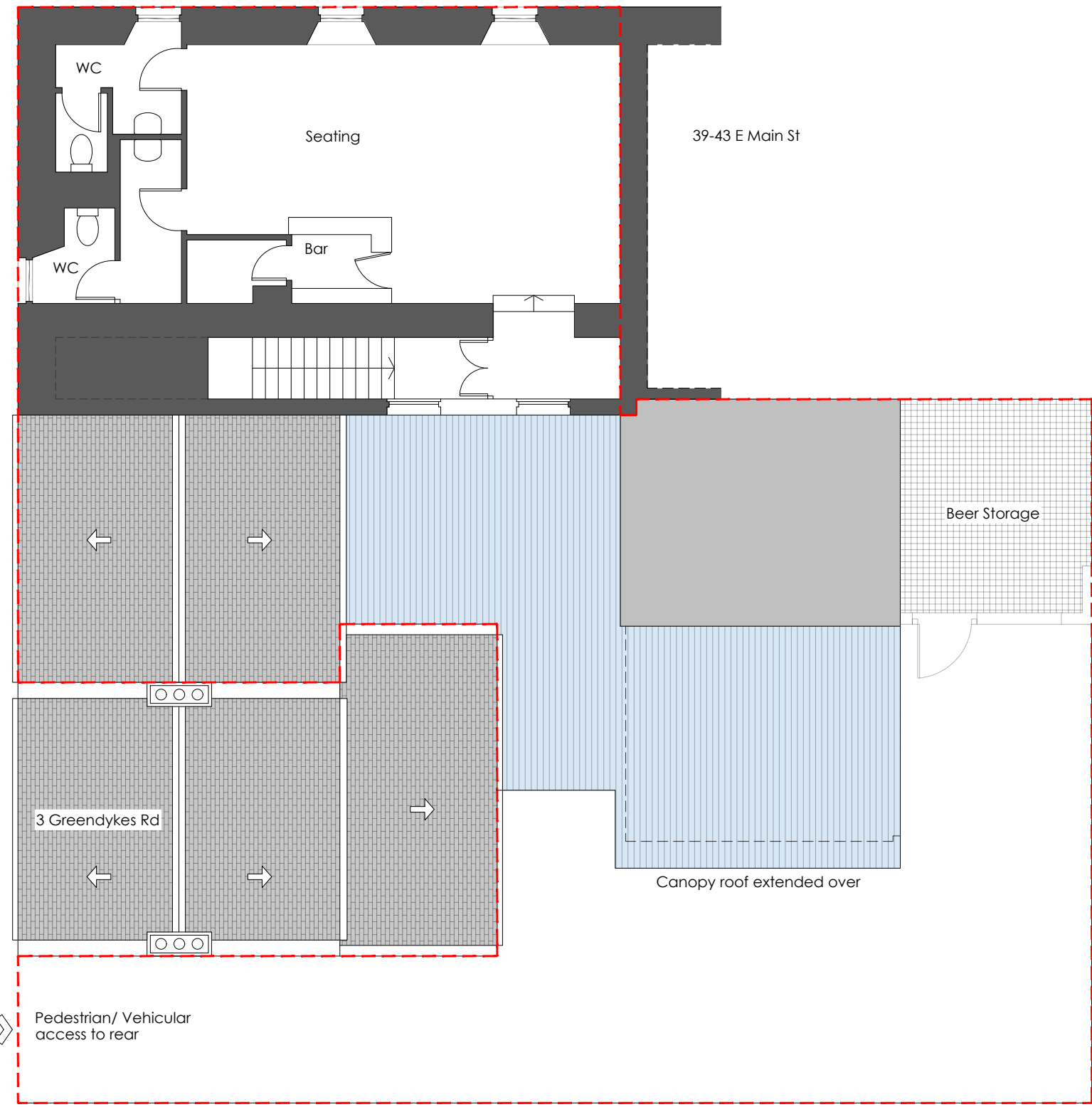
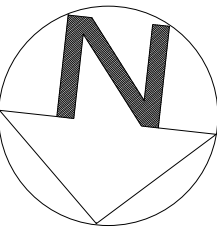
EXISTING - GABLE (EAST) ELEVATION OFF GREENDYKES ROAD 1:50



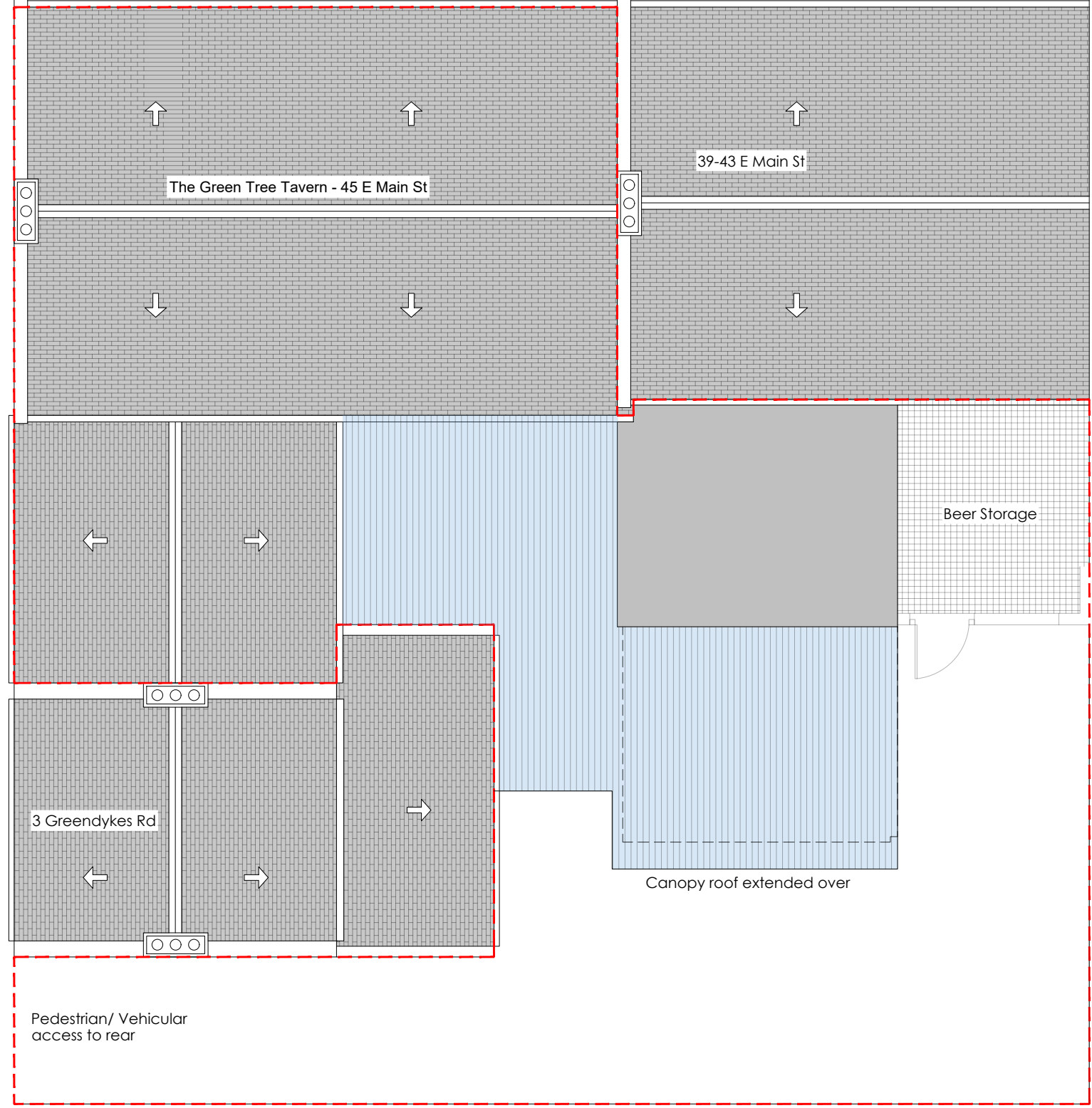
EXISTING - REAR (NORTH) ELEVATION FROM PEDESTRIAN/ VEHICULAR ACCESS TO REAR 1:50



The Green Tree Tavern	
Proposed Rear Alteration and Extension The Green Tree Tavern 45 E Main St Broxburn EH52 5AB	
Drg no: AL(0)05	Rev:
EXISTING ELEVATIONS	
Scale: 1:100 @ A1	Date: 22/03/22

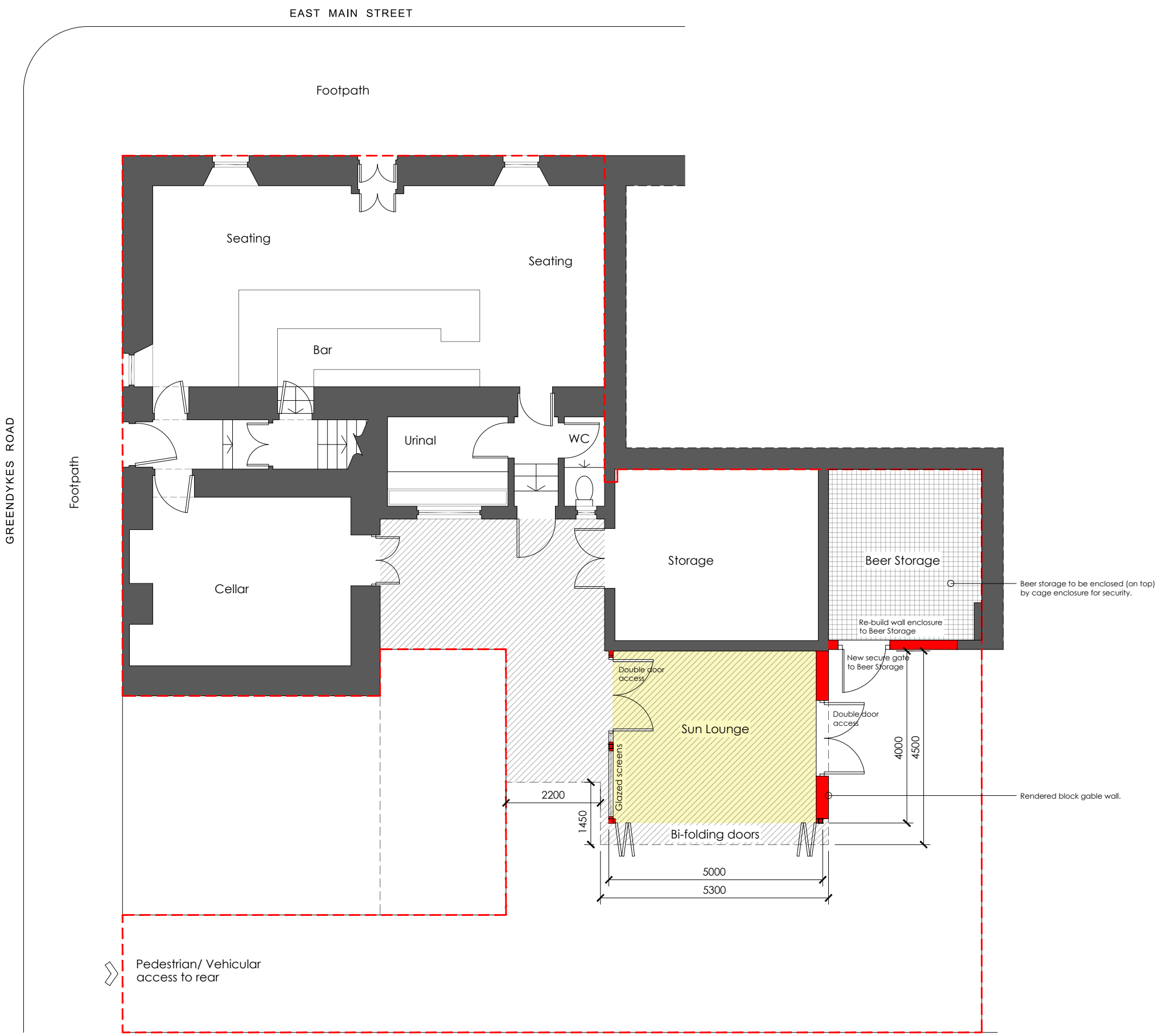


PROPOSED - FIRST FLOOR PLAN 1:100



PROPOSED - ROOF PLAN 1:100

Indicates boundary owned by The Green Tree Tavern



PROPOSED - GROUND FLOOR PLAN 1:100

The Green Tree Tavern	
Proposed Rear Alteration and Extension The Green Tree Tavern 45 E Main St Broxburn EH52 5AB	
Drg no: AL(0)06	Rev:
PROPOSED FLOOR AND ROOF PLANS	
Scale: 1:100 @ A1	Date: 22/03/22











Development Management

List of Delegated Decisions - 2nd June 2022

DATA LABEL: OFFICIAL

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

Ref. No.:	0197/H/22	Recommendation:	Grant Planning Permission
Proposal:	Erection of a detached outbuilding as ancillary living accommodation to main dwelling (as amended to delete garage) (in retrospect)		
Address:	62 Hillhouse Avenue, Bathgate, West Lothian, EH48 4BG (Grid Ref: 296891,669839)		
Applicant:	Mrs Marta Fitek	Type:	Local Application
Ward:	Bathgate	Case Officer:	Lucy Hoad

Summary of Representations

One objection received re:

The size of the structure.

The noise generated from use of road vehicles.

Public safety from use of the green space to the rear of the property.

Officers report

This amended application seeks planning consent for the erection of an outbuilding within the garden ground to the rear of 62 Hillhouse Avenue. The property is a 2-storey end terraced dwelling of render and tile situated on the northern outskirts of Bathgate. The building has been erected and the application is thus retrospective.

Roads and Transportation has reviewed the application and has no objections to the development.

The application has been revised to remove the garage element of the proposal. The plans have been amended to show the rear elevation is solid

wall with the garage doors removed.

Policy DES1 (Design Principles) of the adopted LDP requires all development proposals to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community and where appropriate, should include measures to enhance the environment and be high quality in their design.

The building (8.2 x 4.9m) is single storey in height and sits parallel to the rear boundary fence fronting the dwelling. The plans indicate the walls are finished in render (off white) and the roof clad in tiles (black). The windows and door frame are white upvc. The property has a deep garden and the building is set back from the dwelling. Although partially visible from the main road to the front of the dwelling, the building does not appear visually obtrusive within the street scene. The building is visible from the open green space to the rear of the terrace, but is partially screened by the high timber fence bounding the property. In terms of design, the mass and scale of the building is visually acceptable, however, use of a darker colour for the render finish to match the main dwelling would allow the building to integrate with the surrounding area. This matter could be controlled via a condition attached to consent. There is ample garden ground remaining.

There are no daylight, overshadowing nor privacy issues stemming from the proposals. There is adequate boundary screening between properties. Concerns have been raised in relation to noise and safety stemming from the use of vehicles associated with the building. However, the garage element of the building has now been removed from the application.

The scale and mass of the development are visually acceptable in relation to the main dwelling house with use of appropriate materials, and the development will not have an adverse impact on the visual amenity of the area or the residential amenity of the neighbouring properties.

This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission subject to conditions in respect of ancillary use to the main dwelling and materials.

Ref. No.:	0335/H/22	Recommendation:	Grant Planning Permission
Proposal:	Two storey extension to house		
Address:	37 Pilgrims Hill, Linlithgow, West Lothian, EH49 7LW (Grid Ref: 301807,677882)		
Applicant:	Mr & Mrs M Maginnis	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad

Summary of Representations

One objection received re:

Overlooking and loss of privacy.

Officers report

The application seeks consent for a 2-storey extension to the gable end of the dwelling (north east). The works will provide additional living accommodation in the form of an upper floor bedroom above a garage/store room. The house is situated in a crescent of properties of a similar style and construction. The crescent is located within a larger residential area on the outskirts of Linlithgow.

The assessment considers the siting and design of the extension in relation to the main house and any potential impact on neighbouring properties.

The extension will be set back from the front building line of the main dwelling with the roof ridge subservient to main roof but matching at pitch angle. The plans illustrate use of render and tile as per main house, however, a condition is required to agree precise materials.

In terms of design, the proposals are modest in scale and visually acceptable without overloading the property, with proposed materials to match the existing. It is noted that there is a similar design of extension in the street.

One representation has been received on the application raising an objection on the grounds that the development would result in a loss of privacy and increase overlooking of neighbouring garden ground area to the northwest. There will be no adverse impact on the neighbouring properties in relation to daylight or to privacy to windows due to distance to other properties. Taking into account the context of the site and relationship between properties there is an existing degree of overlooking of gardens in the vicinity and the proposals will not exacerbate the current situation to the extent to warrant refusal of the application.

The scale and mass of the proposed development are visually acceptable in relation to the main dwelling house and the proposals will not have an

adverse impact on the visual amenity of the area or the residential amenity of the neighbouring properties.

This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission subject to conditions in respect of materials.



Development Management

List of Delegated Decisions - 10th June 2022

DATA LABEL: OFFICIAL

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

Ref. No.:	0023/FUL/21	Recommendation:	Refuse Permission
Proposal:	Demolition of poultry sheds and erection of 4 houses (variation to 0637/FUL/16)		
Address:	Land to The North Of Kirkfield House, Hartwood Road, West Calder, EH55 8EE (Grid Ref: 301612,662545)		
Applicant:	Mr & Mrs Hugh Kelly	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Matthew Watson
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>The applicant has failed to agree a legal agreement for this development. In the absence of developer contributions being secured, the proposal is contrary to Policy INF 1 (Infrastructure Provision and Developer Obligations) of the West Lothian Local Development Plan, 2018, the Planning and Education Supplementary Guidance, 2021 and the Developer Contributions Towards Cemetery Provision Supplementary Guidance, 2020.</p> <p>It is therefore recommended that the application be refused.</p>			

Ref. No.:	0894/FUL/21	Recommendation:	Grant Planning Permission
Proposal:	Erection of 49 flats (as amended from 52) with associated access, parking, landscaping and ancillary works		
Address:	Site At Sydney Street, Craigshill, Livingston, West Lothian (Grid Ref: 306411,668149)		
Applicant:	Mr Rory Stephens Cruden Homes (East) Ltd	Type:	Major Application
Ward:	East Livingston & East Calder	Case Officer:	Steven McLaren

Summary of Representations

There has been 1 objection received:

- Loss of open space for play and dog walking.
- Too many flats in the area.

Officers report

Planning permission is sought to develop an area of land owned by the Church of Scotland and which until 2009 contained a large church building of around 1,000 sqm with associated parking. The proposals relate to the construction of 3 blocks of flats, two 4-storey blocks on the northern part of the site adjacent to Craigshill Road and a 3-storey block to the southern part of the site. The design has been altered to reduce the massing of the southern block and reduce the numbers from 52 flats to 49 flats. All three blocks have a contemporary modern design to set them against the 1960's designs at Sydney Street and Hobart Street. The flats will be owned and operated by Curb Housing Association.

The area of ground is not identified as protected open space in the adopted West Lothian Local Development Plan, 2018 and whilst this is a dense development, this area of Craigshill is predominately 3 and 4-storey flats.

The provision of additional affordable housing in this area is to be welcomed and whilst it results in the loss of informal open space, there is other open space and equipped play areas within a short walk of the site.

The proposals as amended are acceptable and accord with policies DES1 (design principles); HOU3 (infill/windfall housing development within settlements); HOU4 (affordable housing) along with technical policies in relation to infrastructure provision, drainage and ground assessment.

The recommendation is therefore to grant planning permission subject to a Section 75 legal agreement.

Ref. No.:	1119/MSC/21	Recommendation:	Refuse Matters Specified in Conditions
Proposal:	Approval of matters specified in conditions of planning permission 0845/P/15 for the erection of 6 houses with associated works		
Address:	Land At Raw Holdings, East Calder, EH53, , (Grid Ref: 305280,667171)		
Applicant:	Mr Brian May JB Developments	Type:	Other
Ward:	East Livingston & East Calder	Case Officer:	Matthew Watson
<p><u>Summary of Representations</u></p> <p>Five objections:</p> <ul style="list-style-type: none"> - Impact on the private road from construction vehicles that has been recently resurfaced - Traffic impact of the development - The design of the proposed houses is out of character with the surrounding area - Impact on drainage 			
<p><u>Officers report</u></p> <p>This application seeks the approval of matters specified in conditions of planning permission 0845/P/15 for the erection of 6 houses with associated works.</p> <p>The present layout and design of the development are not acceptable and do not conform to the principles of Designing Streets and the Residential Development Guide Supplementary Guidance. The proposal is also contrary to Policy DES 1 (Design Principles) of the West Lothian Local Development Plan (LDP).</p> <p>The applicant has failed to submit relevant technical information in the form of a site investigation/remediation statement and a drainage assessment. In the absence of these documents, the proposal is contrary to policies EMG 3 (Drainage) and EMG 6 (Contaminated Land) of the LDP.</p> <p>It is therefore recommended that the application be refused.</p>			

Ref. No.:	1245/P/21	Recommendation:	Grant Planning Permission in Principle
Proposal:	Erection of two houses		
Address:	Land Between 27 And 29 Wellview Lane, Murieston, Livingston, West Lothian, EH54 9HU (Grid Ref: 305850,664048)		
Applicant:	Mr. & Mrs. Gordon Connolly	Type:	Local Application
Ward:	Livingston South	Case Officer:	Alexander Calderwood
<p><u>Summary of Representations</u></p> <p>The submitted plans were revised on 2 occasions. 7 objections and 3 neutral comments were received for the original proposal. 4 objections were received for the second, revised proposal. Finally, 3 objections were received in relation to the latest revision. Nature of comments in relation to original proposal as follows:</p> <ul style="list-style-type: none"> - The proposals represent overdevelopment, as the site is only suitable for 1 residential unit (rather than 2). - The proposals would be out of character with the surrounding area and adjacent dwellings. - The proposals would have an adverse impact on neighbouring residential amenity. - The proposals are unacceptable in terms of scale, layout and design. - Concern over safety and access in relation to neighbouring dwellings. - Location and scale of the proposed garages. - The build line on the submitted plans is inaccurate and misleading. 			
<p><u>Officers report</u></p> <p>This application seeks planning permission in principle for the erection of 2 houses on land between 27 and 29 Wellview Lane, Murieston, Livingston.</p> <p>West Lothian Local Development Plan Policy DES 1 (Design Principles), Policy HOU 3 (Infill/Windfall Housing Development within Settlements) and Supplementary Guidance: Residential Development Guide (2019) are relevant in assessing the application.</p> <p>The site is in the corner of an existing residential street. The wider estate was developed as part of a masterplan approved under LIVE/0679/FUL/00 for 30 residential units. 29 units were built and the current application site was left undeveloped. Concern was raised over the site's development for 2 residential units rather than the one that the plot was previously consented for. However, indicative plans have been submitted to demonstrate that the site can accommodate 2 units. Both houses will have a sizeable garden ground similar to that of the neighbours. The plans initially showed the houses set further back within the plot which would have a detrimental impact on the</p>			

privacy and amenity of the existing neighbouring properties. Revised plans pulling the houses forward within the site, to reduce the impact on the rear garden ground of neighbouring plots, are now acceptable.

The application is for planning permission in principle, so full details including design and elevations will require to be submitted for assessment as part of a further application. A condition will be attached to the planning permission in principle to ensure the houses are within the build zone identified on the revised plan. Relevant developer contributions will also be secured.

The proposals comply with Policy DES 1, Policy HOU 3 and Supplementary Guidance: Residential Development Guide (2019) and it is recommended that planning permission in principle is granted.

Ref. No.:	0149/FUL/22	Recommendation:	Grant Planning Permission
Proposal:	14.8km long underground private wire grid connection located within the road/footway/verge for the export of electricity generated from Camilty Wind Farm including erection of substation adjacent to Drumcross Substation		
Address:	Land Extending From Camilty Wind Farm, Harburn To Drumcross Substation, Bathgate, West Lothian (Grid Ref: 305280,667171)		
Applicant:	Ms Sarah Dooley EDF Renewables	Type:	Major Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Matthew Watson

Summary of Representations

One objection:

- contractor lorries for cable installations have caused property damage and damage to the planted verge outside the property in the past.

Officers report

The application proposes a 14.8km long underground private wire grid connection located within the road/footway/verge for the export of electricity generated from Camilty Wind Farm including the erection of substation adjacent to Drumcross Substation.

The cabling will be below ground within roads, verges and footways and will not have a visual impact on the area surrounding the route of connection to Drumcross.

The proposed substation compound is of a minor scale and its visual impact is acceptable. The proposal complies with policy DES1 (Design Principles) of the West Lothian Local Development Plan.

Conditions will be required for a construction environmental management plan, construction noise management plan and a programme of archaeological works.

Separate permits will be required from Roads and Transportation to carry out works within the adopted road network.

It is therefore recommended the application be granted, subject to the necessary conditions.

Ref. No.:	0319/H/22	Recommendation:	Grant Planning Permission
Proposal:	Erection of decking and pergola (in retrospect)		
Address:	4 Ellen Street, Whitburn, West Lothian, EH47 0EZ (Grid Ref: 294675,665378)		
Applicant:	Ms Kim Colguhoun And Martin Heggie	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection received - <ul style="list-style-type: none"> - Works built across neighbouring boundary, - Overall height of works, - Decking impacts upon maintenance of fence, - Proximity of works to the boundary. Planning response - <ul style="list-style-type: none"> - The works appear to be within the applicant's boundary and the planning authority are satisfied that the works do not encroach onto any neighbouring land, - See officers report, - Not a material planning consideration. The maintenance of the boundary fence is a civil matter and should be agreed upon between neighbours, - Although it is advised that development should be set back from a neighbouring boundary by 1m, there is no legal prohibition to extending right up to your boundary. 			
<u>Officers report</u> This application seeks retrospective planning permission for the erection of a shed and decking at the property located at 4 Ellen Street, Whitburn. The timber decking and shed measures approximately 2.9m in overall height and is mainly screened on each boundary with timber fencing. The shed is open on the front elevation and sits a little above the boundary fencing, however will not result in any additional overshadowing which will be detrimental or significantly impact upon any habitable room or garden. It is to be noted that the decking alone could be considered permitted development, however with the additional height of the shed, the works require planning permission.			

The works still allow for sufficient usable garden ground and are not considered to significantly impact upon the visual amenity of the existing property or surrounding area. In Addition, it is not considered that the erected works will adversely impact upon the residential amenity.

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

Ref. No.:	0363/H/22	Recommendation:	Refuse Permission
Proposal:	Erection of an ancillary outbuilding (in retrospect)		
Address:	63 Preston Road, Linlithgow, West Lothian, EH49 6HE (Grid Ref: 299637,676764)		
Applicant:	Ms Jay Brown	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Rachael Lyall
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>This application seeks retrospective planning permission for the erection of an outbuilding and also proposes an extension to the outbuilding located at the property 63 Preston Road, Linlithgow.</p> <p>The existing outbuilding measures 4.910m x 5.700m and the proposed extension is to measure 4.800m x 3.369m. The works will then measure 9.719m in overall length on the immediate neighbouring boundary and will be 2.465m in height from ground level to the eaves of the outbuilding.</p> <p>The works will be externally finished with a timber cladding, will feature upvc openings and have been erected on top of a small raised decking.</p> <p>The location of the erected and proposed works do not relate well to the existing property and the works will not allow for sufficient usable garden ground to the rear. In addition, the works are considered to be of a scale and footprint which will appear as overbearing and dominant from the neighbouring property.</p> <p>As a result, this proposal is contrary to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and the proposal does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is refused planning permission.</p>			



Development Management

List of Delegated Decisions - 17th June 2022

DATA LABEL: OFFICIAL

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

Ref. No.:	0216/A/22	Recommendation:	Refuse Advertisement Consent
Proposal:	Display of 2 illuminated fascia signs and 1 illuminated freestanding pylon sign		
Address:	21 Inchmuir Road, Bathgate, West Lothian, EH48 2EP (Grid Ref: 298418,666629)		
Applicant:	Ms Jo Howl VMS Fleet Hire	Type:	Other
Ward:	Whitburn & Blackburn	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
None received			
<u>Officers report</u>			
<p>The application seeks advertisement consent for the display of 2 non-illuminated signs and a freestanding pylon sign at 21 Inchmuir Road. The business is fleet rental and maintenance.</p> <p>The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 requires adverts to be assessed in terms of the impacts on amenity and public safety.</p> <p>Policy DES1 (Design Principles) of the West Lothian Local Development Plan (LDP) states that all development proposals will require to take account of and be integrated with the local context and built form.</p> <p>The signage comprises two rectangular signs stating business name Maxus of aluminium with acrylic lettering and logo illuminated by LEDs and a pylon sign fronting Blackburn Road illuminated by LEDs. The signs are coloured grey.</p> <p>Roads & Transportation has no objection to the proposals.</p>			

The agent was advised that the signage to the elevations of the building would be acceptable in terms of size, colour and lettering, however the use of LEDs to illuminate the signage would not be supported. The requirement for illumination is not deemed necessary in this instance giving the presence of street lighting in the vicinity. In addition, the applicant was asked to remove the pylon sign from the proposals. Taking into account the context of the site and the scale of the building (single storey), the siting, design and scale of the pylon sign is visually inappropriate at this location, leading to visual clutter within the streetscape.

The applicant was given the opportunity to submit revised plans. The applicant suggested relocating the pylon within the site and moving signage to one elevation fronting Inchmuir Road but retain illumination, however, no acceptable plans were submitted and the application is assessed as originally submitted.

In conclusion, whilst the proposal raises no concerns in respect of road or public safety, the large pylon sign is not suitable within the context of the surrounding area and is thus contrary to the terms of the Advertisements (Scotland) Regulations in regard to visual amenity and LDP policy DES1 (Design Principles). The extent of the signage and lighting installed is deemed to be excessive for what is required to advertise the business and has an adverse impact on the visual amenity of the building and wider area and contributes to visual clutter. It is recommended that the application be refused.

Ref. No.:	0233/H/22	Recommendation:	Grant Planning Permission
Proposal:	Installation of replacement doors and windows		
Address:	1 Rock Cottages, The Square, Torphichen, West Lothian, EH48 4LY (Grid Ref: 296755,672366)		
Applicant:	Mrs K Meleady-Adams	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection - - Proposed works will detract from streetscape and conservation area, - Impact on visual amenity, - Upvc not considered a sustainable replacement.			
<u>Officers report</u> This application proposes to replace the existing doors and windows at the property located at 1 Rock Cottages, The Square, Torphichen. The property is located within a conservation area. The proposal previously proposed grey upvc windows which were not an acceptable replacement as the proposed grey upvc was out of keeping with the neighbouring properties and the surrounding area, where all openings are predominately uniform in material and white in colour. The replacement windows have now been revised and the proposal looks to use white upvc windows as a replacement. The existing windows are a white aluminium and the proposal is to replace the windows and doors of the property with white upvc openings. The replacement windows will now appear similar in colour, size, design and fit. It is also to be noted that several other properties within the immediate area, feature white upvc openings. Therefore, the white upvc windows are more acceptable and in keeping, in comparison to the grey openings previously proposed. This revised proposal now adheres to West Lothian Local Development Plan's DES 1 (Design Principles) and ENV 24 (Conservation Areas) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.			

Ref. No.:	0239/FUL/22	Recommendation:	Grant Planning Permission
Proposal:	Change of use from public open space to private garden ground, erection boundary fence and erection of shed (in retrospect)		
Address:	Land To West Of 108 Quarry Road, Fauldhouse, West Lothian, EH47 9EZ (Grid Ref: 293568,660625)		
Applicant:	Mr Iain Donald	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Lucy Hoad
<u>Summary of Representations</u> One objection received on the proposals. Main points include: Environmental impact Design Drainage and flooding			
<u>Officers report</u> This application seeks consent for a change of use of land from open space to private garden ground, the erection of a boundary fence and the erection of shed. The property is a 2-storey end terraced dwelling house situated within a large residential scheme. The applicant has carried out the works and the application is thus retrospective. The assessment considers the loss of open space, siting and design of the building and any potential impact on neighbouring properties. Policy DES1 of the LDP states that all development proposals will require to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community and where appropriate, should include measures to enhance the environment and be high quality in their design The layout of the residential scheme displays terraced blocks of dwellings orientated perpendicular to one another but with staggered building lines. Throughout the scheme green spaces have been provided to enhance and soften the visual appearance of the development. The loss of a small section of public open space is minimal in this instance. The land is set back from the public road and located to the end of terrace. The greenspace also borders a fence line enclosing the rear gardens of a row on neighbouring properties to the west and there are limited views into the site. The fencing raises no issues in terms of amenity or road safety. There will be no adverse impact on the character and appearance of the area. Similar boundary treatment is evident in the locality. The garden room with lean to roof has been erected to the side (west) of the house. It is set back from the main building line and visible to surrounding properties. In terms of external materials, the walls of the building area constructed of timber and box profile cladding, dark			

brown in colour which helps the structure to visually recede in views into the site.

In terms of design, the outbuilding is modest in scale and visually acceptable, with use of appropriate materials. The works will be visible from the public road but are not considered to be detrimental to the wider street scene.

There are no implications in terms of access to light or privacy stemming from the proposals given the distance to neighbours. Concerns were raised with regard to environmental impact, design of the shed and flooding to the neighbouring garden. Any requirements for surface water drainage would require to be assessed under building warrant regulations.

To conclude, the loss of open space is minimal and will not impact on the character or appearance of the area. The scale and mass of the development are considered to be visually acceptable in relation to the main dwelling house with use of appropriate materials, and the development is not considered to have an adverse impact on the visual amenity of the area or the residential amenity of the neighbouring properties.

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

Ref. No.:	0293/H/22	Recommendation:	Grant Planning Permission
Proposal:	Extension to house		
Address:	54 Glenisla Court, Whitburn, West Lothian, EH47 8NT, (Grid Ref: 295711,664448)		
Applicant:	Ms Noreen Graham	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection - - Impact on overshadowing/natural light. Planning response - - See officers report.			
<u>Officers report</u> This planning application proposes a rear extension onto the property located at 54 Glenisla Court, Whitburn. The proposed extension is to measure 4.500m x 4.000m and is to be 3.599m in overall height from ground level to the ridgeline of the proposed hipped roof. The extension is to feature windows and a doorway in the side elevation, which will overlook a boundary fence, and a window within the rear elevation, which will overlook the applicants rear garden area. The proposed openings will not directly overlook any neighbouring property or garden to a significant extent. The materials proposed for the works are to match those of the existing property. The works will be set back from the immediate neighbouring boundary by 0.475m and the applicant's property is slightly set back from the neighbouring property by 300 mm. In addition, the works will be mainly screened by fencing on the neighbouring boundary and it should be noted that the rear garden of the adjoined neighbouring property, is currently overshadowed by the applicant property at certain times of the day. It is considered that the works will not result in any additional overshadowing which would be considered detrimental and the neighbouring garden will still receive at least 2 hours of sunlight a day, which is in line with guidance given by the BRE. It should also be noted that the applicant can erect an extension under permitted development rights which can project from the rear elevation by 4m.			

The works are of a scale which will appear subservient and will allow for sufficient usable garden ground. The proposed works will not adversely impact residential or visual amenity.

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

Ref. No.:	0343/H/22	Recommendation:	Refuse Permission
Proposal:	Two storey extension to house		
Address:	20 Priory Road, Linlithgow, West Lothian, EH49 6BS (Grid Ref: 299888,676437)		
Applicant:	Mr and Mrs Alasdair McKillop	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
None			
<u>Officers report</u>			
<p>The house is a modern 2 storey semi-detached dwelling constructed of render, brick and tile, situated within a small residential cul-de-sac of properties of a similar style and construction. The scheme is located within the historic town of Linlithgow (outwith the Conservation Area but within the Peel and Royal Park buffer zone). The front garden is open to public view and the rear garden is bounded by timber fencing. There is a detached garage within the site.</p> <p>The application seeks to extend the dwelling at ground and upper floor level on the side and rear elevations in order to provide additional accommodation. It is intended to remove the existing garage to accommodate works.</p> <p>The key considerations are the visual impact on the building and wider street scene taking into account the residential amenity of neighbouring properties.</p> <p>The 2-storey addition to the side elevation of the dwelling will have a triangle footprint that is slightly set back from main building line and extending out to the rear over part of the existing parking provision and former garage area.</p> <p>Design guidance for parking provision stipulates the following standards: Driveways should be wide enough to allow for the opening of car doors and access to both sides of a parked car and also, on one side, allow for an accessible route to the dwelling. Single driveways should be at least 6 metres in length and with a minimum width of 3.5 metres and clear of any obstruction. Driveways for two vehicles shall be either 6 metres long and 5 metres wide or 12 metres long and 2.5 metres wide except for the length used as a path to the front door where the width shall be 3.5 metres for the driveway.</p> <p>The proposal would result in a reduction in the quality and quantity of parking available to serve the property contrary to planning guidance.</p>			

Policy DES1 (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 scale, massing, design or amenity.

The works would be visible from the main road to the front of the property. The extension is contemporary in style with a flat roof design set just above eaves level of the main house roof which has a pitched design. The external walls are to be roughcast render (off white) to match the main dwelling and the roof covered in single ply membrane (anthracite grey). The mass and scale of the proposed addition appears bulky in size overloading the building with an overbearing effect on the neighbouring property. The design of the extension would visually compete with the style and proportions of the main dwelling house resulting in a development that has an obtrusive appearance within the wider street scene.

There are no significant adverse impacts in terms of access to light or privacy stemming from the proposals.

The proposed works do not integrate with the existing property in terms of scale and design and it is considered that the proposed works will appear overbearing from the neighbouring property and obtrusive within the street scene. This proposal is therefore contrary to West Lothian Local Development Plan, Policy DES1 (Design Principles) and the guidance given in the House Extension and Alteration Design Guidelines, 2020. There would be a reduction in parking provision to serve the property.

It is recommended that the application be refused.

Ref. No.:	0359/H/22	Recommendation:	Grant Planning Permission
Proposal:	Extension to house		
Address:	59C West End, West Calder, West Lothian, EH55 8EJ (Grid Ref: 301303,662943)		
Applicant:	Mr Andy Robertson	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection comment received - - Impact on overshadowing/natural lighting. Planning response - - See officers report.			
<u>Officers report</u> This planning application proposes a rear extension onto the property located at 59C West End, West Calder. The proposed extension extends out from the rear elevation of the existing property by 4.060m and is to extend the full width of the existing property. The extension will be 3.850m in overall height from ground level to the ridgeline of the proposed gable pitch roof. The extension is to feature roof lights, patio doors on the rear elevation, which will overlook and open out into the applicant's rear garden area, and two windows on the side elevation. One of the windows within the side elevation is to be opaque glazed and one is a window of a living room, however this window is to be set back further from the boundary in comparison to the bathroom window, and therefore any overlooking will be reduced. The materials proposed for the works are to match those of the existing property. The proposed works will be mainly screen by fencing on the neighbouring boundary, which currently overshadows the neighbouring property to the east. The works will not result in any additional overshadowing which is considered detrimental and the proposed works are in line with guidance given by the BRE on overshadowing and right to light. In addition, it should be noted that the applicant can erect an extension measuring 4m in length and 4m in height, without planning permission which would result in the same impacts as those being proposed within this application.			

The works are of an acceptable scale which will appear subservient to the existing property and will still allow for sufficient usable garden ground. The proposed works will not adversely impact on residential or visual amenity.

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

Ref. No.:	0381/LBC/22	Recommendation:	Refuse Listed Building Consent
Proposal:	Listed building consent for attic conversion and installation of rooflights		
Address:	Douglas Cottage, 4B Friars Brae, Linlithgow, West Lothian, EH49 6BQ (Grid Ref: 300144, 676868)		
Applicant:	Mr Glyn Eggar	Type:	Other
Ward:	Linlithgow	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
None			
<u>Officers report</u>			
<p>Douglas Cottage (Douglas Cottage School) LB37375 is a category B Listed building in the Conservation Area of Linlithgow. It is an early C19 single storey 3 bay T Plan Tudor style schoolhouse now in residential use.</p> <p>Internal works The application seeks consent for internal works to remove the A frame of the roof structure and replace with steel hangers bolted into the external walls in order to be able to lower the ceilings in the property and create an upper floor level for provision of bedrooms and bathroom accommodation.</p> <p>External works The rooms will be illuminated by the insertion of rooflights to secondary elevations (side and rear of the property).</p> <p>Consultations The AHSS object to the development on the grounds of loss of integrity of character and structure of the building, in particular the alteration of the roof structure through removal of the A-frame roof support and insertion of skylights, the loss of cornices within the rooms, and the loss of craftsmanship in construction of the property.</p> <p>HES have made no comments on the application.</p> <p>Assessment In considering whether to grant listed building consent, the planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses</p>			

In terms of design, the former school building is simple in form and layout but its roof shape to include internal construction, and decorative elements around windows and chimneys contributes to its traditional but special/individual character and appearance. The works to alter the roof structure and lower the ceilings would permanently remove/alter the historic interior fabric of the building and result in an adverse impact on the special historic interest and architectural quality of the building. The high ceilings with plain cornice and room proportions/volume reflect the buildings use as a formal school house and the lowered ceiling together with introduction of non-conservation type roof lights would alter the interior, and exterior to the extent that the character and appearance of the building would be significant and adversely affected. Whilst the prime roof slope would have no skylights the external works would be visible from public view.

Other considerations

The works will result in a loss of the A frame providing tension to support the slated roof may place additional strain on the outer walls of the historic building, however the applicant would require to demonstrate load bearing calculations through the building warrant process.

Conclusion

The building is of local importance both architecturally and historically. Concerns have been raised as to the manner in which the facade is being retained but the internal fabric lost. In this particular instance, the introduction of an upper floor level within the property will irreversibly impact the integrity of a building due to loss of the historic fabric of the building. The introduction of skylights would have a significant adverse visual impact to the detriment of the character and appearance of the listed building.

This proposal is contrary to West Lothian Local Development Plan's Policies ENV28 (Listed Buildings) and DES 1 (Design Principles) in that there will be a significant adverse impact on the historic significance and architectural quality of the listed building.

It is recommended that this application is refused listed building consent.

Ref. No.:	0382/H/22	Recommendation:	Grant Planning Permission
Proposal:	Extension to house		
Address:	66 Aitken Orr Drive, Broxburn, West Lothian, EH52 5EZ (Grid Ref: 308724,672486)		
Applicant:	Ms Ellie Tappendene	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection comment received - - Impact on privacy/overlooking, - overshadowing/impact on natural lighting, - Maintenance of grassed areas and garden. Planning response - - See officers report, - See officers report, - Not a material planning consideration.			
<u>Officers report</u> This application proposes a single storey extension onto the property located at 66 Aitken Orr Drive, Broxburn. The rear extension is to be 3.400m in overall height from ground level to the top of the proposed roof lantern, however the proposed flat roof of the extension is to sit level with the roof of the existing property. The rear extension will feature a small fixed window on the east elevation and patio door on the side elevation. The proposed openings will overlook and open out into the applicants garden area, will be set back by the neighbouring boundary by a sufficient distance and will not directly overlook any neighbouring property to a significant extent. No windows or openings are proposed for the south elevation. The works also look to replace the existing front doorway with a new timber doorway and install a small ramp to the front of the property. The proposed works are set well away from the neighbouring boundary therefore any additional overshadowing is not considered to detrimentally impact upon any neighbouring garden or habitable room. Extensions of a similar design and scale have previously been granted planning permission within the streetscene, therefore the proposed			

works will not appear out of context within the streetscene and will not significantly impact upon the visual amenity. The works are of an acceptable scale which integrate with the existing property and will still allow for sufficient usable garden ground. In addition, the works will not adversely impact upon the residential amenity in terms of overlooking or overshadowing.

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



Development Management

List of Delegated Decisions - 24th June 2022

DATA LABEL: OFFICIAL

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

Ref. No.:	1132/FUL/20	Recommendation:	Grant Planning Permission
Proposal:	Erection of 424 houses and 18 flats, new local centre, landscaped river corridor, active travel routes, distributor road, new bridge, secondary access roads, car parking, open space, play facilities, landscaping, and other associated infrastructure		
Address:	Phase B, Site H-WF1, Westfield, West Lothian (Grid Ref: 293870,672331)		
Applicant:	Alba Developments	Type:	Major Application
Ward:	Armada & Blackridge	Case Officer:	Mahlon Fautua
<u>Summary of Representations</u> Four objections have been received: Privacy, over dominance, loss of daylight Loss of playing space Lack of amenities Lack of education infrastructure Traffic impacts			
<u>Officers report</u> The proposed development is located on land that is allocated for housing (site H-WF 1) in the adopted West Lothian Local Development Plan (LDP). The proposed layout is satisfactorily designed in accordance with Designing Streets and the Residential Development Guide and would ensure that the existing built form and residential amenity in Westfield would not be adversely affected. The applicant has demonstrated that the land could be developed safely in terms of flooding and can be remediated in terms of potential ground contamination.			

In terms of Education, the housing allocation has been accounted for in terms of catchment's school capacities and subject to the relevant developer contributions and onsite school upgrades.

The proposal complies with policies HOU 1 (Allocated Housing Sites) and DES 1 (Design Principles) of the West Lothian Local Development Plan. It is recommended that planning permission be granted subject to conditions and the entering into a legal agreement to secure the relevant developer obligations and the submission of the associated engineering information.

Ref. No.:	0065/FUL/22	Recommendation:	Refuse Permission
Proposal:	Change of use from public open space to private garden ground, formation of parking and erection of a 1.8m high fence		
Address:	North Lodge, East Calder, West Lothian, EH52 5PE, (Grid Ref: 309140,669646)		
Applicant:	Mr & Mrs Nigel and Catriona Smith	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Rachael Lyall
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>This application proposes a change of use, from public open space to private garden ground, and the erection of a 1.8m high boundary fence at North Lodge, East Calder.</p> <p>The property is located at the entrance to Almondell Country Park.</p> <p>The works propose forming two parking spaces within a driveway to the south of the site and within the extended garden ground. The extended garden ground is to be enclosed using a 1.8m high timber fence.</p> <p>The loss of this prominent, attractive open space would be significant and the proposed works will detrimentally impact upon the appearance and visual amenity of the country park and the surrounding area. In addition, there are two trees located on site which are protected by a Tree Preservation Order. The proposed works risk of damaging the RPA of the protected trees. In addition, it has been advised that a verge will be required in order to maintain services nearby the site and the proposed fence line does not allow for this.</p> <p>As a result, the application is contrary to West Lothian Local Development Plan policies DES 1 (Design Principles) ENV 9 (Woodlands, Trees and Hedgerows) and ENV 21 (Protection of Formal and Informal Open Spaces) and does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is refused planning permission.</p>			

Ref. No.:	0295/FUL/22	Recommendation:	Refuse Permission
Proposal:	Change of use from nursery (class 10) to a house (class 9)		
Address:	53 Whitburn Road, Bathgate, West Lothian, EH48 1HE, (Grid Ref: 297322,668621)		
Applicant:	Mr Muhammad Sohail Ashraf	Type:	Local Application
Ward:	Bathgate	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
No representations were received.			
<u>Officers report</u>			
<p>Permission is sought for the change of use from a nursery (class 10) to a residential house (class 9). The application site is located within Bathgate town centre.</p> <p>Developer contributions for cemetery provision and education provision are required to comply with council policy . The applicant has not agreed to pay these and therefore the proposal would be contrary to Policy INF 1 (Infrastructure Provision and Developer Obligations), the Supplementary Guidance Planning & Education 2021 and Supplementary Guidance on Developer Contributions Towards Cemetery Provision, 2021 of the West Lothian Local Development Plan 2018.</p> <p>It is therefore recommended that permission be refused.</p>			

Ref. No.:	0346/FUL/22	Recommendation:	Refuse Permission
Proposal:	Conversion of outbuilding to form ancillary residential accommodation, workshop and storage building		
Address:	Shiel Mill Farm, Nethershiel Road, Calderwood, East Calder, West Lothian (Grid Ref: 309479,669525)		
Applicant:	Ms Susan Smith	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Alexander Calderwood
<p><u>Summary of Representations</u></p> <p>1 objection has been received for this application. The content of the objection is as follows:</p> <ul style="list-style-type: none"> - The previous application for this conversion, Ref:0562/FUL/21, was refused and there is no material change in the building since that refusal. - Proposals represent overdevelopment of the site. - Adverse impact on neighbouring residential amenity. - Adverse impact on neighbouring property value. - The building can easily be returned to its original function of stabling and agricultural storage. - Adverse impact of construction noise on neighbouring residential amenity and horses which are stabled in close proximity to application site. - Unsuitable foul drainage proposals. 			
<p><u>Officers report</u></p> <p>This application seeks full planning permission for the conversion of an outbuilding to form ancillary residential accommodation, workshop and storage building at Shiel Mill Farm, Nethershiel Road, Calderwood.</p> <p>The relevant West Lothian Local Development Plan policies are: Policy DES 1 (Design Principles), Policy ENV 1 (Landscape Character and Special Landscape Area), Policy ENV 2 (Housing Development in the Countryside) and the Supplementary Guidance: Development in the Countryside (2018).</p> <p>Application 0562/FUL/21 was refused on the 21/9/21. The application also sought consent for the residential unit which is proposed under the current application. In terms of design the current proposals are identical. Additionally, no further justification for the development has been provided in relation to the policies and supplementary guidance above.</p> <p>The site is located within the Almond & Linthouse Valleys Special Landscape Area and is out with the settlement envelopes as defined by the Development Plan. The proposal is assessed against Policy ENV 2 which carries a presumption against housing in the countryside,</p>			

unless it can be justified against a number of exceptions. The site proposed for development is not a brownfield site, it is not a replacement house, it is not an infill site and the existing stable block is not of significant architectural or historic merit and is not within the area covered by the council's lowland crofting policy. In addition, the proposal is not considered to make an exceptional contribution to the appearance of the countryside. Therefore, the applicants have failed to provide sufficient justification which meets the criteria of policy ENV2 for further onsite accommodation.

Additionally, the proposals do not meet parts B) and E) of 'Supplementary Guidance: Development in the Countryside (2018)' which require the building to possess sufficient visual, local or historical merit to justify its conversion; and for the proposals to meet all the other criteria set out in the policies of the local development plan.

The proposals do not comply with Policy DES 1, Policy ENV 1 and Policy ENV 2 of the West Lothian Local Development Plan 2018; and the associated supplementary guidance. It is therefore recommended that planning permission be refused.

Ref. No.:	0378/H/22	Recommendation:	Refuse Permission
Proposal:	Two storey and single storey extensions to house		
Address:	26 Rowan Walk, Calderwood, East Calder, West Lothian, EH53 0HL (Grid Ref: 309283,668514)		
Applicant:	Mr Callum Archibald	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
None			
<u>Officers report</u>			
<p>The property is a 2-story detached dwelling with pitched roof constructed of render and tile. The house is situated within a small residential estate of properties of a similar type and construction located within East Calder. The house occupies a corner plot within the estate and has a shallow front garden and deep rear garden. The house has a detached garage situated in the rear garden accessed by a driveway to the side of the dwelling.</p>			
<p>The application seeks consent for the erection of a 2-storey extension to the side/north west elevation and a single storey extension to the rear of the property. The side extension will provide a garage at ground floor level with an additional bedroom and bathroom above. The rear extension will provide a kitchen and utility room at ground floor level. It is intended to remove the existing garage to accommodate works.</p>			
<p>The key considerations are the visual impact on the building and wider street scene taking into account the residential amenity of neighbouring properties as well as the provision of adequate parking provision in order to serve the dwelling (5 bedrooms).</p>			
<p>The 2-storey addition to the side elevation of the dwelling will have a rectangular footprint that is set back from main building line but will extend out over part of the existing parking provision. The rear extension will extend out over the former garage area.</p>			
<p>Design guidance for parking provision stipulates the following standards: If an extension increases the number of bedrooms, the number of cars at that property might increase. This will be considered when we consider an application for an extension. The proposal will result in 5 bedrooms.</p>			
<p>Driveways should be wide enough to allow for the opening of car doors and access to both sides of a parked car and also, on one side, allow for an accessible route to the dwelling. Single driveways should be at least 6 metres in length and with a minimum width of 3.5 metres</p>			

and clear of any obstruction. Driveways for two vehicles shall be either 6 metres long and 5 metres wide or 12 metres long and 2.5 metres wide except for the length used as a path to the front door where the width shall be 3.5 metres for the driveway.

The proposal would result in a reduction in the quality and quantity of parking available to serve the property contrary to planning guidance.

Policy DES1 (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.

The works would be visible from the main road to the front of the property. In terms of design, the front building line of the side addition will be set back from that of the main dwelling. The extension will have a pitched roof to match the main house set down from the main ridge height. The external materials will be render and tile to match the main house. The rear extension will have a flat roof and project out from the rear building line of the new side extension into the rear garden. The external wall finishes will be a mixture of render and standing steam panelling. The roof is to be covered in single ply membrane.

In terms of design, whilst the side extension is subservient in mass and scale to the main dwelling house and constructed of appropriate materials, the addition would be sited on the existing off-street parking provision for 2No vehicles. Design guidance for residential developments stipulates that for a dwelling of 5No bedrooms there should be a provision of 2No off-street parking spaces (excluding garages) to serve the property, which in this case would not be provided with the build out of the side extension.

The applicant was asked to consider alternative designs in order to retain the quality and quantity of existing parking provision to include extending out to the rear of the property, however the applicant seeks a decision on the application as submitted. The applicant suggested an amendment to provide 1No parking space in front of the new garage and 1No parking space (angled) within a section of the front garden area of the dwelling. This green space does not provide the necessary depth for a parking space in line with policy guidance.

Given that the proposals would result in a reduction in the quality and number of off-street parking spaces as well as the loss of an attractive green space for this corner plot within the scheme, the proposals as submitted are not acceptable in this instance.

The proposed works would result in a reduction in the green space to the front of the property containing one tree, and a reduction in parking provision to serve the property, to the detriment of visual and environmental amenity of the area.

This proposal is therefore contrary to West Lothian Local Development Plan, Policy DES1 (Design Principles) and the guidance given in the Residential Development Guidance 2019 and House Extension and Alteration Design Guidelines, 2020. It is recommended that the application be refused on design grounds.

Ref. No.:	0470/FUL/22	Recommendation:	Refuse Permission
Proposal:	Change of use from open space to private garden ground and erection of decking across watercourse (in retrospect)		
Address:	15 Ballencrieff Mill, Bathgate, West Lothian, EH48 4LL (Grid Ref: 296434,669622)		
Applicant:	Mr Slawomir Marzec	Type:	Local Application
Ward:	Bathgate	Case Officer:	Kirsty Hope
<u>Summary of Representations</u> N/A			
<u>Officers report</u> <p>The proposal involves the change of use from open space to private garden ground and erection of decking across watercourse (in retrospect).</p> <p>The scale and location of the proposed decking would impact on the visual amenity of the surrounding areas, which in turn would set a precedent for other residents to follow suit. The proposal fails to comply with policy DES 1 (Design Principles).</p> <p>Policy ENV 11 (Protection of the Water Environment / Coastline and Riparian Corridors) advises that development proposals adjacent to a waterbody should comply with the Scottish Environment Protection Agency (SEPA) Guidance on buffer strips adjacent to water bodies. The proposal is contrary to this guidance that recommends a minimum distance of 6m of undeveloped buffer strip is provided to all watercourses and this proposal is erected on the embankment of the watercourse.</p> <p>Policy ENV 11 also states that there will be a general presumption against any unnecessary engineering works in the water environment including bridges and bank modifications. This proposal is for the enjoyment of the resident, however, is not necessary works, however it is noted that it may well be desirable from the resident. Development within riparian corridors which impacts on the ecological and landscape integrity will not be permitted unless a specific need for the development can be demonstrated, no justification has been provided.</p> <p>The applicant has not provided a specific locational justification for the development which outweighs the need to retain the open space and the site has ecological value as a riparian corridor, contrary to ENV 21 (Protection of Formal and Informal Open Space).</p> <p>The applicant has not satisfactorily demonstrated that the site is not at risk of flooding by failing to provide a flood risk assessment or a structural report. The proposal is therefore contrary to Policy EMG2 (Flooding) and the Supplementary Guidance on Flooding and Drainage, 2019 of the West Lothian Local Development Plan 2018. The proposal is contrary to the policies and provisions of the development plan and it is therefore recommended that planning permission is refused.</p>			

Proposed Enforcement Actions – 24/06/2022

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0207/19	Mr S Nguyen	Angels Nail Bar 212 High Street Linlithgow EH49 7ES The display of two unauthorised fascia signs on the front and side elevation	Linlithgow & Linlithgow Bridge	Take No Action	The original complaint included the display of fascia signage on the gable wall which was the main concern in terms of visual impact. This has now been removed. The fascia sign on the principal elevation has been in place for over 3 years and is small scale in nature. Planning Enforcement shall use discretionary powers and recommend no further action in respect of the one remaining sign on this occasion.
ENF/0060/22	Mr Addison & Ms Coyle	9 Riverside Lea Seafield Road Blackburn Bathgate West Lothian EH47 7EL Temporary planning permission expired (LIVE0384/FUL/14)	Whitburn & Blackburn	Enforcement Notice	Temporary planning permission expired on 05 August 2017. The owners have failed to submit a retrospective planning application to continue to use the property as a nursery. <u>Steps to comply</u> 1. Cease use of the property as a nursery.

Proposed Enforcement Actions – 24/06/2022

ENF/0030/20	Mr David Miller	103 Easter Bankton Murieston Livingston West Lothian EH54 9BG Breach of condition 1 (Temporary consent expired 0794/FUL/19)	Livingston South	Enforcement Notice	<p>Temporary planning permission expired on 01 October 2020. The owner has failed to submit a new planning application to continue the use of the garage as a barber shop.</p> <p><u>Steps to comply:</u></p> <ol style="list-style-type: none"> 1. Cease use of the garage as a barber shop and return to its original use (domestic garage).
ENF/0246/21	Mr Richard Madden	Northfield Farm Fauldhouse Bathgate West Lothian EH47 9AA Unauthorised change of use from agriculture to HGV scrapyard	Fauldhouse & The Breich Valley	Enforcement Notice	<p>The farm is being used for vehicle storage and salvage. A Section 33A Notice was served on 24 May 2022 requiring the submission of a planning application. The occupier has failed to comply with the Notice and the Council is to serve an Enforcement Notice for the breach of planning control.</p> <p><u>Steps to comply:</u></p> <ol style="list-style-type: none"> 1. Cease HGV scrapyard use and reinstate the land to its original state.

DATA LABEL: PUBLIC



DEVELOPMENT MANAGEMENT COMMITTEE

PLANNING APPEAL PPA-400-2140: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS OF PLANNING PERMISSION 0636/P/18 FOR THE ERECTION OF 189 HOUSES WITH ASSOCIATED WORKS AT LAND SOUTH OF SIBBALDS BRAE AND WEST OF FALSIDE CRESCENT, BATHGATE

REPORT BY CHIEF SOLICITOR

A. PURPOSE OF REPORT

To advise the Development Management Committee that a response has been submitted to the appeal made to The Scottish Government's Planning and Environmental Appeals Division (the DPEA) (Planning Appeal PPA-400-2140) for approval of matters specified in conditions of planning permission 0636/P/18 for the erection of 189 houses with associated works at land south of Sibbalds Brae and west of Falside Crescent, Bathgate.

B. RECOMMENDATION

To note the approval provided using SO31 (Urgent Business) procedures to approve the submission of a response to the DPEA in relation to Planning Appeal PPA-400-2140

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable;
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The proposed response will ensure that the council's position with regard to the original planning application is taken into consideration by the DPEA in deciding the appeal.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single	None

Outcome Agreement

VI Resources - (Financial, Staffing and Property)	None
VII Consideration at PDSP	N/A
VII Other consultations	Legal Services; Planning Services; Chair of Development Management Committee; and Local Ward Members: Councillors Stuart Borrowman, Sarah King and Andrew McGuire

D. TERMS OF REPORT

Planning Application reference number 1030/MS/20, approval of matters specified in conditions of planning permission 0636/P/18 for the erection of 189 houses with associated works at land south of Sibbalds Brae and west of Falside Crescent, Bathgate was considered by the Development Management Committee at its meeting on 19 January 2022.

The Planning Officer's recommendation was to grant the matters specified in conditions, subject to conditions. The committee determined that the application did not conform with policies; DES1, as the development did not integrate with the local context and built form, HOU4, as the 15% of affordable housing proposed was not of a type that was proportionate to the development proposed in the application, and INF1 of the Local Development Plan, as there was a lack of adequate space within the development to allow for open space provision, which could not be addressed by developer contributions secured by way of planning obligation; Supplementary Guidance (Residential Development Guide) as the standards proposed for garden sizes and plot ratios were not in accordance with the guidance, and the departure was not minor or acceptable; and Supplementary Guidance (Affordable Housing) as the type of affordable housing proposed was not of a type that was proportionate to the development proposed in the application.

In addition, committee agreed that any increase in traffic movements from the development would have an unacceptable impact on the wider area in which the development was proposed and also that there would be an unacceptable impact on the occupant of 12c Falside Crescent, Bathgate in respect of their residential amenity and privacy

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

In accordance with agreed procedures, the Chair of the Development Management Committee and relevant ward members were consulted on the response before it was finalised for approval and lodging with the DPEA on 7 June 2022

E. CONCLUSION

The attached response sets out the council's position in respect of an appeal submitted to the DPEA in respect of application for approval of matters specified in conditions of planning permission 0636/P/18 for the erection of 189 houses with associated works at land south of Sibbalds Brae and west of Falside Crescent, Bathgate.

F. BACKGROUND REFERENCES

Report to Development Management Committee dated 19 January 2022

Planning Appeal Statement DPEA reference PPA-400-2140

Appendices/Attachments:

Appendix 1: Response of West Lothian Council to procedure notice in relation to Planning Appeal DPEA reference PPA-400-2140

Contact Person: Lesley Montague, Managing Solicitor,
lesley.montague@westlothian.gov.uk

Date of Meeting: 6 July 2022