



West Lothian
Council

Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

30 April 2015

A meeting of the **Development Management Committee** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Wednesday 6 May 2015 at 10:00am**.

For Chief Executive

BUSINESS

1. Apologies for Absence
2. Order of Business, including notice of urgent business
3. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.

Public Session

4. Confirm Draft Minutes of Meeting of Development Management Committee held on Wednesday 08 April 2015 (herewith).

Public Items for Decision

5. Application No.0045/FUL/15 - Erection of a replacement house (in retrospect (as amended) at 25 Beechwood, Linlithgow (herewith)
6. Application No.0060/H/15 - Erection of a 2m boundry fence at 20 Manse Road, Linlithgow (herewith)
7. Applicaton No.0205/FUL/15 - Installation of temporary accommodation for 12-18 months, including alterations to car park, fencing and external

play area at Park Terrace Recreation Park, Kirknewton (herewith)

Public Items for Information

8. Consider list of Delegated Decisions on Planning Applications and Enforcement Actions from to 27 March to 25 April 2015 (herewith)
9. Appeals -
 - (a) Application No.0612/FUL/14 - Erection of house at land at 13 Ward Place, Livingston - Appeal dismissed
 - (b) Application No.0808/FUL/14 - Change of use from social club to public house and function rooms at The Royal British Legion, Armadale Road, Whitburn - Appeal submitted
 - (c) Application No.0064/P/15 - Planning permission in principle for the erection of a house at land at Murieston Valley, Livingston - Appeal submitted
 - (d) Application No.0070/PO/15 - Application for the modification of planning obligations relating to planning application 0056/P/12 in respect of affordable housing delivery at land at Eliburn Office Park, Eliburn, Livingston - Appeal submitted

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

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 8 APRIL 2015.

Present – Councillors Alexander Davidson (Chair), Tom Kerr, Stuart Borrowman, William Boyle, Harry Cartmill, Lawrence Fitzpatrick, Greg McCarra and Barry Robertson

Apologies – Councillor John Muir

1. DECLARATIONS OF INTEREST

Agenda Item 5 (App No.0064/P/15) – Councillor Fitzpatrick declared a non-financial interest in that he had previously supported the promotion of a Tree Preservation Order for the site and therefore would not participate in the item of business but would address committee as a local ward member.

2. MINUTE

The committee approved the Minute of its meeting held on 11 March 2015. The Minute was thereafter signed by the Chair.

3. APPLICATION NO.0064/P/15

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0064/P/15	Planning permission in principle for the construction of a house at Murieston Valley, Murieston, Livingston	Refuse planning permission in principle.

The committee then heard Ian Brown from Murieston Community Council speak in support of the community council's objection to the application.

The committee then heard Councillor Lawrence Fitzpatrick, a local ward member, speak in support of his objection to the application.

The committee then heard Paul Houghton, the applicant's agent, speak in support of the application.

Decision

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

4. APPLICATION NO.0889/H/14

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0889/H/14	Installation of replacement windows at 16a West Main Street, Broxburn	Refuse planning permission

The committee then heard Mr and Mrs Armstrong, the applicants, speak in support of the application.

Motion

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

- Moved by the Chair and seconded by Councillor Fitzpatrick

Amendment

To grant planning permission, subject to conditions delegated to the Development Management Manger and was to include the condition that the window frames were to be of the existing colour, as it was considered that the proposal did conform to policies HOU9 and HER19, the proposal would enhance the building and would not be detrimental to the conservation area.

- Moved by Councillor Kerr and seconded by Councillor McCarra.

Decision

Following a vote the amendment was successful by 6 votes to 2 and was agreed accordingly.

5. APPLICATION NO.0906/FUL/14

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0906/FUL/14	Erection of 32 houses on land at Curling Pond Lane, Longridge	Grant planning permission subject to the payment of the relevant developer contributions and conditions.

The committee then heard Mrs Lindsay MacGregor speak in support of her objections to the proposal

The committee then heard Martin Schlechter, the applicant's agent, speak in support of the application.

Decision

To agree to continue the application for at least two cycles to allow for further discussion with the applicant with regards to the density of the site and to address over-shadowing concerns at the objector's property.

6. PROMOTION OF A TREE PRESERVATION ORDER TO THE EAST AND SOUTH OF WARD PLACE, ELIBURN, LIVINGSTON

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application</u>	<u>Proposal</u>	<u>Recommendation</u>
TPO No.10 2014	Promotion of Tree Preservation Order (TPO) to the east and south of Ward Place, Eilburn, Livingston	Committee to confirm TPO No.10 which was provisionally made under delegated powers on 16 October 2014.

The committee then heard Euan Pearson, speak on behalf of Mr and Mrs T Harry, in support of her objections to the Tree Preservation Order.

Motion

To approve the terms of the report and approve the Tree Preservation Order No.10 for the east and south of Ward Place, Eilburn, Livingston.

- Moved by the Chair and seconded by Councillor Fitzpatrick

Amendment

To approve the terms of the report and promote the Tree Preservation Order but only to the portion of land that had been neighbour notified and delegate to the Development Management Manager to clarify the ownership of the remaining land.

- Moved by Councillor Kerr and seconded by Councillor McCarra

Decision

Following a vote the motion was successful by 5 votes to 2 and it was agreed accordingly.

Councillor Boyle having moved an alternative position which did not

receive a seconder wished to have his dissent to the decision recorded.

7. LIST OF DELEGATED DECISIONS

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

A list (copies of which had been circulated) of delegated decisions and enforcement action for the period 27 February to 27 March 2015 was submitted for the information of the committee.

Decision

Noted the list of delegated decisions.

8. APPEALS

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

Application No.

Proposal

Listed Building Consent

1 Hermand House, Shuttlehall to
Parkhead Crescent, West Calder.



West Lothian
Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Development Management Manager

1 DESCRIPTION AND LOCATION

Construction of a replacement house (in retrospect) at 25 Beechwood, Linlithgow.

2 DETAILS

Reference no.	0045/FUL/15	Owner of site	Mr & Mrs Sroka
Applicant	Mr & Mrs Sroka	Ward & local members	Linlithgow T Conn T Kerr M Day
Case officer	Steven McLaren	Contact details	01506 282404 steve.mclaren@westlothian.gov.uk

Reason for referral to Development Management Committee: Application called to committee by Provost Kerr.

3 RECOMMENDATION

Grant retrospective planning permission.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

- 4.1 Planning permission was sought for the alteration of the roof, extensions and alterations of a single storey property at 25 Beechwood in 2013. This was subsequently granted permission under delegated powers on 8 July 2013. Details of the approved design are attached to this report.
- 4.2 The proposed alterations were to be of a modern design with the use of smooth white render, sections of timber cladding and flat grey tiles on the property. The overall scale and massing of the approved details are similar to that at 23 Beechwood which benefitted from planning permission in 2011. However, the development at 23 Beechwood whilst allowing the roof to be raised to provide first floor accommodation and for the house to be extended differed in that the materials used were of a similar type as much of the rest of the street, being brown profiled tiles and facing brick.

- 4.3 The developer of 25 Beechwood however did not implement the planning permission instead; the developer demolished the existing house rather than work with the existing structure thereby resulting in the construction of a new house. The demolition of a residential property requires the prior approval of the council. This permission was not sought.
- 4.4 The current application was submitted following an investigation from the council's planning enforcement officer. The current application was submitted using the same house type details as approved as part of planning application 0264/H/13 however, following a site visit from the case officer on 19 February 2015, it was clear that the house as constructed differed from those drawings and amended drawings were submitted to reflect the 'as built' situation. A copy of these drawings and site visit photographs are attached to this report.

5	PLANNING POLICY ASSESSMENT
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Plan	Policy	Assessment	Conform?
WLLP	HOU2 (development within settlement envelopes)	<p>Within the settlement envelopes shown on the proposals map:</p> <p>a. there is a general presumption in favour of new development provided: there is no adverse impact on adjacent uses; sites can be serviced without excessive resource commitment; the site is not already identified for an alternative use in this local plan; the site is not of important open space value (where policy COM 2 would apply);</p> <p>b. higher density development will be encouraged where appropriate in town centres and other settlements which have existing significant public transport facilities, subject to the requirements of policy HOU 9;</p> <p>c. development in conservation areas, or areas of special control, must be of the highest quality and of a scale and design appropriate to their setting;</p> <p>d. infill developments will be resisted where they would exacerbate problems of infrastructure or traffic congestion to an unacceptable level, or adversely affect the character of the settlement; and,</p> <p>e. development briefs, will be prepared where appropriate.</p> <p>The development is a replacement house within a residential area. The size of the plot is such that the scale of the house is acceptable. In any case, permission was granted to extend and alter the previous house to this scale.</p>	Yes

Plan	Policy	Assessment	Conform?
WLLP	HOU9 (residential and visual amenity)	<p>Development proposals will be assessed against the need to protect the residential and visual amenity of existing residents and other occupiers. Developments shown to adversely impact on amenity to a significant degree will not be supported.</p> <p>The house as constructed is of a broadly similar scale to that constructed at 23 Beechwood and to the 2013 permission to extend and alter the single storey property which previously stood on the site. Whilst the materials differ from many of the adjacent properties, white render is used on the upper portion of the chalet bungalows in the street. The design and use of materials is a matter of judgement. The use of white render and timber cladding was originally part of the householder permission for the alterations and considered acceptable.</p>	Yes
WLLP	IMP14 (supplementary planning guidance)	<p>Developers must have regard to the planning policies and guidance referred to in the local plan. In submitting a planning application, a developer must conform to the council's supplementary guidance.</p> <p>The relevant supplementary guidance on single plot and small scale infill residential developments provides that developments will be resisted where they would adversely impact on the character of the settlement or open space value.</p> <p>The scale and design of the house is not dissimilar to existing properties in the street and the design has altered in an insignificant way from that previously granted. The materials have previously been considered acceptable.</p>	Yes

6 REPRESENTATIONS

Seven letters of objection have been received on this application. A summary of the comments is set out below.

Comments	Response
Did the demolition of the house contravene any planning regulations?	It did in so far as the demolition of residential properties has to be the subject to the prior approval from the council. There was no prior approval application and the demolition took place in contravention to planning regulations.

Materials are out of keeping with other houses in the street and are not aesthetically pleasing.	The materials used are indeed different from the majority of houses in the street. There is some white render on the chalet bungalows in the street but none use timber cladding or flat grey tiles.
The replacement house is much larger and more imposing than the design plans for the house alterations and it is visually overbearing.	The footprint and overall massing of the building as constructed (as shown on the architects drawings) is the same as that on the original 2013 application for the alterations to the roof, the extension and alterations of the bungalow. There is a design change in the pitch of the roof to the front of the house which lifts the gutter line on that elevation to the same as that on the rear elevation. Previously the gutter line would have been lower than that on the rear elevation. The house as approved in 2013 would have had a very similar visual appearance to that constructed on site. The overall height of the house however appears slightly higher than that of 23 Beechwood.
The house is visible from roads to the south of Linlithgow and the house appears as the 'odd one out'.	Noted. One house of a different appearance will not adversely impact on the character of the entrance to Linlithgow from the south.
To grant permission retrospectively would set an undesirable precedent for other similar alterations to the detriment of the street.	The granting of the 2013 permission for the alterations to the roof, extension and alterations of the bungalow does allow for alternative materials to be considered if a similar application were submitted however, each case will be considered on its merits.
Was there a habitation certificate in place in December 2014 when the occupiers took up residency?	This is a matter for Building Standards however. there is currently no habitation certificate on the property.
The extension proposals originally were similar to the works carried out at 23 Beechwood.	The extension proposals from 2013 at the application site were for flat grey tiles, white render and timber cladding. The proposed use of timber cladding however was much more extensive in the original proposals with timber to be used on the ground floor of the front elevation as well as on the rear and side extension. This plan was amended to remove timber from the front of the building and subsequently through the building warrant process from the side extension. The original proposals did not reflect the materials used at 23 Beechwood.
Was the demolition carried out under a warrant granted by the	This is a matter for Building Standards however, a warrant for demolition was issued on 19 March 2014.

council?	
The demolition and rebuild is in breach of the title deeds.	Restrictions contained in title deeds are a civil matter and not a matter for consideration in the determination of a planning application.
The use of white prefabricated units in the construction of the house is unacceptable.	The method of construction in general is not a planning matter. The overall appearance and finishing materials is. The use of prefabricated panels would not in its own right preclude the granting of planning permission.
The dressing room window looks directly into the en-suite and bathroom of 27 Beechwood. This window should be opaque glass.	The window in place is indeed a high level window. The likelihood of loss of privacy to 27 Beechwood is small. However, given that a condition was applied to require this window to be installed in opaque glass and that the window to the dressing room is to provide natural light only, in the interest of privacy and to comply with the terms of the original consent, obscure glass should be used in this window.

7 CONSULTATIONS

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

Consultee	Comments	Planning response
Education	With this being a replacement house there are no issues with the proposals.	Noted.
Transportation	No objection	Noted.

8 ASSESSMENT

- 8.1 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.
- 8.2 As highlighted in part 4 of this report, planning permission (Ref: 0264/H/13) was granted on 8 July 2013 for the alterations to the roof, extensions and alteration to an existing bungalow on the site in order to create a modern two storey house. The proposals at that time showed the development to include flat grey tiles, white render and timber cladding. It is noted that the materials proposed at that time were substantially different from the predominately brown facing brick used in the street.
- 8.3 The 2013 application for the extension and alterations to the house was approved under delegated powers, in line with the council's standard procedures.

- 8.4 In the interim rather than extend and alter the existing house as had been approved, the developer demolished the house without the benefit of prior approval from the council and chose to construct a new house. The current application was subsequently submitted using the same drawings as had been approved under application 0264/FUL/13. The inference was that the house as built mirrored the external appearance of that previously approved under the householder permission.
- 8.5 Following a site visit, it was clear that the house as constructed did not match the approved drawings in that the roof design had been altered, raising the gutter at the front of the house to match that at the rear of the house. Timber cladding on the side extension had been removed through Building Standards requirements and the raising of the front gutter line exposed a larger wall area which is finished in white render.
- 8.6 A further comparison of 23 and 25 Beechwood (photograph attached) showed that 25 Beechwood appeared to sit slightly higher than 23 Beechwood, possibly due to the retention of the existing foundations and current Building Standards requirements.
- 8.7 In policy terms, this is the development of a house in a residential area, on a plot of a size suitable for the development and designed in a way which allows for the overall scale and massing of the house to be broadly similar to other two storey villas in the street. The proposals in this respect accord with policies HOU2, HOU9 IMP14 of the WLLP. What is at stake here is not the principle of a new house, but the impact that the development will have on the street scene.

9 CONCLUSION AND RECOMMENDATION

- 9.1 The council granted permission for substantial changes to an existing bungalow and allowed for alternative materials to be used under delegated powers. While white render is used in the street it is only on the upper part of chalet bungalows and does not feature on other bungalows or villas in the street.
- 9.2 It is regrettable that the developer chose not to seek the council's prior approval for the demolition of the bungalow. Had he done so it is likely that consent would have been given for the demolition. It is also regrettable that the developer chose to construct the house with design changes without first submitting details to the council for consideration.
- 9.3 Had the developer submitted proposed changes prior to construction, which reflected the as built situation, these changes may have been granted as a non-material variation to the original design.
- 9.4 While the front elevation and overall massing of the house is broadly similar to the other villas in the street, the house does appear slightly higher than the neighbouring house at 23 Beechwood. This small increase in height allied to the white finish of the house gives it a larger appearance than would be expected if the house were finished in a more muted material.
- 9.5 In coming to a view on the current application and setting aside the failure of the developer to follow the correct procedures in respect of the demolition of the original house and minor amendments to the house design, the development as it stands requires to be assessed on any impact it has on the character of the street.

- 9.6 The principle of alterations to the house on this site is established, as is the use of materials because of the approval of the house alterations and extension in 2013. In 2013 when the overall concept of the design was granted, the proposals were not considered to be harmful or discordant to the street scene. The alterations to the design, whilst not previously agreed, are a minor change to that overall concept and as such does not change the overall scale or massing of the building as it would have been constructed. In this respect and even with the apparent slight increase in building height, there is little change to the overall design of the altered house as previously approved, resulting in little change to the impact the house has to the street scene.
- 9.7 Given the original approval and history of the site, the recommendation is to allow the house to remain as constructed but with a condition requiring the dressing room window to be either acid etched or have an opaque film applied in perpetuity in accordance with a previous condition.

10 ATTACHMENTS

- Location plan
- Aerial photograph
- Approved house extension and alteration design
- Revised house design
- Site photograph
- Letters of objection
- Local member referral form
- Draft condition

CHRIS NORMAN
Development Management Manager

Date: 6 May 2015



0045/FUL/15



0045/FUL/15

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

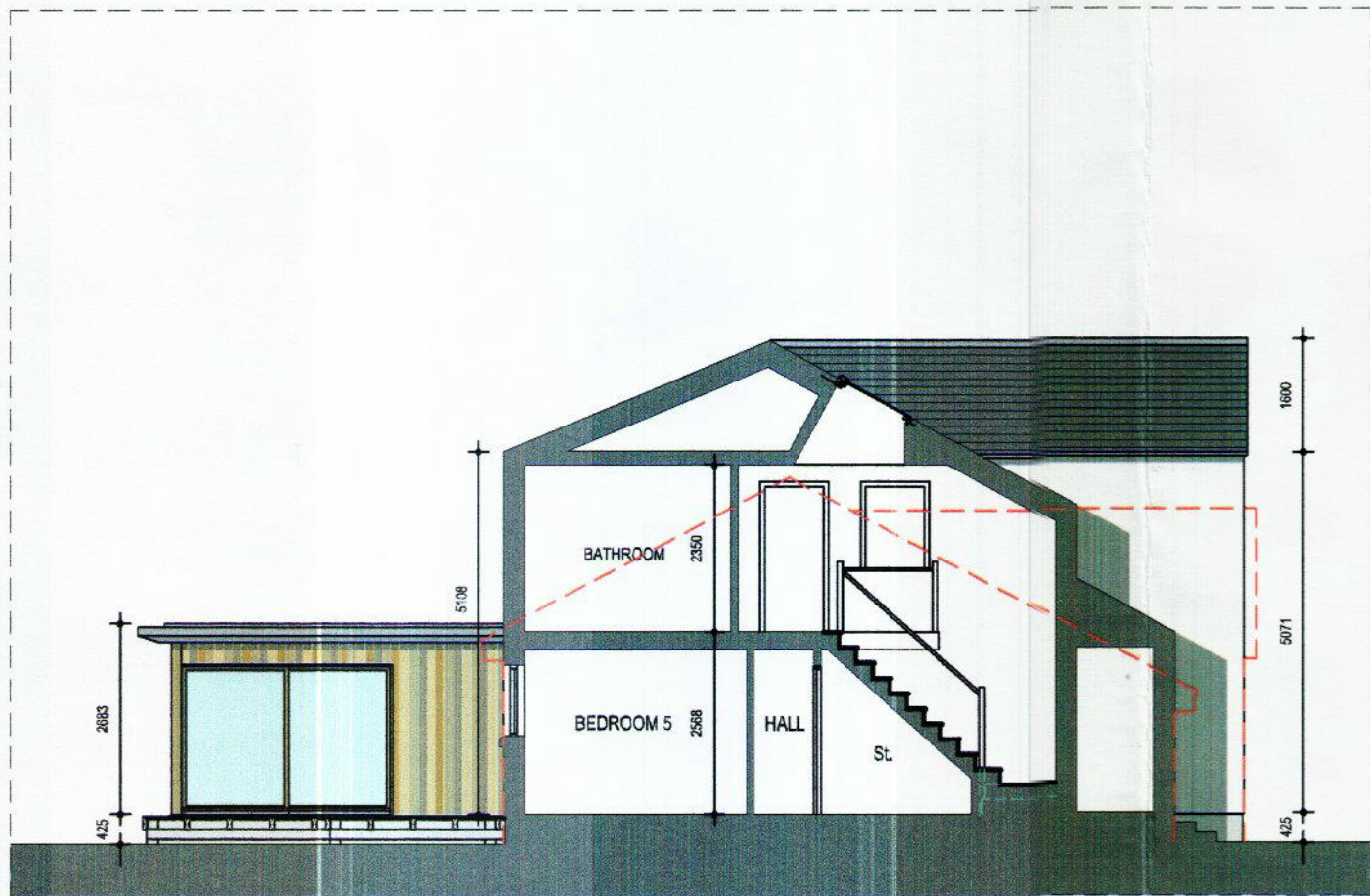
All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004.

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.



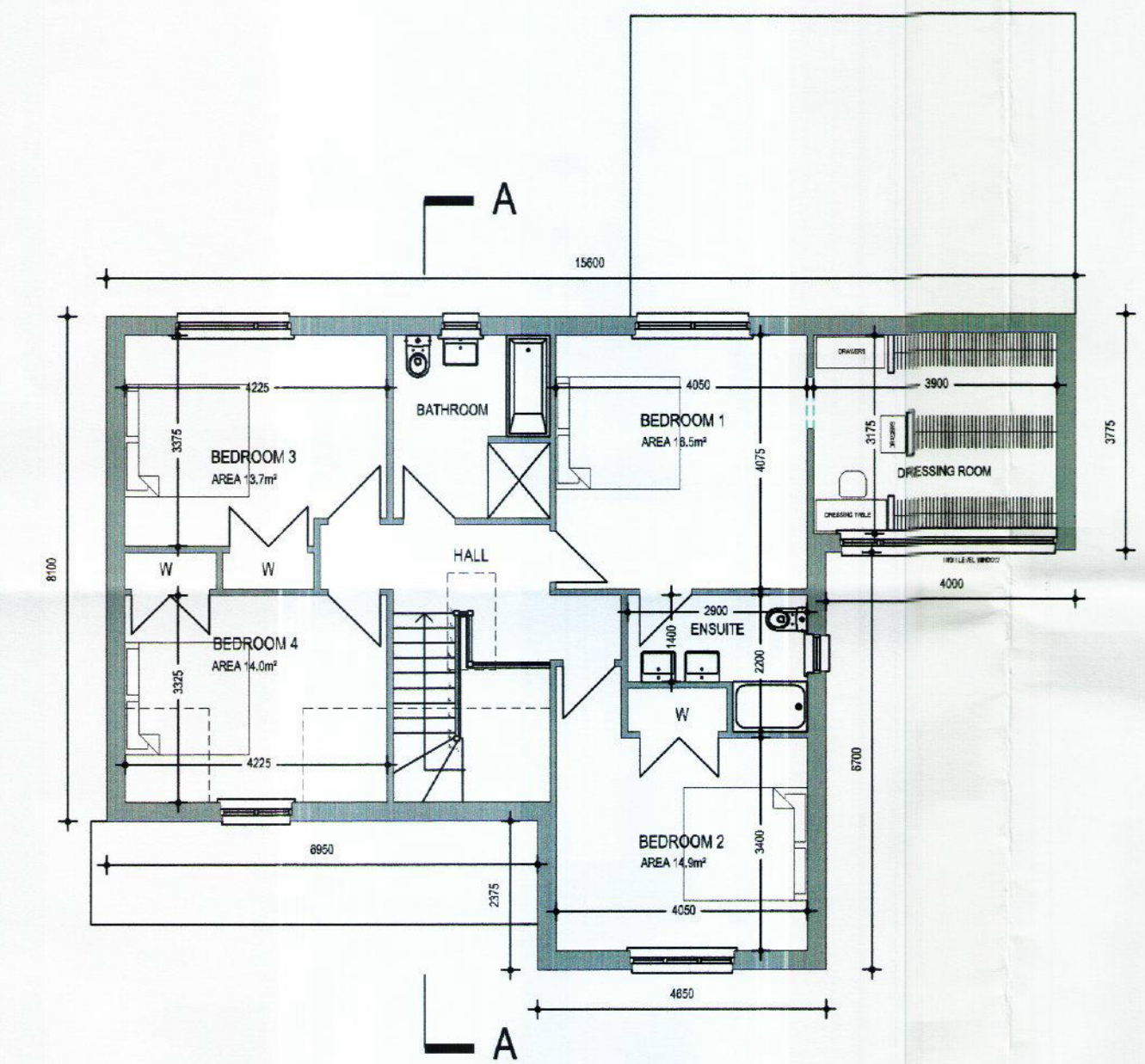
SECTION A-A [1:100]



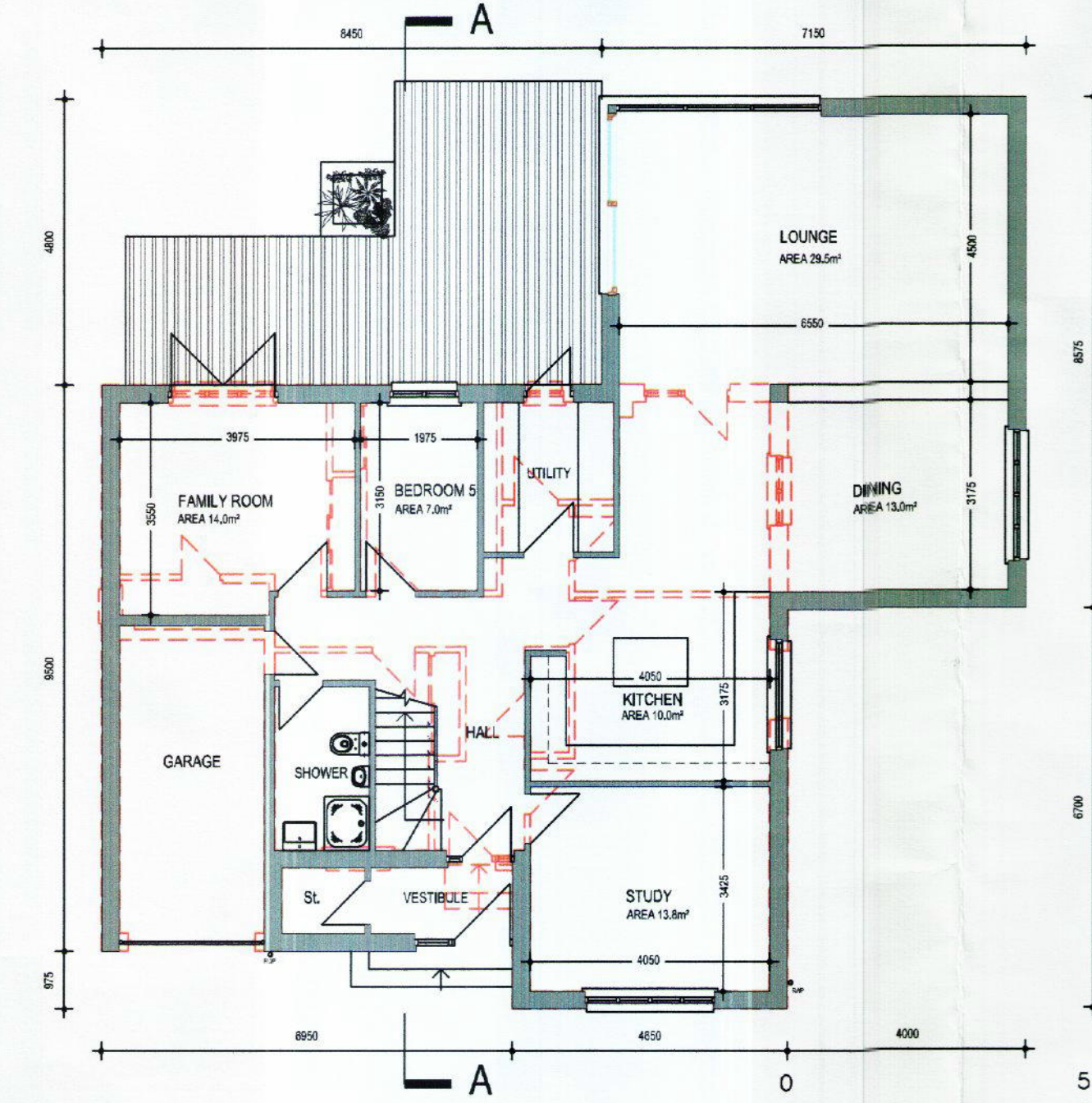
NORTH (FRONT) ELEVATION [1:100]



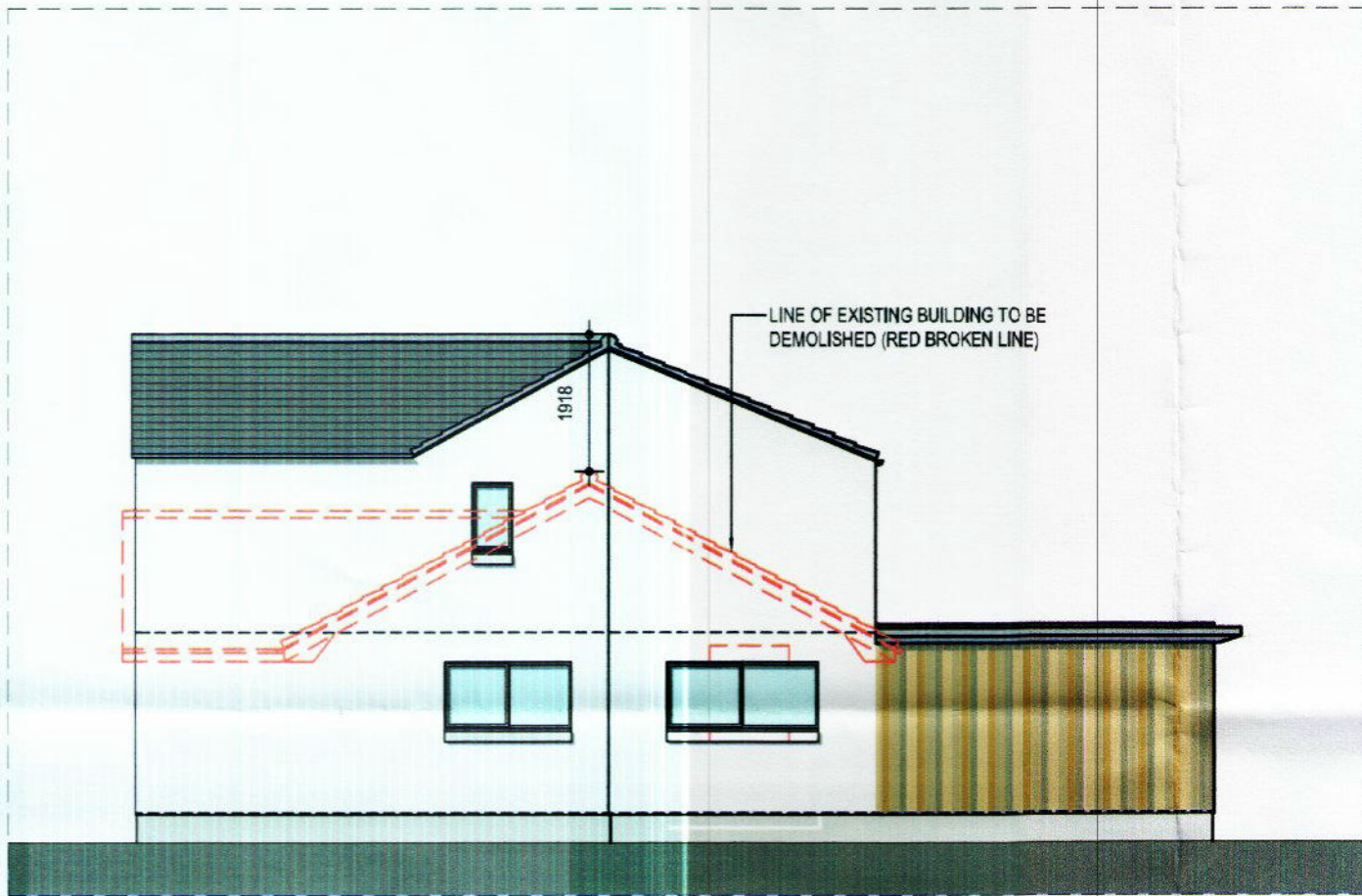
SOUTH (REAR) ELEVATION [1:100]



FIRST FLOOR PLAN [1:100]



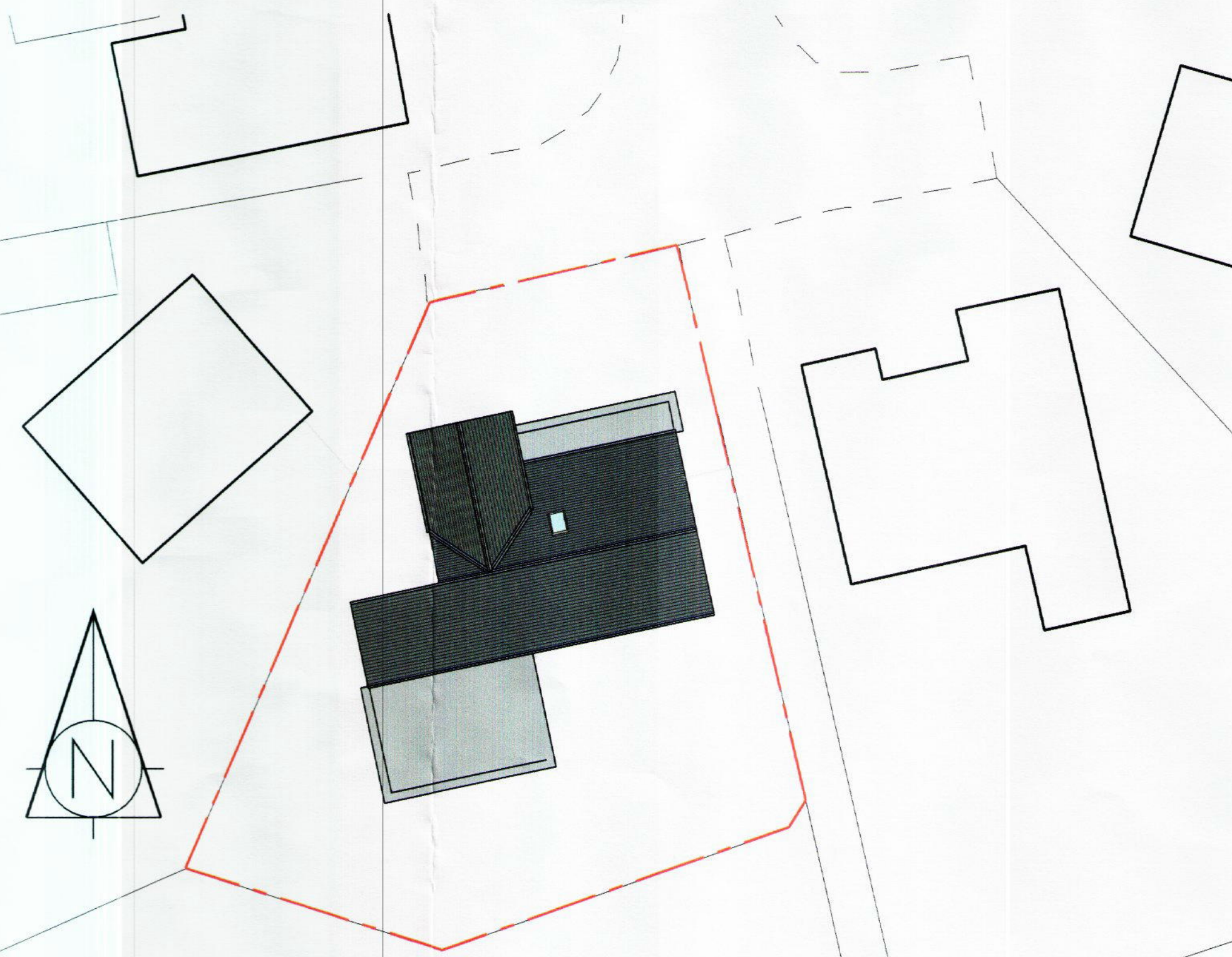
GROUND FLOOR PLAN [1:100]



WEST (SIDE) ELEVATION [1:100]



EAST (SIDE) ELEVATION [1:100]



SITE PLAN [1:200]

D	RENDER FINISH TO REPLACE TIMBER CLAD FINISH TO TWO SECTION OF BUILDING AROUND DINING AND DRESSING ROOM. ANGLE OF ROOF TO FRONT SECTION OF MAIN HOUSE (REFLECTED ON NORTH AND EAST ELEVATIONS).	25/02/15
C	DRESSING ROOM AND DINING AREA WINDOWS REVISED. GROUND FLOOR LAYOUT REVISED TO RELOCATE UTILITY AND SHOWER ROOM.	03/12/14
B	OUTLINE OF EXISTING BUILDING BEING REMOVED INDICATED.	17/09/14
A	DRAWING REVISED FURTHER DISCUSSIONS WITH PLANNING DEPARTMENT: • SECTION OF TIMBER CLAD FINISH TO NORTH ELEVATION REVISED TO RENDER FINISH. • SEDUM FINISH SPECIFIED TO FLAT ROOF OVER LOUNGE.	JUN '13
status PLANNING		
drawing	<div>12065 / P02 D</div>	scale VAR(A1)
plotted		ref. SGG
project	25 BEECHWOOD LINLITHGOW	
title	PLANS, SECTION & ELEVATIONS	
<div><div></div><div>slorach wood architects</div></div>		
contact	The Station Master's Office, Dalmeny Station South Queensferry, EH30 9JP Tel: 0131 319 1260 Fax: 0131 319 1239 email: info@slorachwoodarchitects.com	



Sam
0045/FUL/15

Ack
26/2/15

Com 1
Obj
lod

21 Beechwood
Linlithgow
West Lothian
EH49 6SD
20th February 2015

Mr Steve McLaren
Case Officer
West Lothian Planning Services
Howden South Road
Howden
Livingston
EH54 6FF

SCANNED

Dear Mr McLaren

Planning Application 0045/FUL/15

We wish to object to the recently constructed house at 25 Beechwood, Linlithgow, planning permission for which is being sought in retrospect.

As neighbours we feel we were misled by the original planning application for "amendments and alterations" to the existing bungalow. This, we assumed, would be in keeping with the alterations made to no 23, to which we had no objection.

We have unfortunately been dismayed in recent months however to see the existing bungalow demolished and a sizable kit house erected in its place which is totally out of keeping with any other house in Beechwood or the surrounding area. It is also taller than any other neighbouring house.

Finally we feel that the construction of this house, should permission be granted, sets an alarming precedent for any future development in Beechwood.

Yours sincerely,

Mr N and Mrs E Halliday

Les Rodger

Sm
0045/FUL/15

Ack
26/2/15

Can I
Obj

low

From: Les Rodger [REDACTED]
Sent: 20 February 2015 14:30
To: Les Rodger
Subject: Fw: 0045/FUL/15 Comment

SCANNED

From: Les Rodger
Sent: Tuesday, February 17, 2015 6:53 PM
To: steve.mclaren@westlothian.gov.uk
Subject: 0045/FUL/15 Comment

0045/FUL/15
Smcl

Mr McLaren,

We refer to the above application for 25 Beechwood, Linlithgow.

We reside next door at 27 Beechwood.

We commented on the original planning application for the extension (rather than the current for the erection of a new house) to No 25, in that the window on the north side of the proposed dressing room looks directly into the windows of our en-suite toilet and our bathroom. The original planning application was consented with the condition that the window in the west elevation of No 25 and on the north side of the dressing room should be in permanently-opaque glass.

The building as it stands at No 25 has opaque glass in the west elevation but importantly the window to the dressing room is in clear glass and looks directly into our toilet and bathroom windows.

We did raise the issue with No 25 and they verbally agreed to replace the window with opaque glass. However, this has not happened. There is nothing in the plans submitted with the new application which indicates that the dressing room window will be in permanently-opaque glass. On that basis, we have no confidence that the window will be thus constructed unless the same planning condition is imposed and enforced.

No 25 has stated that the window is high. However, from our bathroom it cannot be seen that this is the case, so the present situation would certainly affect the value of our property if we were to decide to sell it. Visitors to our house have commented that the window at No 25 is very obtrusive (and indeed disconcerting) from our bathroom window in particular. In addition, my wife has been in the bathroom when a face appeared at the window opposite (we assume the person was standing on something). As you can see, the situation where the window in the north elevation of the dressing room is not in permanently-opaque glass would be a major problem for us.

I take it that the procedure is that this will be regarded as an Objection. In all other matters, we have no objection to the planning application as submitted and if the Condition placed on the original planning application can simply be imposed again and enforced, we would have no further concerns. We are simply asking that this same Condition, as placed on the original application for No 25, should be placed on the new application.

Can you confirm receipt of this email, please?

Regards

Les Rodger
27 Beechwood
Linlithgow
EH49 6SD

0045/FUL/15
Ack 26/2/15

Carl
Obj

Mr & Mrs H Logan
3 Beechwood
Linlithgow
EH49 6SD

Chris Norman
Development Management Manager
West Lothian Council
West Lothian Civic Centre
Bowden South road
Howden
Livingston EH54 6FF

17th February 2015

West Lothian Council Development Management
1- 8 FEB 2015
Date.....
Ref No.....
Ref To.....
Ack'd.....
Replied.....

PLANNING APPLICATION: LIVE/0045/FUL/15 - Smcl
CASE OFFICER: MR STEVEN McLAREN
THE ERECTION OF A REPLACEMENT HOUSE (RETROSPECTIVE)
AT 25 BEECHWOOD, LINLITHGOW EH49 6SD, BY MR & MRS M SROKA.

SCANNED

Dear Sir,

We are writing in connection with the above and wish to object to this development. The reasons being, the development is not as per the original plans that the estate residents were aware of: LIVE/0264/H/13. These plans were to raise the roof and form first floor accommodation to what was the existing house. However the single storey house was removed completely from the site and a two storey replacement house has subsequently been built, the appearance of which is in no way compatible with the surrounding dwellings.

Yours Sincerely

Mr & Mrs H Logan

SCANNED

West Lothian Council
Development Management

20 FEB 2015

Date.....

Ref No. 1400000

Ref To SMCL

Ack'd 0045 11/15

Replied.....

53 Beechwood

Linlithgow

EH49 6SE

18 February 2015

Com 1
Obj
Local

Ack
26/2/15

Chris Norman

Development Management Officer.

Dear Sir,

I have watched with the interest the construction of a new two storey house at 25 Beechwood. The site previously had a bungalow on it which was demolished.

The new house does not conform to the standard of rest of the houses on this estate .

I have now been informed that a Notice of an Application for Planning Permission has been received by neighbours adjacent to the new house. In Scotland the law requires that construction should not start until the correct permissions are in place, so the builder was either unaware of the law (and if so should not be in the construction business) or he has deliberately ignored the requirements as the plans for this house would surely have raised objections and delayed his construction.

I have also been informed that this builder may have plans for another house extension on the main entrance road to the estate.

If he is granted retrospective permission for this first house then he and others will then be able to follow this precedent and do what they like and therefore I wish to object to planning be granted.

Yours faithfully,

[Redacted Signature]

L C Penny

②

West Lothian Council
Planning Services

sm
0045/FUL/15

Adk
26/2/15

Development Manager.

Mr. IAN PARK
59, BEECHWOOD
LIDLITHGOW
EH49 6SE.

Com 1 @

Obj

loch

Chris Hornum

Development Management Manager.

Dear Sir,

Objection to Application

0045/FUL/15.-smcl

West Lothian Council Development Management	
17 FEB 2015	
Date.....	
Ref No.....	
Ref To.....	
Ad'd.....	
Replied.....	

Herein are my comments and objections relating to this application.

This building is visually, overbearing. It is an inappropriate design, build and colour for this estate. It is totally out of keeping with the neighbouring properties.

In particular the gable-end as seen from my property has an unsightly unfinished look and I would suggest the house be viewed from my property.

Any building work carried out previously in Beechwood has had to conform to the use of the same colour of facing bricks, rendering and roof tiles - (red or brown).


This property has none of these features.

This application, if granted, could set a very serious precedent for any future building on the estate.

This is the first notification ~~etc.~~ I have received for a property that is already built & occupied.

Please send me acknowledge of this objection and any updates would be much appreciated.

Yours sincerely



14/02/15.

son
0045/FUL/15

Coml
Obj Ack
lca 26/2/15 (2)

West Lothian Council
Development Management

1 1 FEB 2015
Date.....
Ref No.....
Ref To.....
Ack'd.....
Replied.....

17 Beechwood
Linlithgow
EH49 6SD
9TH Feb 2015

West Lothian Council
Planning Services
Development Management
FAO Mr Steven McLaren

SCANNED

Dear Sir

PLANNING APPLICATION 0045/FUL/15 - SMC

The proposed erection of a dwelling house (retrospective), by Mr and Mrs M Sroka.

I am writing to express my objections to the above planning application. I received notification of a planning application in respect of an extension to 25 Beechwood in 2013. That application was for works similar to the works undertaken at 23 Beechwood a few years earleir. I had no objection to those initial proposals.

The initial planning application did not involve the demolition of the existing property at 25 Beechwood. However the new planning application 0045/FUL/15 bears no resemblance to initial application. The house that existed has now been demolished and the new dwelling erected.

I presume the demolition was carried out under a warrant granted by West Lothian Council. I would appreciate details of this warrant application. It would be of concern if the works had progressed without the warrant being in place.

It is stated in article 6 of the title deeds that the Feuar will not erect or re-erect unless and until appropriate permissions and consents have been granted. It is my opinion that there has been no proper consultation in respect of this new application.

Beechwood is a residential development of around 70 detached houses constructed (circa1987) of several house styles using two main brick types. This gives a distinctive finish to the development and achieves an aesthetically pleasing appearance throughout .

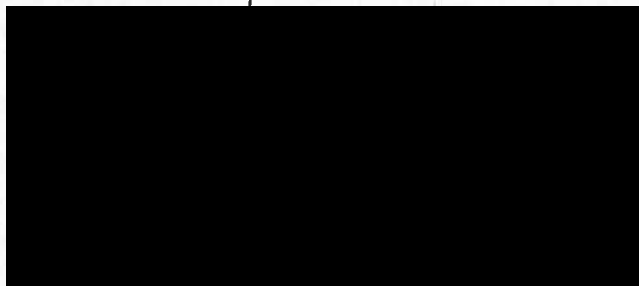
The dwelling house at 25 Beechwood is already constructed, it is of pre-fabricated units with an appearance of white painted elevations and areas of timber to the side and rear elevations. I object to the use of the white pre-fabricated units as used in the construction of this house which is located within a development of brick built houses.

There are a number of other significant differences. The concrete roof tiles used throughout Beechwood are of a single design type and are either coloured dark brown or a rustic red. The new dwelling house has grey tiles of a dissimilar design. I object to the conflict of styles this has caused.

The window frames and fascia in Beechwood are mainly dark brown in colour and give a wood effect. The new dwelling house has grey window frames and fascia. Again I object to the conflict in styles that this causes within the development.

The house, as built, bears no resemblance to the other houses in the development. The erection of this property has resulted in a new house that stands out from all others. I object to this conflict with Beechwood.

Yours sincerely



0045/FUL/15

Com 1
Obj
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26/2/15
②

1 Beechwood
Linlithgow
West Lothian
EH49 6SD

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

West Lothian Council 18 February 2015
Development Management
19 FEB 2015
Date... 0045/FUL/15
Ref No... SMC
Ref To...
Ack'd...
Replied...

Dear Mr Norman

Re : 25 Beechwood, Linlithgow, West Lothian :

1. LIVE/0264/H/13 | Raising of roof to form first floor accommodation, alterations and extension to house (grid ref. 300327 676049)
2. LIVE/0045/FUL/15 | Erection of a replacement house (in retrospect) (grid ref. 300329 676049)

We wish to raise an objection to the granting of retrospective planning permission relating to the 'Erection of a replacement house' at 25 Beechwood, Linlithgow.

You will see that Conditional Permission was granted on 8 July 2013 for LIVE/0264/H/13 and LIVE/0045/FUL/15 was validated on 27 January 2015, current status 'Registered'.

Our objections are as follows:

1. Planning permission had been granted merely for the 'Raising of the roof to form first floor accommodation, alterations and extension to house' of the original house on the site at 25 Beechwood but this house was demolished circa May 2014. Did this demolition contravene any Planning regulations?
2. Design plans for the 'Raising of the roof to form first floor accommodation, alterations and extension to house' included the use of building materials in keeping with the housing within Beechwood. The building materials used in the construction of the replacement house are completely out of keeping with the other houses within Beechwood and are as such, not esthetically pleasing.
3. The replacement house at 25 Beechwood is much larger and more imposing than the design plans for 'Raising of the roof to form first floor accommodation, alterations and extension to house'

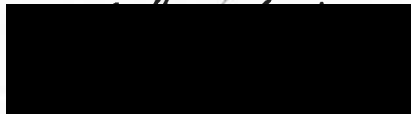
4. 25 Beechwood is situated on the south boundary of Beechwood and therefore the 'odd one out' is visible from both road routes into Linlithgow via Dechmont and Bathgate.
5. If retrospective planning permission is granted for LIVE/0045/FUL/15, a precedent would be set and we fear that future planning applications for any alteration or extension to housing within Beechwood could, understandably, be based on the building materials used in the construction of the replacement house at 25 Beechwood resulting in the degradation of the esthetically pleasing aspect of a very pleasant little housing estate.
6. The occupiers at 25 Beechwood took-up residence there circa December 2014. Were the occupiers/owner in receipt of a Habitation Certificate in order to do so?

We look forward to receiving your comments.

Yours sincerely



Trevor A Poynton



Lorna Poynton



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 Chris Norman, Development Management Manager, 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/performOption.do?action=search>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
Application Reference Number 0045/FUL/15.....	Applicant Request <input type="checkbox"/>
Site Address 25 BEECHWOOD, LINLITHGOW, EH49 6SE	Constituent Request ✓
Title of Application Erection of a replacement house (in retrospect) (grid ref. 300329 676049)	Other (please specify) <input type="checkbox"/>
Member's Name Cllr Tom Kerr.....	
Date 21 April 2015.....	

DRAFT DECISION - APPLICATION 0045/FUL/15

- 1 Within 1 month of the date of this decision, the glazing for the dressing room window shall be made opaque either through acid etching or similar technique or by the application of an opaque film to the glass. The glazing for this window in any case shall remain opaque in perpetuity unless otherwise agreed in writing with the planning authority.

Reason: In the interest of privacy for the neighbours of 27 Beechwood

Annex 1, Schedule of Plans – 0045/FUL/15

	Description	Drawing Number	Docquetted Number
1	Location plan	12065/P01	1 of 2
2	Plans, sections and elevations	12065/P02D	1 of 2

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Development Management Manager

1 DESCRIPTION

Erection of a 2m boundary fence at 20 Manse Road, Linlithgow, EH49 6AL.

2 DETAILS

Reference no.	0060/H/15	Owner of site	Mr Frost
Applicant	Mr Frost	Ward & local members	Linlithgow T. Conn T. Kerr M. Day
Case officer	Claire Johnston	Contact details	01506 282312 Claire.johnston@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Provost Kerr

3 RECOMMENDATION

Grant planning permission

4. DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Planning permission is sought for the erection of a boundary fence on the southern boundary of the applicant's property. The proposed fence is to be constructed from timber and will be erected on top of an existing wall between the applicant's property (20) and the neighbouring property, number 22.
- 4.2 The ground level of the applicant's front garden is approximately 0.6 metres lower than that of the neighbouring property, with this difference increasing to 1.5m in the rear garden.

5. PLANNING POLICY

Plan	Policy	Assessment	Conform ?
West Lothian Local Plan	Policy HOU 9 Residential Amenity	Residential amenity for the residents of the neighbouring houses will not be adversely affected by the proposed fence as it is not detrimental to the amenity of the street scene	Yes

Also of relevance is the council's House Extension and Alteration Design Guide 2003.

6. REPRESENTATIONS

The application was subject to statutory publicity and the period for receipt of representations has expired. One letter of representation was received, which is summarised below.

Comments	Response
Datum points for measuring	The applicant has taken the datum points from the neighbouring property in order to show that the overall height of the boundary screening, including the proposed fence, will not exceed 2m in height from the ground level of the neighbouring property, therefore providing sufficient screening for the applicant's privacy as well as not being over bearing for the neighbouring property.
Structural integrity	This is not a planning matter. A building warrant will be required for this fence and the structural integrity will be assessed at that stage.

Other issues raised by the objector were in relation to non-material planning matters such as boundary discrepancies and safety issues which cannot be taken into consideration when determining this application.

7. ASSESSMENT

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 In assessing the application the impact of the proposed development on neighbouring residents, and its degree of accordance with the House Extension and Alteration Design Guide 2003, require to be assessed.
- 7.3 The proposed fence is to be erected on top of an existing wall between the applicant's property (20) and the neighbouring property, number 22. The ground level of the

neighbouring property is higher than the applicant's ground level; the overall height of the boundary screening, including the proposed fence, will not exceed 2m in height from the ground level of the neighbouring property. The neighbour will not suffer from any overshadowing from the fence. Therefore the development is in accordance with the requirements of policy HOU 9 of the West Lothian Local Plan, which seeks to protect the privacy and amenity of neighbouring residents.

8. CONCLUSION AND RECOMMENDATION

- 8.1 There are no visual amenity issues which would arise from the proposed fence and it is considered that the development would have a neutral impact on neighbouring residents. The proposal will not be detrimental to the amenity of the street scene and complies with the Council's House Extension and Alteration Design Guide and policy HOU 9 of the West Lothian Local Plan.
- 8.2 Consequently, and in view of the above, it is recommended that planning permission is granted.

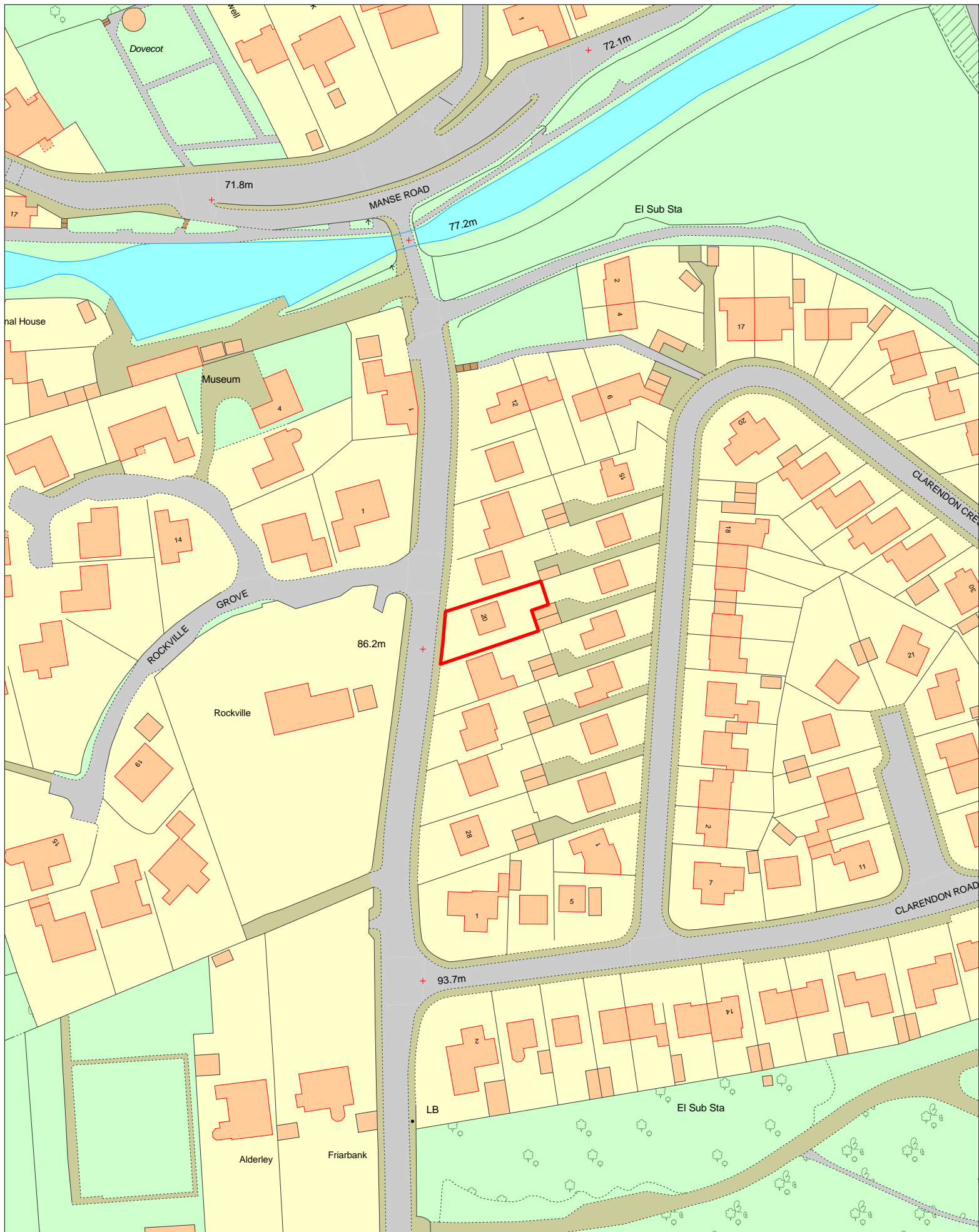
9. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Existing and proposed Site Elevations
- One Letter of Representation
- Member Referral Form

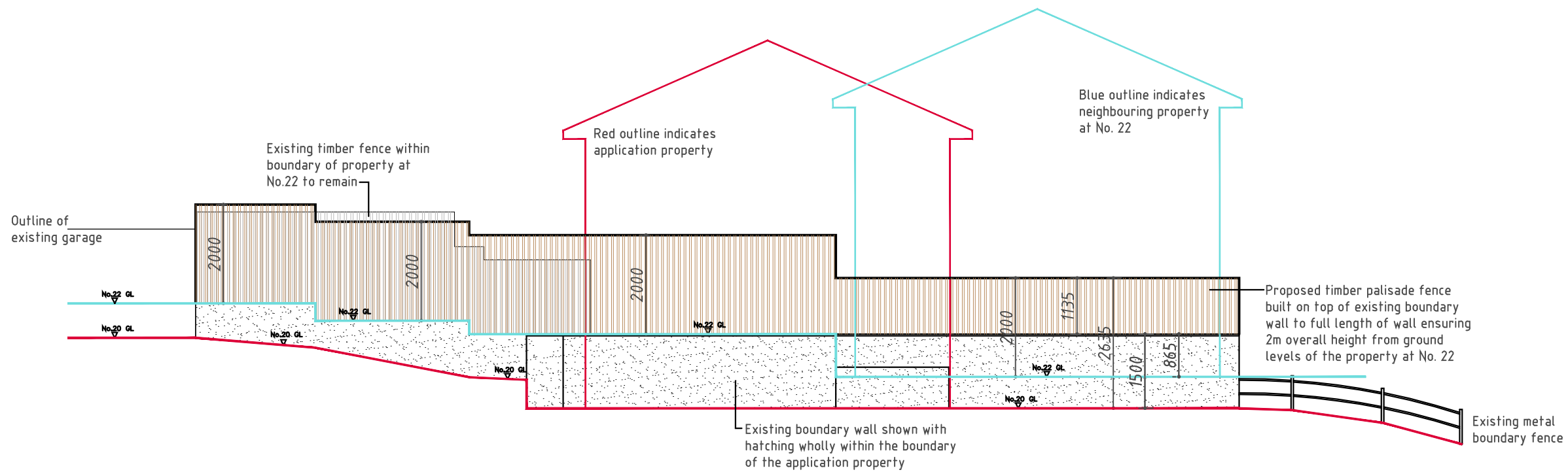


CHRIS NORMAN
Development Management Manager

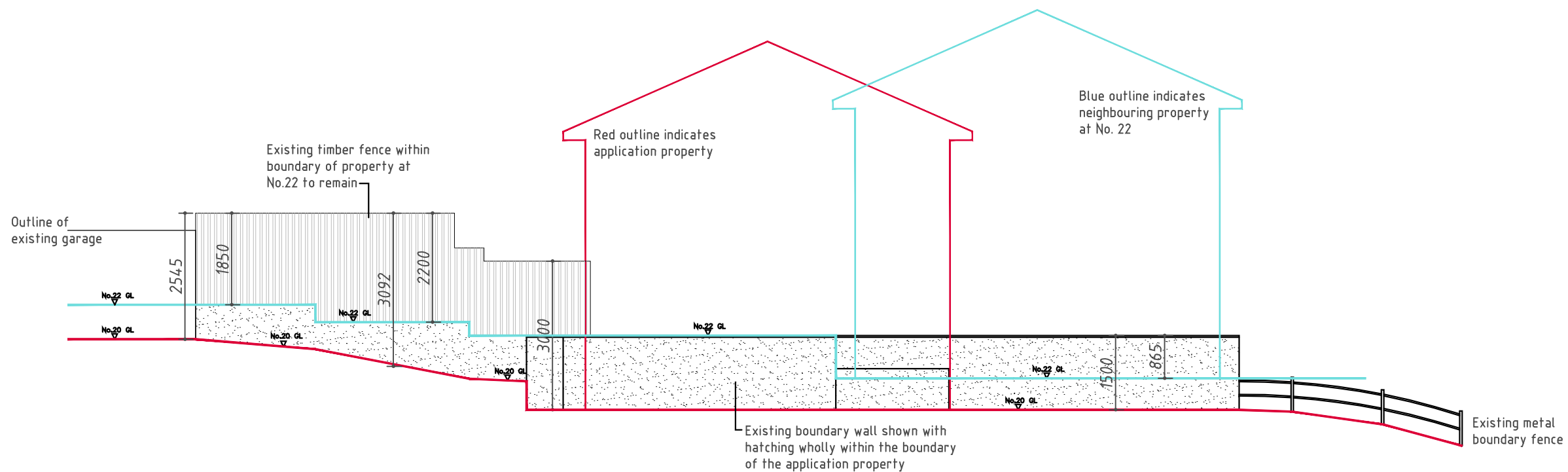
Date: 29/04/15



0060/H/15



Proposed Side Elevation
1:100



Existing Side Elevation
1:100

<p>FK1 DESIGN 233 Grahamsdyke Street, Laurieston, FK2 9NA Tel: - 0772 0772 636 Email: - barry@fk1design.co.uk</p>	<p>Mr & Mrs Frost 20 Manse road, Linlithgow Title: Existing & Proposed Side Elevations Drawing Number: 22/14/MR/03 Scale: 1:100 @ A3 Date: January 15</p>
---	--

Ack 10/02/15

22 Manse Road

Linlithgow

West Lothian

EH49 6AL

08-02-15

Re application: LIVE/0060/H/15

Dear Sir / Madam,

I wish to register my objection to the above plan to erect a 2m boundary fence at number 20 Manse Road, Linlithgow.

My reasons are as follows:

1. Boundary irregularities in the application.

The proposed fence is stated by FK1 Architects and Mr Frost to be within the boundary of number 20, this however is conveniently inaccurate, and this is shown in the following images, all currently with WLC Planning.

- Image 1, shows the original block plan for the House extension application at number 20. It can be seen that in this case the boundary between number 20 and number 22 is drawn from the southern edge of the garage at the rear of number 20, to the metal boundary fence at the front of the property.
- Image 2, also shows the boundaries of all properties in Manse Road, with number 22 highlighted, this again agrees with the original block plan, with the boundaries extending from the southerly wall of each garage. This being common for all Manse Road properties in the plan.
- Image 3, shows the proposed fence construction. In this case FK1 and Mr Frost suggest that the fence is constructed on top of the wall, stating clearly, twice, that the wall is entirely within the boundary of number 20. However it can be noted that the boundary has now clearly been moved away from the southern wall of the garage at the rear of number 20 and is now WITHIN the boundary of number 22!

Consequently, I object to the assumption by FK1 and Mr Frost that the boundary is fluid and can be moved to suit whatever requirements they determine necessary to fit their needs. The boundary is a fixed, legal, clearly defined demarcation line. Any fencing erected by Mr Frost must be built within the confines of his own property boundary.

2. Datum points for measurement.

In the proposal it is stated that the 2m measurement will be taken from a zero point – ground level - within the boundary of number 22 and NOT from ground level within the boundary of number 20, the Proposers property.

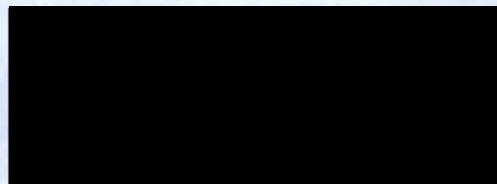
- Firstly, I am not applying to build this fence, Mr Frost is, and so I find the brazen attempt to once more gain from utilising the measurements taken from OUTWITH the boundary of number 20 to the benefit of Mr Frost outrageous. If I was building the fence then yes, the datum point for ground level would indeed be based within my boundary, however, as the fence will be built for number 20, all ground measurement should be taken from within the boundary of said, number 20!
- The sketch shows a measurement from number 20 to the fence at 725mm, allowing the fence to run along the centreline of the narrower section of wall leading to the front of both properties, this measurement is also incorrect, the 725mm takes the centreline of the fence (not allowing for the actual dimensions of the wood itself) beyond the centre point of the narrow wall again, positioning far closer to the edge and impacting on number 22.

3. Structural integrity /Health and safety concern.

No mention is given in the proposal as to how the wooden palisade is to be mounted to the wall. The wall is of a breeze block construction with a rendered finish and a slate coping stone. How is it intended to fix the fence securely to this? How deep are the intended foundations? What type of surface fixing will be used to secure the posts? Degradation of the foundations over time by stresses due to energy transfer from wind to fence, passed through the fixings into the wall, in time undermining the structural stability of the wall upper sections.

I question the safety of this considering the size of fence to be built and the sail area that this will produce, we are subject to strong winds more than capable of removing the fence if not mounted with adequate foundations, bearing in mind that this is our only access around our home, if this was to be torn free, this creates a risk to anyone passing, both at numbers 20 and 22.

Yours Sincerely



John Kemp

Image 1

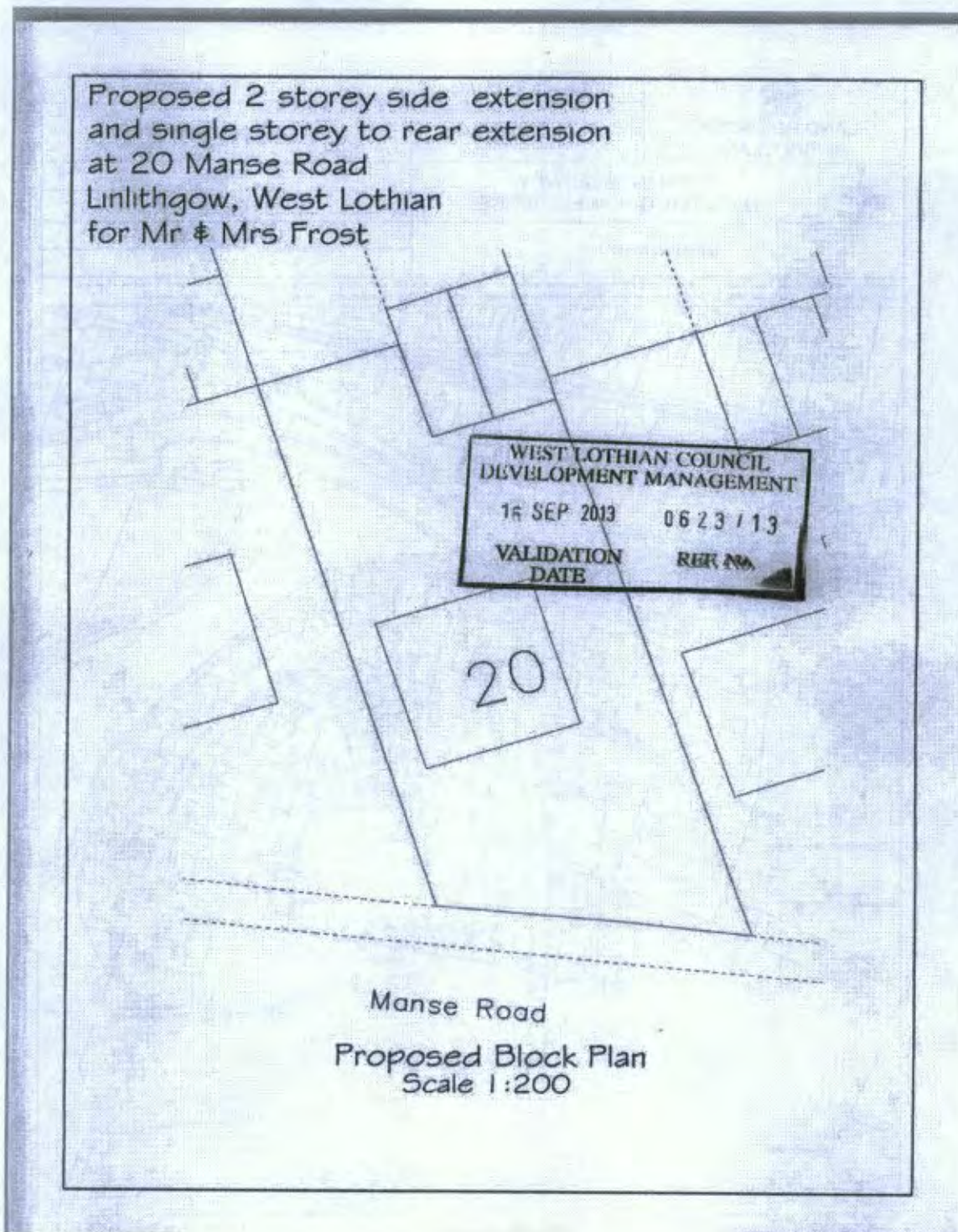


Image 2

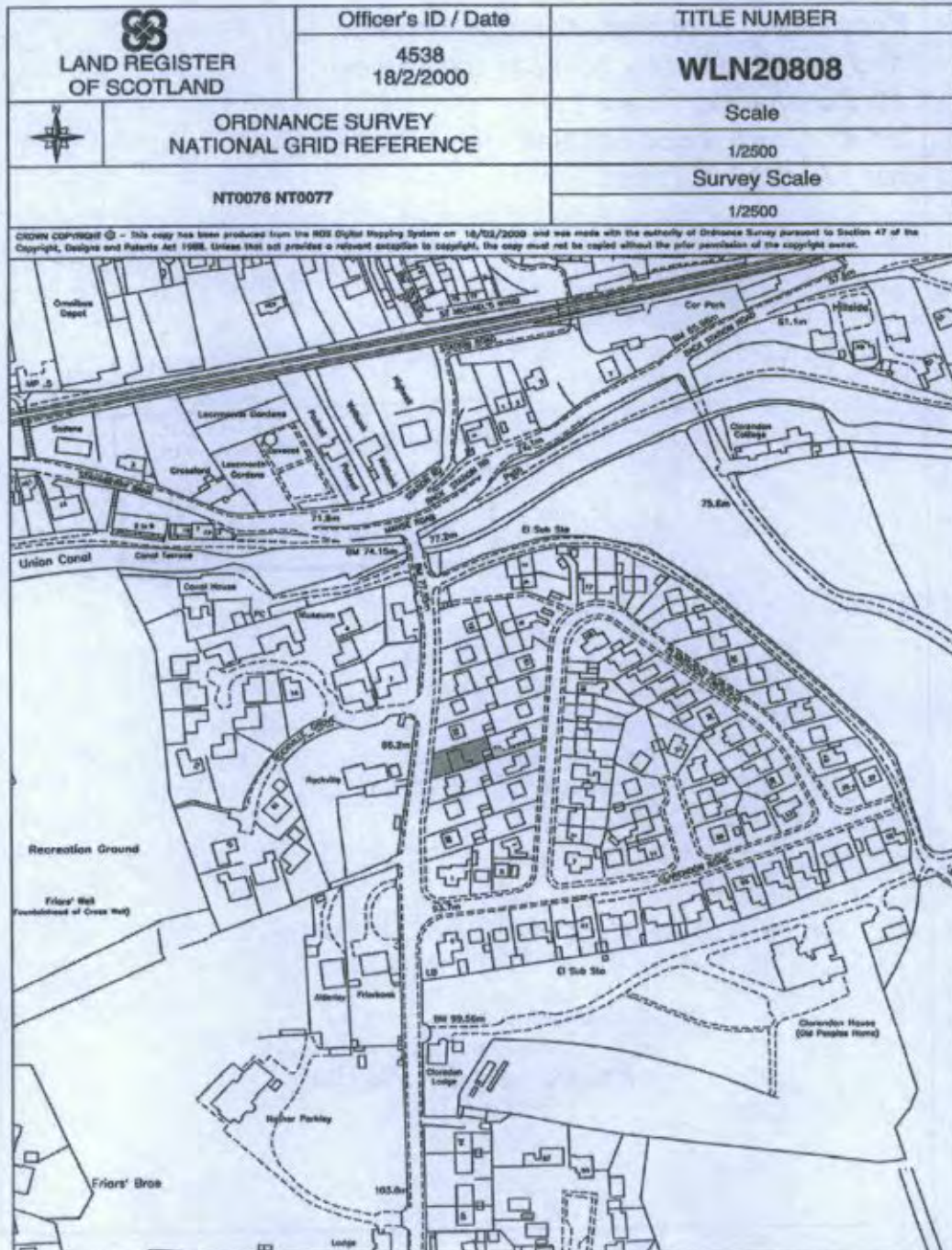
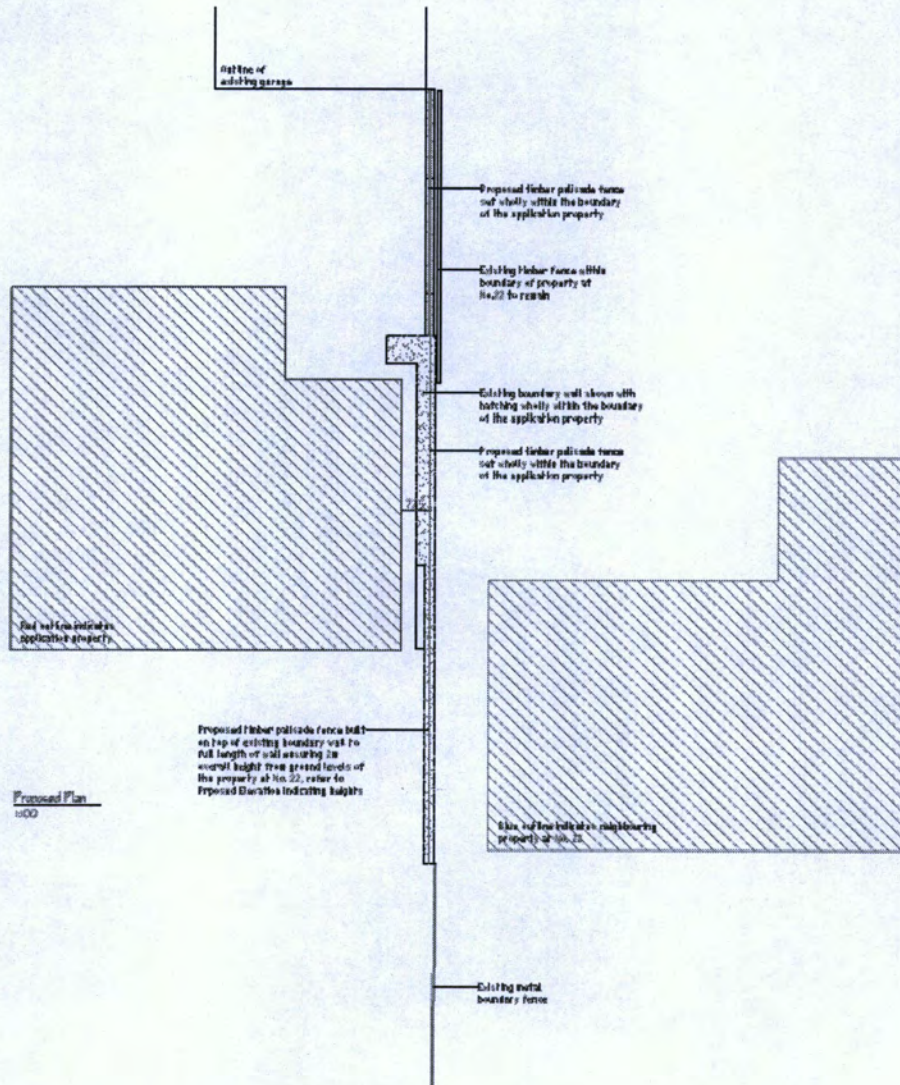


Image 3



FK1 DESIGN 233 Greenway Street, Louth, Co. LK2 9NA Tel: +0772 0772 806 Email: +0772@fk1design.co.uk	Mr & Mrs Frost
	20 Manse road, Lintilghow
	Title: Proposed Plan
	Drawing Number: 22/14/MR/02
	Scale: 1:100 @ A3
	Date: January 15



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 Chris Norman, Development Management Manager, 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 0060/H/15	Applicant Request <input type="checkbox"/>
Site Address 20 Manse Road, Linlithgow	Constituent Request ✓
Title of Application Erect a 2m boundary fence	Other (please specify) <input type="checkbox"/>
Member's Name Cllr ...Tom Kerr.....	

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Development Management Manager

1 DESCRIPTION

Installation of temporary accommodation for 12-18 months, including alterations to car park, fencing and external play area. Park Terrace, Recreation Park, Kirknewton

2 DETAILS

Reference no.	0205/FUL/15	Owner of site	West Lothian Council
Applicant	West Lothian Council	Ward & local members	<i>East Livingston & East Calder</i> Frank Anderson Dave King Carl John Frank Toner
Case officer	Ranald Dods	Contact details	Tel: 01506 282 413 Email: ranald.dods@westlothian.gov.uk

Reason for referral to Development Management Committee: Community council objection

3 RECOMMENDATION

3.1 Grant permission.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

- 4.1 The application is made to install a temporary building in the north west corner of the public park, opposite Park Terrace, Kirknewton. Minor alterations will be made to the fencing and car park arrangement.
- 4.2 The proposed building will be used as a nursery and accommodation will include a small kitchen, a classroom and toilets. The building will be located for a period of 12 to 18 months, after which time it is proposed to be removed.
- 4.3 There is no planning history associated with this site.

5 PLANNING POLICY ASSESSMENT

- 5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan comprises the strategic development plan for South East Scotland (SESP) and the West Lothian Local Plan (WLLP). Since the application is not of a strategic nature, there are no relevant policies in SESP.
- 5.2 The following development plan policies and Scottish Government policy and guidance apply:

Plan	Policy	Conform?
WLLP	HOU7 (design & layout) aims to ensure that new developments are of suitably high design and layout standards. The proposed building is temporary in nature.	Yes

Plan	Policy	Conform?
	Whilst the design is utilitarian, the fact that the building will be located for a temporary period has to be borne in mind. In that regard, the proposals are acceptable.	
WLLP	HOU9 (residential & visual amenity) aims to protect the residential and visual amenity if existing residents and other occupiers. The location of the proposed building on a temporary basis and the associated works will not have a significantly detrimental effect on the residential and visual amenity of the area.	Yes
WLLP	IMP15 (design) states that through the development control process, the council will ensure that high standards of design are achieved and proposals which are poorly designed will not be supported. The proposed building is utilitarian in design, due to the fact that it is a temporary building. Given that the fact that the building will be removed after a maximum period of 18 months, it is the proposed building is considered acceptable.	Yes

6 REPRESENTATIONS

- 6.1 One representation was received from a member of the public. In addition, Kirknewton Community Council objected to the application. The planning grounds contained in those representations are summarised below.

Comment	Response
Parking and road safety	Transportation has not objected but has stated that a road opening permit would be required.
Flooding	The council's Flood Prevention Team does not object.
The development would not be in keeping with the area.	The building will be located for a maximum of 18 months. After that period has elapsed, it will be removed.

7 CONSULTATIONS

- 7.1 The following is a summary of the consultation responses which were received.

Consultee	Comment	Response
Contaminated Land Officer	No objection. Condition required to cover construction phase.	Noted. Condition to be imposed.
Transportation	No objection. A road opening permit will be required.	Noted.
Flood Prevention	No comments.	Noted.

8 CONCLUSION AND RECOMMENDATION

- 8.1 The application site is within the north west corner of the public park. It is proposed to use the building as a children's nursery. It will be limited to a maximum period of 18 months. After this time, the building will be removed. If the period has to be extended, for whatever reason, another application will have to be submitted. In any event, the proposal is that the building will not be permanent and will be removed.
- 8.2 The building design is, by its very nature, utilitarian. Given that it will be sited in the park for a limited time, the proposal is acceptable and will not be detrimental to the residential or visual

amenity of the area. The council's Flood Prevention and Transportation teams and the Contaminated Land Officer do not object to the proposals.

- 8.3 Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Having assessed the proposals, as set out in section 5 above, it has been found to accord with the terms of the development plan. It is, therefore, recommended that planning permission is granted. It is further recommended that planning permission is limited to a maximum period of 18 months. However, if members are minded to refuse permission contrary to recommendation, clear and material reasons must be specified for that refusal.

9 ATTACHMENTS

- Location plan;
- aerial photograph;
- representations.

CHRIS NORMAN
Development Management Manager

Date: 6 May 2015

4651823 Diana 09/04/15 ✓ DD

Dunlevie, Dorothy

From: Dods, Ranald
Sent: 07 April 2015 12:15
To: CB SupportServices
Subject: FW: 0205/FUL/15 - [INTERNAL ONLY]

DATA LABEL: INTERNAL ONLY

Could you send a com1 by email to this lady please?

R.

From: f.f.buchan [REDACTED]
Sent: 07 April 2015 12:07
To: Dods, Ranald
Subject: RE: 0205/FUL/15 - [INTERNAL ONLY]

Nothing has been explained clearly so I will set out my concerns.

Apart from the fact that I worry about my view, which according to you is immaterial, but that is very much a NIMBY attitude, what is actually a big concern are traffic problems.

Park Terrace is used by residents to park on. It is also a bus route. When cars are parked (which is all of the time) it turns the street into a single lane. Cars/buses have to wait at either end of the street for cars coming in the opposite direction to pass, before proceeding. Can you imagine the chaos a third element will cause, ie a nursery situated in the middle of an already congested situation. Safety - where is the safety ?

To add to this are you aware that that part of the park gets flooded and sewage appears. Is this not already being looked at by the council ? Is the left hand not talking to the right ? Surely a health and safety aspect !

I think that the situation should be looked at again and better thought out.

Can I suggest that you use the money to extend the church hall facility OR build your building in the green space in Roosevelt Road, a site that was left to the village for such a purpose and would not cause traffic chaos.

I always thought that the Park was left to the village with the stipulation that NO structure was built on it.

And are the rumours true, that after the building you propose is finished with by the nursery, it will then be used by football players as a changing facility. So not a temporary structure but a permanent one... Making your plans untrue.

I await with baited breath, your reply

Fiona Buchan



Planning Application 0205/FUL/15



Planning Application 0205/FUL/15



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From: [REDACTED]
Sent: 30 Apr 2015 00:45:16 +0100
To: Dods, Ranald
Subject: RE: Planning Application 0205/FUL/15 Kirknewton Park - [INTERNAL ONLY]
Importance: Normal

Ranald,

With regard to the above.

In brief the Community Council cannot support the location for the nursery.

Reasons:

The proposed location will not be temporary as it is intended to leave the buildings in place to use as sports facility which will create an environmental eyesore in a most prominent position.

Access off Park Terrace is from what is to all intent and purpose a one way street potentially creating a road hazard.

locations suggested at our meeting :

Relocate to the land WLC own in the Roosevelt estate.

Another part of Kirknewton Park perhaps along the east side.

The hall of Kirknewton Church.

Our Development Officer is currently investigating other possible locations and will be in touch with you should another site be considered.

Kind regards,

Vic Garrad

Planning Secretary
Kirknewton Community Council

From: Ranald.Dods@westlothian.gov.uk
To: [REDACTED]

Date: Tue, 7 Apr 2015 09:07:49 +0100

Subject: RE: Planning Application 0205/FUL/15 Kirknewton Park - [INTERNAL ONLY]

DATA LABEL: INTERNAL ONLY

Thanks Vic.

From: [REDACTED]
Sent: 03 April 2015 22:21
To: Dods, Ranald
Subject: Planning Application 0205/FUL/15 Kirknewton Park

Ranald,

There are a number of concerns regarding the above application that we wish to discuss at our next Community Council meeting on the 14th.

We would like to advise you that we will be responding to you as soon as possible there after.

Regards,

Vic Garrad

Planning Secretary

Kirknewton Community Council

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CLASSIFIED: Contains information that is subject to HMG Classifications of 'Restricted' and above

Link to **Information Handling Procedure:**

<http://webwest1.app.westlothian.gov.uk/its/policies/itsecurity/WLC%20Information%20Handling%20Procedure.pdf>

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Unauthorized recipients are requested to preserve this confidentiality and to advise the sender immediately.
2. It does not constitute a representation which is legally binding on the Council or which is capable of constituting

a contract and may not be founded upon in any
proceedings
following hereon unless specifically indicated
otherwise.

<http://www.westlothian.gov.uk>



The following decisions will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and received by the Development Management Manager by 5pm on 03/04/2015.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0127/FUL/15 Wendy McCorriston Local Application	West Lothian Council	Erection of a 148 sqm changing pavilion (grid ref. 306272 670429) at Uphall Station Recreation Park, Beechwood Grove, Uphall Station	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Grant Conditional Permission	objections 2 Already parking problems in the area and the car park can not accommodate additional pressure This is a pavillion for one pitch which it is understood is contrary to council policy This will allow children to gain access to the car park from the play area If required, the pavilion should be located to the west of the recreation ground Inappropriate design and materials	This is an application for a small sports changing pavilion to be located within the existing recreation park at Uphall Station. The existing public car park will be utilised and two additional disabled spaces formed adjacent to the building. The pavilion will help to increase the use of the existing pitch, following the reduction in the provision of new pitches at Pumpherston and Uphall Station Community Primary School. Transportation is satisfied that the car park is adequate to accommodate parking provision for what is essentially an existing, but enhanced, sports facility. This is the optimum location in terms of access and services and to allow the pitch to remain in the existing location. The design of the roof is being reconsidered, to see if it can be reduced in height and the building moved slightly back into the site, to ensure there are no privacy or overshadowing issues for neighbouring houses. This can be a condition of any consent. The proposals are acceptable and approval is recommended.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0148/FUL/15 Ranald Dods Local Application	Barrett	Erection of 3 flats (grid ref. 306663 669364) at Land at Uphall Station Road, Pumpherston	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Refuse Permission	objection 1	<p>The proposed flats would be out of keeping with the area. The single block would be visually detached from adjoining properties, giving a disjointed appearance to the streetscape. The design of the property includes a large flat roofed section to the west and a blank gable to the south. These features, combined with the siting and relationship to other properties, would be detrimental to the visual amenity of the area.</p> <p>The proposal is contrary to:</p> <p>HOU2 (development in settlements) WLLP; HOU9 (residential and visual amenity) WLLP; IMP15 (design) WLLP.</p>



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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0138/FUL/14 Tony Irving Local Application	Green Breeze Energy Ltd.	Erection of 3 no. 118m high (to blade tip) wind turbines with associated infrastructure (grid ref.288877 669339) (EIA development) at Drumduff, Blackridge	Armadale and Blackridge Stuart Borrowman Jim Dixon Vacant	Grant Conditional Permission	objections 2 The noise assessment has deficiencies and the turbines could not meet noise limits at Heights Farm and would adversely impact upon the operation of the consented Burnhead wind farm.	The proposed turbines are adjacent to the consented Burnhead wind farm. Heights Farm is to the east of the site. The farmhouse was subject to a fire several years ago and the owner did have the intention of rebuilding it. The owner has reached agreement with the applicant and has advised that he now has no objection to the proposed turbines and has no intention of rebuilding the fire damaged former farmhouse. The farmhouse can now not be treated as a sensitive receptor for noise assessment purposes. The environmental statement demonstrates that the proposal will have acceptable impacts. The landscape and visual impacts of the proposed turbines are minimised as they will be viewed against the consented Burnhead wind farm. There are no material considerations that would merit refusal of the application. It is thus recommended planning permission be granted.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0134/FUL/15 Mahlon Fautua Local Application	Ford	Erection of 4 houses (grid ref. 294306 661010) at Breichwater Place, Fauldhouse	Fauldhouse and the Breich Valley David Dodds Greg McCarra Cathy Muldoon	Refuse Permission	objection 0	<p>The development as proposed does not meet the relevant policy and guidance for small scale infill residential development based on the following:</p> <p>While the site is located in between the recent development to the south and older development along Sheephousehill. The layout and form is not compatible with the established building pattern and building line particularly along the frontage of the Sheephousehill,</p> <p>The plots proportions are in consistent. The front plot has a larger front garden and rear garden. While development has stalled on the wider site, the site is on area that was dedicated to open space.</p> <p>The building design is not compatible with block type house with a shallow pitch roof.</p>

Application No. & Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0094/FUL/15 Nicolas Lopez Local Application	Ritchie	Erection of a house with garage (grid ref. 300814 666408) at Land adjacent to 63 Heatherwood, Seafield, EH47 7BX	Whitburn and Blackburn James Dickson Mary Dickson George Paul Barry Robertson	Grant Conditional Permission	<p>objections 2</p> <p>Three representations have been received, two of which object to the application. These raise the following material issues:</p> <p>The development would block off an informal access to Seafield Law Nature Reserve Loss of trees/impact on habitats for birds, bats and other wildlife Site may be contaminated Road safety issues/construction traffic impacts Overlooking</p>	<p>The proposal is for the erection of a single storey dwelling on land adjacent to 63 Heatherwood, Seafield. The site is located in an area of open space identified as 'white land' in the settlement within the West Lothian Local Plan 2009. The surrounding land use is residential, though to the north/east lie the Dean Burn and the Seafield Law Local Nature Reserve.</p> <p>The West Lothian Local Plan 2009 is generally supportive of infill development unless it leads to town cramming and associated amenity issues, or would lead to the unacceptable loss of an area of public open space. Specific policies are also in place to safeguard access to the countryside, including locally designated nature reserves, and biodiversity. The area of open space that will be lost should the application be approved is minimal, and the access to the Seafield Law Local Nature Reserve referred to in representations seems to be of limited value, particularly given the proximity of surrounding dwellings to the formal path on the eastern side of the Dean Burn. A revised site plan is also to be submitted which will provide an adequate buffer between the site and the burn, whilst limiting any tree loss. No overlooking, access or road safety issues have been identified, and conditions can be applied that will address any potential contamination on the site. It is therefore recommended that the application is approved.</p>

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0097/FUL/15 Nicolas Lopez Local Application	Janes Wain's Childminding Service	Part change of use of house to childrens nursery (Grid ref. 294657 668387) at 125 MALLACE AVENUE, Armadale, EH48 2QD	Armadale and Blackridge Stuart Borrowman Jim Dixon Vacant	Refuse Permission	objection 1 One representation has been received which raised the following material planning issues: Loss of parking for residents Noise and disturbance	<p>The application is for the part change of use of a residential dwelling to a childrens nursery at 125 Mallace Avenue, Armadale. The site is in a cul de sac within a modern residential development, and is accessed from a shared private drive. The applicant currently operates a childminding business without requiring planning permission, however the applicant seeks to increase the number of children she cares for at any one time from 6 to 10. This increase will require an additional full time staff member and is sufficient to constitute a material change of use of the property.</p> <p>The principle matter to be considered in the assessment of the application is whether the development is likely to have a detrimental impact on the amenity of neighbouring dwellings. Whilst the childminding business is currently in operation, it is considered that the increase in the number of children is significant, and may increase the likelihood of disturbance to neighbours from noise, both from children being cared for at the property and vehicle movements, and may cause parking issues. Whilst the mitigation noted in the cover letter submitted by the applicant is noted, it is insufficient to allay these concerns. On balance, it is therefore considered that the scale of the proposed nursery is not appropriate within a residential cul-de-sac, and is likely to have a negative impact on the amenity of neighbours. It is therefore recommended that the application should be refused, though it should be noted that this would not impact upon the current childminding business which can continue to operate without the express consent of the Planning Authority.</p>

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Application No. & Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0096/FUL/15 Nicolas Lopez Local Application	Cullen	Part change of use of house to hair salon (in retrospect) (grid ref. 294775 668495) at 174 MALLACE AVENUE, Armadale, EH48 2GE	Armadale and Blackridge Stuart Borrowman Jim Dixon Vacant	Grant Conditional Permission	<p>objections 4</p> <p>A total of 34 representations have been received, though two were received from the same individual at the same address. 30 of the representations support the application, though it is also noted that a large proportion of these appear to be from customers of the salon that are not resident within the street (21 of the representations). The following material issues have been raised in objection to the application:</p> <p>Vehicles associated with the salon cause parking issues for residents Traffic movements and associated disruption</p> <p>The following material issues have been raised in support of the application:</p> <p>Parking issues are caused by vehicles associated with other properties No material impact on the character of the area</p>	<p>The application is for the part change of use (in retrospect) of a residential dwelling to a hair salon. The salon operates in a converted attached garage at 174 MALLACE AVENUE, Armadale.</p> <p>The principle matter to be considered is whether the development is having a materially negative impact on the amenity of the surrounding residential area. In this context it should be noted that the salon operates on a part time basis with only one employee who is resident at the property. The applicant has confirmed that there is therefore only ever one customer at the address, and that there are no plans for the expansion of the business. Vehicles associated with customers of the salon can generally be accommodated in the driveway of the property and, in exceptional cases, within the visitor parking space opposite. The business also appears to be very discrete, with no associated signage or other physical indication of its operation. Whilst the representations objecting to the proposal are noted, it is considered that the the development does not have a negative impact on the character or amenity of the area, and any potential impacts can be controlled via the implementation of planning conditions restricting the scale of the business and the volume of customers. It is therefore considered that, subject to conditions, the application accords with policies HOU9 and EMP10 of the West Lothian Local Plan 2009.</p>

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0117/H/15 Lindsey Patterson Local Application	Binks	Erection of a 1.8m high boundary fence (grid ref. 310206 667123) at 2 OAK COTTAGES, B7031 - STATION ROAD TO A71, KIRKNEWTON, EH27 8DG	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Grant Conditional Permission	objection 1 Road Safety	<p>The proposal is for the erection of a 1.8 metre high boundary fence to the front and side of the property which is situated on the corner of a road junction.</p> <p>Operational Services advise that the fence which at the front of the property should be reduced in height to 1 metre in order to improve visibility from the road junction. This would also improve the visual amenity of the site. A condition requiring this change is proposed to be attached to the decision notice.</p> <p>The remainder of the fence on the side elevation to the east will be in the same location as the 2 metre high hedge which is currently in place, so the proposal is considered to be acceptable in that respect.</p> <p>The proposal will therefore comply with the Council's House Extension and Alteration Design Guide, Transportation guidelines and policy HOU 9 of the West Lothian Local Plan.</p>

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Application No. & Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0159/H/15 Lindsey Patterson Local Application	Walker	Two storey extension to house (grid ref. 304010 667802) at 66 ALLER PLACE, ELIBURN, LIVINGSTON, EH54 6RG	Livingston North Robert De Bold Anne McMillan Andrew Miller Angela Moohan	Grant Conditional Permission	objection 1 Visual Amenity Construction Disturbance	<p>The proposal is for a two storey extension to the side of a two storey detached property.</p> <p>The objection specifically relates to the scale and design of the proposed extension and the impact this will have on the visual amenity of the street scene. The proposed design of the extension is such that it is in keeping with the appearance of the existing house; it is two storeys in height and the proposed materials match that of the existing house. It is therefore considered that the extension have a minimal impact on the visual and residential amenity of neighbouring properties.</p> <p>With regard to disturbance during construction of the extension, while this is not a material planning consideration an advisory note shall be included within the decision notice advising of standard working hours for construction. Should these hours be exceeded or noise levels excessive, this would be a matter for environmental health.</p> <p>The proposal will therefore comply with the Council's House Extension and Alteration Design Guide and policy HOU 9 of the West Lothian Local Plan.</p>

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Development Management

List of Delegated Decisions

Date: **10/04/2015**

The following decisions will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and received by the Development Management Manager by 12 noon on 17/04/2015.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal

Application No. & Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0670/FUL/14 Steven McLaren Local Application	Simmers	Application under Section 42 for the variation of Condition 3 of planning permission 0519/FUL/12 to allow for an EWT direct wind turbine to be constructed in place of the approved Eneron E33 turbine (grid ref. 309568 665924) at Ormiston Farm, Kirknewton	East Livingston and East Calder Frank Anderson Carl John Dave King Frank Toner	Refuse Permission	objections 19 Noise. Visual intrusion. Shadow flicker. Danger to wildlife. Danger to light aircraft. Public safety. Impact on lawful use. little impact on green energy.	<p>Planning permission was granted for a 61m high to blade tip wind turbine at Ormiston Farm on 28 March 2014. This followed a successful legal challenge to a previous appeal which was dismissed. The current proposal seeks to amend condition 3 of the Reporter's decision to allow for an alternative wind turbine type to be installed. The total height of the proposed turbine remains unchanged however the hub height is reduced from 44m to 35m and the blade diameter increased from 33m to 52m. The result of these changes is a swept area of the turbine blades increasing by some 148% over that previously approved. The impact on the overall landscape integrity of the area from one turbine type to another is not significant however, the larger sweep of the blades in direct line of sight of housing, 4 of which lie within 500m of the site, is likely to result in an increase in the visual intrusion over the approved turbine with a smaller blade diameter. Given that the Reporter considered the impact on 4 properties to be significant, the increase in blade diameter and therefore the larger general appearance of the turbine can be considered to exacerbate this matter further to the detriment of nearby residential properties.</p> <p>A second factor which was not fully investigated and assessed by the reporter when granting the turbine was the impact it would have on the lawful use of the Latchfarm Flyers private microlight landing strip. One of the greatest risks to microlight and light aircraft from wind turbines, other than the physical structure, is the impact of turbulence from the down wind wash of the rotating blades. Given the close proximity of the turbine at approximately 350m north east of landing strip and the significant increase in the swept area of the turbine, it was prudent to seek technical advice on the matter. An objection was received from the General Aviation Awareness</p>

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
						<p>Council (GAAC) on aviation safety grounds and cited guidance from the Civil Aviation Authority (CAA). Guidance from the CAA states that wind turbines should not be erected within 3km of a flying site and that vortex turbulence from fast moving turbine blade tips can be expected some 16 times the diameter of the turbine blades. In this case that means turbulence could be measure in some circumstances some 832m down wind of the site. The lawful use of the existing landing strip is of consideration but of greater concern is the safety of those landing and taking off from the site where turbulence from the turbine could result in the loss of lift for those aircraft. Given that there is no record of impact assessment of the turbine on the use of the landing strip, recommendation is to refuse permission to vary the turbine type previously granted on appeal. The proposals are therefore contrary to the following West Lothian Local Plan (WLLP) policies and relevant guidance:</p> <p>NWR20 (renewable energy) of the WLLP; HOU9 (residential and visual amenity) of the WLLP; CAA guidance CAP 764 (policy on wind turbines); CAA guidance CAP 793 (safety at unlicensed aerodromes)</p>

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0184/FUL/15 Nicolas Lopez Local Application	Di Resta	Erection of a house, indoor horse arena and stables (grid ref. 293590 670104) at Plot 10, Woodbank Crofts, Westfield, Bathgate	Armadale and Blackridge Stuart Borrowman Jim Dixon Sarah King	Refuse Permission	objection 1 One representation has been received which raises the following material issues: - tree removal - access and road safety - scale of buildings	Full planning permission is sought for the erection of a house, indoor horse arena and stables at Plot 10, Woodbank Crofts, Westfield, Bathgate. The site is located in a rural area north of Armadale, and is part of the Woodbank Crofting scheme consented under 0167/P/93. Planning permission was granted for a house on the site under 1006/FUL/08 on 04/02/2014. The application does not conform to the terms of the outline planning permission and associated Section 50 agreement which restricts development at Woodbank Crofts to 1 house per plot. The applicant has also provided no justification or supporting information to suggest that the development would meet the exceptional circumstances set out in policy ENV31. Furthermore, it is considered that, by virtue of its scale, prominence and the use of external flood lighting, the proposed arena is not appropriate to the rural character of the surrounding area or the principles set out in the above mentioned outline planning permission and associated design brief. It is therefore recommended that the application is refused.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0141/FUL/15 Nicolas Lopez Local Application	Easton	Change of use from post office (class 1) to hot food takeaway and sandwich bar (grid ref. 303023 664260) at Corrys Corner, 12 Limefield Road, Polbeth, EH55 8UD	Fauldhouse and the Breich Valley David Dodds Greg McCarra Cathy Muldoon	Grant Conditional Permission	<p>objections 5</p> <p>Five representations have been received. These raise the following material issues:</p> <ul style="list-style-type: none"> - odour nuisance - noise - traffic and parking - litter 	<p>The proposal is for the change of use of a post office to a sandwich bar and hot food takeaway at Corry's Corner, 12 Limefield Road, Polbeth. The site is in a largely residential area, though it adjoins a retail premises. The site can operate as a sandwich bar without the need for planning permission, however it appears that hot food has been sold from the premises for some time which has resulted in complaints from adjacent properties about cooking odour. Give the scale and impact of the hot food being produced at the premises, it is considered that a substantive change of use has occurred and that planning permission is therefore required.</p> <p>Whilst the concerns voiced in the representations are noted, it is considered that these can be adequately addressed via the application of planning conditions regulating the following:</p> <ul style="list-style-type: none"> - the type of cooking (no deep fat frying) - the hours of operation (day-time opening only) - the implementation of an appropriate extraction and grease filtration system <p>Subject to the above, it is considered that the development meets the terms of policies HOU9 and TC14 of the West Lothian Local Plan 2009. It is therefore recommended that planning permission is granted.</p>

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0107/FUL/15 Steven McLaren Local Application	West Lothian Council	Formation of an artificial sports pitch, installation of fencing and floodlighting (grid ref. 298606 676341) at LINLITHGOW LEISURE CENTRE, KETILSTOUN MAINS, Linlithgow, EH49 6SQ	Linlithgow Tom Conn Martyn Day Tom Kerr	Grant Conditional Permission	objection 1 Ongoing noise from leisure centre. Exacerbation of noise issues. Loss of amenity within garden. Possible light pollution.	The proposal is to construct an artificial sports pitch with associated fencing and flood lighting on an area of ground at Linlithgow Leisure Centre. The area of ground in question has been used as grass playing fields for some time and is an integral part of the sports facilities available at the leisure centre. The position of the proposed artificial pitch is to be set immediately to the west side of an existing tree belt planted on an earth mound at the time the leisure centre was developed and to the east of an existing tree belt. There has been 1 objection on the grounds of continued noise nuisance from the sports centre. The objector's property is some 200m from the site and whilst it is acknowledged that outdoor sporting activities can result in noise, the use of the surrounding land is well established as playing fields. The proposal will enhance the availability of this area of ground for use throughout the year. The flood lighting will be designed to minimise light spill from the site. Given the established leisure use and the current use of the land as playing fields, recommendation is to grant planning permission.

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Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0174/H/15 Lindsey Patterson Local Application	McCartney	Extension to house to form first floor accommodation (grid ref. 300260 676134) at 43 BEECHWOOD, LINLITHGOW, EH49 6SE	Linlithgow Tom Conn Martyn Day Tom Kerr	Grant Conditional Permission	objections 8 Privacy Overdominant/Scale Overshadowing Not In Keeping Existing Trees Adjacent to Site Visual Amenity Access During Construction Materials Parking Cramming	<p>The proposal is for an extension to a single storey property to form first floor accommodation.</p> <p>There will be no additional privacy issues as a result of the extension as the property is not extending any closer to the adjacent properties. The applicant has taken account of privacy issues by only situating three windows on the rear elevation, two obscured bathroom windows and one bedroom window. The bedroom window will not overlook any other property as the view to the properties to the rear and side of the application site is obscured by neighbouring garages. There is also a distance of 11 metres between the application site and the properties to the rear which is a sufficient distance to avoid overlooking. Overlooking of the properties to the front of the application site will not be an issue with a window to window distance of 19.5 metres, which is further than the required 18 metres according to the House Extension and Alteration Design Guide 2003.</p> <p>There is a mix of properties within the Beechwood site in terms of both design and size including bungalows, chalets and two storey properties. It is therefore considered that increasing the height of this bungalow to form a two storey property would not appear out of place or proportion with the surrounding properties. A condition is proposed which requires the materials to match those of the existing house.</p> <p>Due to the orientation of the site and distance to the properties to the front there would be no additional overshadowing as a result of the extension.</p> <p>As the footprint of the property is only extending slightly to the rear this is not considered to constitute cramming of the plot.</p>

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
						<p>With regard to parking, as the number of rooms are not increasing there is no need to provide additional off road parking.</p> <p>The trees adjacent to the site are not covered by a tree preservation order however a condition shall be attached to the decision notice requiring that any damage or removal of the trees or landscaping during construction shall be replaced.</p> <p>In terms of access to the adjacent properties during construction, this is not a material planning consideration however an advisory note shall be included within the decision notice outlining standard working hours.</p> <p>The proposal will therefore comply with the Council's House Extension and Alteration Design Guide and policy HOU 9 of the West Lothian Local Plan.</p>
0150/FUL/15 Tony Irving Local Application	WEST LOTHIAN COUNCIL	Approval of matters specified in conditions of planning permission 0075/P/12 for the erection of 1 house and 8 flats with associated works (grid ref. 296020 668660) at Glasgow Road, Bathgate	Bathgate William Boyle Harry Cartmill John McGinty James Walker	Grant Matters Specified in Conditions	objection 1 The roundel impinges on teacher parking at the school. The site access is at a dangerous location. The school is above capacity. Trees will be lost. There is no need for further housing in Bathgate.	<p>The site has planning permission in principle for residential development.</p> <p>The access road and roundell already has detailed planning permission.</p> <p>The proposed 1 house and 8 flats will be positioned on the site frontage with parking to the rear.</p> <p>There will be some loss of trees but these are not considered to be worthy of retention.</p> <p>The layout and design meets planning policy requirements.</p> <p>It is thus recommended approval be granted.</p>

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Application No. & Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0168/FUL/15 Ranald Dods Local Application	Wilkie	Erection of 3 buildings to form ancillary accommodation (grid ref. 300464 677089) at Land at Station Road, Linlithgow	Linlithgow Tom Conn Martyn Day Tom Kerr	Refuse Permission	objections 4 Loss of amenity; noise disturbance; development not in keeping; parking; road safety.	The proposed development would see the introduction of three flat roofed buildings provide ancillary guest accommodation for the nearby hotel into an area of open space and would result in the reduction in height of the stone wall surrounding the site. These buildings would be incongruous features which would neither preserve nor enhance the conservation area. There is no parking associated with the proposed development and, in line with the council's approved parking standards, three spaces are required. The proposal has the potential to be detrimental to the level of residential amenity enjoyed currently by existing residents. The proposal is contrary to: HER19 (development in conservation areas) WLLP; HOU2 (development within settlements) WLLP; HOU9 (residential amenity) WLLP; TRAN32 (parking standards) WLLP; IMP15 (design) WLLP.

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Development Management

List of Delegated Decisions

Date: **17/04/2015**

The following decisions will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and received by the Development Management Manager by 12 noon on 24/04/2015.

Application No. & Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0045/FUL/15 Steven McLaren Local Application	Sroka	Erection of a replacement house (in retrospect) (grid ref. 300329 676049) at 25 BEECHWOOD, LINLITHGOW, EH49 6SE	Linlithgow Tom Conn Martyn Day Tom Kerr	Grant Conditional Permission	objections 7 Did the demolition contravene planning regulations. Materials out of keeping with the area. Larger and more imposing than previously granted. Visually overbearing. Undesirable precedent.	Planning permission was granted for the raising of the roof of the single storey property on the site, alterations and extension on 8 July 2013. The design of these substantial alterations included the use of smooth white render on the majority of the building and timber cladding to the rear and a section of the extension to west side of the property. A small dormer element was included on the front elevation. The result being a modern design of house of similar scale to the neighbouring property at 23 Beechwood. The original application attracted 2 objections and the application was circulated round Members on the delegated list on 28 June 2013, subsequently being granted under delegated powers. Rather than altering and extending the original house, the developer demolished the house and built the current property as a new build development. A prior notification for the demolition should have been applied for but was not. Some changes such as a reduction in timber cladding was as a result of Building Standards requirements and minor design changes were made to the front elevation through an alteration of the roof pitch. The overall scale and massing of the house are very similar to the property at 23 Beechwood and whilst the finish of the building is white render and timber, being a departure from the majority of houses in Beechwood, there are some chalet bungalows where there is a mix of render and brick. Given the building as very close to the overall design and appearance of that which was granted in 2013, recommendation is to grant planning permission retrospectively.



Development Management

List of Delegated Decisions

Date: **24/04/2015**

The following decisions will be issued under delegated powers unless any Member advises the Development Management Manager that the application should be referred to the Development Management Committee for determination. Requests to refer applications must be made on the attached form and received by the Development Management Manager by 12 noon on 01/05/2015.

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0113/H/15 Lindsey Patterson Local Application	Lander	Two storey extension to house and formation of pitched roof over existing flat roof (grid ref. 293890 664504) at 61 GATESIDE ROAD, WHITBURN, EH47 0NH	Whitburn and Blackburn James Dickson Mary Dickson George Paul Barry Robertson	Refuse Permission	objection 0	<p>The proposal is for the erection of a two storey extension to the front of a two storey semi detached property.</p> <p>The extension was originally proposed to project 3.3 metres to the front of the property, 5.7 metres wide and full height of the existing property. However following negotiations with the agent the plans have been amended to show a reduction in height by 0.7 metres and the projection reduced by 0.3 metres in order to limit the potential impact on neighbouring properties. The width however has been increased by 0.49 metres in order to incorporate additional floor space.</p> <p>While amendments have been made to the original proposal it is considered that this is not sufficient to warrant approval of the application. The proposal is to the front of the property which is contrary to the Council's House Extension and Alteration Design Guide 2003.</p> <p>The length of the extension is such that it would have a detrimental impact on the appearance of the street scene in that it would break the building line as there are no other front extensions in the street. The length of the extension would also make it appear dominant and overbearing to neighbouring properties, especially that of the property to the north which is set lower than the application site.</p> <p>The proposal would therefore have a detrimental impact on the visual and residential amenity of neighbouring residents, again contrary to the design guide and policy HOU 9 of the local plan. Therefore the proposal is considered to be unacceptable in that it does not accord with policy HOU 9 of the West Lothian Local Plan or the House Extension and Alteration Design Guide 2003.</p>

West Lothian Local Plan = WLLP, Edinburgh and Lothians Structure Plan = ELSP. Planning Advice Note = PAN, Scottish Planning Policy = SPP, Supplementary Planning Guidance = SPG

Application No. &Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0126/FUL/15 Mahlon Fautua Local Application	BISHOP	Erection of a house (Grid Ref 297879 669227). at 26 FOUNTAINHEAD ROAD, BATHGATE, EH48 4DG	Bathgate William Boyle Harry Cartmill John McGinty James Walker	Grant Conditional Permission	objections 3 Difficult for accessibility given the current volume of traffic on Fountainhead Road and proposal will result in greater impact of road safety than the current situation. Obstruction of views Overshadowing Increased noise during construction. Detrimental impact on wildlife Potential impact on ground stability.	The application is for a single house on the site to the south of the existing property at 26 Fountainhead Road. The proposed house is acceptable in terms of the site and the context of the surrounding area. The impact on the road network can be mitigated by suitable on site parking provided for both the existing and proposed houses. It is recommended that planning permission is granted subject to conditions and the payment of the necessary developers contributions.

Application No. & Case Officer	Applicant	Proposals/Site Address	Ward/Councillors	Decision	No. and Summary of Objections	Reason for Grant/Refusal
0152/FUL/15 Steven McLaren Local Application	Simpson	Application under Section 42 for the removal of conditions 1 and 2 of planning permission 0604/FUL/13 to allow for trade to the public and formation of a garden centre (grid ref. 304962 670906) at Houstoun Mains Holdings, Uphall	Broxburn, Uphall and Winchburgh Tony Boyle Diane Calder Janet Campbell Alexander Davidson	Refuse Permission	objection 0	<p>The applicant sought permission for the erection of 1400sqm poly tunnels and formation of access road, car parking and landscaping in 2013 (Ref: 0604/FUL/13). The application was considered by Members at the Development Management Committee on 30 July 2014. Permission was granted for this horticultural development on 31 July 2014 with conditions restricting the use of the site to wholesale and that there shall be no retail sale to the public. Policy EM12 of the West Lothian Local Plan (WLLP) allows for small-scale business uses within smallholdings and whilst the development was targeted at the wholesale provision of horticulture, the use was acceptable. The use of the site as a garden centre with trade to the public increases the scale of the development such that it no longer complies with council policy on the use of smallholdings. The applicant has also not provided any justification for the use of the site as a garden centre and for trade to the public. The proposals are therefore contrary to the following policy of the WLLP and recommendation is to refuse.</p> <p>The proposals are therefore contrary to policy EM12 (rural areas) of the WLLP</p>

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