



Development Management

List of Delegated Decisions - 14th October 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.:	0096/FUL/22	Recommendation:	Grant Planning Permission
Proposal:	Erection of a house		
Address:	Middlerigg Farm, Bathgate, West Lothian, EH48 2HH (Grid Ref: 295555,668960)		
Applicant:	Hardie Associates Ltd	Type:	Local Application
Ward:	Bathgate	Case Officer:	Kirsty Hope
<u>Summary of Representations</u> One letter of objection received: - - Impact on residential amenity, overshadowing and privacy - Noise - Materials are not traditional - Proposal fails to accord with policies DES 1 and EMG6 - Chicken production ceased 15 years ago and has been in use as agricultural land --Concerns regarding refuse collections and store - Traffic and access issues and lack of footpath - Outbuilding is very large may have commercial purpose - Water supply and drainage issues - Impact on electricity cabling underground and over. - Solar roof would not be fit for purpose - Inaccurate landownership title on plans submitted			

Officers report

The proposal involves the demolition of former poultry shed and erection of a new house with a double garage. The proposal also includes the erection of an outbuilding located on the most south west corner of the site. The house is two storeys and single storey in parts with a modern design.

The application site is located out with the Bathgate settlement boundary and is within the countryside as identified in the LDP.

The existing poultry shed is single storey and is constructed mainly from timber that has fallen into disrepair. The plans show there were previously two large outbuildings for poultry farming on the site and this remaining shed is the extent of the remaining buildings. The buildings were constructed on a raised bed of red blaes and it is proposed to remove this so the site reverts back to its original level. It is also proposed to return some of the site to back to agricultural land.

The principle of development is accepted given it is a visually intrusive brownfield site, which meets the terms of policy ENV2 (Housing Development in the Countryside). The proposed house ridge height is 8.4m with a 40-degree roof pitch. The proposed windows have a vertical emphasis. The scale and design of the proposed dwelling is modern. The main roofline runs parallel to the main road. The finishing materials are not noted on the plans; however, this can be controlled by a condition.

There is adequate garden ground provided. The house and outbuilding sit comfortably within the plot and will not have a detrimental impact on the surrounding area or cause traffic issues. The proposed site plan shows trees along the south and eastern boundaries which would shield the house from the main road with regard to visibility and provide a woodland edge.

The proposals comply with policies ENV2 and DES1 (Design Principles) of the LDP. Technical matters can be conditioned to ensure compliance with policy requirements.

It is recommended that permission be granted, subject to conditions and securing developer contributions.

Ref. No.:	0559/H/22	Recommendation:	Grant Planning Permission
Proposal:	Alteration and extension to house		
Address:	6 Royal Terrace, Linlithgow, West Lothian, EH49 6HQ (Grid Ref: 300019,676938)		
Applicant:	Mr S Forsyth	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection received - - Overall scale of rear extension, - Removal/blockage of interior doors and kitchen press. Planning response - - See officers report. The rear extension has been revised since the initial submission in order to integrate more with and appear subservient to the existing listed buildings, - The property listing does not detail the doors or kitchen press, which are to be removed, to be historic therefore these removals are not considered to detrimentally impact upon listed building to a significant extent.			
<u>Officers report</u> This planning application proposes a single storey rear extension onto the property located at 6 Royal Terrace, Linlithgow. The property is a category B listed building and is located within a conservation area. The rear extension has been revised since the initial submission in order to integrate more with and appear subservient to the existing listed buildings. The revised proposal is to measure 7.576m x 6.000m, which includes a covered canopy to the rear of the extension, and the works are to be 4.051m in overall height from ground level to the ridgeline of the proposed hipped roof. The rear extension is to feature roof lights and a single doorway within the roof space on the east elevation and fixed windows and sliding patio doors on the rear elevation which will open out into and overlook the applicants rear garden area. The proposed openings will not directly overlook any neighbouring property or garden to a significant extent. The works are to be externally finished with zinc roofing and a cream sandstone which is to match with the existing property.			

The works also look to carry out internal alterations and remove and block up several door passageways.

The revised works are of a more acceptable scale which are considerate to the existing listed building. The proposed works will appear subservient to the main property and will still allow for sufficient usable garden ground. The proposed works are located fully to the rear of the property and will therefore not significantly impact upon the appearance of the streetscene or conservation area.

This proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles), ENV24 (Conservation Areas), ENV28 (Listed Buildings) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

Ref. No.:	0560/LBC/22	Recommendation:	Grant Listed Building Consent
Proposal:	Listed building consent for alteration and extension to house		
Address:	6 Royal Terrace, Linlithgow, West Lothian, EH49 6HQ, (Grid Ref: 300019,676938)		
Applicant:	Mr S Forsyth	Type:	Other
Ward:	Linlithgow	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> One objection received - - Overall scale of rear extension, - Removal/blockage of interior doors and kitchen press. Planning response - - See officers report. The rear extension has been revised since the initial submission in order to integrate more with and appear subservient to the existing listed buildings, - The property listing does not detail the doors or kitchen press, which are to be removed, to be historic therefore these removals are not considered to detrimentally impact upon listed building to a significant extent.			
<u>Officers report</u> This planning application proposes a single storey rear extension onto the property located at 6 Royal Terrace, Linlithgow. The property is a category B listed building and is located within a conservation area. The rear extension has been revised since the initial submission in order to integrate more with and appear subservient to the existing listed buildings. The revised proposal is to measure 7.576m x 6.000m, which includes a covered canopy to the rear of the extension, and the works are to be 4.051m in overall height from ground level to the ridgeline of the proposed hipped roof. The rear extension is to feature roof lights and a single doorway within the roof space on the east elevation and fixed windows and sliding patio doors on the rear elevation which will open out into and overlook the applicants rear garden area. The proposed openings will not directly overlook any neighbouring property or garden to a significant extent. The works are to be externally finished with zinc roofing and a cream sandstone which is to match with the existing property.			

The works also look to carry out internal alterations and remove and block up several door passageways.

The revised works are of a more acceptable scale which are considerate to the existing listed building. The proposed works will appear subservient to the main property and will still allow for sufficient usable garden ground. The proposed works are located fully to the rear of the property and will therefore not significantly impact upon the appearance of the streetscene or conservation area.

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles), ENV24 (Conservation Areas), ENV28 (Listed Buildings) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted listed building consent.

Ref. No.:	0583/P/22	Recommendation:	Refuse Planning Permission in Principle
Proposal:	Planning permission in principle for the erection of 6 houses		
Address:	16 Raw Holdings, East Calder, West Lothian, EH53 0JN, (Grid Ref: 309388,667317)		
Applicant:	Mr David Dickson	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Alexander Calderwood
<u>Summary of Representations</u> An objection was received from the River Almond Action Group on the following grounds: <ul style="list-style-type: none"> - No Surface Water Management Plan or Flood Risk Assessment has been prepared / is available to review on the planning portal - No drainage details have been provided - Would expect to see SuDS features notwithstanding SuDS basins, rain gardens and/or water butts. - The above points are important because the area is at high risk of surface water flooding 			
<u>Officers report</u> This application seeks planning permission in principle for the erection of 6 houses. The application was previously on the Delegated List with a recommendation for approval. Following a review of the case, the recommendation is to refuse. The relevant West Lothian Local Development Plan policies are: <ul style="list-style-type: none"> - Policy DES 1 (Design Principles) - Policy HOU 1 (Allocated Housing Sites) - Policy HOU 4 (Affordable Housing) - Policy TRAN 1 (Transport Infrastructure) - Policy NGR 1a (Low and Sero Carbon Generating Technology) - Policy EMG 2 (Flooding) - Policy EMG 3 (Sustainable Drainage) - Policy EMG 6 (Vacant, Derelict and Contaminated Land) - Policy INF 1 (Infrastructure Provision and Developer Obligations) - Policy CDA 1 (Development in the Previously Identified Core Development Areas) 			

The application site is located at the southern end of the Core Development Area (CDA) and forms part of an allocated housing site. It is bound by Langton Road to the south and agricultural land to the east. To the west and north is Cala's housing site which is under construction (0198/FUL/15). NCR75 runs along the east of the site. NCR75 forms an integral part of the Raw Holdings CDA allocation and is included in the masterplan that was submitted as part of the Cala and Persimmon housing applications.

Cala and Persimmon are upgrading NCR75 through their sites to be a 3m wide foot/cycle path that will be constructed and lit to adoptable standard. The section of NCR75 within the present application site, approximately 90m in length, runs from the boundary with the Cala site to Langton Road. Similar upgrading of this section is desirable to create an uninterrupted stretch of foot/cycle path from Main Street to Langton Road. The applicant is not willing to accept a requirement for similar upgrading.

The council's Flood Risk management (FRM) advise records suggest the site is at risk of flooding from the accumulation of surface water and request a flood risk assessment. FRM also request a drainage strategy. These have been requested but the applicant has not provided this information.

The applicant has also been requested to submit a phase 1 site investigation report with regard to contaminated land but this has not been provided.

While the principle of residential development is acceptable, the application cannot be supported due to lack of requested information and also as the applicant has not agreed to upgrade that part of NCR75 within the site to a 3m wide foot/cycle path that is constructed and lit to adoptable standard.

The proposal is thus contrary to requirements of the West Lothian Local Development Plan 2018 and it is recommended permission be refused.

Ref. No.:	0697/LBC/22	Recommendation:	Grant Listed Building Consent
Proposal:	Listed building consent for the installation of conservation double glazed sash windows with new sills		
Address:	3 Cathlaw House, Bathgate EH48 4NW (Grid Ref: 305280,667171)		
Applicant:	Dr Sofie Aspeslagh	Type:	No Classification
Ward:	Bathgate	Case Officer:	Rachael Lyall
<u>Summary of Representations</u> 1 objection - - Lack of information. Planning response - - Further information was requested and submitted by the applicant.			
<u>Officers report</u> This application proposes replacement windows and doors at 3 Cathlaw House, Bathgate. The property is a category B listed building. The existing windows are timber sash-and-case windows, in which the proposal looks to replace these with conservation style double glazed windows which are to be of the same design, finish and material. The works also propose to replace the existing traditional timber door with a black timber door which will feature a glazed top panel. The replacement openings are considerate to the existing listed building, are similar in appearance to the existing openings and will not detrimentally impact upon the visual appearance of the listed building. This proposal therefore adheres to West Lothian Local Development Plan's DES 1 (Design Principles) and ENV28 (Listed Buildings) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted listed building consent.			

Ref. No.:	0752/LBC/22	Recommendation:	Refuse Listed Building Consent
Proposal:	Listed building consent for the installation of a wood burner (internal) and flue (in retrospect)		
Address:	The Bath House, Gowanbank, Westfield, West Lothian, FK1 2JY (Grid Ref: 291650,671166)		
Applicant:	Miss Debbie Neal	Type:	Other
Ward:	Armadale & Blackridge	Case Officer:	Lucy Hoad

Summary of Representations

The AHSS object to the development on the following grounds:

The flue detracts from the historic character of the building

Scale and prominent location

Effect on symmetry of roofscape/hierarchy of details within context of Gowanbank House/steading

Officers report

The Bath House is a category A Listed building of stone and slate. The converted building is situated within a wider building group historically related to Gowanbank House.

The application seeks retrospective consent for the installation of a wood burning stove and related flue.

Historic Environmental Scotland were consulted on the application but made no comment referring to guidance policy. The AHSS object to the scale and prominence of the flue, the effect on the symmetry of the roof plane, and character and distinctiveness of the listed building within the wider historic group to include Gowanbank House (all A Listed).

The properties display masonry and slate roofing which contributes to the distinct architectural quality, character and cohesiveness of the steading. Approaching the property along the access drive to the house the external flue is not visible until you almost reach the property. However, the flue is visible from some of the other properties within the group but less so from Gowanbank House.

Policy ENV28 Listed Buildings of the West Lothian Local Plan 2018 states:

There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use, and any proposed alterations or adaptations to help sustain or enhance a building's beneficial use should not adversely affect its special interest.

Albeit modest in size with a simple layout/design, the A- Listed property has the distinct character and appearance of a farm building of a particular time period which has been little altered following conversion to housing. The flue (black in colour) introduces a projection that appears visually prominent on the elevation. The design incorporates a box to tip which accentuates its appearance. Internally the property has been converted and is of a modern design. There are no historic internal features comprised by the installation of the wood burner itself, which is situated on the lower ground floor level.

Conclusion

Whilst the internal stove results in minimum intervention in the fabric of the listed building, given the modern interior, externally, the flue detracts from the traditional character and appearance of the listed building and wider group by virtue of its siting, design, and prominence on the roof plane. Taking into account the simple form of the roofscape, the flue appears visually prominent on the building, unbalancing the symmetry of the roof planes.

It is recommended that the application for listed building consent be refused.

Ref. No.:	0816/FUL/22	Recommendation:	Grant Planning Permission
Proposal:	Application under S42 to vary condition 1 of planning permission 1044/FUL/21 (delivery arrangements)		
Address:	Unit 5 And 6, Stockbridge Retail Park, Falkirk Road, Linlithgow, West Lothian (Grid Ref: 298799,677029)		
Applicant:	Marks & Spencer plc	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Kirsty Hope
<u>Summary of Representations</u> One letter of objection was received: - Concerns that the wording of the proposed condition is too opened ended and should be more specific.			
<u>Officers report</u> This application is to vary condition 1 of planning permission 1044/FUL/21 (for delivery arrangements) at Unit 5 and 6 Stockbridge Retail Park. There are external changes to the building proposed in application 0645/FUL/22 that would mean that restricted delivery of goods to the former Argos unit customer entrance cannot be used and the proposal is to change from the former Argos entrance to the adjacent former Peacocks customer entrance. A change to the wording of condition 1 to accommodate this is acceptable. Condition 1 also allows for one delivery from the front customer entrance during the one-hour period before store opening on a Saturday and Sunday. It is considered acceptable to alter condition 1 to allow for any number of deliveries during this one-hour period. The applicant also wishes for more delivery flexibility using the rear service yard during busy periods of the year. However, it is not considered appropriate in this instance to alter the existing restrictions given the sensitive location of the rear service yard in relation to residential properties. It is recommended permission be granted and condition 1 be altered as noted above.			

Ref. No.:	0834/H/22	Recommendation:	Grant Planning Permission
Proposal:	Erection of a garden room (in retrospect)		
Address:	Thornton House, 1 Falkirk Road, Linlithgow, West Lothian, EH49 7BA (Grid Ref: 299396,677013)		
Applicant:	Mr And Mrs Hunter	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad

Summary of Representations

2No letters of objection have been received and 1No letter of support.

The main points raised include:

Mass, scale, appearance and prominence of building within the area

Difference in ground levels

Loss of privacy/overlooking

Imposing/overbearing impact

Officers report

Thornton House is a detached property (unlisted) of stone and slate situated within the Conservation Area of Linlithgow.

The application seeks retrospective consent for the erection of an outbuilding within the garden grounds of the property.

The garden room (6.0 x 3.4m) is situated in the south east corner of the garden. The structure is finished in timber (vertical cladding) with mono pitch roof (2.7m) and partially open seating area. The garden ground level and thus outbuilding sit at a higher ground level than the neighbouring properties immediately to the south and east.

Objections have been received to the proposals with regard to mass, scale and design of the outbuilding being oppressive as well as overlooking of neighbouring properties, drainage and use of gas heater.

The structure is not visible from the main road to the north of the property but is partially visible from the properties lying to the south and east. In relation to the main house, in terms of design, the proposal is considered to be visually acceptable, being modest in scale and subordinate in size to the main house. However, the structure appears prominent and stark in appearance as viewed from the property to the south. In order to soften the appearance of the structure it is recommended that the applicant install a trellis fence along the length of the structure inside the boundary line together with screen plant of honeysuckle and roses in order to reduce the visual impact of the

outbuilding. It is noted that the outbuilding is partially screened in views in from the east by a mature tree.

Considering the context of the site and orientation of the sun there are no significant concerns in terms of light or overshadow stemming from the development.

There is a degree of overlooking of the neighbouring property to the immediate south. Whilst it is accepted that there was an existing degree of overlooking of garden ground prior to the development, this has been exacerbated with the creation of a seating area within the structure to include a window fronting south. Therefore, it is recommended that the glazing of the window fronting south will require to be of obscure glazing. It is noted that the glazing of the window fronting east is obscure.

Drainage matters and fire safety would require to be assessed under any building warrant legislation/requirements.

Overall, the development will have a neutral impact on the character and appearance of the Conservation Area.

This proposal therefore adheres to West Lothian Local Development Plan's DES 1 (Design Principles) and ENV24 (Conservation Areas) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020.

It is recommended that the application be approved, subject to a condition to insert screen planting/trellis to southern boundary and use of obscuring glazing for the window fronting south.



Development Management

List of Delegated Decisions - 21st October 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.:	0792/P/22	Recommendation:	Refuse Permission
Proposal:	Planning permission in principle for the erection of a mixed-use building with 2 shops and 1 flat on ground floor and 4 flats on upper floors and conversion of public house to a flat		
Address:	1 Main Street, West Calder, West Lothian, EH55 8BU, (Grid Ref: 301702,663157)		
Applicant:	Mr Hassan Mohammed	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Kirsty Hope

Summary of Representations

One letter of objection was received:

- Works have already commenced internally in retrospect.
- No detail to fully assess the impact of works already under way particularly with regard to materials being used, insulation both sound and fire.
- The impact on the occupant above the existing public house, including being a regular local venue for gatherings/funerals.
- Concerns regarding the mutual water supply and surface water drainage routing and impact.
- Request that enforcement should suspend these works until all permissions are obtained.
- Impact in regards to the noise, odours as well as fire risk.
- Privacy concerns
- Concerns of the proposed extension severely restricts access to/from fire escape.
- Alterations to water supply of above occupant.
- Concerns regarding design and layout of the ground floor conversion to be inappropriate due to privacy concerns.
- Concerns regarding the scale, design and layout of the extension which is overbearing and inappropriate.
- Materials are not sympathetic to the historic building.
- Parking and access concerns.
- Existing historic building should be respected.

This application is for planning permission in principle for the erection of a three-storey mixed-use building with 2 shops and a 1 bedroom flat on ground floor, 2 flats on the first floor and 2 flats on the 2nd floor, plus the conversion of the existing public house to a flat. The application site is located within West Calder town centre.

The scale of the three-storey extension above the existing two storey building ridge and eaves height does not respect the character and appearance of the existing building nor the street on a prominent location within West Calder, contrary to policy DES 1 (Design Principles). The proposed extension would be overdevelopment of the existing plot, where it would result in no private amenity space, no parking, no bin or cycle provision.

WLC Environmental Health have raised concerns given the potential impact on noise from the existing hall above the public house in relation to residential amenity, contrary to policy (EMG 5 Noise) within the local plan. WLC Waste Services have raised concerns as no bin provision is noted on the plans.

No SI phase 1 report was submitted by the applicant contrary to policy EMG 6 (Vacant, Derelict and Contaminated Land) within the local plan.

The proposal is therefore recommended for refusal.

Ref. No.:	0794/H/22	Recommendation:	Grant Planning Permission Agenda Item 10
Proposal:	Erection of a two-storey extension to house		
Address:	3 Sunnyside Avenue, Bathgate, West Lothian, EH48 4DR, (Grid Ref: 298176,669360)		
Applicant:	Mr & Mrs Jason Earl-Summers	Type:	Local Application
Ward:	Bathgate	Case Officer:	Rachael Lyall

Summary of Representations

Two objections received -

- Proximity of works to boundaries,
- Impact on privacy,
- Impact on existing retaining wall,
- Impact on overshadowing,
- Proposed materials not in keeping with surroundings.

Planning response -

- The works will be set back from the neighbouring boundary to the west by 1.58m, which is in line with the appropriate guidance that advised that works should be set back by neighbouring boundaries by at least 1m,
- See below
- Not a material planning consideration however the agent has advised that a structural engineer will be appointed,
- See officers reports and submitted overshadowing diagram,
- It is considered that the cladding will give the works a contemporary look and it is to be noted that materials within the street scene vary between properties and developments, such as dormer extensions, so will not appear significantly out of keeping.

Officers report

This planning application proposes the erection of a two-storey side extension onto the property located at 3 Sunnyside Avenue, Bathgate.

The proposed extension is to measure 3.000m x 8.240m and is to be 7.400m in overall height from ground level to the ridgeline of the proposed hipped roof, which is to sit level with the ridgeline of the existing property. The proposed works have not been set down from the main ridgeline of the existing property in line with the appropriate guidance, however the works have been set back from the principal elevation in order to appear subservient. The works will feature windows on both levels on the front elevation, which will overlook the main street, two windows on each level of the side elevation which are to be en-suite windows and will be fitted with opaque glazing and therefore will not significantly impact upon the privacy of neighbours, and windows on both levels of the rear elevation. There is sufficient distance (approx. 19-20m) between the proposed rear windows and the windows of the closest neighbouring properties to the rear.

The materials proposed for the works are to mainly match those of the existing property, however the proposed works will feature some composite cladding on the upper floor.

The proposed works are set back from the boundary and it is to be noted that there is a detached garage located between the proposed works and the neighbouring property to the west, as a result the works will not result in any additional overshadowing which would be considered detrimental or significant. The overshadowing will mainly be cast on the detached garage.

It is to also be noted that there is a two-storey extension been erected to the east of the applicant's property, which is much larger in scale and footprint. As a result, it is considered that the proposed works will not appear out of keeping within the street scene. In addition, the proposed works look to replace the existing garage however there will still be sufficient space for parking to the front of the property and the works will still allow for usable garden ground. The works are considered to appear subservient and integrate with the existing property. The works are neither considered to significantly impact upon either the visual or residential amenity to a detrimental extent.

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

Ref. No.:	0796/H/22	Recommendation:	Refuse Permission Agenda Item 10
Proposal:	Proposed extension to house to form carport		
Address:	10 Manse Park, Uphall, West Lothian, EH52 6NX, (Grid Ref: 305970,672277)		
Applicant:	Mr James Watson	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Lucy Hoad

Summary of Representations

AHSS: Object on the grounds of design, position and materials.

Officers report

10 Manse House is a converted steading with C Listed status formally associated with the Uphall Old Manse House. It is a traditional elongated dwelling of stone and slate (2 storey) situated within Uphall Conservation Area. The historic building sits within a walled courtyard. Planning consent was granted for an extension to the north west elevation of the dwelling in 2021 (0339/H/21).

The application seeks consent for the erection of an extension to form a car port on the south east elevation of the property. The pillars of the car port are to be constructed of stone and a slate roof is to be formed over the structure. The internal parking space will measure 3355 x 5890mm.

The AHSS has objected to the proposals in terms of design, position of front build line and use of stone in construction seeking alternative materials to demonstrate the evolution of the building over time. No other public comment has been received on the application.

Whilst the property is a modest sized dwelling simple in form and layout it has an attractive character and setting. In respect of extending historic buildings within the Conservation Area we welcome proposals that demonstrate a clear evolution of the building over time. The applicant was requested to consider an alternative design for the car port given the historic quality and visual appearance of the building. Suggestions by planners included consideration of a lighter approach such as provision of a timber oak frame car port with attention given to adjacent tree roots. However no further plans or communications have been received.

In respect of the current proposal in front of us, the siting and design of the car port is considered to be visually inappropriate leading to an adverse impact on the character and appearance of the listed building. The gable displays attractive crowsteps at roof plane (noted in listing) and provides a suitable end stop to the building. With use of stone in construction and extending out on the line of the existing building the proposed works will result in a more dominant elongated effect to the building with less understanding of the evolution of the building thus further eroding the architectural quality of the former steading. In addition, foundations for the heavy structure may impact on adjacent tree roots.

Given the potential for a more appropriate solution with minimum intervention in the fabric of the building available in this instance, it is recommended that the current design be refused on the basis that the proposed works would have an adverse impact on the fabric and historic significance of the

listed building to the detriment of its character and appearance and that of the wider conservation area. The application is therefore contrary to policies ENV24 (Conservation Areas) and ENV28 (Listed Buildings) in the LDP.

Agenda Item 10

Ref. No.:	0799/H/22	Recommendation:	Refuse Permission Agenda Item 10
Proposal:	Two storey extension to house		
Address:	141 Foxknowe Place, Eliburn, Livingston, West Lothian, EH54 6TZ (Grid Ref: 303720,667986)		
Applicant:	Mr Sant Tomer	Type:	Local Application
Ward:	Livingston North	Case Officer:	Rachael Lyall

Summary of Representations

Two objections received -
- Impact on privacy,
- Impact on overshadowing,
- Proximity of works to neighbouring properties resulting in overbearing impact.

Officers report

This proposal seeks planning permission for the erection of a two-storey rear extension at 141 Foxknowe Place, Eliburn.

The proposed extension is to measure 4.000m x 7.080m and is to be 7.411m in overall height from ground level to the ridgeline of the proposed gable pitch, which is to sit level with the ridgeline of the existing property. The extension is to feature roof lights within the roof space, windows within each side elevation on the ground floor, and patio doors and windows on the rear elevation. The materials proposed for the works are to match those of the existing property.

It is considered that the size and scale of the proposed works, do not appear subservient to the existing property. In addition, it is considered that the works proposed will appear as overbearing from the neighbouring properties, specifically no. 142 Foxeknowe Place. The House Extension and Alteration Design Guide 2020 states that extensions "should be of a scale that does not dominate the existing property or your neighbours' houses. It 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 does not follow the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020 and is to contrary to West Lothian Council's Local Development Plan's DES 1 (Design Principles) Policy. It is recommended that this application is refused planning permission.

Ref. No.:	0854/A/22	Recommendation:	Refuse Advertisement Consent Agenda Item 10
Proposal:	Display of 6 illuminated and non-illuminated signs and floodlights (in retrospect)		
Address:	The Old Market Inn, 28 West Main Street, Whitburn, West Lothian, EH47 0QZ (Grid Ref: 294579,665011)		
Applicant:	Admiral Taverns	Type:	Other
Ward:	Whitburn & Blackburn	Case Officer:	Lucy Hoad

Summary of Representations

None

Officers report

The application seeks advertisement consent for the display of illuminated and non-illuminated fascia signs at 28 West Main Street Whitburn. The business is a public House - The Olde Market Inn. The works have been undertaken and the application is retrospective.

Consent for the advert signage on the building was refused under application 0131/A/22 in May 2022 as contrary to policy DES1 (Design Principles) of the West Lothian Local Development Plan 2018. The extent of the signage and lighting installed is deemed to be excessive for what is required to advertise the business and has an adverse impact on the visual amenity of the building and wider area contributing to visual clutter of the streetscape.

The style and arrangement of signage broadly reflects that of the earlier application, although it is acknowledged that one sign has been removed. The proposed signage is still considered to be unacceptable and there has been no change in local planning policy since the earlier refusal that would warrant support of the application.

The Town Centre Manager has raised an objection to part of the signage (to gable) and additional lighting.

It is recommended that the application be refused.



Development Management

List of Delegated Decisions - 28th October 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.:	0657/FUL/22	Recommendation:	Grant Planning Permission
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 were received for this proposal following its initial submission. The nature of the objections are as follows:

- Privacy and overlooking.
- 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.

The proposal was revised and previous objectors were re-notified. 2 of the previous objectors commented again. The nature of the objections are as follows:

- Privacy and overlooking.
- Noise nuisance and smell.
- Drainage detail that has been submitted is inadequate.
- Security lighting will have an adverse impact on amenity.

Officers report

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.

The relevant West Lothian Local Development Plan 2018 policies are : Policy DES 1 (Design Principles) and 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 look onto this gradient and the development site. The distances between the rear elevations of these residential properties and the principal elevation of the extension range from between 30 m to 41 m.

The original submission proposed 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 overlooked the garden grounds, rear elevations and first floor bedrooms of the residential properties at Lovells Glen.

Revisions to the proposals have since been made and all three windows at first floor have been removed and instead it is proposed to install 3 roof lights. The window on the southern elevation is to remain. The alterations to the proposals greatly reduce the impact on the residential properties on Lovells Glen in terms of privacy and overlooking. Additionally, the neighbouring industrial units to the south and north of the site extend out to approximately the same position as that of the development that is proposed. The relationship between the proposed extension and the houses would therefore be similar.

A drainage plan was submitted by the applicant and Flood Prevention has confirmed that they are satisfied with its content and that they do not object to the proposals. Transportation has confirmed that they neither object or require conditions to be attached to the decision notice.

Conditions will be attached to the decision notice requiring the applicant to submit details on landscaping and details of any CCTV and lighting specifications. The landscaping will assist in screening the development from the residential properties to the west.

The proposals comply with Policy DES 1 and Policy EMP 1 of the West Lothian Local Development Plan 2018 and approval is recommended.

Ref. No.:	0756/H/22	Recommendation:	Grant Planning Permission
Proposal:	Two storey extension of house		
Address:	12 Waldie Avenue, Linlithgow, West Lothian, EH49 6BA (Grid Ref: 300193,676459)		
Applicant:	Miss B Hart	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad

Summary of Representations

One objection and one neutral comment have been received. Main points raised include

Loss of privacy/overlooking
Size of extension
Lack of detail regarding window to gable
Builders encroaching on land
Boundary treatment

The application seeks consent for the erection of a 2-storey extension to the south elevation of the property on the site of the existing garage and conservatory to be removed. The application site is located within a conservation area.

The extension with pitched roof is similar in design as the existing dwelling with use of matching materials complimenting the main building. The addition will provide additional living accommodation to include a kitchen/dining room at ground floor level and 2no bedrooms at upper level.

The works will be visible from public view but will have no adverse impacts in terms of the visual amenity of the streetscape as required by Policy DES1 (Design Principles). In terms of design, the mass and scale of the proposed extension is visually acceptable in relation to the main building with use of appropriate materials. The works will not overload the building. There is ample garden ground remaining. The parking is deemed adequate in this particular instance with no objections from Roads. It is noted that there are extensions of a similar scale within the street.

There are no significant implications in terms of access to light or privacy stemming from the proposals. The applicant has reduced the size of the velux to northern gable elevation of the property and advised it is to be of obscure glazing. Whilst new windows are proposed to front and rear, it is noted that there is an existing element of overlooking of garden areas from existing upper storey windows and the proposals will not exacerbate the current situation. The boundary treatment to southern line of the garden is to be timber fencing.

The proposed development is of an acceptable design and will not have a detrimental impact on the character and appearance of the conservation area. It therefore complies with Policy ENV24 (Conservation Areas) and Policy DES1 (Design Principles) of the West Lothian Local Development Plan, 2018 and the guidance given in the House Extension and Alteration Design Guide, 2020. It is recommended that the application be approved.

Ref. No.:	0807/H/22	Recommendation:	Refuse Permission
Proposal:	First floor extension to house (Re-submission of 0494/H/22)		
Address:	6 Rosebery Crescent, Bathgate, West Lothian, EH48 1EA, (Grid Ref: 297977,668304)		
Applicant:	Mr Matthew Stevenson	Type:	Local Application
Ward:	Bathgate	Case Officer:	Rachael Lyall
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>This application proposes a first-floor rear extension onto the property located at 6 Rosebery Crescent, Bathgate.</p> <p>A previous application (0494/H/22) for a first floor extension was refused planning permission as it was considered the proposal would result in additional overshadowing which would be detrimental to residential amenity and that the works would have appeared as overbearing from the adjoining neighbouring property.</p> <p>The proposal has since been revised in which the two storey extension is now to feature a gable pitch roof with a slight hip.</p> <p>It is still considered that the proposed works will appear as overbearing from the adjoining neighbouring property and will still result in additional overshadowing which would be detrimental to residential amenity.</p> <p>As a result, this revised proposal is still contrary to West Lothian Local Development Plan's DES 1 (Design Principles) Policy 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.</p>			

Ref. No.:	0821/H/22	Recommendation:	Refuse Permission
Proposal:	First floor extension to house		
Address:	36 Jardine Place, Bathgate, West Lothian, EH48 4GU (Grid Ref: 296351,669472)		
Applicant:	Mr Andrew Dunnigan	Type:	Local Application
Ward:	Bathgate	Case Officer:	Rachael Lyall
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>This application proposes a first floor rear extension onto the property located at 36 Jardine Place, Bathgate.</p> <p>The proposed first floor extension is to be erected above the existing family and dining room. The first floor extension is to measure 7.549m x 5.069m and is to be 6.275m in overall height from ground level to the ridgeline of the proposed hipped roof. The extension will feature high level windows on a side elevation and two julliette balconies on the rear elevation.</p> <p>The materials proposed for the works are to match those of the existing property.</p> <p>The proposed openings will significantly overlook the rear gardens of the neighbouring properties to each side of the applicant's property. In addition, the first floor extension will appear as overbearing from the neighbouring property, specifically to the east of the site.</p> <p>The House Extension and Alteration Design Guidelines state that extensions "should be of a scale that does not dominate the existing property or your neighbours' houses" and that "two storey rear extensions can cause overlooking problems". As a result, particular attention should be paid to issues of privacy and overlooking.</p> <p>This proposal is therefore contrary to West Lothian Local Development Plan's DES 1 (Design Principles) Policy 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.</p>			

Ref. No.:	0822/LBC/22	Recommendation:	Grant Listed Building Consent
Proposal:	Listed building consent for stone cleaning of listed building		
Address:	Williamsraig House, Linlithgow, West Lothian, EH49 6QF(Grid Ref: 298598,675375)		
Applicant:	Mr David Barnes	Type:	Other
Ward:	Linlithgow	Case Officer:	Lucy Hoad
<u>Summary of Representations</u> One representation has been received. The AHSS object on grounds of potential damage to stonework			
<u>Officers report</u> Williamsraig House is a category B Listed Building, set in a rural location within a Special Landscape Area (Bathgate Hills). The application seeks consent for the cleaning of the exterior stonework of the building. An objection has been received from the AHSS who seek for the patina of the stonework to be preserved. Their concerns include the use of the doff method of cleaning with steam temperature/pressure potentially damaging the stonework. HES were consulted but did not comment on the application advising that consideration be given to national and local policy in respect of listed buildings. Policy advises that cleaning of stonework may harm the building and that care be taken in any cleaning of a building. Only not cleaning would avoid any risk. The applicant was advised of HES advice and requested to confirm the steps proposed to mitigate/reduce any risk of damage in respect of cleaning of the exterior. The agent has set out the steps to be taken to ensure that a sensitive and proportion approach be taken to include use of specialist advice from conservation architects and stone masons with a full survey of the building to be undertaken and patch testing. The exterior comprises sandstone which displays the effects of green algae which may keep the building moist. Given that the applicant seeks to pursue the option for cleaning the building with the intention of taking due care and diligence during works to mitigate risks arising as works progress, it would be reasonable to recommended that the application for stone cleaning of the exterior be approved			

in this particular instance. A survey report by the stone specialist shall require to be submitted for the review of the Planning Authority prior to any works.

Provided the works are carried out with care the development should not have an adverse impact on the special architectural quality or historical significance of the building and will therefore comply with Policy ENV28 (Listed Buildings) of the West Lothian Local Development Plan. Approval of LB Consent is recommended.

Proposed Enforcement Actions – 14/10/2022

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0305/20	Mr Gary Corbett	11 Main Street Livingston Village Livingston West Lothian EH54 7AF Breach of condition 3 & 4 of 0670/FUL/19 and unauthorised painting of front door	Livingston Village	TNA	<p>It is not in the public interest to take formal enforcement action in respect of the breach of condition 3 (fence colour and hedging), as the fence has now weathered and surrounding landscaping partly screens the fence.</p> <p>It is not in the public interest to take formal enforcement action in respect of the repainting of the front door (as a breach of condition 4, requiring the submission of any changes) as it is acceptable and in keeping with the character of other properties in the residential area.</p> <p>No further action will be taken on this case.</p>

Proposed Enforcement Actions – 14/10/2022

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0080/21	Donald And Laura Whitelaw	21 Heatherwood Seafield Bathgate West Lothian EH47 7BX Increased height on fence	Whitburn & Blackburn	TNA	<p>1 We have written to the owner on several occasions requesting them to reduce the fence panels to a maximum of 2m high to comply with the householder permitted development rights set out in planning legislation. We have received no response from the owners to the request to reduce the fence panels.</p> <p>The fence panels are a minor breach of planning control and it would not be in the public interest to take formal enforcement action.</p> <p>No further action will be taken on this case.</p>
ENF/0400/21	Mr Laurence Robertson	17 Beechbank Crescent East Calder Livingston West Lothian EH53 0DX	East Livingston & East Calder	TNA	<p>1. We have written to the owner requesting the wooden panels to be removed.</p> <p>There is an ongoing issue with Environmental Health with regards to light pollution.</p> <p>The fence panels would not be in the public interest to take formal enforcement action.</p> <p>No further action will be taken on this case.</p>