

Development Management

List of Delegated Decisions - 15th February 2019

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0802/FUL/18	Recommendation:	Grant Planning Permission
Proposal:	Erection of hairdressers salon (to replace existing salon)		
Address:	3 Park View,Fauldhouse, Bathgate, West Lothian, EH47 9JS (Grid Ref: 293283,661025)		
Applicant:	Mr A Zahid	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Mahlon Fautua
<u>Summary of Representations</u> One objection - No off-street parking provision			
<u>Officers report</u> It is proposed to demolish an existing single storey, flat roofed hairdressing salon which measures approximately 5m x 6m and replace it with a single storey building which measures 9.3m by 10.5m. The new building would have a pitched roof and would constitute a significant improvement over the existing building. It is considered that in view of the scale of the use there would be a minimal impact on residential amenity, including traffic movements. Furthermore, there is sufficient space in front of the building for customer parking. Therefore, it is recommended that planning permission is granted subject to conditions.			

Ref. No.:	1044/P/18	Recommendation:	Grant Planning Permission in Principle
Proposal:	Planning permission in principle for the erection of a retail food store (class 1) and associated works		
Address:	Land North West Of Houston Interchange,Houston Road, Livingston, , (Grid Ref: 305280,667171)		
Applicant:	Deanway Development Limited	Type:	Local Application
Ward:	Livingston North	Case Officer:	Steven McLaren

Summary of Representations

Four letters of support. Knightsridge Community Council had met with the applicant over concerns with the proposal, but has not objected.

One objection -

- the application site is allocated employment land in the West Lothian Local Development Plan (WLLDP).

Officers report

Planning permission is sought in principle for the construction of a Class 1 retail store and associated works on an allocated employment site (E-LV 40) with Aldi Stores Ltd being the proposed future occupier. The West Lothian Local Plan examination process identified an excess of allocated employment land in West Lothian. The site has been marketed for Class 4 (business) use and has been available for business use for over 10 years with no interest.

Aldi have recently expanded their Almondvale store and it is unlikely therefore that Aldi would seek to take up additional vacant shop space within the town centre. An additional store in the Knightsridge area is also unlikely to draw any significant foot fall from the existing town centre uses and in some respect will simply draw customers from one Aldi store to another. Whilst the site is within the Livingston Settlement Boundary it is not identified as a 'local town centre' or a 'local neighbourhood centre' which would offer some support for a retail food unit. Policy TCR 2 Town Centres First Sequential Approach is relevant.

The proposal site is essentially for an 'Out of Centre' type retail location where specific criterion apply. The scale of the development is appropriate in this location; a retail statement submitted in support of the application demonstrates that all other locations have been considered through the retail statement; there would be no adverse impact on higher order centres in the sequence; it is located close to a residential area making it a sustainable location; it would not give rise to a shortfall in employment land allocation and it would not restrict other adjacent lawful uses or fragment a larger employment area. The proposal also offers jobs and appropriately priced facilities to this less well-off area and has received letters of support from local residents.

It is recommended therefore that planning permission in principle is granted, subject to conditions and the provision of improved footpath links between the new store and the nearby residential area of Knightsridge.

Ref. No.:	1203/FUL/18	Recommendation:	Grant Planning Permission
Proposal:	Change of use of 12 parking spaces to hand car wash and valeting operation including the installation of a 12sqm storage container and canopy		
Address:	Asda Livingston, Almondvale North, Almondvale, Livingston, West Lothian (Grid Ref: 305729,666794)		
Applicant:	Miss Amrina Piroos Waves Valeting Services Ltd	Type:	Local Application
Ward:	Livingston South	Case Officer:	Linda Christie

Summary of Representations

One objection -

- Parking

Officers report

The application seeks planning permission for the use of 12 car parking spaces in the eastern part of the existing Asda car park as a car wash and valeting operation, including installation of a 12 sqm storage container and canopy.

The proposed car wash service is considered to be ancillary to the main retail use of the site, with customers likely to use the facility in association with a visit to the supermarket rather than making a visit just to use the car wash. One letter of objection has been received in regards to reducing parking for the existing store, however, the council's Roads and Transportation service has no objection to the application. In addition, neither Environmental Health nor SEPA have any objection to the proposal.

It is considered that the loss of 12 parking spaces from the car park will not give rise to adverse traffic issues, and the location of the car wash will mean that it does not give rise to any amenity issues. It is recommended, therefore, that planning permission is granted.

Ref. No.:	1227/H/18	Recommendation:	Grant Planning Permission
Proposal:	Demolition of garage and erection of new garage		
Address:	Belnorrie, 1 St John's Road, Broxburn, West Lothian, EH52 5QY (Grid Ref: 308178,671894)		
Applicant:	Mr & Mrs G Malcolm	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Thomas Cochrane
<p><u>Summary of Representations</u></p> <p>Two neutral representations -</p> <p>- no objection provided the garage is only used for private cars</p>			
<p><u>Officers report</u></p> <p>This property is a single storey traditional bay windowed, stone built property. There is a slabbed and red chip driveway which runs adjacent to the side elevation. The rear curtilage is 26m long by 13m long.</p> <p>The proposal is to demolish the existing garage and construct a garage at the end of the garden where a wooden shed currently occupies this space. Due to the location and orientation, no property will be overshadowed, and there will be no light issues. A condition is attached to restrict the use to domestic only.</p> <p>As the proposal does not give rise to any loss of residential or visual amenity it is recommended that planning permission is granted.</p>			

Ref. No.:	0011/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Formation of footpath link		
Address:	Land At Allison Gardens,Blackridge, West Lothian, , (Grid Ref: 289930,666887)		
Applicant:	Southvale Homes (Lanark) Ltd	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Mahlon Fautua

Summary of Representations

Four representations - 3 objection, 1 neutral

- Not notified of application
- work has commenced without consent
- access over private land
- damage to drains, road and trees
- devalue property
- anti-social behaviour
- missive on land required the area to be fenced off

Officers report

The proposed path formalises a used pedestrian link between the residential development at Allison Gardens and the established route to the north west of the site. It is required to provide an alternative to the originally proposed footbridge across the Barbauchlaw Burn, which proved impracticable because of the differing ground levels on the north and south sides of the burn. The new footpath link will provide a direct access between the new development and Blackridge's shops, school and bus routes.

The objections raised predominantly relate to private land rights and public right of way which are beyond the remit of the planning application.

There are no material planning reasons why the link should not be built.

It is therefore recommended that planning permission is granted subject to conditions.

Development Management

List of Delegated Decisions - 22nd February 2019

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	1037/H/18	Recommendation:	Refuse Permission
Proposal:	Erection of a summer house		
Address:	56 East Main Street, Uphall, Broxburn, West Lothian, EH52 5HY (Grid Ref: 306213,671855)		
Applicant:	Mr Stewart Togher	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Thomas Cochrane
<u>Summary of Representations</u> One objection- -obstruction of view -the structure is too close -drawings and not indicative of what has already been constructed. - the raised platform not shown on drawings -possible commercial use.			
<u>Officers report</u> It is proposed to erect a summer house in the garden of a property is within the Uphall conservation area. At the time of the site visit, there was a partial structure already built. This structure due to its location will cause overshadowing of windows in the existing flatted accommodation due to the level difference. The plans submitted do not accurately reflect what is being constructed on site. The recommendation is to refuse planning permission as it is contrary to LDP policy ENV 24, which states that new development should enhance the character and appearance of the area, and policy DES1 as the structure will have a detrimental impact on the amenity of neighbouring residents.			

Ref. No.:	1198/FUL/18	Recommendation:	Refuse Permission
Proposal:	Erection of a multi-arts workshop/rehearsal centre consisting of training centre building (including managers accommodation), round house and dome & stretch tents, guest accommodation units and toilet block with associated works		
Address:	Colzium Cottage, Kirknewton, West Lothian, EH27 8DH, (Grid Ref: 308333,658781)		
Applicant:	Mr Rob Thorburn Colzium Arts Farm Ltd	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Gillian Cyphus
<p><u>Summary of Representations</u></p> <p>Nine representations in support of the business proposal.</p>			
<p><u>Officers report</u></p> <p>An 'arts farm' is proposed in open countryside near Kirknewton. The development would comprise a roundhouse rehearsal space/workshop, a dome tent, manager's cabin and rehearsal/teaching space, accommodation units for up to 50 people, access roads and landscaping. It is intended to be a multi-use facility which would allow for teaching and a variety of arts pursuits</p> <p>The proposal constitutes intrusive development in a sensitive area of countryside, with no locational need or justification. It is therefore contrary to the council's guidance on Development in the Countryside (2018) and policies DES1 (Design Principles), EMP3 (Employment outwith Settlements), ENV1 (Character and Special Landscape Areas), ENV2 (Housing in the Countryside), ENV3 (Other Development in the Countryside), ENV13 (Pentland Hills Regional Park) and ENV14 (Pentland Hills Regional Park - further protection) in the adopted Local Development Plan.</p> <p>It is recommended, therefore, that planning permission is refused.</p>			

Ref. No.:	1237/H/18	Recommendation:	Grant Planning Permission
Proposal:	Erection of a detached garden room (in retrospect)		
Address:	131 Harburn Avenue, Deans, Livingston, West Lothian, EH54 8NL (Grid Ref: 302960,668755)		
Applicant:	Mr & Mrs Mark & Fionna Ellison	Type:	Local Application
Ward:	Livingston North	Case Officer:	Thomas Cochrane
<p><u>Summary of Representations</u></p> <p>One objection -privacy</p>			
<p><u>Officers report</u></p> <p>Planning permission is sought for the erection of a summerhouse in the back garden of a semi-detached house. The applicant has agreed to install obscured glazing in two windows which would overlook the neighbouring property, which would address the concerns of the objector.</p> <p>In view of the above it is recommended that planning permission is granted, subject to a condition regarding glazing.</p>			

Ref. No.:	0009/H/19	Recommendation:	Refuse Permission
Proposal:	Conversion of garage to form ancillary residential accommodation		
Address:	Burnside Cottage, Burnside Road, Bathgate, West Lothian, EH48 4PX (Grid Ref: 296964,669221)		
Applicant:	Mr & Mrs Flockhart	Type:	Local Application
Ward:	Bathgate	Case Officer:	Thomas Cochrane

Summary of Representations

Three representations, one in support and two objections.

Objections:

- Insufficient parking
- Privacy
- Property Value
- Noise
- Emissions
- Safety
- Construction disruption
- Overlooking
- Residential amenity

Officers report

Planning permission is sought for the conversion of a detached garage to the rear of a detached house. The property shares its access with a neighbouring property; the garage is located at the foot of the garden of the owner's house, and is approximately four metres from the neighbouring house.

The proposal includes forming a door and two windows in the wall facing on to the shared driveway and towards the neighbouring house. This is considered to constitute a privacy failure, and the applicant was asked to remove the door and windows, which was not acceptable to him.

Without this change, the proposal is considered to be contrary to policy DES 1 of the Local Development Plan and the council's guidance on house extensions, and it is therefore recommended that planning permission is refused.

Ref. No.:	0041/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Change of use from shop (class 1) unit to form restaurant with hot food takeaway on ground floor and function space on first floor and erection of flue		
Address:	44-46 George Street, Bathgate, West Lothian, EH48 1PD, (Grid Ref: 297482,668828)		
Applicant:	Sava Estates Ltd	Type:	Local Application
Ward:	Bathgate	Case Officer:	Mahlon Fautua

Summary of Representations

Two Objections - one received out of time.

- oversupply of restaurants/hot food shops
- commercial competition concerns

Officers report

The proposed change of use is considered to be in keeping with its surrounds within a town centre location. The proposal is therefore acceptable in land use terms in this case. Adequate measures can be implemented to ensure any potential adverse impact on the neighbouring residential properties are mitigated and avoided.

With respect to the matters that raised in the objection, proliferation of such uses and competition cannot be considered in assessing the planning merits of the application.

The proposal would also comply with policy TCR 1 of the West Lothian Local Development Plan.

The application is considered to be acceptable in meeting the terms of the West Lothian Local Development Plan and is therefore recommended for approval.

Development Management

List of Delegated Decisions - 1st March 2019

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	LIVE/0739/P/16	Recommendation:	Grant Planning Permission in Principle
Proposal:	Planning permission in principle for the erection of a residential development (Grid Ref: 303970 675473)		
Address:	Land Adjacent To Bridgend Golf Club, Bridgend, Linlithgow, EH49 6NW,, , (Grid Ref: ,)		
Applicant:	G Townsley	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Steven McLaren
<u>Summary of Representations</u> 3 representations: - The land was set aside for recreational use as part of the golf club approval, approving houses here will put strain on existing infrastructure. - Application is premature. - Development in the countryside. - Title restrictions. - Layout and design - Traffic capacity. - Education capacity. - Type and style of proposed houses inappropriate.			
<u>Officers report</u> The application site is an allocated housing site, for up to 40 houses, in the adopted West Lothian Local Development Plan (H-BD3). The indicative layout shows a development of 25 detached, semi-detached and terraced houses. Developer contributions will be required including 25% on site affordable housing which will be secured through a section 75 agreement. Since the submission of the objections, the LDP has been adopted and the site allocated for 40 units. The application is therefore no longer premature and not in the countryside. Title restrictions are not a planning matter. The layout is indicative and may change at the detailed application stage where full consideration will be given. Transportation has raised no concerns regarding the access from Willowdean. There is now a funding solution in place			

for the new secondary school in Winchburgh which removes the constraint on Linlithgow Academy, subject to appropriate phasing.

In view of the above it is considered that the principle of developing this allocated site for housing is acceptable and recommendation is to grant planning permission subject to conditions and a legal agreement.

Ref. No.:	0995/FUL/18	Recommendation:	Refuse Permission
Proposal:	Change of use from open space to form additional yard area		
Address:	Murraysgate Industrial Estate, Whitburn, West Lothian, , (Grid Ref: 293901,664977)		
Applicant:	Mr Andrew Craig Craig Engineering (Bathgate) Ltd	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Mahlon Fautua

Summary of Representations

Two Representations, one objection and one neutral

- Noise
- Visual impact due to height of shelves
- Potential dust and grime
- Sunlight

Officers report

Permission is sought for the use of an open area between Murraysgate Industrial Estate and suburban houses for open storage and steel/metal cutting and fabrication. The proposals include the formation of open metal shelving, approximately 3.5 metres high, along the boundary between the site and the rear fences of the surrounding houses. While the expansion of the existing industrial area is supported in principle, it is considered that the proposed use of the yard and the nature of the storage proposed would have a significant detrimental impact on the amenity of the neighbouring residential properties. The height of the proposed shelves would create a visual impact and activity in the proposed yard would likely create a noise nuisance.

The proposed development is therefore considered to be contrary to the West Lothian Local Development Plan policies DES 1 and EMP 1. As such, it is recommended that the application planning permission be refused.

Ref. No.:	1029/FUL/18	Recommendation:	Grant Planning Permission
Proposal:	Construction of two storey office building with ancillary store and associated car park and landscaping		
Address:	Land At Youngs Road, Broxburn, West Lothian, , (Grid Ref: 308948,672866)		
Applicant:	Ian Macleod Distillers	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Matthew Watson

Summary of Representations

One objection:

- Vehicular access/traffic congestion
- Landscaping scheme inappropriate in view of increased traffic

Officers report

The application proposes a two storey office building and ancillary store with associated car parking and landscaping on Youngs Road within the East Mains Industrial Estate.

The application site is located within an employment area and is currently used to store diggers for a nearby business. Policy EMP 1 states that redevelopment of land within employment areas is supported subject to proposals being compatible with neighbouring land uses; not having a detrimental impact on the amenity of the area; that transport implications can be effectively managed; and any infrastructure deficiencies can be remedied.

The proposal is for Class 4 use, which will be compatible with the surrounding Class 5 uses, most of which have ancillary office functions. The proposal will not have a detrimental impact on the amenity of the area in terms of daylight, sunlight, privacy and noise. Visually, the proposal is of an acceptable scale and form that does not dominate its surroundings and will integrate sufficiently with its context. The application proposes widening the access road at the north of the development to six metres in width, as well as the installation of a two metre wide footway for pedestrians. With these measures in place, transportation has removed their holding objection and now does not object to the proposal. This remedies an infrastructure deficiency resulting from the proposed development. A condition will require these measures to be carried out prior to the occupation of the building.

It is therefore recommended that planning permission is granted.

Ref. No.:	1099/FUL/18	Recommendation:	Grant Planning Permission
Proposal:	Formation of access and hardstanding, siting of two shipping containers, animal shelter and caravan and part change of use for HGV storage (in retrospect)		
Address:	Land At Oakbank Road, East Calder, West Lothian, , (Grid Ref: 307955,666172)		
Applicant:	Ms Jillian Baillie	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Claire Johnston

Summary of Representations

Two representations -

One Objection

- Site Access
- Inappropriate Use
- Residential Amenity

One letter of Support

- Local employment opportunities
- Landscaping will improve appearance

Officers report

The application is for the formation of an access and hardstanding, siting of two shipping containers, animal shelter and caravan and part change of use for HGV storage in retrospect. The site is located outside the settlement boundary of East Calder on Oakbank Road, in an area of Special Landscape Area (SLA) although the site is not aesthetically pleasing due to previous unauthorised uses.

The access track and hardstanding have been in place for a number of years and were installed by the previous owner. Given that they are existing it is considered reasonable to allow the retention of this hardstanding subject to conditions relating to landscaping and other improvements. The operation of a HGV business - overnight parking of three HGVs - within the countryside setting is not generally appropriate and would be better placed within an industrial site however it is considered reasonable to allow a short period of time for the business to relocate to a more suitable site, allowing applicant to achieve the agricultural smallholding he proposes in the long term. The caravan is associated with the HGV business and is for driver welfare during handovers and general site security; it is intended that this will be removed once the period of HGV operation expires.

Two letters of representation were received, one objection on the grounds of access, inappropriate use of the site and impact on residential amenity, and one letter of support for the local employment opportunities as well as the improved appearance of the site through appropriate landscaping. Contaminated Land and Environmental Health have no objections to the application, while Transportation have requested a condition relating to the road junction and access being formed in line with their requirements.

It is therefore recommended that the application is granted with a condition restricting the use of HGV parking, siting of the containers and caravan to a maximum of two years.

Ref. No.:	1171/H/18	Recommendation:	Grant Planning Permission
Proposal:	Extension to two houses		
Address:	14 And 16 Main Street,Newton, Broxburn, West Lothian, EH52 6QF (Grid Ref: 309241,677744)		
Applicant:	Mr Chris Reilly	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Thomas Cochrane
<p><u>Summary of Representations</u></p> <p>Two objections-</p> <ul style="list-style-type: none"> - privacy and amenity (addressed by the amended plans) - vehicle access 			
<p><u>Officers report</u></p> <p>The application relates to a single storey rear extension to two traditional semi-detached cottages. The plans have been amended to delete a large pitched roof, significantly reducing the visual impact. This also reduces the impact on the neighbouring properties.</p> <p>The plans, as amended, are considered to be acceptable and it is recommended, in consequence that planning permission is granted.</p>			

Ref. No.:	1185/P/18	Recommendation:	Refuse Planning Permission in Principle
Proposal:	Planning permission in principle for residential development including associated infrastructure, access, and landscaping		
Address:	Land At Muirend, Broxburn, West Lothian, EH52 5PD, (Grid Ref: 309773,670810)		
Applicant:	Mrs M P Cadzow c/o Agent Felsham PD	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Matthew Watson

Summary of Representations

None

Officers report

The application proposes a residential development at Muirend Farm to the south of Broxburn. The application site contains the farmhouse, an outbuilding (that has permission to be converted to residential use) and three of farm buildings. It is proposed to demolish the farm buildings and erect houses in their place. An indicative layout shows five houses proposed. The application site is located within the Winchburgh/Broxburn Countryside Belt.

Policy ENV 7 (Countryside Belts and Settlement Setting) states that proposals are required to comply with Policies ENV 1 - 6 of the West Lothian Local Development Plan (LDP), not undermine the strategic purposes of countryside belts and will not give rise to coalescence.

The proposal is compliant with Policies ENV 1, 4, 5 and 6. Policy ENV 3 does not apply in this instance.

Policy ENV 2 sets out the exceptions to new build housing in the countryside.

The application site proposes the development of previously developed land within the curtilage of the existing farmhouse. The approved Supplementary Guidance (SG) on Development in the Countryside states on p.14 in the section on the re-development of rural brownfield sites that:

"the housing element of a proposal must be modest (ordinarily not more than three houses). Proposals for a larger number of houses will only be permitted where it can be satisfactorily evidenced that there are overwhelming social, economic or environmental reasons of overriding public interest for requiring such a scale of new residential development in a rural location."

The applicant has not put forward any overwhelming social, economic or environmental reasons of overriding public interest for development of more than three houses in this case. The proposal is therefore contrary to the SG in this respect.

The applicant contends that the proposed site is an infill development. Paragraph 64 of the SG states the following:

"The term 'infill' is sometimes misapplied to development proposals and for the avoidance of doubt it is, in the context of Policy ENV 2 of the LDP, development in the order of one or two houses in a small gap in an otherwise continuous built-up residential frontage to a road or access within a clearly identifiable cohesive group of buildings in the countryside."

Paragraph 65 goes on to state:

"In situations where existing buildings are set substantially back from the road and have large front gardens or forecourts and/or properties are set within large plots with a sizeable gap to neighbouring properties it is unlikely that the 'continuously built-up frontage' requirement can be met. New development could be harmful to the rural character of the area in these circumstances and would not be supported."

The farmhouse is set back from the road with a large forecourt and garden area to the west of the site. There is clearly not a 'continuously built-up residential frontage' in this area and the proposal does not fill a 'gap'. Rather it seeks development within the curtilage of the existing farmhouse.

The Council's Environmental Health Service has objected to the development due to insufficient information on noise. The site is within the flightpath of Edinburgh Airport and this has the potential to detrimentally affect the amenity of future occupiers. A noise assessment was requested but has not been submitted. In the absence of a noise assessment, the proposal is contrary to Policy EMG 5 (Noise) of the LDP.

Overall, the proposal is contrary to Policy ENV 2 (Housing development in the countryside) of the LDP. Consequently, it is also contrary to Policy ENV 7 (Countryside Belts and Settlement Setting), as well as Policy EMG 5 (Noise) of the LDP. No material considerations outweigh this conclusion.

It is therefore recommended that planning permission in principle is refused.

Ref. No.:	1186/FUL/18	Recommendation:	Refuse Permission
Proposal:	Erection of a house		
Address:	United Reformed Church,48 Marjoribanks Street, Bathgate, West Lothian, EH48 1AH (Grid Ref: 297794,668976)		
Applicant:	Mr & Mrs William & Vanda Collins	Type:	
Ward:	Bathgate	Case Officer:	Gillian Cyphus
<u>Summary of Representations</u> One letter of support.			
<u>Officers report</u> The application is for a house within the front garden of the existing property, immediately adjacent to a C listed church. The proposed house, due to its design and location, would have a significant impact on the adjacent listed building, the existing residential property to the rear and the streetscene generally. The application is therefore contrary to policies DES1 (Design), HOU3 (Housing in the Settlement) and ENV28 (Listed Buildings) of the Local Development Plan and the council's approved Residential Development Guide. It is therefore recommended that planning permission is refused.			

Ref. No.:	0008/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Formation of a children's toddler play park and associated works		
Address:	Land At Cardross Road, Broxburn, West Lothian, , (Grid Ref: 307087,672359)		
Applicant:	Mr Stephen Knox West Lothian Council	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Claire Johnston

Summary of Representations

One objection

- Privacy
- Noise

Officers report

The application is for the formation of a children's play park within an area of open space located on the corner of Cardross Road and Cardross Crescent, Broxburn.

One letter of objection has been received in regards to increased noise and privacy concerns. The proposed play area is designed for toddler aged children and comprises several items of equipment, including a swing set, hide & slide multi-unit and seesaw. The maximum height of the standing platform of the multi-unit is 1.2m from the ground level. It is not considered that this would create any issues in respect of privacy for the surrounding neighbours. Due to the small scale equipment being proposed and the fact that the play area is for toddlers it is considered that noise from the play area is unlikely to be an issue.

The proposal will deliver improved facilities for the use of families living in the area and are in accordance with the West Lothian Local Development Plan policies. It is therefore recommended that the application is granted.

Development Management

List of Delegated Decisions - 8th March 2019

The following decisions will be issued under delegated powers unless any Member requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to planning@westlothian.gov.uk no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0280/P/18	Recommendation:	Refuse Planning Permission in Principle
Proposal:	Planning Permission in Principle for the erection of a house		
Address:	Plot Of Land,Burnvale, Broxburn, EH52 5PA, (Grid Ref: 305280,667171)		
Applicant:	Mr & Mrs Douglas & Sheila Halliday	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Matthew Watson
<u>Summary of Representations</u> One natural comment: - No objection in principle but a detailed application should respect privacy - Any disruption or damage to the lane as a result of the development should be made good - Questions whether junction improvements can be required as part of this application			
<u>Officers report</u> The application seeks planning permission in principle for a house at Burnvale, Burnside to the south of Broxburn. The application site falls within the settlement boundary of Burnside and is compatible with surrounding land uses. A house in this location would be in keeping with the character of the settlement and local area. The applicant has indicated that they are willing to pay all developer contributions, in line with policies HOU 3 and INF 1. However, SEPA has objected to the application on grounds of flood risk. The applicant has submitted further information in terms of level information but has not been able to satisfy SEPA and their objection has been maintained. The proposal is therefore contrary to Policy HOU 3 (Infill/Windfall Housing Development within Settlements) criterion (h) and Policy EMG 2 (Flooding). It is therefore recommended that planning permission in principle is refused.			

Ref. No.:	1197/FUL/18	Recommendation:	Refuse Permission
Proposal:	Erection of 4 houses		
Address:	Wester Woodside Farm, Torphichen, Linlithgow, West Lothian, EH49 6QE (Grid Ref: 296208,673456)		
Applicant:	Mr William Russell	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Mahlon Fautua

Summary of Representations

No representations received

Officers report

Planning permission is sought for the erection of four houses on a rural brownfield site.

The Council is not satisfied that the buildings to be removed as part of the proposed development are redundant and seriously detract from the visual and environmental amenity of the area. Furthermore, the proposed new houses are substantially beyond the footprint of the existing buildings that are to be replaced and even the yard/developed area.

It is considered that development of the site for housing does not satisfy the fundamental criteria in policy ENV 2 of the LDP. Therefore the development is not justified in accordance with the development plan.

Please note that the Council is minded to grant (LIVE/0151/FUL/17) for five houses on land adjacent to this application. However this has been justified on conversion of rural buildings with an element of new build. As such, the proposed total number of houses including this proposal would be of scale that would have a cumulative adverse visual impact on the local countryside.

It is therefore recommended that planning permission is refused as the proposal is contrary to LDP policies, DES1 (Design Principles) and ENV2 (Housing Development in the Countryside).

Ref. No.:	0070/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Erection of a statue of a dog, seating, landscaping and associated works		
Address:	Land Adjacent To 212 High Street, Linlithgow, West Lothian, , (Grid Ref: 300487,677133)		
Applicant:	Mr Ronald P.A Smith Burgh Beautiful Linlithgow	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Steven McLaren
<p><u>Summary of Representations</u></p> <p>One letter in support and one objection -</p> <ul style="list-style-type: none"> - Will result in more congestion on the High Street. - Will encourage more visitors to use residents' parking. - An alternative site should be found. 			
<p><u>Officers report</u></p> <p>The proposal is to carry out environmental improvements on land adjacent to 212 High Street, Linlithgow where a footpath leads from the High Street to Linlithgow Loch. The works include new seating, new block paving, an interpretive board, landscaping works and a dog statue set on a plinth representing the 'Black Bitch' as represented on Linlithgow's burgh seal. The environmental improvement works are considered to be acceptable and the installation of the sculpture, whilst adding interest to the High Street, is unlikely to result in increased traffic and loss of parking to residents. It is therefore recommended that planning permission is granted.</p>			

Ref. No.:	0108/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Change of use from office (class 4) to hot food take away (sui generis) and formation of new shopfront and erection of flue		
Address:	20-22 King Street, Bathgate, West Lothian, EH48 1AX, (Grid Ref: 297534,668658)		
Applicant:	Mr Muhammad Ajmal	Type:	Local Application
Ward:	Bathgate	Case Officer:	Mahlon Fautua

Summary of Representations

Three Objections
- oversupply of hot food shops
- traffic concerns
- Litter

Officers report

The proposed use of the premises as a hot food take away is considered to be in keeping with its surrounds within a town centre location and is supported in principle. Adequate measures can be implemented to ensure any potential adverse impact on the nearby residential properties are mitigated and avoided.

With respect to the matters that are raised in the objections, proliferation of such uses and competition cannot be considered in assessing the planning merits of the application. Other objections can be controlled through conditions.

The proposal therefore complies with policy TCR 3 of the West Lothian Local Development Plan and it is recommended that planning permission is granted.

Proposed Enforcement Actions - 08/03//2019

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0271/18	Ms L Potter	18 St Johns Avenue, Linlithgow, EH49 7DU Installation of UPVC windows	Linlithgow	Serve Enforcement Notice	<p>The unauthorised UPVC windows have been the subject of a planning application which has been refused. The deadline for the submission of an appeal against the refusal has now passed.</p> <p>Steps to comply: removal of UPVC windows and replace with suitable timber frame windows</p>