

# **Scottish Government backs appeal over Winchburgh site**

**Plans to retain the prominent village site of a former hotel as a car sales lot have been backed in an appeal to the Scottish Government.**

It brings to an end almost a decade of wrangling over the Main Street frontage in Winchburgh.

But conditions have been imposed on the owner to ensure area does not become a scrapyard.

A Reporter for the Division of Environmental and Planning Appeals (DPEA) found in favour of the owner Andrew Nisbet's proposed new boundary fencing around the site at 35-37 Main Street with trees in planters in addition to a new wall and fencing in order to improve the street frontage and aid landscaping and screening of the site. The site will be used to sell vans and commercial vehicles.

The site is on a prominent point of the road through the village that was occupied by the Star and Garter hotel until its demolition.



The Star And Garter occupied a prominent site in Winchburgh Main Street until its demolition in the 1990s. Copyright, The Scottish Shale Collection.

DPEA Reporter Robert Seaton allowed the appeal with added conditions on the types of vehicles to be stored and the finish of boundary wall and tree planting.

He said: "Winchburgh Community Council objected partly on the basis that car wrecks were stored on the site during the previous temporary use. I can understand that this would have an adverse effect on visual amenity.

"The site shall not be used for storage of any vehicle awaiting repair or in a condition in which it cannot lawfully be driven on a public road."

The DPEA findings added: "The appellant has reduced the number of vehicles to be displayed from 35 to 23. Improvements are proposed to the boundary treatment of the site as it faces onto Main Street and Station Road.

"The new wall and planters would reduce the starkness of the

view of parked vehicles. The vehicles would be parked somewhat further back from the site's prominent boundaries to south and east and would be contained within the proposed wall. These changes appear to me to be capable in principle of reducing the visual dominance of the use."

The Reporter added: "I agree with Winchburgh Developments Limited that the vagueness of the proposal for planters risks a "do-minimum" scheme being implemented. However, it seems to me that the appellant's proposals would be capable of softening the visual impact of the proposed development if properly designed.

"Details of the planters and the tree species and sizes to be planted can be made subject to approval under a pre commencement condition. A condition would also be required for retention of the trees and for replacement of trees that fail.  
"

Mr Seaton concluded: "Subject to appropriate design for the boundary treatment, the use of the site as proposed would, in my opinion, improve the appearance of the street when compared with the site remaining vacant and in its present condition."

Councillor Tom Conn thanked planning officer Wendy McCorrison for outlining the findings of the appeal. He told the July meeting of the Development Management Committee this week: "I'm a bit surprised at the Reporter's decision but if the conditions are stringently applied then hopefully it will maintain or improve the area of Main Street, Winchburgh."

Council planners had recommended refusal of the latest plan earlier this year.

The village community council and Winchburgh Developments Ltd, the company overseeing the development of Winchburgh into a small town had objected to new plans by A. N. Scottish Commercials Ltd to use the Main Street lot to sell commercial

vehicles in April.

Planners had backed 2021 proposals from Mr Nisbet to build four flats on the site which sits at the heart of the old village main street now being upgraded to complement the rapidly expanding community.

In April planning officers told the Development Management Committee the site's retention as a vehicle sales lot would have an "adverse impact on the residential and environmental amenity of the area".

In a report to that meeting in April planners said: "It is the principle of the development that is unacceptable.

"The development is incompatible with the surrounding village uses due to the industrial scale and character of the development. The proposed use would not result in a satisfactory visual street scene environment."

The Star and Garter was demolished in the 1990s and the site has been used for vehicle storage since 2015. The firm was told to clear the site of vehicles after a planning application failed in 2019. A subsequent appeal to the Scottish Government's Department of Planning and Environmental Appeals on that application also failed.

By Stuart Sommerville, Local Democracy Reporter