



Guidance for making a planning application

When to use this Planning Application form

You can use this form for a variety of planning permissions:

- Full planning permission;
- Planning permission in principle;
- Renewal of temporary planning permission;
- Modification, variation or removal of a planning permission condition; or
- Application of approval, consent or agreement required by a condition imposed on a previous grant of planning permission

Forms included in this pack

- Application for planning permission;
- Notice of application for planning permission;
If you own your property you will not need to use this form. You will only need to use it if you have to inform the owner, or an agricultural tenant, of your application.
- Land ownership certificate - to be sent to us with your planning application;
- Notification on initiation of development - to be sent to us to inform you have started the development;
- Notification on completion of development - to be sent to us to when have completed the development.

National, Major and Local applications

There are three types of planning applications: National, Major and Local. National developments are large scale infrastructure developments which are in the National Planning Framework, such as a new bridge crossing the Forth. Major developments are those which have a site size of two hectares or more, or comprise 50 or more dwellings. All applications smaller than this are classified as local applications.

If it is a major or national application, you will need to submit a proposal of application notice 12 weeks before you submit an application, and undertake community consultation. The council cannot accept a major planning application until this pre-application period is over and the appropriate consultation has been carried out. A major application must be accompanied by a report on the consultation carried out.

When your application is registered we will let you know the name and contact details of the case officer, who you will be happy to answer any questions you might have about the process.

Plans and drawings

You will need the following plans:

- location plan, with a red line defining your property;
- a site plan,
- fully dimensioned floor plans and elevations, existing and proposed.

Land ownership certificate

You do not need to own in the land to which the application relates when you apply for planning permission, nor do you require the consent of the owner to make the application.

If you do not own the application site, you are legally required to give notice of the the planning application to the owner when you submit it to us. If any of the application site is farmland, you are also required to give notice to any agricultural tenant of the land. For the purpose of making a planning application, a person is regarded as the owner if, 21 days before the date of the planning application, they are the owner, or are a tenant under a lease which still has seven years to run. You must also complete the appropriate **certificate of ownership** which tells us about the ownership of the application site, before we can register your application.

If you do not know who owns some of the land in the application site, your proposal will have to be advertised in a local newspaper, at a cost of £80 which you will need to add to the planning fee you send us.

Pre-application Enquiry

If you would like advice on whether your application is likely to be acceptable, you can use our enquiry service before you submit your planning application. To do this, go to the Pre-application Enquiry webpage (<http://www.westlothian.gov.uk/article/10863/Pre-Application-Enquiry>). Please note, this service is not for queries about whether planning permission is required, which you can find out at <http://www.westlothian.gov.uk/article/2751/Do-I-Need-Planning-Permission>

Application fee

You must submit the correct fee when you submit your application (with receipt reference, if paying online or site address), so not to delay the process. Guidance on planning fees is available on the council's website: <http://www.westlothian.gov.uk/article/10742/Planning-application-fees>

Neighbour notification

The council will notify neighbours of your proposal. Where there are no premises on adjacent land to which we can send the notification, it will be necessary to advertise details of your application in a local newspaper at an additional cost of £80. If this is necessary we will contact you and let you know. We will not be able to register the application until you have paid the additional £80.

Advertising the application

West Lothian Council will have to advertise your application if your proposal is significantly contrary to the development plan or if it is likely to give rise to noise in a residential area before eight o'clock in the morning or after eight o'clock at night.

Applications in Linlithgow ward will be advertised in the Linlithgow Gazette. All other applications will be advertised in the West Lothian Courier. The cost of an advertisement is £80, which you will need to give us before we can register your application. If an advertisement is required we will contact you.

Separate procedures apply to proposals that effect conservation areas and listed buildings and those which require an environmental impact statement.

The determination of your planning application

Different procedures apply if your proposal is a **major** application or a **local** application. The target for determining a **major** application is 16 weeks and the target for a **local** application is eight weeks. If we think that we will require more time to deal with your application, we will contact you with a request to agree a longer period.

Applying for permission online

Please note as an alternative to applying for permission using paper forms, application for permission or appealing a decision can both be made electronically by visiting the Scottish Government ePlanning site: <https://www.eplanning.scot/>

Developer Contributions

Your application might require the payment of developer contributions, to cover the cost of providing additional school places, affordable housing, cemeteries or public art. Guidance can be found by visiting the following council's weblink: <http://www.westlothian.gov.uk/SPG>

Data Protection

When submitting a planning application, the information will appear on the Planning Register and will also be published on our weekly list of planning applications. This is done in accordance with data protection law.

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Application for **planning permission**

Town and Country Planning (Scotland) Act 1997 as amended

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008



West Lothian
Council

Planning Services Development Management

Please refer to the guidance notes when completing this application form

1 Applicant's details *(mandatory)*

Name	<input type="text"/>		
Company	<input type="text"/>		
Address	<input type="text"/>		
Postcode	<input type="text"/>		
Telephone	<input type="text"/>	Fax	<input type="text"/>
Email	<input type="text"/>		

2 Agent's details *(if applicable)*

Name	<input type="text"/>		
Company	<input type="text"/>		
Address	<input type="text"/>		
Postcode	<input type="text"/>		
Telephone	<input type="text"/>	Fax	<input type="text"/>
Email	<input type="text"/>		

3 Address or location of proposed development *(please include postcode)*

Address	<input type="text"/>		
Postcode	<input type="text"/>		

4 What are you applying for?

Please select one of the following:

- Planning permission Planning permission in principle
- Renewal of temporary permission* Modification, variation or removal of a planning condition*
- Application for approval, consent or agreement required by a condition imposed on a grant of planning permission

* Please give the reference number of the previous application and the date when permission was granted.

Reference number
(if this applies)

Date of consent

5 Site history

Have there been any previous applications on this site? Yes No

If yes, please give the reference number(s), if known, and any other relevant details.

Ref no(s).

Details

6 Description of the proposal

Please describe the proposal, including any change of use.

Are you applying for temporary permission? Yes No

If yes, please state how long the permission is required and why.

What is the present or most recent use of the site/building?

7 Has work started or is it complete?

Have the works been started or completed? Yes No

If yes, please give the start date and completion date, if applicable.

If yes, please explain why work has already taken place in advance of making this application.

8 Pre-application Enquiry

If you have submitted a pre-application enquiry about this proposal, please give the reference number

9 Size of land to which the proposed relates

Please state the site area

Hectares (ha) Square metres (sq.m.)

10 Existing use

Please describe the current or most recent use of the land or buildings on the site

11 Access and parking

Are you proposing a new or altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any such affected areas and explain the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site?

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGVs, etc.).

12 Water supply and drainage arrangements

Will your proposals require new or altered water supply or drainage arrangements? Yes No

Are you proposing to connect to the public drainage network (e.g. to an existing sewer)?

- Yes, connecting to public drainage network
- No, proposing to make private drainage arrangements
- Not applicable

What private arrangements are you proposing for the new/altered septic tank?

- Discharge to land via soakaway
- Discharge to watercourse(s) (including partial soakaway)
- Discharge to coastal waters
- Not applicable

What private drainage arrangements are you proposing?

- Treatment/additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)
- Other private drainage arrangement (such as chemical toilets or composting toilets)
- Not applicable

Please show details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water? Yes No
(e.g. SUDS arrangements) *Note: Please include details of SUDS arrangements on your plans*

Are you proposing to connect to the public water supply network?

- Yes
- No, a private water supply

If using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

13 Assessment of flood risk

Is the site within an area of a known risk of flooding? Yes No Don't know

If the site is within an area of known risk of flooding you may need to submit a flood risk assesment before your application can be determined. A drainage impact assesment may also be required (you may wish to contact the council or the Scottish Environment Protection Agency for advice on what information may be required).

Do you think your proposal may increse the risk of flooding elsewhere?

Yes No Don't know

If yes, please explain why work has already taken place in advance of making this application

14 Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread and indicate if any are to be cut back or felled.

15 Waste storage and collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? Yes No

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

16 Residential units including conversion

Does your proposal include new or additional houses and/or flats? Yes No

If yes, how many of each type of unit do you propose?

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

17 For all types of non housing development - new floorspace proposed

Does your proposal alter or create non-residential floorspace?

If yes, please provide details below:

Yes

No

Type of floor space

Gross proposed floorspace (sq. m.)

Number of new or additional rooms

For retail proposals only; please give details of internal floor space:

Net trading space

Gross trading space

Total

18 Data protection

Please note that when you submit a planning application, the information, including the name and address of the application and agent, will appear on the Planning Register, the regulatory List of Current Applications and Pre-Applications, and the weekly list which is circulated. The completed forms and any associated documentation will also be available for public access at the Development Management office and published on the council's website.

Personal and sensitive information, as defined by the Data Protection Act 1998, including personal telephone numbers, signatures, personal email addresses and other information considered to be sensitive under the Act will be redacted from the published information.

19 Declaration

Please check that you have completed all the questions and the land ownership certificate correctly.

You must sign the declaration below to validate the application.

Please note failure to complete these forms may result in a delay in the registration and determination of your application.

I certify that the information given by me in this form is true and accurate to the best of my knowledge. The accompanying plans/drawings, land ownership certificate and additional information are provided as part of this application.

I understand that anyone who knowingly or recklessly makes a false declaration is liable, on conviction, to a fine of currently up to £5,000.

Signature

Name

Date

Please tick the box if the applicant is an elected member or an officer involved in the planning process of West Lothian Council, or is a partner/close friend/relative of either.

Paying for your planning application

To help us to process your application, please tell us the way you paid for your application, and include the online reference number or a cash office receipt number (if you happen to send payment details in separately from this form, please include your name and site address)

ePlanning

West Lothian Online Payments

Cheque

Customers Information Service cash office

Other

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

tel 01506 280000 email planning@westlothian.gov.uk web westlothian.gov.uk

Notice of application for planning permission

To be sent to an owner or agricultural tenant

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008
Notice under regulation 15(1) of application for planning permission for service on owners and tenants of agricultural land



West Lothian
Council

Planning Services Development Management

Location of proposed development

Address

Postcode

This is to inform you that an application is being made to West Lothian Council for planning permission by:

Name

Description of proposed development

If you wish to obtain further information or make representations on the application you should contact Development Management, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF.

The grant of planning permission does not affect owners' right to retain or dispose of their property unless there is some provision to the contrary in an agreement or lease. The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

Signed

Date

On
behalf of

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

tel 01506 280000 email planning@westlothian.gov.uk web westlothian.gov.uk

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Land Ownership Certificate to accompany an application for planning permission

Town and Country Planning (Scotland) Act 1997

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Section 35 Land Ownership Certificate



West Lothian Council

Planning Services Development Management

If you do not own all of the land or property to which this application relates, you **MUST** notify all owners of the site at the same time as submitting this application. (A form for this purpose can be obtained from the council's Development Management service).

Site address (including postcode)

I CERTIFY THAT: (please choose only one option)

- Twenty one days before the date of this planning application, the applicant owned **ALL** the land to which this application relates.
- The applicant has given notice to all persons who, twenty one days before the date of this planning application, owned any part of the land which it relates. These are:

Name of owner	Address where notification sent	Date notified
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

- The applicant is unable to give notice to every such person (Please set out steps you have taken to ascertain the names and addresses of such persons overleaf).

I FURTHER CERTIFY THAT: (please choose only one option)

- Twenty one days before the date of this planning application, **NONE** of the land or part of the land to which this application relates, constitutes or forms part of agricultural land;
- The applicant has given notice to every person (other than the applicant) who, twenty one days before the date of this planning application, was an agricultural tenant on any part of the land to which the application relates. These are:

Name of owner	Address where notification sent	Date notified
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

- The applicant is unable to give notice to every such person (Please set out steps you have taken to ascertain the names and addresses of such persons overleaf).

Where necessary, continue on another sheet and attach to this certificate

If you do not know who owns land or who is an agricultural tenant, you **MUST** advise the council. If the council has to publish details of the application in the local press to remedy this, the advertisement cost will have to be paid in full by the applicant.

Steps taken to ascertain land ownership (if appropriate)

1 If any person:

- (a) issues a certificate which purports to comply with any requirement imposed by virtue of this section and contains a statement which he knows to be false or misleading in a material particular, or
- (b) recklessly issue a certificate which purports to comply with any such requirement and contains a statement which is false or misleading in a material particular,

he/she shall be guilty of an offence.

A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level five on the standard scale.

2 In this section:

agricultural holding has the same meaning as in the [1991 c. 55.] Agricultural Holdings (Scotland) Act 1991; and **owner** in relation to any land means any person who:

- (a) under the Land Clauses Acts would be enabled to sell and convey the land to the promoters of an undertaking and includes any person entitled to possession of the land as lessee under a lease the unexpired period of which is not less than seven years, or
 - (b) in the case of such applications as may be prescribed by regulations or by a development order, is entitled to an interest in any mineral so prescribed,
- and the reference to the interests in the land to which an application for planning permission relates includes any interest in any mineral in, on or under the land.

3

Proceedings for an offence under this section may be brought at any time within the period of two years following the commission of the offence.

Declaration

Please tick the box if the applicant is an Elected Member, or an officer involved in the planning process, of West Lothian Council, or is a partner/close friend/relative of either

Signed

Date

On
behalf of

(if signed by an agent)

To be returned, signed, with the planning application

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

tel 01506 280000 email planning@westlothian.gov.uk web westlothian.gov.uk

Notification of initiation of development

To be returned to West Lothian Council at the address below



Planning Services Development Management

I hereby notify West Lothian Council that work will be begin at

Address	<input type="text"/>
Postcode	<input type="text"/>
on (date)	<input type="text"/>
in accordance with planning permission (no)	<input type="text"/>
granted on (date)	<input type="text"/>

Details of person intending to carry out development

Name	<input type="text"/>
Address	<input type="text"/>
Postcode	<input type="text"/>
Telephone	<input type="text"/>
Email	<input type="text"/>

Contact details for any person who will oversee development

Name	<input type="text"/>
Address	<input type="text"/>
Postcode	<input type="text"/>
Telephone	<input type="text"/>
Email	<input type="text"/>

Owner of land (if different from above)

Name	<input type="text"/>
Address	<input type="text"/>
Postcode	<input type="text"/>

Signed	<input type="text"/>	Date	<input type="text"/>
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Development Management, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF

tel 01506 280000 email planning@westlothian.gov.uk web westlothian.gov.uk

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Notification of completion of development

To be returned to West Lothian Council at the address below



West Lothian
Council

Planning Services Development Management

I hereby notify West Lothian Council that work will be completed at

Address	<input type="text"/>
Postcode	<input type="text"/>
on (date)	<input type="text"/>
in accordance with planning permission (no)	<input type="text"/>
granted on (date)	<input type="text"/>

Developer's details

Name	<input type="text"/>
Address	<input type="text"/>
Postcode	<input type="text"/>
Telephone	<input type="text"/>
Email	<input type="text"/>

Owner of land (if different from above)

Name	<input type="text"/>
Address	<input type="text"/>
Postcode	<input type="text"/>

Signed	<input type="text"/>	Date	<input type="text"/>
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