

Call to tighten planning rules in West Lothian

Hundreds of complaints about West Lothian council's planning enforcement rules have prompted calls for changes to the system.

Almost 800 complaints have been made about planning enforcement, which tackles retrospective planning applications, in the last two years.

West Lothian's SNP group depute leader Pauline Stafford said she had repeatedly been asked about retrospective planning applications.

She called on the council to look at tightening rules around developers who flout planning laws and strengthening legal pursuit of culprits to determine if there was a "culture of non-compliance."

Planning officers have been asked to supply figures on the number of retrospective applications – where development which needs planning permission has been already carried out without it.

Councillor Stafford told the Local Democracy Reporting Service: "Planning enforcement has been repeatedly raised at Community Council and Town Centre Management meetings as well as by individual members of the public.

"In Bathgate there have been concerns raised relating to the proliferation of unauthorised advertisement displays on shopfronts as well as a rise in retrospective planning

applications coming to Council. It is important that planning enforcement regulations should be seen to be applied consistently and fairly across West Lothian.”

Councillor Stafford added: “We have many hardworking local volunteers spending time removing litter and planting flowers to improve the quality of Bathgate town centre.

“Their efforts need to be supported through all agencies working together to make sure the town centre is as pleasant and welcoming as it has the potential to be.”

In a report to the Executive, Head of Planning Craig McCorrison said changes planned to the Enforcement rules were not significant, but added: “Since the last charter review, the council received some 797 enforcement related complaints through-out 2023 & 2024 and the reviewed charter, in line with government guidance, sets out the nature of those complaints that will be investigated and those which will not be pursued, having regard to the wider public interest and the impact of a breach of planning control on residential and visual amenity.”

A spokeswoman for the town’s community council said: “Bathgate Community Council has written to WLC expressing concern about what seems to be a rising number of retrospective applications in the area.”

The SNP amendment to the March meeting of the Executive stressed: “A proactive approach to compliance and adequate resourcing are essential for a successful service. Council Executive wishes to understand the extent to which this enforcement charter is implemented with success.”

Planning officers have been asked to report to the Economy, Community Empowerment and Wealth Building PDSP addressing a specific question around: “the numbers of retrospective planning applications being submitted over the period since the last review to ascertain whether a culture of non-

compliance is developing due to the perception that planning enforcement is not being applied consistently.”

The amendment also seeks answers on:-

1. Information on the resources available for planning enforcement both budgetary, staffing and how much is reserved for legal action.
2. Information on the average length of time taken to resolve cases, how these are prioritised and what targets are currently in place.
3. Since the last review how many non-compliant enforcement cases after initial action have been closed without resolution and how many have proceeded to legal enforcement.

Mr McCorriston said the proposed changes enforcement charter would need to come back to the Executive for approval.

By Stuart Sommerville, Local Democracy Reporter