



Development Management

List of Delegated Decisions - 12th August 2022

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 no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0526/H/22	Recommendation:	Refuse Permission
Proposal:	Extension and alterations to house		
Address:	1 Pardovan Holdings, Main Street, Philipstoun, West Lothian, EH49 6RA (Grid Ref: 304622,677014)		
Applicant:	Mr Alexander Reid	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad

Summary of Representations

On letter of objection received, Main points raised:

- Siting
- Design
- Amenity

Officers report

The property forms part of a terraced row of stone cottages situated within the western edge of the settlement boundary of Philipstoun, a small rural village.

This application relates to No1 Pardovan Holdings - the west end cottage- and seeks planning consent for the erection of an extension on the front/north elevation of the building.

The terraced row fronts the main road running through the village. The properties are set back behind their front gardens. The cottages are traditional in style (slate roof) and simple in form and layout. The proposed extension (6.0x2.6m) will adjoin the existing projection to form a new entrance area. The roof design is a mixture of flat roof as it extends from the wall and part pitched roof. The external walls are to be brickwork (buff) and the pitched

part of the roof slate.

In terms of siting and design, the proposed works would obscure and engulf the remains of the original facade of this particular cottage exacerbating the detrimental effect on the terrace. The part flat roof structure does not tie in well with the existing roof and the materials do not compliment the main building. The works would lead to an overbearing impact on the adjoining property taking into account immediate proximity.

The adjoining neighbour is concerned with regard to impact on amenity/light for the lounge window adjacent to the development.

Considering the site context and existing form of the dwelling, the proposed addition will overload the building, have a negative impact on its character and appearance, leading to a dominant effect within the terrace to the detriment of the street scene, all contrary to West Lothian Local Development Plan's DES 1 (Design Principles) Policy and guidance given in the House Extension and Alteration Design Guide 2020.

The siting and design of the development will have a negative visual impact on the character and appearance of the building, and the wider street scene. It is recommended that this application is refused planning permission.

Ref. No.:	0546/LBC/22	Recommendation:	Refuse Listed Building Consent
Proposal:	Listed building consent for the removal of existing conservatory and canopy and erection of a single storey side extension with patio		
Address:	6 Champfleurie Cottages, Philpstoun, West Lothian, EH49 6NA (Grid Ref: 303041,676476)		
Applicant:	Mr and Mrs Martin and Lily Batty	Type:	Other
Ward:	Linlithgow	Case Officer:	Rachael Lyall

Summary of Representations

- 1 objection comment received from the Architectural Heritage Society of Scotland (AHSS) -
- Proposed extension will appear dominate and impact upon the symmetry of the existing and attached listed properties,
 - The massing, scale and external finish will significantly impact upon visual amenity,
 - The proposed works fail to preserve or enhance the special architectural character of the listed building.

Officers report

This application seeks listed building consent to replace an existing conservatory with a side extension at the category A listed property, 6 Champfleurie Cottages, Philpstoun.

The existing glazed conservatory, located on the eastern side of the listed building, is to be removed and replaced with a side extension measuring 3.200m x 9.545m and is to be 3.825m in overall height from ground level to the ridgeline of the proposed gable pitch roof. The extension is to feature a link between the proposed works and the existing property, a dark grey alu-clad timber frame window on the rear elevation, a small a dark grey alu-clad timber frame window and two Velux roof windows on the side elevation and dark grey alu-clad timber frame glazed French doors on the front elevation.

The proposed works are to be externally finished using a dark grey cladding, metal verge trimming and natural slate roof tiles. The flat roof link between the extension and the existing property will feature a dark grey single ply membrane and a glazed window on the front elevation.

It is considered that the proposed works do not enhance or preserve the appearance and character of the listed building and the proposed works will significantly impact upon the visual amenity of the existing property, specifically to the front where the works will appear prominent within the streetscene. In addition, the proposed works do not appear subservient to the main property and will impact upon the symmetrical design of the remaining properties within the row. It is accepted that the existing conservatory currently impacts upon the symmetrical design, however the existing conservatory is of a smaller scale and sits further back from the principal elevation which reduces this impact upon both the symmetrical design and

visual amenity. The proposed materials do not integrate with the existing listed building and the proposed works will appear as dominant from the neighbouring property to the east.

Historic Environment Scotland has raised concerns regarding the proposal and advised that it should be resisted in its current form.

As a result, proposal is contrary to West Lothian Local Development Plan's DES 1 (Design Principles) and ENV28 (Listed Buildings) Policies and does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is refused listed building consent.

Ref. No.:	0547/H/22	Recommendation:	Refuse Permission
Proposal:	Removal of existing conservatory and canopy and erection of a single storey side extension with patio		
Address:	6 Champfleurie Cottages, Philpstoun, West Lothian, EH49 6NA (Grid Ref: 303041,676476)		
Applicant:	Mr and Mrs Martin and Lily Batty	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Rachael Lyall

Summary of Representations

- 1 objection comment received from the Architectural Heritage Society of Scotland (AHSS) -
- Proposed extension will appear dominate and impact upon the symmetry of the existing and attached listed properties,
 - The massing, scale and external finish will significantly impact upon visual amenity,
 - The proposed works fail to preserve or enhance the special architectural character of the listed building.

Officers report

This planning application proposes to replace an existing conservatory with a side extension at the category A listed property, 6 Champfleurie Cottages, Philpstoun.

The existing glazed conservatory, located on the eastern side of the listed building, is to be removed and replaced with a side extension measuring 3.200m x 9.545m and is to be 3.825m in overall height from ground level to the ridgeline of the proposed gable pitch roof. The extension is to feature a link between the proposed works and the existing property, a dark grey alu-clad timber frame window on the rear elevation, a small a dark grey alu-clad timber frame window and two Velux roof windows on the side elevation and dark grey alu-clad timber frame glazed French doors on the front elevation.

The proposed works are to be externally finished using a dark grey cladding, metal verge trimming and natural slate roof tiles. The flat roof link between the extension and the existing property will feature a dark grey single ply membrane and a glazed window on the front elevation.

It is considered that the proposed works do not enhance or preserve the appearance and character of the listed building and the proposed works will significantly impact upon the visual amenity of the existing property, specifically to the front where the works will appear prominent within the streetscene. In addition, the proposed works do not appear subservient to the main property and will impact upon the symmetrical design of the remaining properties within the row. It is accepted that the existing conservatory currently impacts upon the symmetrical design, however the existing conservatory is of a smaller scale and sits further back from the principal elevation which reduces this impact upon both the symmetrical design and visual amenity. The proposed materials do not integrate with the existing listed building and the proposed works will appear as dominant from the

neighbouring property to the east.

As a result, this proposal is contrary to West Lothian Local Development Plan's DES 1 (Design Principles) and ENV28 (Listed Buildings) Policies and does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is refused planning permission.



Development Management

List of Delegated Decisions - 19th August 2022

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 no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0311/FUL/22	Recommendation:	Refuse Permission
Proposal:	Conversion and extension of former pumphouse to form a house with kennels, storage sheds and garden ground		
Address:	Former Waste Water Treatment Works, Land South Of Almond View, Seafield, EH47 7BD, (Grid Ref: 305280,667171)		
Applicant:	Miss Helen Wardrop Gilmour	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope

Summary of Representations

33 letters of objection were received:-

- Noise and disturbance to neighbouring properties
- Road access not suitable for construction traffic and would be a road safety risk
- Loss of greenbelt/countryside
- No demand for more housing in Seafield
- Works have started on site with no permission
- No contaminated land reports have been submitted - health concerns
- No design or drawings submitted
- Are the relevant licenses in place for animals on site
- May start commercial business on site
- Concerns regarding safety of local residents
- Vermin has been seen in the area with foul smell
- Impact on local wildlife and vegetation
- Not allocated in LDP for housing
- No details of rubbish collection
- No details submitted of utilities
- What is the public drainage network of this site?
- No change of use application
- No flood risk assessment

Officers report

The application is for the conversion and extension of a former pumphouse to form a house with kennels, storage sheds and garden ground. The site is located outwith the settlement boundary of Seafield and is located within the countryside belt.

The former pumphouse is in a poor state of repair and the site has become overgrown over the years since it became non-operational. Despite the condition of the site, it is a non-contentious element of the established local landscape and doesn't raise any adverse amenity issues. The site is not significantly visually intrusive or environmentally intrusive, and it is considered the redevelopment of the site as proposed would have a damaging urbanising effect upon the amenity of the countryside at this location.

The applicant has failed to demonstrate that the existing pumphouse is structurally capable of being converted as no structural report was submitted.

The proposal fails to meet LDP policy for housing in the countryside and in the countryside belt.

While the kennels have already been built on the site, no elevation drawings or sizes were provided in the submitted plans. It is also evident there are other enclosures and structures on the site which are not shown on the plans submitted.

No site investigation report has been submitted, contrary to LDP policy EMG6.

It is therefore recommended the application be refused.

Ref. No.:	0594/H/22	Recommendation:	Grant Planning Permission Agenda Item 8
Proposal:	Erection of garden hut (in retrospect)		
Address:	1 Hatfield Place, Bathgate, West Lothian, EH48 4HQ, (Grid Ref: 297802,669011)		
Applicant:	Mr Richard Drummond	Type:	Local Application
Ward:	Bathgate	Case Officer:	Rachael Lyall
<p><u>Summary of Representations</u></p> <p>3 objection comments received -</p> <ul style="list-style-type: none"> - Works within 1m of boundary, - Impact on overshadowing/natural daylight, - Impact on visual amenity, - Applicants vehicle restricting bin access. 			
<p><u>Officers report</u></p> <p>This planning application seeks retrospective planning permission for the erection of a garden hut at 1 Hatfield Place, Bathgate.</p> <p>The garden hut measure 2.7m x 2.46m and is 2.4m in overall height. The hut has been erected using concrete block and has replaced a shed which was of a larger size. The proposed works sit 0.4m forward of the principal elevation of the applicants property, however both the front and rear elevations of the property are open to the streetscene.</p> <p>The works are considered to be of an acceptable scale which still allow for a sufficient driveway length, suitable usable garden ground and do not significantly impact upon the visual amenity as the works appear subservient to the main property and are set back from the front boundary line. The works are of a similar height to the previous shed and therefore any additional overshadowing will not be considered detrimental in comparison to the overshadowing caused by the previous works.</p> <p>This proposal adheres to policy DES1 (Design Principles) of the West Lothian Local Development Plan 2018 and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020.</p> <p>It is recommended that this application is granted planning permission.</p>			

Ref. No.:	0613/P/22	Recommendation:	Refuse Permission Agenda Item 8
Proposal:	Planning permission in principle for the erection of 2 shops with 1 flat above		
Address:	6-8 Victoria Road,Fauldhouse, West Lothian, EH47 9LF, (Grid Ref: 293469,660994)		
Applicant:	Mr Hassan Mohammed	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
None received			
<u>Officers report</u>			
<p>This application is for planning permission in principle for the erection of 2 shops with 1 flat above. The site is located within a predominately residential area.</p> <p>The applicant has failed to demonstrate the shop unit would meet the sequential test for a retail unit to be located out with the town centre location.</p> <p>The flatted dwellings would have no residential amenity space and no provision for cycle storage is noted on the plans. No bin details have been submitted.</p> <p>The premises footprint shown on the submitted plans is overdevelopment of the site.</p> <p>No Coal Mining Risk Assessment has been submitted and thus the Coal Authority has objected.</p> <p>No phase 1 site investigation report has been submitted, contrary to policy EMG 6.</p> <p>It is therefore recommended that the application is refused.</p>			



Development Management

List of Delegated Decisions - 26th August 2022

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 no later than 12 Noon, 7 days from the date of this list.

Ref. No.:	0222/H/22	Recommendation:	Grant Planning Permission
Proposal:	Erection of a replacement fence (in retrospect)		
Address:	13 Avon Place, Strawberry Bank, Linlithgow, West Lothian, EH49 6BL (Grid Ref: 300198,676981)		
Applicant:	Mr Nick Watt	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad

Summary of Representations

There are 5No representations on the application to include the Civic Trust raising the following objections:

Impact on the canal bank setting
Impact on the Conservation Area
Height and position of fence
Loss of greenery/hedging
Overshadowing of neighbouring property

Officers report

The application seeks retrospective consent for the erection of a replacement fence to the rear boundary of 13 Avon Place.

At the rear of the dwelling, the property bounds onto the canal bank (SAM) and the applicant has taken down the former fence (metal railings) and hedging and erected a new timber fence. The applicant states he has pulled the fence line into his property by approximately 300mm and owns all the land. At the time of the initial site visit the fence was untreated and supported by struts. The applicant advised he intends to concrete in the fence and remove the struts. Since the initial site visit the applicant has painted the fence.

Concerns have been raised by the community in respect of the height and appearance of the structure, loss of hedging, position of struts on the canal bank outwith the landownership of the applicant, and overshadowing of neighbouring garden.

The key considerations are the impact on character and visual appearance of the setting of the scheduled canal bank within the Upper Linlithgow and Union Canal Conservation Area and the potential impact to neighbouring properties.

Relevant policies and guidance against which the application is assessed include:

West Lothian Local Development Plan, Policy DES1 (Design Principles),
 West Lothian Local Development Plan, Policy ENV25 (Linlithgow Conservation Area),
 West Lothian Local Development Plan, Policy ENV33 (Scheduled Ancient Monument),
 West Lothian Supplementary Guidance on House Extension and Alteration Design.

Assessment

The site lies within the Upper Linlithgow and Union Canal Conservation Area and residents and the Civic Trust have raised concerns over the appearance and height of the fence to include supporting struts on the canal bank, loss of hedgerow and the potential for overshadow of neighbouring gardens.

Having undertaken site visits, and reviewed photographs of the previous structure and vegetation, the fence was considered to have a stark appearance in the environment, and whilst the painting of the fence has gone some way to ameliorating the visual impact, it is considered that further mitigation could be achieved to the benefit of the development and wider scene through additional screen planting.

The applicant was requested to resurvey the fence height and position and has provided updated plans. Whilst revisions to design were sought by the department to include a slight drop in fence height in line with gate height, painting and planting, the applicant seeks to retain the height of the fence with no additional planting. He considers the natural vegetation along the canal back to be suffice to grow up and over the fence through time.

Taking into account the scenic appearance of the canal bank. and to compensate for the loss of vegetation and soften the appearance of the structure within the riverside setting, the department seeks planting of a hedge on the applicant's land outside of and along the fence line fronting the canal in order to ensure the development successfully blends in with the surroundings. Relying on the natural vegetation from the canal bank to grow up through time is not deemed suffice to soften the impact at present and it is noted that this natural vegetation may be cut back at some point by those who maintain the canal pathways.

In terms of potential overshadowing effect to neighbouring properties, the fence is not considered to exacerbate the effect stemming from the previous boundary treatment to a degree that the application be refused. It is appreciated that the gardens and properties lie at a lower level than the canal banking and footway. The neighbour pointed to the previous fence having gaps which allowed light through, however on viewing photographs of the previous structure it would appear that there was thick vegetation/hedgerow in place at that time reducing any effect of light penetration.

Taking into account site context and surroundings, it is recommended that the application be approved subject to the following conditions in order to protect and enhance the character and appearance of the setting of the scheduled monument and conservation area.

Submission and approval of a landscaping plan detailing hedgerow species and size within one month of the date of the consent

Removal of the supportive struts from the banking within one month of the date of the consent

Planting of the agreed hedgerow within three months of the date of the consent or the next available planting season

Ref. No.:	0408/FUL/22	Recommendation:	Refuse Permission Agenda Item 8
Proposal:	Change of use from agricultural field to dog exercise field and erection of a 1.2m high fence and gate		
Address:	Park Bistro, Linlithgow, West Lothian, EH49 6QY, (Grid Ref: 302908,677024)		
Applicant:	Mrs Lorraine Forsyth The DAWG House	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Alexander Calderwood

Summary of Representations

1 neutral comment was received from 1 member of the public. Whilst neutral they raised concerns that the development will result in an increase of traffic which will be detrimental to the surrounding area. It was also requested that the speed limit be reduced to 40mph (from 60mph) on the access road adjacent.

Officers report

Overview

This application seeks full planning permission for the change of use of an area of land from an agricultural field to a dog exercise field and for the erection of a 1.2m high fence and gate.

West Lothian Local Development Plan 2018 (Relevant Policy)

- Policy DES 1 (Design Principles)
- Policy EMP 3 (Employment development outwith settlement boundaries)
- Policy ENV 3 (Other development in the countryside)
- Policy EMG 5 (Noise)

The application site sits within an agricultural field that is still actively used. The application site is triangular and is wedged between Park Bistro Restaurant and a grouping of agricultural buildings, the Union Canal and Narrowboat Farm. An access and parking area is to be provided to the north west of the application site.

Two residential properties (at Park Farm Cottages) are located approximately 19 metres to the east of the application site, and on the other side of the Union Canal. Environmental Health were consulted on the application and confirmed that they object on the basis that a noise impact assessment has not been submitted and that they are concerned that the development will have an adverse noise impact on the nearby residential receptors. The applicant has not shown any intention to submit a noise impact assessment or address the concerns raised by Environmental Health. The proposals do not comply with Policy DES 1, Policy EMP 3, Policy ENV 3 and Policy EMG 5 of the West Lothian Local Development Plan 2018. It is therefore recommended for refusal.

Ref. No.:	0548/H/22	Recommendation:	Refuse Permission Agenda Item 8
Proposal:	Formation of a driveway (in retrospect)		
Address:	30 Hunter Grove, Whitburn, West Lothian, EH47 0NN, (Grid Ref: 293656,664475)		
Applicant:	Mr Matthew Mackay	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
None			
<u>Officers report</u>			
<p>The property is a semi-detached dwelling of render and tile.</p> <p>The application seeks retrospective consent for the formation of a driveway to serve the property.</p> <p>The front gardens in the street slope from the road down to the dwelling-houses. A raised driveway has been formed finished in chips and slabbing.</p> <p>In order to access and egress the driveway a vehicle would require to cross a pedestrian access point on the pavement. The siting of the pedestrian access point takes access to the children playpark and has tactile slabs to aid visually impaired at the crossing point. The Roads officer has been consulted on the application and does not support the development recommending refusal of the application as there is no suitable access from the driveway to the public road.</p> <p>The relevant policy to consider in assessment of the development is West Lothian Local Development Plan, Policy DES1 (Design Principles) which requires that all development provides suitable access and parking.</p> <p>In terms of layout and design, whilst the materials used in the formation of the driveway are not out of keeping with the street scene, the position of the driveway at a public access crossing point leads to a direct conflict of users in terms of pedestrian and vehicular traffic. As there is no suitable access from the driveway of this property onto the public road, it is recommended that the application be refused on road safety grounds.</p>			

Ref. No.:	0596/FUL/22	Recommendation:	Grant Planning Permission Agenda Item 8
Proposal:	Continued operation of childrens nursery		
Address:	9 Riverside Lea, Seafield Road, Blackburn, West Lothian, EH47 7EL (Grid Ref: 299951,665254)		
Applicant:	David Addison Riverside Cottage Nursery	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope

Summary of Representations

Five letters of objection:

- Inappropriate location
- Impact of residential amenity
- Poses health and safety
- Concerns for emergency vehicles accessing the site
- Significant congestion
- Noise and nuisance
- Loss of amenity
- Damage to private property
- Unsocial behaviours/Police involved
- Operational hours from around 7am and after 6pm
- Weekend events
- More staff than permitted on consent
- Road repairs
- Inaccurate plans
- Adverts not on the plans
- Enforcement Notice served and disregard for compliance with procedures

One letter of support:

- Personal reference of applicant

Officers report

The application is for the continued operation of a children's nursery. The nursery first operated on a temporary basis (LIVE/0405/FUL/09) for up to 15 children and one member of staff. This was renewed by another temporary permission (LIVE/0384/FUL/14) which increased the number of children to 35 and 5 members of full-time staff.

This application proposes to renew the previous consent of 35 children, however the applicant has advised that they currently operate at 26 children per

day so that they can support the children and provide a better experience. The site currently operates with 8 part time members and never more than 5 members of staff on site. The hours they are currently operating are from 07.30hrs until 17:30hrs however this was due to covid and they would be willing to revert back to 0800hrs until 1800hrs Monday to Friday (which could be conditioned).

The nursery premises is located within an outbuilding that was converted to nursery use and it also utilises the generous plot of ground. WLC Environmental Health has raised no concerns in relation to noise from the children on site. Parking is provided on the site.

The lowland crofting policy allows business use and this nursery has been established for over 10 years. Whilst there is some concerns raised by neighbouring properties regarding access and parking, this is not sufficient to justify refusal in this instance.

It is therefore recommended to grant planning permission subject to conditions.

Ref. No.:	0610/FUL/22	Recommendation:	Refuse Permission Agenda Item 8
Proposal:	Change of use from house (class 9) to form 8 letting bedrooms		
Address:	Willowbank,1 Burnside Road, Bathgate, West Lothian, EH48 4PT (Grid Ref: 297030,669186)		
Applicant:	Mr Andy Dyet	Type:	Local Application
Ward:	Bathgate	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
No comments were recieved.			
<u>Officers report</u>			
<p>The application is for a change of use from house (class 9) to form 8 letting bedrooms. This existing property is a detached dwelling located within an established residential area and within the settlement boundary of Bathgate.</p> <p>It has not been demonstrated by the applicant that there would be no significant adverse impact on adjacent residents in terms of parking as well as the potential disruption caused by the comings and goings of individuals.</p> <p>While, no site layout plan was provided highlighting parking provision, it is not clear how parking for each of the 8 letting bedrooms could be accommodated on the site without blocking each other or cause access issues.</p> <p>It is therefore recommended planning permission be refused.</p>			

Ref. No.:	0651/H/22	Recommendation:	Grant Planning Permission Agenda Item 8
Proposal:	Erection of timber shed and summerhouse and installation of decking to provide for disabled access (in retrospect)		
Address:	48 Braekirk Avenue, Kirknewton, West Lothian, EH27 8BL, (Grid Ref: 310922,667215)		
Applicant:	Miss Katherine Glancy	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Lucy Hoad

Summary of Representations

One representation has been received to the application objecting to the scale, dimensions and appearance of the outbuilding, impact on the street scene and proximity of the structure to neighbouring boundaries.

Officers report

The property is a detached dwelling of render, brick and tile, situated within a small residential scheme of similar properties. The rear garden is enclosed by high timber fencing.

The application seeks retrospective consent for the erection of a timber shed and low decking area to the rear of the property. The timber building has been erected along the rear boundary line parallel to the fenceline. A raised deck area has been constructed to provide direct access to the rear garden from the patio doors. The applicant confirmed on site that this was required due to mobility issues.

One representation has been received to the application objecting to the scale and appearance of the outbuilding, impact on the street scene and proximity of the structure to neighbouring boundaries. A site visit was undertaken by the planner to allow full consideration of matters.

In terms of layout, the outbuilding is situated to the rear of the property, set back from the rear building line. The addition will be mostly screened from public view by the property itself. In terms of design, the proposal is visually acceptable, being modest in scale, and subordinate to the main building. The applicant has used timber in construction of the building and there are examples of this in the wider locality.

The works raise no planning concerns in terms of appearance. The question of proximity to neighbouring properties in terms of fire risk falls under building warrant legislation and an Informative Note can be added to a planning decision to cover this matter.

In terms of the siting of the shed there are no issues of privacy or light stemming from the development. In terms of the raised deck, there is no impact to the adjoining neighbour from overlooking, given the low nature of the decking and height of the existing timber fence separating properties.

The proposal accords with West Lothian Local Development Plan, Policy DES1 (Design Principles) and West Lothian Council's House Extension and Alteration Design Guide. It is recommended that the application be approved.

Ref. No.:	0657/FUL/22	Recommendation:	Refuse Permission Agenda Item 8
Proposal:	Erection of a 56sqm two storey extension to industrial unit		
Address:	Scotlens, Mill Road Industrial Estate, Linlithgow Bridge, Linlithgow, West Lothian (Grid Ref: 298477,677649)		
Applicant:	Mr Scott Brown Scotlens	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Alexander Calderwood

Summary of Representations

5 objections have been received for this application. The nature of the objections is as follows:

- The proposals will have adverse implications for privacy and overlooking.
- The proposals will have adverse implications for noise nuisance and smell.
- The proposals are unsuitable from a design perspective.
- The submitted plans are factually inaccurate.
- Additional lighting of the site will have an adverse impact on residential amenity.
- Drainage detail has been omitted from the submission.

Officers report

Overview

This application seeks full planning permission for the erection of a 56sqm two storey extension to an industrial unit. The site falls within Mill Road Industrial Estate, Linlithgow and within an employment area identified by the local development plan.

West Lothian Local Development Plan 2018 (Relevant Policy)

- Policy DES 1 (Design Principles)
- Policy EMP 1 (Safeguarding and developing existing employment land)

The extension is set over two stories and will provide accommodation for research and development at ground floor level, and office space at first floor level. The principal elevation of the extension will face west. The residential street, Lovells Glen, lies to the west and is at the bottom of a steep gradient, which the development site lies at the top of. Several of the rear elevations and associated garden grounds of the residential properties on this street front this gradient and the development site. The distances between the rear elevations of these residential properties and the principal elevation of the extension range between 30 metres and 41 metres. There are to be three windows at first floor level of the extension on the principal elevation, and also one window on the southern elevation at first floor level. These windows will overlook the garden grounds, rear elevations and first floor bedrooms of the residential properties at Lovells Glen. The positioning of the industrial unit at the top of the gradient is already overbearing for the residents of Lovells Green, and its presence will be exacerbated by the extension and its outlook. Ultimately, the proposals will have an adverse impact on residential amenity in terms of privacy, layout and scale. The proposals do not comply with Policy DES 1 and Policy EMP 1 of the West Lothian Local Development Plan 2018.

Proposed Enforcement Actions – 12/08/2022

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0148/22	Mr William Nanor	16 Colliery Lane Whitburn West Lothian EH47 0SU Erection of large structure	Whitburn & Blackburn	Take no Action	One corner of the shed is a minor breach of planning control, as it exceeds permitted development by approx. 10cm in height. It is not in the public interest to take any formal enforcement action. No further action will be taken on this case.

Proposed Enforcement Actions – 26/08/2022

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0208/22	Rhona Smith	68 Napier Avenue Bathgate West Lothian EH48 1DF Erection of shed	Bathgate	Take no Action	The shed is a minor breach of planning control as it exceeds permitted development by approx. 5cm. This is not in the public interest to take any formal enforcement action. No further action will be taken on this case.
ENF/0099/22	Mr Barrie Stark	14 Curling Pond Lane Longridge Bathgate West Lothian EH47 8FD Change of use from open space to private garden ground and erection of a boundary fence and playhouse (in retrospect)	Fauldhouse & The Breich Valley	Enforcement Notice	The owner applied for change of use from open space to private garden ground and erection of a boundary fence and playhouse (in retrospect)- this was refused 20 th April 2022. The owner did not appeal this decision and has not resolved the breach. Reasons for the refusal; <ol style="list-style-type: none"> 1. The proposed development is unacceptable as it would be visible from the main road (B7010) and adversely affects the established woodland edge along the Curling Pond Lane development and also has a detrimental impact on the visual appearance of the surrounding area. The playhouse appears out of scale and character with the surrounding outbuildings in the street given it is positioned at an elevated level. The proposal is thus contrary to policy DES 1 (Design Principles) of the West Lothian Local Development Plan 2018. 2. The proposed development is unacceptable in that it erodes an area of open space and it has not been demonstrated there is a locational justification. The proposal is thus contrary to Policy ENV 21 (Protection of Formal and Informal Open Space) of the West Lothian Local Development Plan 2018. 3. The proposed development is unacceptable in that it results in the unnecessary incursion into an existing woodland shelter belt with no justification and which

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					<p>negatively impacts on the setting of the wider surrounding area. The proposal is thus contrary to Policy ENV 9 (Woodland, Forestry, Trees and Hedgerows) and Policy ENV 10 (Protection of Urban Woodland) of the West Lothian Local Development Plan 2018.</p> <p>The steps to comply are;</p> <ol style="list-style-type: none"> 1. Cease use of the land and return to open space. 2. Reinstate the fence to its original boundary. 3. Remove the treehouse/
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