



# Development Management

List of Delegated Decisions - 7th May 2021

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located 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](mailto:planning@westlothian.gov.uk) no later than 12 Noon, 7 days from the date of this list.

<b>Ref. No.:</b>	0182/FUL/21	<b>Recommendation:</b>	Grant Planning Permission
<b>Proposal:</b>	Siting of two 2.5m x 6m storage containers		
<b>Address:</b>	15 Crofthead Centre, Templar Rise, Dedridge, West Lothian, EH54 6DG (Grid Ref: 304700,665708)		
<b>Applicant:</b>	Mr David Rennie	<b>Type:</b>	Local Application
<b>Ward:</b>	Livingston South	<b>Case Officer:</b>	Alexander Calderwood

## Summary of Representations

One representation was received from one member of the public. They objected on the grounds that:

- The containers will attract rats, leading to food hygiene and safety problems.
- The containers will have adverse implications for the security of the adjacent businesses, providing access via the roof.
- The containers will reduce the level of parking provision for the business units to an unacceptable level.

## Officers report

This application seeks full planning permission for the siting of two 2.5 metres by 6 metres storage containers on an area of hardstanding adjacent to 15 Crofthead Centre. The storage containers will be 2.6 metres in height and used to store donated bikes for refurbishment in association with the West Lothian Bike Library community enterprise. The site falls within a local neighbourhood centre.

Policy DES 1 (Design Principles) of the West Lothian LDP states that all new development proposals should have no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity. It also highlights that it should have no implications for the adequate provision of parking.

Whilst the containers will contrast with the units that they will sit adjacent to, they are not of a scale which would be considered overbearing or

detrimental to the character of the area. A condition will be attached to the decision notice requiring the containers to be kept in good order and painted in green or black. The toned down colour scheme will ensure that the containers integrate better with the area. The containers will lead to a reduction in the number of car parking spaces in the local neighbourhood centre. However, Transportation were consulted on the application and confirmed that they neither object or require the attachment of conditions, confirming parking provision in the area will remain acceptable.

A further condition will be attached restricting the consent to a period of two years, in order to monitor the condition of and need for such temporary installations and in the interest of visual amenity. The applicant has also confirmed that they only require the container for a period of two years. The scale of the containers and nature of the proposed conditions is such that the proposal complies with Policy DES 1.

The objection received raised issues relating to hygiene, security and parking provision. The applicant seeks permission for the siting of two storage containers for the storage of bikes. There is no reason to suggest that such activity will generate any hygiene related issues. In terms of security, the prevention of crime is not a material planning consideration. However, it not anticipated that the siting of storage containers will have any adverse implications for public amenity. Additionally, as previously discussed, Transportation were consulted on the application and confirmed that they neither object or require the attachment of conditions. It is therefore concluded that parking provision will remain adequate.

In conclusion, the proposal is acceptable in terms of use, design and scale and the application complies with policy. It is recommended that the proposal is granted planning permission.

<b>Ref. No.:</b>	0247/H/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Two storey extension to house		
<b>Address:</b>	Ashgrove, Faucheldean, Winchburgh, West Lothian, EH52 6PS (Grid Ref: 308040,674122)		
<b>Applicant:</b>	Mr & Mrs G. McAuley	<b>Type:</b>	Local Application
<b>Ward:</b>	Broxburn, Uphall & Winchburgh	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

One anonymous objection -

- Height of proposed ridgeline,
- Overshadowing and impact on natural lighting,
- Proposed materials not in keeping with surroundings.

### **Officers report**

This planning application proposes a two storey extension onto the property located at Ashgrove, Faucheldean.

The proposed rear extension is to measure 8.162m x 6.195m and is to be 5.900m in overall height from ground level to the proposed ridgeline. The proposed works will feature windows in the side elevation and sliding patio doors on the ground and first floor on the rear elevation. The ground floor patio doors will open out into the rear garden area and the upper floor patio doors are proposed to open out onto a small Juliette balcony.

The proposed works are to sit above the ridgeline of the existing property which will result in a development that does not appear subservient the existing house. In addition, the proposed works are also considered to be of a scale which will not integrate with and will dominate the existing property. The guidance given in West Lothian Council's House Extension and Alteration Design Guidelines, 2020, advise that developments should be subsidiary in appearance to the main house and should not detract from the appearance of the dwelling or surroundings.

This proposal is therefore contrary to West Lothian Local Development Plan's DES1 (Design Principles) Policy and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.

<b>Ref. No.:</b>	0258/H/21	<b>Recommendation:</b>	Grant Planning Permission
<b>Proposal:</b>	Erection of shed and replacement lean-to wood store		
<b>Address:</b>	Burghmills House,10 Burgh Mills Lane, Linlithgow Bridge, Linlithgow, West Lothian (Grid Ref: 298304,676943)		
<b>Applicant:</b>	Mr David Mason	<b>Type:</b>	Local Application
<b>Ward:</b>	Linlithgow	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

Two comments, one in support and one objection -

- Building not in keeping with property,
- Distance to boundary,
- Use of shed as additional living accommodation.

Planning response -

- See officers reports,
- Although it is advised to set back works form a boundary by 1m, there is no legal prohibition to extending right up to your boundary.
- Should the shed ever be used as additional living accommodation, this would require planning permission.

### **Officers report**

This planning application proposes the erection of a shed and a replacement roof at Burghmills House, 10 Burgh Mills Lane. The property is a category C listed building.

The timber shed is to measure 3.6m x 2.3m and is to be 2.6m in overall height to the ridgeline of the mono-pitch roof. The shed is to be located to the rear of the property. The roof of the timber shed is to be a slate grey colour and a condition is proposed to be attached to the decision notice stating that the finishing colour for the wall of the timber shed shall be submitted to the planning authority for approval, to ensure it is considerate to the existing property.

The works also look to replace the external materials for an existing lean-to-store which is open on each side. The roof of the lean-to store is to be replaced with a grey metal sheeting roof.

The proposed works are of an acceptable scale and will not be significantly visible from the main street, therefore the proposed works will not be detrimental to the listed building or visual amenity of the surrounding area. In addition, the proposed works will not impact upon the appearance of the

existing property and will not be detrimental to the residential amenity. This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) and ENV 28 (Listed Buildings) Policies and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

<b>Ref. No.:</b>	0262/H/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Erection of dormer window		
<b>Address:</b>	29 Mill Road, Armadale, West Lothian, EH48 3NB, (Grid Ref: 293354,668589)		
<b>Applicant:</b>	Mr Iain Hislop	<b>Type:</b>	Local Application
<b>Ward:</b>	Armadale & Blackridge	<b>Case Officer:</b>	Rachael Lyall
<b><u>Summary of Representations</u></b>			
N/A			
<b><u>Officers report</u></b>			
<p>This planning application proposes the formation of a dormer on the front elevation of the property located at 29 Mill Road, Armadale.</p> <p>The proposed box dormer is to measure 4.619m in overall length and will feature three windows on the front elevation which will overlook the main street. The external materials proposed for the dormer are to be vertical concrete tiles.</p> <p>West Lothian Council's Supplementary Guidance on House Extension and Alteration Design advises that individual dormers are more appropriate than large box dormers for the front elevation of a property, due to their impact on the appearance of the property and the street scene. Policy DES1 (Design Principles) of the West Lothian Local Development Plan also states that there should be no significant adverse impact on adjacent buildings or streetscape.</p> <p>The proposed dormer is contrary to this guidance and is of a scale which will dominate the roof of the existing property on the front elevation, will not integrate with the local context and will have a detrimental impact upon the visual amenity of the street scene.</p> <p>This proposal is therefore contrary to both West Lothian Local Development Plan's Policy DES1 (Design Principles) and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.</p>			

<b>Ref. No.:</b>	0315/H/21	<b>Recommendation:</b>	Grant Planning Permission
<b>Proposal:</b>	Attic conversion and formation of a dormer		
<b>Address:</b>	45 King Street, Bathgate, West Lothian, EH48 1AZ (Grid Ref: 297576,668557)		
<b>Applicant:</b>	Mr Ian Innes	<b>Type:</b>	Local Application
<b>Ward:</b>	Bathgate	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

One objection  
-agree with previous decision  
-still essentially a balcony

### **Officers report**

This planning application proposes an attic conversion with the installation of a dormer window at 45 King Street, Bathgate.

The dormer is to measure 4.684m in length and will be 2.345m in overall. The dormer will feature sliding patio doors which will be finished using a Siberian larch timber cladding and a composite cladding on the external walls and a single ply membrane is to be used for the flat roof. A previous application for a dormer feature which included a balcony was refused due to privacy and overlooking issues.

Although the works are not of a dominating scale, there is potential to directly overlook the neighbouring properties and gardens to the rear, specifically the property located a no. 47 King Street. However, in response to the previous refusal, the applicant confirmed that the area that will be overlooked is mainly shared garden area. In addition, by changing the balcony to internal floor space, the ability to stand and look out from the window has reduced as opposed to having a balcony.

Therefore, on balance and taking into account the change, the proposed dormer window will not have a significant impact on privacy and residential amenity.

This proposal will not significantly adversely affect the neighbouring properties and satisfies Policy DES 1 (Design Principles) in the adopted West Lothian Local Development Plan and the Council's House Extension and Alteration Design Guide 2020. Therefore, it is recommended that this application is granted.



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# Development Management

List of Delegated Decisions - 14th May 2021

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located 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](mailto:planning@westlothian.gov.uk) no later than 12 Noon, 7 days from the date of this list.

<b>Ref. No.:</b>	0466/FUL/20	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Continued operation of recycling yard for screening & crushing of concrete and associated materials for additional 18 months (previously 0159/FUL/17)		
<b>Address:</b>	Lawheads, Kirknewton, West Lothian, EH27 8DQ (Grid Ref: 309295,666224)		
<b>Applicant:</b>	Mr David Blain Blain Farming	<b>Type:</b>	Local Application
<b>Ward:</b>	East Livingston & East Calder	<b>Case Officer:</b>	Steven McLaren

## Summary of Representations

There have been 3 objections including one from Kirknewton Community Council:

- Large number of lorry movements.
- Impact on children's residential care facility.
- Impact on residential amenity.
- Non-compliance with previous conditions.
- Impact on neighbouring tourist business.
- Road condition a hazard to emergency and other vehicles.
- Non-compliance with council policies on waste management facilities.



### **Officers report**

Retrospective planning permission was granted for the operation of a concrete recycling plant on 27/4/17 with an expiry of that consent on 14/4/20. The operation had at that time been on site for around 18 months without consent. A breach of condition notice was serviced on the land owner as the use of the site continued after 14/4/20. Permission was originally granted for a 3 year period to allow for some of the aggregate to be used to infill slurry pits at former higher buildings at the farm. The slurry pit infill was granted under a separate consent. The 2017 permission was seen as reasonable in order to address the requirements of a Dangerous Buildings Notice and to return three former piggery units to levelled working agricultural ground.

The site has continued to operate for over a year beyond the 14/4/20 period and consideration has been given to the appropriateness of the development, the location, compliance with previous conditions and the impact of lorry movements on the road infrastructure. The exit from the site is via a shared private access to Leyden Road to the east. This road is shared with 4 other properties including the Care & Visions residential facility for vulnerable children. The reasonable period for the conclusion of the works to reinstate the piggery sites has expired and the volume of heavy vehicles has resulted in the destruction of the private access to such a degree that there are concerns over the ability of emergency and other vehicles to safely access the area without the risk of damage. The period of regular heavy vehicle movements is also detrimental to the residential amenity of those properties on the circuitous route in and out of the site.

There has also been failure to fully comply with conditions set out in planning permission 0159/FUL/17. There are therefore no reasonable grounds to allow the continuation of this operation and recommendation is to refuse planning permission as contrary to policies DES1 (design principles), ENV3 (other development in the countryside), EMP3 (employment developments outwith settlement boundaries) and MWR8 (waste management facilities) of the adopted West Lothian Local Development Plan, 2018.

A mandate for enforcement action is also requested should there be an unsuccessful appeal of the decision and where the business operation continues beyond the appeal period.

<b>Ref. No.:</b>	0955/FUL/20	<b>Recommendation:</b>	Grant Planning Permission
<b>Proposal:</b>	Erection of 4 flats with associated works.		
<b>Address:</b>	54 Torbane Drive, East Whitburn, West Lothian, EH47 0JQ (Grid Ref: 296117,665446)		
<b>Applicant:</b>	Mr Donald Fraser	<b>Type:</b>	Local Application
<b>Ward:</b>	Whitburn & Blackburn	<b>Case Officer:</b>	Kirsty Hope

### **Summary of Representations**

2 letters of objection were received -

- No permission from neighbouring property to access their land for construction or any other reason.
- Possible asbestos in the existing garage on site.
- New developer may build 6 flats and increase the height as the neighbouring site did.
- Insufficient parking and limited off street parking.
- Construction should only be between 8am and 5pm and not at weekends.

### **Officers report**

The site is located within the settlement boundary of East Whitburn. On the site is a vacant outbuilding/garage. The site is mostly overgrown and is not an area of maintained amenity or open space. The proposal is for four flats that would be accessed directly from Torbane Drive with six parking spaces provided within the rear of the curtilage. The proposed flats are two storeys in height, with 3 having one bedroom and 1 having two bedrooms. The proposed access to the properties would be via a communal door on the front and rear elevations.

The proposed finishing materials are concrete roof tile, dry dash roughcast walls with aluminium windows and secure main access doors. A condition to ensure the details of the colour and details are submitted shall be attached to ensure they are appropriate for the surroundings plots in terms of visual amenity.

The design and scale of the proposed flats are considered to be in-keeping with the surrounding character and local area. There is a mix of housing densities within surrounding area (from single storey to 3 storey flatted properties). Due to the position, height and massing of the proposed flats, there would be no overbearing impact on the neighbouring properties. There are no windows positioned on the gable elevations There are no privacy or overshadowing concerns.

Garden ground is limited due to the plot restrictions with parking provision and existing overhead cables. The proposed site is located within walking

distance to nearby open space and the proposal meets the terms set out in DES 1 (Design Principles) and Supplementary Guidance, Residential Design Guide 2019.

Parking is sufficient for 4 flats on site. Roads & Transportation has raised no objection, subject to conditions in relation to a footway to be provided adjacent to Torbane Drive. Revised plans were submitted to indicate this could be achieved. The site is within walking distance to A705 Main Street where public transport links are provided, the site is also nearby local primary and secondary schools.

The phase 1 site investigation report is satisfactory and a phase 2 report can be provided once the existing garage is removed from site. The proposal accords with EMG 6 (Vacant, Derelict and Contaminated Land) and the Supplementary Guidance on Development of Land Potentially Affected by Contamination.

There are no flooding concerns, drainage shall be conditioned to ensure it is carried out in accordance to the details submitted and the proposal complies with EMG 2 (Flooding) and EMG 3 (Sustainable Drainage) of the adopted local plan as well as the Supplementary Planning Guidance on Flooding and Drainage - Adopted April 2019.

A condition shall be applied to ensure the dwellings accord with policy NGR1a - Low and Zero Carbon Generating Technology within the local plan. Contributions shall be required for Education and Cemetery provision via legal agreement.

It is therefore recommended that planning permission be granted.

<b>Ref. No.:</b>	0083/FUL/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Demolition of agricultural shed and erection of a house with garage		
<b>Address:</b>	The Granary,3A Parkhead Holdings, Linlithgow, West Lothian, EH49 7RF (Grid Ref: 299763,677901)		
<b>Applicant:</b>	Mr Alan Anderson	<b>Type:</b>	Local Application
<b>Ward:</b>	Linlithgow	<b>Case Officer:</b>	Alexander Calderwood

### **Summary of Representations**

No representations were received from members of the public for this application. However, the Linlithgow and Linlithgow Bridge Community Council has lodged an objection. The issues raised in the objection are as follows:

- The proposal is not compliant with Policy ENV 2 and the Supplementary Guidance - Development in the Countryside, because it is to be situated in an elevated and exposed location where it can also be viewed from well frequented public vantage points. The prominence of the location is such that it is unacceptable.
- The chosen finishes to be applied are inappropriate.
- Approval would set a negative precedent for housing development in the countryside.

### **Officers report**

This application seeks full planning permission for the demolition of an agricultural shed and the erection of a house and associated garage. The proposed site lies approximately 300 metres north of the settlement boundary of Linlithgow and within a Special Landscape Area (Airngath Hill).

Policy ENV2 (Housing Development in the Countryside) sets out 5 instances in which housing development in the countryside will be permitted. The first one listed is the only one applicable to this proposal. It states that housing will be permitted if it provides for the restoration of a brownfield site where there is no realistic prospect of it being returned to agriculture or woodland use and the site has no significant natural heritage value in its current condition.

West Lothian Council's supplementary guidance (SG) entitled 'Development in the Countryside' establishes the principles and main design issues to be considered when determining a proposal for rural housing development. The guidance states that when a site falls into disuse, is abandoned or becomes derelict, it has the potential to seriously detract from the visual and environmental amenity of the area and for this reason the council can support the sensitive redevelopment or reuse of sites which can significantly enhance landscape quality through the removal of said dilapidated or intrusive buildings or their replacement by new development of an appropriate scale, mass and design. The guidance emphasises that the redevelopment of a rural brownfield site is one of the few instances where new build residential development will be permitted in the countryside, and

that housing in the countryside is restricted. This means that any decision to make an exception and grant permission should not be taken lightly and that the underlying justification for making an exception to policy would be to improve visual and environmental amenity of the countryside.

In the context of this application this is not the case. The agricultural building which currently occupies the site is characteristic of its rural location and is in good condition. It does not detract from the landscape quality of the area. Additionally, the scale of the proposed new house is such that it will dominate the site and the neighbouring buildings. It can be concluded that the proposal does not comply with Policy ENV 2.

The SG also goes into detail on design considerations in relation to new houses in the countryside. It notes that the form, bulk and general design of the building should always be in keeping with its surroundings. It also notes that dormers are not often found on traditional agricultural buildings and their incorporation in a new build property is best avoided; and that as a general rule, the treatment of windows and doors should be simple. It also notes that a rural house will very rarely be permitted in an elevated or exposed location or where it can be viewed from well frequented public vantage points

The proposed site is within a rural, countryside location and sits west of a number of well preserved, traditional buildings. The scale, massing, proportions, dormers and window proportions of the proposed dwelling are not respective of the traditional buildings or the surrounding rural area. In turn it would detract from the landscape character and special landscape area in which it is located. The site is in an elevated and exposed location and is highly visible from Linlithgow Palace and its associated grounds, and so the design issues would have an adverse effect on the outlook, character and setting of the Palace and Peel at Linlithgow. The proposal also does not comply with Policy DES 1 (Design Principles), Policy ENV 1 (Special Landscape Areas), Policy ENV 25 (Linlithgow Palace and Peel) or the associated SG.

The proposed house is unjustified inappropriate development in the countryside which is contrary to the development plan and refusal is recommended.

<b>Ref. No.:</b>	0139/A/21	<b>Recommendation:</b>	Refuse Advertisement Consent
<b>Proposal:</b>	Display of 1 illuminated fascia sign and window vinyl signs		
<b>Address:</b>	52 Hopetoun Street, Bathgate, West Lothian, EH48 4EU (Grid Ref: 297560,668999)		
<b>Applicant:</b>	Mr Benedetto Romito F&B Takeaway Limited	<b>Type:</b>	Other
<b>Ward:</b>	Bathgate	<b>Case Officer:</b>	Kirsty Hope
<b><u>Summary of Representations</u></b>			
None			
<b><u>Officers report</u></b>			
<p>This application seeks advertisement consent for the display of an illuminated fascia sign and vinyl signs within the windows of number 52 Hopetoun Street, Bathgate.</p> <p>The applicant has failed to provide sufficient details of the dimensions of the proposed signage. The proposed sign does not respect the existing building and appears dominant in scale. The proposed vinyl signs are more than 90% of the window coverage and therefore would result in there being no active frontage to the street, thus harming visual amenity.</p> <p>The proposal is contrary to Policy DES 1 (Design Principles) of West Lothian Local Development Plan 2018 and refusal is recommended.</p>			

<b>Ref. No.:</b>	0237/FUL/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Erection of a replacement house, demolition of outbuildings and erection of an additional house		
<b>Address:</b>	11 Holmes Holdings, Holmes Road, Broxburn, West Lothian, EH52 5NS (Grid Ref: 307079,671429)		
<b>Applicant:</b>	Mr G Bow	<b>Type:</b>	Local Application
<b>Ward:</b>	Broxburn, Uphall & Winchburgh	<b>Case Officer:</b>	Steven McLaren

#### **Summary of Representations**

There has been one representation received providing general comments on the design of the access, surface water drainage, methods of demolition and construction times to protect amenity.

#### **Officers report**

Planning permission is sought for the demolition of a house and outbuildings and for the construction of 2 houses at 11 Holmes Holdings. The site is constrained with farmed land to the north, west and south of the site and with 12 Holmes Holdings and the shared access to the east. The site lies to the south of the A89 and within an identified countryside belt in the adopted West Lothian Local Development Plan, 2018. The house to be demolished is a post-war small holding bungalow along with traditional outbuildings and a larger more modern shed.

The proposals are required to be considered under policies ENV2 (housing development in the countryside), ENV7 (countryside belts and settlement settings), DES1 (design principles) and the council's adopted Supplementary Guidance (SG): Development in the Countryside, 2018. In terms of design, the proposed houses are bungalows of a similar character to that which is to be demolished and as such would not look out of place in this setting. The principle of the development must also be considered in terms of policies ENV2, ENV7 and the council's adopted SG. These state that a site can be considered for re-development where a proposal provides for the restoration of a brownfield if there is no realistic prospect of it being returned to agriculture and the site has no significant natural heritage. It is unlikely that the site will be returned to agriculture however, the SG sets out that the site must be significantly visually and/or environmentally intrusive; it has been significantly degraded by a former activity which would require substantial investment and remediation; existing buildings are beyond economic repair and retention and there will be significant environmental, visual and/or community benefits to be had by the re-development of the site.

The applicant argues that the house is beyond economic repair and that the site is significantly visually intrusive. A replacement house of the design proposed is likely to be acceptable but the remainder of the site is not seen as significantly visually intrusive or degraded to an extent where the redevelopment of the site would remediate the land. There are also no significant environmental, visual and/or community benefits to be had by the re-development of the site. Taking all of the above in to account, the level of development proposed is unjustified development in the countryside and the application does not comply with the council's policies or supplementary guidance on housing development in the countryside. Refusal is therefore recommended.

<b>Ref. No.:</b>	0264/H/21	<b>Recommendation:</b>	Grant Planning Permission
<b>Proposal:</b>	Extension to house		
<b>Address:</b>	Lilliesleaf, 5 Badger Wood, Dechmont, West Lothian, EH52 6NZ (Grid Ref: 304245,670941)		
<b>Applicant:</b>	Miss Elaine Hall	<b>Type:</b>	Local Application
<b>Ward:</b>	Broxburn, Uphall & Winchburgh	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

One objection -

- Height of eaves/overall development breaching guidelines (comment is referring to PD rights rather than guidance),
- Impact on visual amenity,
- Impact on overshadowing,
- Overdevelopment,
- Work and materials not in keeping with surroundings.

Planning response -

- The objection comment states that proposal breaches two guidelines referring to overall heights of developments. The objection comment is referring to permitted development rights and not guidance. It is understood that the works exceed 3m at the eaves, and 4m at the ridgeline, however this is what is permitted without planning permission.
- The proposed works will appear subsidiary and will match with the existing property and is not considered to significantly impact upon the visual amenity,
- The proposed works will not overshadow any neighbouring garden or habitable room to any significant extent,
- It is considered that the works will still allow for sufficient usable garden ground and is not considered overdevelopment,
- The materials proposed are to match with those of the existing house and are therefore considered in keeping with the surroundings. In addition, a condition will be attached to the decision notice stating that materials will match the existing to ensure works will integrate.

### **Officers report**

This planning application proposes the erection of a rear extension onto the property located at Lilliesleaf, 5 Badger Wood.

The proposed extension is to measure 7.012m x 3.434m and is to be 4.310m in overall height, including the height of the proposed roof lantern. The proposed extension is to feature a window on each side elevation. The proposed window openings will be screened by boundary fencing on each side and will not directly overlook any neighbouring property to a significant or detrimental extent.



It is to be noted that the existing boundary fence will result in some overshadowing currently and the proposed works are set back enough from any neighbouring property and therefore will not significantly overshadow any neighbouring property, garden or habitable room to a significant extent.

The materials proposed for the works are to match those of the existing property to ensure the works will integrate.

The proposed works are of an acceptable scale which will appear subsidiary to the existing property, will still allow for sufficient usable garden ground and will not be detrimental to either the residential or visual amenity. This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

<b>Ref. No.:</b>	0266/LBC/21	<b>Recommendation:</b>	Refuse Listed Building Consent
<b>Proposal:</b>	Listed building consent for the display of a fascia sign and two window signs		
<b>Address:</b>	34 High Street, Linlithgow, West Lothian, EH49 7AE (Grid Ref: 300410,677134)		
<b>Applicant:</b>	Mrs Leanne McCauley Bonnie Weddings and Events	<b>Type:</b>	Other
<b>Ward:</b>	Linlithgow	<b>Case Officer:</b>	Alexander Calderwood

### **Summary of Representations**

No representations were received for this application.

### **Officers report**

#### Overview

This application seeks listed building consent for the display of a fascia sign and two window signs at 34 High Street, Linlithgow. The site falls within the Linlithgow Palace and High Street Conservation Area and is a Category B listed building.

#### West Lothian Local Development Plan 2018 (Relevant Policy)

'Policy DES 1 Design Principles' states that all development proposals will require to take account of and be integrated with the local context and built form. It also states that it should have no significant adverse impact on adjacent buildings or streetscape in terms of external materials, and on built heritage.

'Policy ENV 24 Conservation Areas ' states that proposals must have regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area and will require appropriate high standards of design, materials, siting and implementation.

'Policy ENV 28 Listed Buildings' states that the council will protect listed buildings and will have particular regard for their special architectural and historic features in considering proposals for their alteration.

'PLANNING GUIDANCE (PG) Shopfronts and Advertisements in Conservation Areas' provides guidance on the display of advertisements within Linlithgow Palace and High Street Conservation area. Section 8 advises many shops in conservation areas do not have fascia boards and where fascias are not present on shops, the introduction of a new one will not be supported. Also, Section 10 advises that fascias made of acrylic or vinyl sheeting, perspex, aluminium or plastic will not be supported.

The proposal which is being considered under this application (0266/LBC/21) seeks to implement a fascia sign where one is not currently present and which is to be constructed of vinyl. It is evident that the proposal is not compliant with the supplementary guidance, demonstrating that it is not considerate of the character of the conservation area, the associated listed building or the built heritage character of the area. When walking along the High Street it is evident that vinyl is not a common material used on the historic shop fronts that are present. The proposals are not compliant with Policy DES 1, Policy ENV 24 and Policy ENV 28.

<b>Ref. No.:</b>	0267/A/21	<b>Recommendation:</b>	Refuse Advertisement Consent
<b>Proposal:</b>	Display of a fascia sign and two window signs		
<b>Address:</b>	34 High Street, Linlithgow, West Lothian, EH49 7AE,(Grid Ref: 300410,677134)		
<b>Applicant:</b>	Mrs Leanne McCauley Bonnie Weddings and Events	<b>Type:</b>	Other
<b>Ward:</b>	Linlithgow	<b>Case Officer:</b>	Alexander Calderwood

### **Summary of Representations**

No representations were received for this application.

### **Officers report**

#### Overview

This application seeks advertisement consent for the display of a fascia sign and two window signs at 34 High Street, Linlithgow. The site falls within the Linlithgow Palace and High Street Conservation Area and is a Category B listed building.

#### West Lothian Local Development Plan 2018 (Relevant Policy)

'Policy DES 1 Design Principles' states that all development proposals will require to take account of and be integrated with the local context and built form. It also states that it should have no significant adverse impact on adjacent buildings or streetscape in terms of external materials, and on built heritage.

'Policy ENV 24 Conservation Areas ' states that proposals must have regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area and will require appropriate high standards of design, materials, siting and implementation.

'Policy ENV 28 Listed Buildings' states that the council will protect listed buildings and will have particular regard for their special architectural and historic features in considering proposals for their alteration.

'PLANNING GUIDANCE (PG) Shopfronts and Advertisements in Conservation Areas' provides guidance on the display of advertisements within Linlithgow Palace and High Street Conservation area. Section 8 advises many shops in conservation areas do not have fascia boards and where fascias are not present on shops, the introduction of a new one will not be supported. Also, Section 10 advises that fascias made of acrylic or vinyl sheeting, perspex, aluminium or plastic will not be supported.

The proposal which is being considered under this application (0267/A/21) seeks to implement a fascia sign where one is not currently present and which is to be constructed of vinyl. It is evident that the proposal is not compliant with the supplementary guidance, demonstrating that it is not considerate of the character of the conservation area, the associated listed building or the built heritage character of the area. When walking along the High Street it is evident that vinyl is not a common material used on the historic shop fronts that are present. The proposals are not compliant with Policy DES 1, Policy ENV 24 and Policy ENV 28.

<b>Ref. No.:</b>	0283/H/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Erection of a storage hut/extension		
<b>Address:</b>	43 Meadowbank Road, Kirknewton, West Lothian, EH27 8BH (Grid Ref: 311765,667097)		
<b>Applicant:</b>	Dr. Jeannie Z. Tan	<b>Type:</b>	Local Application
<b>Ward:</b>	East Livingston & East Calder	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

One objection -

- Loss of sunlight/overshadowing,
- Potential for overdevelopment,
- Unauthorised structures within garden,
- Concerns over a business being run from the property,
- Impact on residential amenity.

### **Officers report**

This planning application proposes a single storey side extension onto the property located at 43 Meadowbank Place, Kirknewton.

The proposed works are to measure 9m in overall length and is to measure 0.8m in width on the front elevation and 1.6m in width on the rear elevation. The extension is to be 2.470m in overall height from ground level to the eaves of the flat roof. The extension is to feature a doorway on the front elevation and a doorway on the rear side elevation.

The side extension is proposed to adjoin onto a rear extension which was previously granted a certificate of lawfulness (1201/CLU/20). It is to also be noted that there is an existing shed to the rear of the property which has been subject to an enforcement case.

It is considered that the proposed extension, will result in overdevelopment of the site and will not allow for sufficient usable garden ground to the rear or side of the property. In addition, the proposed works will appear as overbearing from the neighbouring property to the north due to the overall length of the extension. This proposal is therefore contrary to West Lothian Local Development Plan's Design Principles (DES1) Policy and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.



# Development Management

List of Delegated Decisions - 21st May 2021

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The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located 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](mailto:planning@westlothian.gov.uk) no later than 12 Noon, 7 days from the date of this list.

<b>Ref. No.:</b>	1226/FUL/20	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Change of use of former agricultural building to workshop and storage units with new cladding and alterations to building		
<b>Address:</b>	Land To South Of Baads Mill Farm, West Calder, West Lothian, EH55 8LG, (Grid Ref: 300099,659791)		
<b>Applicant:</b>	Mr Iain Noon Alternate Energy UK Ltd	<b>Type:</b>	Local Application
<b>Ward:</b>	Fauldhouse & The Breich Valley	<b>Case Officer:</b>	Kirsty Hope

## **Summary of Representations**

One representation received -

- Concerns raised about site address
- Some work has already been undertaken
- Road access is narrow and manoeuvring may be difficult
- Parking concerns
- Unsociable behaviour of youths congregating

## **Officers report**

The applicant seeks planning permission for the change of use of a former agricultural building to a workshop/storage units with external cladding and alterations to the premises including the installation of a wind turbine.

It has not been demonstrated that there is no suitable alternative site available for the proposal within the settlement boundary. Whilst it is understood that business would demonstrate renewable technology it has not been demonstrated that the business justifies a countryside location. The proposed development does not constitute as a farm diversification enterprise as this building is not part of an existing farm. Whilst it is noted that this proposal may assist with a potential of 4 additional employees, it has not been demonstrated that the proposals would help sustain the rural economy or create significant social benefits.

The application is therefore contrary to EMP 3 (Employment Development out with Settlement Boundaries) within the West Lothian local development plan, 2018. It is therefore recommended that this application is refused planning permission.





<b>Ref. No.:</b>	0268/H/21	<b>Recommendation:</b>	Grant Planning Permission Item No.8
<b>Proposal:</b>	Erection of shed in retrospect		
<b>Address:</b>	35 Poynter's Road, Broxburn, West Lothian, EH52 5ED, (Grid Ref: 309012,672103)		
<b>Applicant:</b>	Mr Mauricio Leone	<b>Type:</b>	Local Application
<b>Ward:</b>	Broxburn, Uphall & Winchburgh	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

One objection comment -

- Overall height of workshop,
- Impact on overshadowing/natural lighting,
- Use of garage as workshop,
- Impact on noise from workshop,
- Impact on visual amenity.

Planning response -

- The overall height of the workshop is not considered to result in any detrimental impacts and is only 0.304m over the permitted height for developments which don't require planning permission,
- The proposed works will result in some additional overshadowing however this will not be detrimental and it is to be noted that the boundary fence already result in overshadowing,
- A condition will be added to the decision notice stating that the works will not be used for any commercial activity,
- A condition will be added to the decision notice stating that the works will not be used for any commercial activity which will reduce any potential increase in noise,
- The proposed works will not be visible from the main street, are of an acceptable scale and are not considered to significantly impact upon visual amenity.

### **Officers report**

This planning application seeks retrospective permission for the erection of a shed at 35 Poynter's Road, Broxburn.

The proposed shed is to measure 3.070m x 4.10m and is to be 2.804m in overall height to the eaves of the mono-pitch roof. The shed is to be externally finished with metal cladding and horizontal timber boards and is to feature a door and window on the front elevation which will overlook the applicants rear garden. The rear garden is sufficiently screened with boundary fencing on each side, therefore the proposed shed will therefore not directly overlook any neighbouring property to a significant extent.

It is to also be noted that the existing boundary fence results in overshadowing currently. The proposed shed will not result in any additional overshadowing which is considered to be significantly detrimental.

A new timber decking is to also be formed within the rear garden which is to measure 0.15m from ground level and is therefore considered permitted development and does not require planning permission.

The proposed works are of an acceptable scale which are suitably located, will not be visible from the main street, will still allow for sufficient usable garden ground and will not significantly impact upon either the visual or residential amenity. This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

<b>Ref. No.:</b>	0293/H/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Erection of garage		
<b>Address:</b>	31 Fitzallan Place, Bathgate, West Lothian, EH48 2UN, (Grid Ref: 297909,667361)		
<b>Applicant:</b>	Mr Dale Brown	<b>Type:</b>	Local Application
<b>Ward:</b>	Bathgate	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

6 objection comments recieved -

- Impact on visibility splay and sightlines,
- Concerns over works appearing prominent within the street,
- Work will detract from overall streetscene,
- Traffic/pedestrian safety,
- Potential use of workshop,
- Restricted access to garage,
- Increase in noise,
- Impact on off/on-street parking.

### **Officers report**

This planning application proposes the erection of a garage and storage at the property 31 Fitzallan Place, Bathgate.

The proposed garage is to measure 3.625m x 5.300m and is to measure no more than 4.0m in overall height from ground level to the ridgeline of the proposed gable pitched roof. The storage, which is to be located to the rear of the garage, is to measure 1.8m in width. The proposed garage will feature a garage door on the front elevation which will open out into the front garden area which sits adjacent with a public footpath. The materials proposed for the works are to match those of the existing property.

The proposed garage is to be erected beyond the building line of the existing property and is located within a corner plot and will therefore appear prominent within the site, significantly impacting upon the visual amenity of the street scene.

The consultation comment provided by Roads and Transport, recommends that the application is refused planning permission as the residential development guide states that there shall be a minimum of 6m driveway in front of a garage, in which this proposal does not provide an effective driveway length in front of the garage, and that a forward sight distance around corner of 22m must be achieved, which is not achieved with this proposal.

In addition, the works look to convert the existing garage into an additional bedroom. This would then require the property to have 2 off-road spaces measuring 6m long by 5m wide. This again is not achieved with this proposal.

The proposed works will have a significant impact upon pedestrian safety and the visibility splay. The proposed works will also have a detrimental effect

on the visual amenity off the area and the proposed garage is not suitably located. This proposal is therefore contrary to West Lothian Council's Local Development Plan's Design Principles (DES1) Policy and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.

<b>Ref. No.:</b>	0306/H/21	<b>Recommendation:</b>	Grant Planning Permission Item No.8
<b>Proposal:</b>	Removal of conservatory and formation of single storey extension		
<b>Address:</b>	47 Forrest Place, Armadale, West Lothian, EH48 2GZ, (Grid Ref: 294215,667532)		
<b>Applicant:</b>	Ms C Doughty	<b>Type:</b>	Local Application
<b>Ward:</b>	Armadale & Blackridge	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

One objection comment -

- Exceed maximum height of 2.5m within 1 of boundary,
- Impact on overshadowing,
- Impact on potential buyers in future,

Planning response -

- This maximum height refers to permitted development rights,
- The proposed works will not result in any additional overshadowing which is considered significant in comparison to what is caused by the existing conservatory,
- Not a material planning consideration.

### **Officers report**

This planning application proposes the erection of a rear extension onto the property located at 47 Forest Place, Armadale.

The proposed extension is to measure 3.870m x 5.175m and is to be 3.250m in overall height. The proposed works are to replace an existing conservatory which currently measures 3.700m in overall height. The rear extension is to feature windows on the rear elevation, which will overlook the applicants rear garden, and glazed patio doors on the side elevation which will open out onto a patio decking. The site is sufficiently screened with fencing on each boundary, therefore the proposed works will not directly overlook any neighbouring property to a significant extent.

The proposed works are to be externally finished using a white render and a composite cladding.

The proposed works will not overshadow any more than what is caused by the existing conservatory and the proposed works will be smaller in scale and will therefore not appear any more dominant or overbearing from the neighbouring properties.

The proposed works are of an acceptable scale which will appear subservient to the existing property, will still allow for sufficient garden ground and will not result in any additional or significant impact upon the visual or residential amenity. This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.





Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0123/21	Mr Scott Birrell	Corrie Bar 17a North Street Armadale Bathgate West Lothian EH48 3QD	Armadale & Blackridge	Take No Action (Review after Covid19 restrictions are lifted)	<p>Corrie Bar erected fence at the driveway access in order to convert shared garden grounds to a beer garden. We were advised this is a temporary change to accommodate customer's demand and meet current Covid19 restrictions.</p> <p>Following Government's Chief Planner advice this provisional change is permitted for the time Covid19 restrictions are in place. This shall be reviewed once restrictions are eased.</p>
ENF/0270/19	Kenny & Lisa Chan	20 Main Street Deans Livingston West Lothian EH54 8BE	Livingston North	Enforcement Notice	<p>An air conditioning unit has been installed at the above property which was not shown on the approved plans of planning consent 1178/FUL/18.</p> <p>The air conditioning unit has been causing noise nuisance to neighbouring residents. The team have contacted the owner of the property on numerous occasions however they have failed to respond or resolve the breach in planning control.</p> <p><b><u>Steps to comply</u></b></p> <ol style="list-style-type: none"> <li>1. Remove the air conditioning unit.</li> </ol>





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# Development Management

List of Delegated Decisions - 28th May 2021

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located 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](mailto:planning@westlothian.gov.uk) no later than 12 Noon, 7 days from the date of this list.

<b>Ref. No.:</b>	1200/FUL/20	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Erection of a house and garage		
<b>Address:</b>	Land To The North East Of ,4 South Couston Crofts, Armadale, West Lothian, EH48 4LG (Grid Ref: 294791,670064)		
<b>Applicant:</b>	Mr J Higgins	<b>Type:</b>	Local Application
<b>Ward:</b>	Armadale & Blackridge	<b>Case Officer:</b>	Matthew Watson

## Summary of Representations

No representations received.

## Officers report

The application proposes the erection of a house and garage at land to the north east of 4 South Couston Crofts. The proposed design of the house is a modern take on a Georgian style mansion. An area of ancient woodland lies to the west and north west of the proposed site of the house. Access is taken from a track off the B8084. The site is within a designated lowland crofting area.

The original design brief for South Couston Crofts makes clear that the design of houses within the development should be of a traditional rural design. The proposed design of the house in the form of a modern take on a Georgian style mansion does not fit with the requirements of the brief, nor does it fit with the crofts that have been built in the area, which are of a more take on traditional farm buildings. These crofts are predominately 1 ½ storeys in height with additional accommodation in the roofspace through rooflights and wallhead dormers.

In terms of the scale of the proposed house, the brief states on p.4 that the height of houses is not to exceed 7m in height and that outbuildings are not to exceed 4m in height. The proposed house is 8.6m in height and its associated double garage that is attached to the house is 5.8m in height. Therefore, the proposal is contrary to these requirements of the brief.

In terms of the LDP, policy ENV 2 states proposals supported by the council's lowland crofting policy can be acceptable. Policy DES 1 states "All development proposals will require to take account of and be integrated with the local context and built form". The SG on Development in the Countryside states "the layout and design of buildings must conform to a design statement" and "The form, bulk and general design of the building should always be in keeping with its surroundings". The Lowland Crofting Handbook states houses should be based on traditional rural cottages and that

"Very bulky houses, larger than the original farmhouses will not be acceptable".

Given the above, the proposed house does not take account of and does not integrate with the local context and built form of the surrounding area. The design of the house does not conform to the design brief for the site and is not based on a traditional rural cottage. The proposal is contrary to policies ENV 2 and DES 1 of the LDP, the SG on Development in the Countryside and the Lowland Crofting Handbook SPG.

Overall, and in view of the above, it is recommended that planning permission is refused.

<b>Ref. No.:</b>	0274/FUL/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Erection of 3 houses with associated works		
<b>Address:</b>	Land To The East Of South Park House, 28 Station Road, Bathville, Armadale, West Lothian (Grid Ref: 293754,667428)		
<b>Applicant:</b>	Mr Kumar Hans Investments Ltd	<b>Type:</b>	Local Application
<b>Ward:</b>	Armadale & Blackridge	<b>Case Officer:</b>	Kirsty Hope

### **Summary of Representations**

14 comments were received and are summarised as follows:-

- Properties are too close to boundary and neighbouring dwellings
- Overdevelopment of the site
- Restriction on daylight, privacy and residential amenity of neighbouring dwellings
- Loss of trees and wildlife habitat
- No tree survey submitted
- Noise and access disruption to neighbouring properties and wildlife
- Concerns regarding flooding and retaining wall stability
- Parking concerns and manoeuvring onsite
- Road safety concerns and increased traffic
- Medical practise and local schools are already at capacity
- Access to new plot should be separate from house to the rear
- Construction of houses should be within plot and no permission for access onto neighbouring land
- Unclear distances from proposed dwellings to boundary
- Levelling and excavation of site may cause neighbouring land slippage/unstabilisation
- No details of site compound/storage of materials etc
- Concerns regarding construction noise
- Out of character and would have a detrimental impact on area
- Works may cause neighbouring properties financial hardship
- Contrary to Policy 6 and 9 of the Strategic Development Plan for Edinburgh and South East Scotland
- Has the Forestry and Land Scotland management organisation given permission or granted a licence for felling these trees
- Not aware the land was for sale

### **Officers report**

The applicant seeks planning permission for 3 houses and associated works on land to the east of South Park House, adjacent to Station Road.

Policy HOU 3 (Infill/Windfall Housing Development within Settlements) criterion (a) of the West Lothian Local Development Plan (LDP) states development should be in keeping with the character of the settlement and local area. Policy DES 1 (Design principles) of the LDP states "All

development proposals will require to take account of and be integrated with the local context and built form".

The site is located within the settlement boundary of Armadale. The existing site has trees and is currently overgrown. South Park House currently accesses the site via Station Road, however this proposal would close this access off with a new access created onto the side road that would join onto Station Road. The proposed layout indicates that all three properties would be located along the boundary edges of the site. The proposed dwellings are two storeys in height and are detached.

The three proposed properties would have limited garden areas that are smaller than the surrounding area. The proposed access and parking would be restricted for manoeuvring when cars are parked at the front of the proposed properties, which could impact on the access to the neighbouring property at South Park House or mean that cars reverse out onto the side road South Park, Armadale.

The proposed layout of the site is overdevelopment of the plot and an unacceptable break from the spatial character of the surrounding area. The layout shows that only one of the three houses would have a 9m depth garden to the rear. Whilst the plans note that each property would have 80sqm of garden this includes small triangular pieces of land that are not usable.

The proposal is contrary to policies HOU 3 (Infill/Windfall Housing Development within Settlements) and DES 1 (Design Principles) of the LDP. Overall, and in view of the above, the proposal is contrary to the policies and provisions of the development plan and it is recommended that planning permission is refused.

<b>Ref. No.:</b>	0310/P/21	<b>Recommendation:</b>	Refuse Planning Permission in Principle
<b>Proposal:</b>	Planning permission in principle for erection of 2 houses		
<b>Address:</b>	Rosebank, 84 East Main Street, Whitburn, West Lothian, EH47 0PT (Grid Ref: 294935,665032)		
<b>Applicant:</b>	Mr Robertson Blake	<b>Type:</b>	Local Application
<b>Ward:</b>	Whitburn & Blackburn	<b>Case Officer:</b>	Kirsty Hope
<b><u>Summary of Representations</u></b>			
No representations were received.			
<b><u>Officers report</u></b>			
<p>The applicant seeks planning permission in principle for 2 houses on land that forms part of the garden of Rosebank, 84 East Main Street,. The applicant has provided an indicative plan indicating that the existing driveway would be used to serve the proposed houses.</p> <p>The indicative layout shows that one property would sit alongside the existing house with a narrow frontage compared to the neighbouring properties. The other proposed house would be positioned in a backland location to the rear of the existing house with no street frontage. The proposal would result in a break from the existing spatial character as backland development does not form part of the character of the area, nor is the division of plots with a shared access. The split of this large plot to accommodate 2 additional houses would be overdevelopment of the plot and an unacceptable break from the spatial character of the area. The indicative layout of the house at the rear of the plot would not have a 9m depth garden area and the garden plots areas are much smaller than neighbouring plots.</p> <p>The proposal is contrary to policies HOU 3 (Infill/Windfall Housing Development within Settlements) and DES 1 (Design Principles) of the LDP.</p> <p>The proposal is contrary to the policies and provisions of the development plan and it is recommended that planning permission in principle be refused.</p>			

<b>Ref. No.:</b>	0327/FUL/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Change of use of land to allow for the continued parking/storage of light commercial vehicles and erection of boundary fence (in retrospect)		
<b>Address:</b>	35-37 Main Street, Winchburgh, West Lothian, EH52 6RT, (Grid Ref: 308991,675017)		
<b>Applicant:</b>	Mr Andrew Nisbett AS Scottish Commercials	<b>Type:</b>	Local Application
<b>Ward:</b>	Broxburn, Uphall & Winchburgh	<b>Case Officer:</b>	Steven McLaren

### **Summary of Representations**

There have been 2 objection received:

- Impact on residential and visitor parking.
- Visual and residential amenity.
- Adverse impact on adjacent land uses.
- Inappropriate use for the location.
- Type of vehicles commensurate with an industrial area.
- Contrary to policies DES1, TCR1 and EMP2

### **Officers report**

Temporary retrospective planning permission was granted for the use of the site as a small second hand car lot in connection with Winchburgh Garage Services on the opposite side of Main Street in December 2015. That permission lapsed in December 2018 with outstanding planning conditions not complied with. During that period, the nature of the business changed to the sale of large commercial vans and the site at points contained around 30 vehicles. A planning application was submitted in 2019 to continue this operation but was refused at committee and subsequently refused on appeal in January 2020. A timber fence of approximately 1m in height has been constructed around the site and the applicant, AS Scottish Commercials, has continued to use the site unlawfully for the storage of vehicles in relation the commercial vehicle sale operation.

The applicant utilises the garage across Main Street for the servicing and maintenance of the vans in support of the sales site at Drovers Road, East Mains Industrial Estate, Broxburn. The application site is to be used as an overflow storage/parking area for vehicles that cannot be accommodated at the main site. It has also been confirmed that the Broxburn sales area accommodates on average 80 vehicles.

Photographs and a site visit showed around 10 vehicles on the application site, with one in a state dismantlement and appears to have been on site for some time. Whilst considerably less vehicles were on site than during the previous planning application, there is scope for an increase back to the levels seen previously. With the sales area in Broxburn accommodating 80 vehicles and the application site being used as overspill, there would be no control over the number of vehicles which could be brought to the site.

This type of use should be located within an industrial area and it is clear that the business has an appropriate site within an industrial area from which to operate. The application site on Winchburgh Main Street is highly visible and the parking and rotation of commercial vehicles gives the area an

unnecessary industrial feel to the detriment of visual and residential amenity of the area. Whilst the site may be suitable for a small second hand car sales area, as would be expected within a town or village, the commercial nature of the business results in an incongruous feature within the street scene.

Whilst the council wishes to support small local businesses, these must be located in appropriate areas. Recommendation is therefore to refuse planning permission.

<b>Ref. No.:</b>	0341/H/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Extension and alterations to house		
<b>Address:</b>	31 Clarendon Crescent, Linlithgow, West Lothian, EH49 6AW, (Grid Ref: 300571,676902)		
<b>Applicant:</b>	Mr & Mrs Paul Smith	<b>Type:</b>	Local Application
<b>Ward:</b>	Linlithgow	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

One objection -

- Impact on overshadowing/loss of light,
- Overall height of works due to varying levels on site.

### **Officers report**

This planning application proposes the erection of a rear extension onto the property located at 32 Clarendon Crescent, Linlithgow.

The proposed rear extension is to measure 5.904m in width on the rear elevation, 10.110m in overall length on the side elevation and boundary and is to be 4.502m in overall height from the lowest ground level to the proposed eaves of the flat roof. The extension is to feature a window on the front elevation, which will overlook the main street, windows on the rear elevation and a door way on the side elevation which will open out onto a decking area.

It is to be noted that there the levels on site vary significantly between the neighbouring properties and as a result, the proposed works will appear as overbearing from the neighbouring property located to the north of the site and will also result in additional overshadowing to the north of the site. It is also considered that the proposed works will not integrate with the existing property in terms of scale and design and instead will significantly impact upon the visual amenity of both the existing property and streetscene.

The proposed works, will have a detrimental impact upon the neighbouring properties and will appear as dominating from the rear and north of the site. This proposal is therefore contrary to West Lothian Council's Local Development Plan's Design Principles (DES1) Policy and the guidance given in the House Extension and Alteration Design Guidelines, 2020. It is recommended that the application is refused planning permission.



<b>Ref. No.:</b>	0352/H/21	<b>Recommendation:</b>	Grant Planning Permission Item No.8
<b>Proposal:</b>	Extension to house		
<b>Address:</b>	103 Easter Bankton, Murieston, Livingston, West Lothian, EH54 9BG (Grid Ref: 306452,665842)		
<b>Applicant:</b>	Mr David Miller	<b>Type:</b>	Local Application
<b>Ward:</b>	Livingston South	<b>Case Officer:</b>	Rachael Lyall

### **Summary of Representations**

Two comments (both as neutral however raise material planning considerations) -

- Impact on overshadowing,
- Suggestions regarding proposed materials,
- Impact on drainage,
- Suggestions regarding the erection of a boundary fence,
- Previous works impacting upon existing boundary fencing.

Planning Response -

- The proposed works will not significantly overshadow any habitable room or garden to a detrimental extent. Due to the notable length of the rear gardens, they will still receive adequate sunlight and daylight,
- A condition will be attached to the decision notice stating that materials will match with the existing property,
- Not a material planning consideration,
- The proposed works are not considered to directly overlook to an extent where additional boundary screening is required. In addition, a 6-foot fence would result in significant overshadowing,
- Not a material planning consideration.

### **Officers report**

This planning application proposes the erection of a rear extension onto the property located at 103 Easter Bankton, Murieston.

The proposed rear extension is to measure 5.351m x 3.000m and is to be 3.581m in overall height to the ridgeline of the proposed gable pitch roof. The proposed rear extension is to feature roof lights within the roof space and patio doors on the rear elevation which will open out into and overlook the applicants rear garden area. No openings will directly overlook any neighbouring property to a significant extent.

The external materials proposed for the rear extension are to match those of the existing property.

The proposed works will not result in any overshadowing which will be detrimental to any habitable rooms of the neighbouring properties and will not significantly overshadow any neighbouring gardens which are of a notable length. Overshadowing is already currently caused by the row of houses themselves and by the existing boundary fence on each side of the site.

The proposed works are of an acceptable scale which will appear subsidiary to the existing property, will still allow for sufficient usable garden ground and will not significantly impact upon either the residential or visual amenity. This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

<b>Ref. No.:</b>	0401/FUL/21	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Change of use from public open space to private driveway access and formation of hardstanding (in retrospect)		
<b>Address:</b>	69 Westwood Park, Deans, Livingston, West Lothian, EH54 8QW (Grid Ref: 302512,669078)		
<b>Applicant:</b>	Mr Piotr Drazkiewicz	<b>Type:</b>	Local Application
<b>Ward:</b>	Livingston North	<b>Case Officer:</b>	Alexander Calderwood

### **Summary of Representations**

No representations were received for this application.

### **Officers report**

#### Overview

This application seeks full planning permission for the change of use from public open space to form a private driveway access. The proposed driveway is associated with a residential property at 69 Westwood Park, Livingston and will function as a second vehicle access point from the side of the property. The area has been laid with slabs. The planning application was submitted following an enforcement enquiry.

#### West Lothian Local Development Plan 2018 (Relevant Policy)

'Policy DES 1 Design Principles' states that all development proposals will require to take account of and be integrated with the local context and built form. It also states that it should have no significant adverse impact on adjacent buildings or streetscape in terms of layout or amenity, be suitable in terms of access and have no implications for public safety.

Transportation were consulted on the application and confirmed that they object, and require it to be refused. They objected on the grounds of public safety because the proposal has the potential to hold up traffic as vehicles using the access either pull out onto the road or enter the property at a location near to two road junctions. They also noted that they generally do not support a second vehicle access point to a property because of the implications it can have for traffic.

It can therefore be concluded that the proposal is unacceptable in terms of the suitability of the access and the implications it could have for public safety. Additionally, to have a second vehicle access point would be out of context within the local area. The proposal does not comply with Policy DES 1 (Design). The proposal also results in the loss of an area of amenity open space and has a detrimental visual impact. The application is therefore also contrary to policy ENV21 (Protection of Open Space). The case will be referred back to enforcement for further action.

