



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 22/10/2010.

| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|---|-----------|---|--|----------------------|---|--|
| 0591/H/10 Niall Sheehan Local Application | Aitken | Two storey extension to house (grid ref. 307471 672466) at 4 ERSKINE ROAD, BROXBURN, EH52 6XJ | Broxburn, Uphall and Winchburgh Janet Campbell Alexander Davidson Ellen Glass Graeme Morrice | Refuse Permission | objections 3 Proximity of the extension to the boundary Construction and maintainance of neighbouring property Loss of light Overshadowing Loss of Residential Amenity Massing, Size and Scale | <p>The proposed extension has been assessed for sunlighting and daylighting using the Building Research Establishment Guidelines. The proposed extension has failed this assessment as it overshadows and causes a significant loss of light to a large amount of the rear garden of the neighbouring property to the north over the course of any given day.</p> <p>The proposed extension is overbearing and will create an oppressive outlook for the neighbouring property to the north due to the overshadowing elements and the projection of the extension.</p> <p>The proposed extension is contrary to Policy HOU9 of the West Lothian Local Plan and the council's Householder Extension and Alteration Design Guide as it will cause an adverse impact on residential amenity and is therefore recommended for refusal.</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 |
|---|-----------|--|--|------------------------------|--|--|
| 0608/H/10 Niall Sheehan Local Application | Gray | First floor extension to garage to form greenhouse (Grid Ref. 299541 677547) at ROUNDEL HOUSE, 4 PARKHEAD ROAD, LINLITHGOW, EH49 7BS | Linlithgow Tom Conn Martyn Day Tom Kerr | Grant Conditional Permission | <p>objections 4</p> <p>No material difference from planning application 0439/H/10</p> <p>No assurances that the proposed structure will be used exclusively as a greenhouse</p> <p>May affect the amenity of a prime conservation area</p> <p>Creates a serious overlooking and privacy issues for other properties</p> <p>Construction works would impede access</p> <p>Hours of construction may affect residential amenity</p> | It is proposed to create a greenhouse structure above an existing garage. Conditions have been proposed to ensure all windows within the greenhouse consist of opaque glass, and that the greenhouse is not used as habitable accommodation. Subject to the proposed conditions, the proposal is seen to be acceptable. The proposal is will comply with the Local Plan and the Council's Householder Extension and Alteration Design Guide. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|--|-------------------------|--|---|-------------------------------|--|--|
| 0525/FUL/10 George Flett Local Application | Surveylink Projects Ltd | Demolition of extension and erection of a new extension to house (Rose Cottage), conversion and extension of workshop to form a house (The Old Smiddy) and demolish existing workshop and erection of a new house (Grid Ref 296702 672433) at ROSE COTTAGE, 5 THE LOAN, TORPHICHEN, EH48 4NF | Armadale and Blackridge Stuart Borrowman Jim Dixon Isabel Hutton | Grant Conditional Permission | objection 1 Access does not totally belong to the applicant. Overlooking. | The proposal is to redevelop the listed cottage and workshop as two residential units. The remaining workshop building, which is not listed, will be demolished and a new cottage style house will be built. The new build house will be detached from the listed building and on balance is acceptable in planning terms. The one representation received referred to access and overlooking. Although the access width is reduced it is still achievable and is acceptable to Transportation. Overlooking will not be an issue due to the design of the new build house. |
| 0526/LBC/10 George Flett Local Application | Surveylink Projects Ltd | Listed building consent for the demolition of extension and erection of a new extension, conversion and extension of workshop to form a house and demolish existing workshop and erection of a new house (Grid Ref 296702 672433) at ROSE COTTAGE, 5 THE LOAN, TORPHICHEN, EH48 4NF | Armadale and Blackridge Stuart Borrowman Jim Dixon Isabel Hutton | Grant Listed Building Consent | objection 1 Access does not totally belong to the applicant. Overlooking. | The proposal is to redevelop the listed cottage and workshop as two residential units. The remaining workshop building, which is not listed, will be demolished and a new cottage style house will be built. The new build house will be detached from the listed building and on balance is acceptable in planning terms. The one representation received referred to access and overlooking. Although the access width is reduced it is still achievable and is acceptable to Transportation. Overlooking will not be an issue due to the design of the new build house. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|--|------------------------------|--|---|------------------------------|---|---|
| 0596/FUL/10 Ranald Dods Local Application | Sainsbury's Supermarkets Ltd | Amendments to planning permission for store extension at Sainsbury's Store, Falkirk Road, Linlithgow Bridge, Linlithgow, EH49 7PE | Linlithgow Tom Conn Martyn Day Tom Kerr | Grant Conditional Permission | objections 5 increase cycle parking by removing one disabled parking bay; cycle parking should be under cover; cycle access should be improved. | The application is for a two storey extension to the service yard at the rear of the property. The representations received have been in respect of cycle access and parking. These issues do not relate directly to this application and are subject of investigation as part of planning consent 0250/FUL/09. There is currently adequate cycle parking on site and the proposed development will not require additional provision. |
| 0595/FUL/10 George Flett Local Application | Sibbald Ltd | Operation of Sunday market and car boot sale from 9am - 5pm (Grid Ref. 291377 667558) at Sibbald Park, Shona's Way, Blackridge, EH48 3BN | Armadale and Blackridge Stuart Borrowman Jim Dixon Isabel Hutton | Refuse Permission | objections 2 Contrary to Local Plan. Appearance. Traffic access. | The proposal is for a Sunday market and car boot sale in the car park area of the Sibbald training centre near Blackridge. Two representations were received on the basis that the proposal is contrary to the local plan, on the appearance of the proposal, and on traffic grounds. The original approval for the training centre was a departure from the local plan on the basis that an unsightly area in the countryside would be tidied up. This further proposal for a market and car boot sale is contrary to local plan policies on development in the countryside. It is also contrary to local plan policies on retailing, which require retailing proposals to be located in town centre areas or other areas identified for retailing in the local plan and for the sequential test to be applied in other cases. This proposal has not been justified in terms of the sequential test and is not in an area identified for retailing. Therefore, in light of the above, it is recommended that the application is refused. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|---|-----------|---|--|---|--|--|
| 0660/P/10 Ranald Dods Local Application | Stewart | Planning permission in principle for demolition of two sheds and erection of single storey house (Grid Ref. X299892, Y677877) at SITE AT PARKHEAD, LINLITHGOW, EH49 7RF | Linlithgow Tom Conn Martyn Day Tom Kerr | Refuse Planning Permission in Principle | objection 1 Site in AGLV; detrimental affect on the landscape, Palace & Peel; undesirable precedent; infrastructure; development in the countryside. | The site is located outwith the settlement envelopes defined in the West Lothian Local Plan, it is therefore in the countryside. Further, the site is within an area designated as an area of great landscape value (AGLV) and is within 800m of the palace and peel. There is no locational justification for the proposed development and it is not associated with a rural business. The site occupies a prominent ridge location when viewed from the palace and peel and a house on the site would be an incongruous feature in the landscape. The proposal is contrary to: ENV1c (historic environment designations) ELSP; ENV1d (natural environment interests) ELSP; ENV3 (development in the countryside) ELSP; ENV19 (development in AGLVs) WLLP; ENV31 (development in the countryside) WLLP; ENV32 (presumption against development in designated areas) WLLP; ENV33 (development in the countryside) WLLP; HER24 (development affecting outlook of palace & peel) WLLP; IMP14 (supplementary planning guidance) WLLP. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|---|-----------|---|---|------------------------------|---|---|
| 0511/H/10 Niall Sheehan Local Application | Tod | Two storey extension to house (grid ref. 302027 663303) at 3 LIMEFIELD ROAD, Polbeth, West Calder, EH55 8UD | Fauldhouse and the Breich Valley Neil Findlay Greg McCarra Cathy Muldoon | Grant Conditional Permission | objections 6 Loss of light Loss of use of sun room at the rear of No.2 Loss of view Loss of open space and turning space Loss of privacy Drainage capacity issues. Previous problems may be exacerbated Common access to properties along the road will become difficult Revised proposals only minimally reduce extension Massing of proposed extension Creates a traffic hazard as reduced parking and turning space exists Access becomes hazardous | The planning application has been revised from a one and a half storey design with a pitched roof to a single storey design with a pitched roof. There were concerns regarding the height and scale of the one and a half storey design and the overshadowing impacts it created. Negotiations subsequently took place with the applicant and the agent and a revised single storey design was submitted. The single storey design is seen to be acceptable in terms of both design and residential amenity. The loss of light to the property to the North created by the single storey design is minimal. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|--|-----------|--|--|----------------------------|--|--|
| 0620/FUL/10 George Flett Local Application | Megarry | Change of use from domestic garage to (class 2) dog grooming business (in retrospect) (grid ref. 309100 666920) at 100 OVERTON CRESCENT, EAST CALDER, EH53 0RH | East Livingston and East Calder Frank Anderson Willie Dunn Carl John Dave King | Grant Temporary Permission | <p>objections 2</p> <p>Commercial business operating within a residential area. Parking and traffic objections. Work has been undertaken to the drainage system. Nuisance from escaping dogs. Danger to children from the dogs. Has a risk assessment been undertaken and what insurance is there. How will commercial waste be handled. Kennelling is being provided. Will affect value of neighbouring properties. Operation of the business has blocked access to objector's property. Does the business meet various health and safety and building regulation standards. The safety of locals and children will be at risk. Title deeds prohibit business use.</p> | The proposal is to operate a dog grooming business in a converted garage located within the curtilage of a residential property within a residential area. The applicant has verbally stated that the the business deals with about 3 dogs per day between the hours of about 9am and 5pm. There have been objections from 2 neighbouring properties. Most of the objections are not material planning matters and some are matters for other legislation or authorities to control. With regard to parking and traffic there has been no objection from Transportation. In terms of how the proposal will affect the amenity of the area it is considered that the use of conditions on the hours of operation can preserve amenity. In order to allow the applicants the opportunity to demonstrate that the business can be managed in a way that will not be to the detriment of residential amenity it is recommended that a temporary conditional permission be granted. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|---|----------------------------|---|--|------------------------------|--|--|
| 0664/FUL/10 Ranald Dods Local Application | All the Fours Incorporated | Siting of a 13 sqm storage unit and a 22 sqm office unit (grid ref. 304975 669117) at 78A BARCLAY WAY, KNIGHTSRIDGE, LIVINGSTON, EH54 8EZ | Livingston North John Cochrane Robert De Bold Bruce Ferrie Andrew Miller | Grant Conditional Permission | objection 1 road safety | The proposed buildings are to provide storage and office accommodation within the existing compound. It is not envisaged that these will be detrimental to the road safety of the area. |
| 0618/H/10 Colette Maxwell Local Application | Gunn | Installation of dormer windows (Grid Ref. 307971 674102) at Green Patch, Faucheldean, Winchburgh | Broxburn, Uphall and Winchburgh Janet Campbell Alexander Davidson Ellen Glass Graeme Morrice | Refuse Permission | objection 1 Loss of privacy Overlooking Additional burden on private drainage system | The proposed rear dormers will directly overlook the private garden ground of the neighbouring property resulting in a loss of privacy for the neighbours. The situation is exacerbated by the fact that the applicants property sits in a higher position than the neighbouring garden and has a small amount of rear garden space meaning that the proposed dormers would be situated approximately 6 metres from the site boundary. The application is contrary to the following development plan policies: HOU9 (WLLP) - residential and visual amenity and the council's House Extension and Alteration Design Guide. |
| 0667/H/10 Niall Sheehan Local Application | McKenzie | Erection of a conservatory (Grid Ref. 302785 668553) at 24 ELIE AVENUE, DEANS, LIVINGSTON, EH54 8ET | Livingston North John Cochrane Robert De Bold Bruce Ferrie Andrew Miller | Grant Conditional Permission | objection 1 Overbearing Overshadowing Loss of Light Loss of Residential Amenity | The proposed conservatory is not considered to adversely overbear or overshadow any neighbouring property as it is single storey in size and relatively small in size. The conservatory sits comfortably in relation to the existing plot and is designed to fit in sympathetically with the existing house. The proposal complies with Policy HOU9 of the council's Local Plan and the council's Householder Extension and Alteration Design Guide. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|---|-----------|---|--|------------------------------------|--|--|
| 0362/FUL/10 Ranald Dods Local Application | Law | Erection of a house (grid ref. 298748 676790) at 44 A Mains Road, Linlithgow EH49 6QA | Linlithgow Tom Conn Martyn Day Tom Kerr | Grant Conditional Permission | objections 5 Privacy cramming stability of boundary impact on trees | Planning permission in principle was granted on appeal by Scottish Ministers in 2008. The principle of development has therefore been established. In order to safeguard privacy, a condition should be imposed requiring glazing on the west elevation to be obscured and retained as such in perpetuity. If a retaining wall is required on the boundary with properties to the west, that is a matter which will be considered by the Building Standards service. There are no trees on the site which will be affected by the development. The proposed house has adequate useable private garden ground and complies with building to garden ratio requirements. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|--|-----------|--|--|------------------------------|---------------------------------------|--|
| 0649/FUL/10 George Flett Local Application | Forbes | Change of use from flat to office (Grid Ref. 297146 669167) at 31B MARMION ROAD, BATHGATE, EH48 4JB | Bathgate William Boyle John McGinty James Walker | Refuse Permission | objection 0 | The proposal is for a change of use from a flat to an office at Marmion Road in Bathgate. The premises are currently used as an upper flat in a block of four. They are located in a cul-de-sac. The proposal is to use the premises as an office for 7 supported accommodation workers. The workers will be out of the office most of the time and there will generally be a manager in the office during the day. Transportation have objected on the grounds that there is insufficient parking for this type of use in a residential location. In planning terms it is considered that the proposed use is incompatible with the residential nature of the area and would be detrimental to the amenity. For reasons of loss of amenity and lack of parking provision it is recommended that the application be refused. |
| 0655/FUL/10 George Flett Local Application | Mubarik | Installation of 2 no. wall mounted condenser units (grid ref. 293736 667588) at 1B BROWN STREET, BATHVILLE, ARMADALE, EH48 3LB | Armadales and Blackridge Stuart Borrowman Jim Dixon Isabel Hutton | Grant Conditional Permission | objections 2 noise concerns | The proposal is to install two condenser units on the rear elevation of a grocery shop at Brown Street in Armadale. Two letters of concern from neighbours regarding the potential for noise nuisance were received. Environmental Health did not object to the application but have asked for a condition to be applied to achieve noise rating curve NR25 with no tonal noise when measured within any neighbouring property with the windows open for ventilation. The proposal is therefore acceptable in planning terms with conditions applied. |
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| Application No. & Case Officer | Applicant | Proposals/Site Address | Ward/Councillors | Decision | No. and Summary of Objections | Reason for Grant/Refusal |
|---|-----------|---|--|---|---|---|
| 0662/P/10 George Flett Local Application | Hardie | Planning permission in principle for the erection of a house and agricultural barn (grid ref. 289251 669553) at Drumduff Farm, Blackridge | Armadale and Blackridge Stuart Borrowman Jim Dixon Isabel Hutton | Refuse Planning Permission in Principle | objections 4 The proposal is contrary to local plan policies. The proposal is not feasible and the owner has not previously used the land for farming. Feed would have to be imported onto the site. The land is not suitable for the type or volume of farming proposed. The land indicated is currently not farmed and is either in trees or part of a dis-used quarry. | The proposal is an application in principle for a house and a barn on land in the countryside. It is proposed by the applicant that the house is needed in order to allow livestock to be reared on the land. The reason given is that a farmer needs to be on the site in order to look after the livestock. It is not considered that the justification provided has demonstrated the need for a house at this location and therefore the proposal does not comply with local plan policies regarding development in the countryside. For the above reasons it is considered that the application is contrary to local plan policies on development in the countryside and it is therefore recommended for refusal. |
| 0675/H/10 Niall Sheehan Local Application | Thwaites | First floor extension and extension to house (Grid Ref 305210 664594) at 36 BERVIE DRIVE, MURIESTON, LIVINGSTON, EH54 9HA | Livingston South Lawrence Fitzpatrick Peter Johnston Danny Logue John Muir | Grant Conditional Permission | objection 1 Length, scale and angle of the gable end will cause loss of light Projection beyond the rear building line of the property | The extension proposed is single storey and contained to the side and rear of the applicants property. The Building Research Establishment (BRE) Guidelines have been applied and display that most of the overshadowing and loss of light created by the proposed extension will fall on a gable end which does not serve habitable rooms, and an area which is not prime garden ground. A hedge of over 2 metres high also exists between the applicant's property and the neighbouring property. The proposed extension is acceptable in design terms and is not considered to create a loss of amenity for the neighbouring property |
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Enforcement Section: Proposed Actions

| Ref No. | Owner/ Developer | Alleged Breach of Planning Control & location | Ward/ Councillor | Decision | No. and Nature of Objections | Reasons for Decision and Summary Steps to Comply if Applicable |
|-------------|---------------------|---|---|--|---|--|
| EF185/10/JK | D McComisky | Unauthorised engineering operations and erection of building for forestry purposes on land at Northfield, Longridge | Fauldhouse & The Breich Valley N Findlay G McCarra C Muldoon | Serve enforcement notice and stop notice or temporary stop notice if required. | <ul style="list-style-type: none"> • N/A | <ul style="list-style-type: none"> • Works have commenced on site with the intention of erecting a building, allegedly for forestry purposes. Work has presently stopped and no structure has been erected; • the council is currently negotiating with the developer's agent regarding erecting buildings on the site related to a forestry enterprise. In the event that no approval is given for the proposed development, and the developer erects an unauthorised building, enforcement action should be pursued. |