

Development Management

List of Delegated Decisions - 11th November 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.:	0755/P/22	Recommendation:	Refuse Planning Permission in Principle
Proposal:	Planning permission in principle for conversion of retail unit to 2 houses, demolition of outbuildings to rear and residential development		
Address:	87 South Street, Armadale, West Lothian, EH48 3EU, (Grid Ref: 293792,668342)		
Applicant:	Mr A Hopper	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Kirsty Hope

Summary of Representations

No representations were received.

Officers report

This application is for permission in principle for the conversion of existing retail unit to 2 houses as well as the demolition of outbuildings to rear and replacement with new housing. The application site is located within the settlement boundary and town centre of Armadale.

The conversion of the retail unit to houses is appropriate for this location, subject to suitable off-street parking being achieved.

The principle of new housing at the rear of the site is appropriate but access is an issue. The proposed access is an existing access which is located on a corner bend in the road that is not considered suitable. WLC Roads & Transportation has concerns in relation to additional traffic on this unadopted road which is adjacent to St Anthony's RC Primary School.

Whilst there are no indicative plans provided (although requested), it has not been demonstrated that there would be sufficient amenity space and that there would be sufficient privacy distances achievable from the new converted houses, contrary to LDP policies DES1 (Design Principles) and HOU 3 (Infill/Windfall Housing Development within Settlements).

A phase 1 Site Investigation report has not been submitted, contrary to policy EMG6 (Vacant, Derelict and Contaminated Land).

The Coal Authority has objected given there is no coal mining risk assessment submitted and the site falls within a high-risk referral area.

The proposal is therefore recommended for refusal.

Ref. No.:	0824/FUL/22	Recommendation:	Refuse Permission Agenda Item 8
Proposal:	Erection of a house with garage		
Address:	Reid Lodge Combfoot, Mid Calder, West Lothian, EH53 0AJ, (Grid Ref: 307179,667472)		
Applicant:	Mr Kenath Davis	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Alexander Calderwood

Summary of Representations

No representations have been received for this application.

Officers report

This application seeks planning permission for the erection of a house with garage on a site outside the settlement envelope of Mid Calder and within the conservation area. The site is partly within the curtilage of the existing house and partly open space/woodland owned by the council, which falls away steeply towards the River Almond. The woodland is covered by a TPO.

Although part of the site is within existing curtilage, the proposal would result in a significant unjustified incursion into the countryside and the woodland and would inevitably result in the loss of trees. No tree survey or ecological survey has been provided. The application is therefore contrary to policies ENV 2 (Housing Development in the Countryside), policy ENV 9 (Woodland, Forestry, Trees and Hedgerows), Policy ENV 21 (Protection of Formal and Informal Open Space) and the council's planning guidance and Planning and Nature.

The design of the proposed house is inappropriate for its location within the conservation area and does not respect the character of the surrounding area, in particular the house immediately adjacent. In addition to the scale and massing being unacceptable, the build to plot ratio is too high and there is insufficient amenity space provided. It has not been designed to fit the site or the significant change in levels, with a significant area of decking required, and would have the appearance of having been crammed in. The application is therefore contrary to policy DES 1 (Design Principles), Policy ENV 24 (Conservation Areas) and the council's supplementary guidance Residential Development Guide.

No site investigation report has been provided to demonstrate that the site is free from contamination and the proposal is therefore contrary to Policy EMG 6 (Vacant, Derelict and Contaminated Land). In addition to this missing information, the proposed elevations which have been provided do not appear to be correct in relation to the site levels. There is no ecology information or tree information provided. The land ownership certificate is incorrect.

The application is contrary to the development plan and other relevant guidance and cannot be supported.

Ref. No.:	0881/A/22	Recommendation:	Refuse Advertisement Consent Agenda Item 8
Proposal:	Display of 1 illuminated digital advertising display with static images that change no more than once every 10 seconds		
Address:	Land To East Of 133 Glasgow Road, Bathgate, West Lothian, EH48 2QN, (Grid Ref: 305280,667171)		
Applicant:	Wildstone Securities Ltd	Type:	Other
Ward:	Bathgate	Case Officer:	Rachael Lyall

Summary of Representations

N/A

Officers report

This application proposes the installation of an illuminated digital advertising display at Glasgow Road, Bathgate. It would be located at the western end of Glasgow Road, in a prominent gateway position on this key transport route in and out of Bathgate. It would also be immediately opposite residential properties.

The digital display will replace an existing illuminated poster hoarding. The existing poster hoarding is 6m wide and 3m high and sits approximately 1.2m above ground level. The digital display is of a similar size, having a display size of 6m wide and 2.85m high, but will be positioned higher off the ground, being 1.8m above ground level. It will be located at a slightly different angle compared to the existing poster hoarding and will show static advertisements that change no more than once every 10 seconds.

Although the digital display will replace an existing poster hoarding, it is considered the change to a digital display is a significant material change of character of advertisement. By virtue of its position, height, size and method internal illumination, the digital display would appear unduly dominant, visually intrusive and be a discordant feature in the local streetscape. It is considered the digital display would have an unacceptable detrimental impact on the visual amenity of the streetscape, on the amenity of adjacent residential properties and on the visual amenity of this key transport route in and out of Bathgate.

The proposal is thus contrary to policies DES 1 (Design Principles) and TRAN 4 (Advertisements within Key Transport Corridors) of the West Lothian Local Development Plan 2018.

It is recommended that advertisement consent be refused.

Ref. No.:	0912/H/22	Recommendation:	Grant Planning Permission Agenda Item 8
Proposal:	Installation of replacement windows		
Address:	20 Royal Terrace, Linlithgow, West Lothian, EH49 6HQ, (Grid Ref: 299842,676912)		
Applicant:	Mrs M Little	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Rachael Lyall

Summary of Representations

1 objection comment received -

- Proposed windows not traditional in style,
- Condition of existing windows unknown,
- No dimensions for proposed astragals.

Planning response -

- Windows are considered to be similar in appearance to the existing windows,
- The proposed windows will feature 25mm cottage bars.

Officers report

This application proposes replacement windows at 20 Royal Terrace, Linlithgow.

The property is located within a conservation area and is a category C listed building.

The existing windows are white timber sash-and-case windows. The works propose to replace these windows with white timber sash-and-case window with 25mm cottage bars. The replacement windows are of a similar size, design and finish to the existing windows.

The replacement windows will not significantly impact or alter the appearance of the existing property and will not be detrimental to the visual amenity.

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles), ENV 24 (Conservation Areas) 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 planning permission.

Ref. No.:	0913/LBC/22	Recommendation:	Grant Listed Building Consent <small>Agenda Item 8</small>
Proposal:	Listed building consent for the installation of replacement windows and secondary glazing		
Address:	20 Royal Terrace, Linlithgow, West Lothian, EH49 6HQ, (Grid Ref: 299842,676912)		
Applicant:	Mrs M Little	Type:	Other
Ward:	Linlithgow	Case Officer:	Rachael Lyall

Summary of Representations

1 objection comment recieved -

- Proposed windows not traditional in style,
- Condition of existing windows unknown,
- No dimensions for proposed astragals.

Planning response -

- Windows are considered to be similar in appearance to the existing windows,
- The proposed windows will feature 25mm cottage bars.

Officers report

This application proposes replacement windows at 20 Royal Terrace, Linlithgow.

The property is located within a conservation area and is a category C listed building.

The existing windows are white timber sash-and-case windows. The works propose to replace these windows with white timber sash-and-case window with 25mm cottage bars. The replacement windows are of a similar size, design and finish to the existing windows.

The replacement windows will not significantly impact or alter the appearance of the existing property and will not be detrimental to the visual amenity.

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles), ENV 24 (Conservation Areas) 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.



Development Management

List of Delegated Decisions - 18th November 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.:	0741/A/22	Recommendation:	Refuse Advertisement Consent
Proposal:	Display of 3 non-illuminated building mounted signs (in retrospect)		
Address:	Former Room at The Top, Menzies Road, Bathgate, EH48 1TQ, (Grid Ref: 305280,667171)		
Applicant:	The Hub (Bathgate) Ltd	Type:	Other
Ward:	Bathgate	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>The application seeks advertisement consent for the display of 3 non-illuminated vinyl signs at Menzies Road Bathgate (formerly Room at the Top). The business is a soft play/adventure play arena. The works have been undertaken and the application is retrospective.</p> <p>The signage comprises:</p> <p>Front elevation</p> <p>A sign above main entrance door way (4000 x 900mm) stating Laser Tag Arena. A larger square sign (4000 x 4000mm) above the smaller signage stating name Yoyo and details of services. A third sign is to the side elevation of the unit. That sign (1220 x 2440mm) states Lazer Tag Arena with phone number and details of services.</p> <p>Under the terms of the Advertisement Regulations the considerations that are to be taken into account are the potential impact on the amenity, of the building and wider area, and public safety.</p>			

Roads & Transportation has no objection to the proposals. The council's Town Centre Manager raised an objection to part of the signage (larger sign to front of unit).

The agent was asked to revise the proposals to remove the larger square sign and replace with a smaller sign. No revised plans have been submitted.

The smaller sign immediately above the building entrance is visually acceptable. The larger sign at the building entrance and the sign on the rear side elevation of the building are, taking into account the context of the site and surrounding buildings, visually inappropriate and create visual clutter and excessive for what is required to advertise the business.

In conclusion, whilst the proposal raises no concerns in respect of road or public safety, the large sign on front elevation and small sign on rear side elevation are not suitable within the context of the surrounding area and are contrary to LDP policy DES1 (Design Principles) and the provisions of the Advertisement Regulations. The extent of the signage is excessive to advertise the business and has an unacceptable adverse impact on the visual amenity of the building and wider area and contributes to visual clutter of the streetscape.

It is recommended that the application be refused.

Ref. No.:	0833/H/22	Recommendation:	Refuse Permission
Proposal:	Erection of a triple garage		
Address:	138 Old Town, Broxburn, West Lothian, EH52 5HJ (Grid Ref: 308662,672056)		
Applicant:	Mr Niyi Oludipe	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Anna McCabe
<u>Summary of Representations</u> 5 objections - shared land - takes up possible parking for residents - loss of light and privacy - noise and no noise screening - materials - mature garden has been removed prior to application, loss of green space - one bedroom flat with triple garage may lead to business venture - no vehicle access to proposed garage, small access			
<u>Officers report</u> 138 Old Town is a one-bedroom flat that sits in Broxburn and is constructed of blond stone and a traditional slate roof. The applicant seeks consent to erect a three-car garage at the rear (south) of the property on shared land between all occupants within the flats. The garage is to be 9.2m x 5.2m. The proposed garage is to be constructed of render on top of the concrete block walls, and corrugated steel profiled roofing. The doors are to be steel up and over garage doors. The materials do not compliment the surroundings and the metallic finish may cause a reverberation of sound, though not sufficient to cause amenity issues. The front of the proposed development sits right on the boundary of the site which overlooks the neighbouring property's garden. As the proposed development is not a habitable room and hosts no windows there is no concerns of overlooking. The height of the garage is to be 3.1m which, due to its orientation and height, causes no issues for overshadowing.			

As the development is to be at the rear of the property there is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design or external materials. The development does not negatively impact on the garden space, as it is currently a muddy area.

Access to the proposed garage is, however, an issue as the land in front is shared with all the residents who park in this area when there is no street parking available. The garage would increase the number of cars going in and out of the narrow access to the rear of the property and reduce the space for other residents to park on the shared land, leading to congestion and on street parking. This will adversely impact the local amenities.

This proposal is contrary to Policy DES 1 (Design Principles) of the West Lothian Local Development Plan and to the guidance in the council's House Extension and Alteration Design Guide.

It is recommended that this application is refused.

Ref. No.:	0915/LBC/22	Recommendation:	Grant Listed Building Consent
Proposal:	External and internal alterations to house. (Amendment to 0514/LBC/21)		
Address:	Hillhouse, 8 High Brae, Torphichen, West Lothian, EH48 4LX (Grid Ref: 296744,672300)		
Applicant:	Ms Hanna Didcock	Type:	Local Application
Ward:	Armada & Blackridge	Case Officer:	Rachael Lyall

Summary of Representations

- 1 objection comment received -
- Insufficient information regarding the staircase and fireplace,
 - Blocking of fireplace,
 - Details of new staircases,
 - Insufficient information regarding new window opening to rear.

Officers report

This application proposes internal alterations to the property located at 8 High Brae, Torphichen.

The works are an amendment to a previous application (0514/LBC/21) which was granted planning permission for the removal of cement render, replacement coal bunker, replacement slate roof and windows and installation of roof lights.

The proposal looks to install a log burning stove within the living room, remove an internal staircase, install a window opening to the rear, and internally altering the ground and first floor bathrooms.

There is sufficient submitted information to determine that the amended proposals remain acceptable and will not be detrimental to the character of the listed building.

The proposals comply with Policy DES 1 (Design Principles) and Policy ENV28 (Listed Buildings) of the West Lothian Local Development Plan and the listed building guidance and legislation.

It is recommended that LBC is granted.

Ref. No.:	0932/FUL/22	Recommendation:	Refuse Permission
Proposal:	Change of use from vehicle storage (class 6) to vehicle sales (sui generis), erection of boundary fencing and siting of portable office building		
Address:	8F Murraysgate Industrial Estate, Whitburn, West Lothian, EH47 0LE (Grid Ref: 293846,664945)		
Applicant:	Mr M Afsal	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope
<u>Summary of Representations</u> Two representations were received: <ul style="list-style-type: none"> - Impact on privacy - Increased noise (7days) and pollution - Emergency services have struggled in past to park - Residential amenity concerns 			
<u>Officers report</u> Permission is sought for the proposed use of the site as a vehicles sales area and erection of a boundary fence with double gated access and the siting of a portable cabin that is already in situ. The application site is located within an area of open space within the Murraysgate Industrial Estate and is located adjacent to housing. The proposals include the formation of a hard surface for the selling of vehicles and a sales office portable cabin. There are no details of lighting on the plans although it is envisaged that this would be required if they wish to operate between the hours of 9am until 5pm Monday to Saturday. WLC Environmental Health has raised concerns in regards to the lack of detail. The proposed nature of the business and close proximity for vehicles sales would have a significant detrimental impact on the amenity of the neighbouring residential properties. There would be potential for vehicles idling, doors/bonnets and boots being opened and closed during the operational hours as well as gathering of people and associated noise within very close proximity to the neighbouring gardens and houses. This strip of land is part of a wider area of open space that creates a buffer between the industrial units and the adjacent housing. By removing this area of land, it would not be in the best interests of the residents directly adjacent and would set a precedent for other in the estate to follow suit. The proposed development is therefore contrary to the West Lothian Local Development Plan policies DES 1 (Design Principles), EMP 1 (Safeguarding and developing existing employment Land) and ENV 21 Protection of Formal and Informal Open Space). As such, it is recommended that the application for planning permission be refused.			

Ref. No.:	0934/H/22	Recommendation:	Refuse Permission
Proposal:	Erection of front boundary railings with vehicular and pedestrian gates		
Address:	Williamsraig House, Linlithgow, West Lothian, EH49 6QF (Grid Ref: 298598,675375)		
Applicant:	Mr David Barnes	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>Williamsraig House is a category B Listed Building set in a rural location within a Special Landscape Area (Bathgate Hills).</p> <p>The application seeks planning consent for the erection of a boundary fence and pedestrian and vehicular access gates to the front of the building. The agent has confirmed that the works will not be connected to the listed structure/building in any way. The application is accompanied by detailed plans and design statement.</p> <p>0628/H/22 Application for erection of boundary wall was withdrawn by applicant in September 2022. 0822/LBC/22 Approval was granted for the cleaning of the stone exterior of listed building in November 2022.</p> <p>The key considerations are the impact on the setting of the listed building and road safety. The applicant has chosen to submit revised plans taking a different approach to the enclosure. Previously they had proposed solid walling whereas now it is now intended to erect a metal fence atop a low wall with provision of access gates for pedestrian and car.</p> <p>In considering whether to grant planning consent, the planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.</p> <p>The setting is regarded as the surroundings in which a heritage asset is experienced. The view of the principle elevation of Williamsraig House is taken from the grassed area and road immediately to the front of the building. This uninterrupted view is significant in terms of the contribution it makes to the historic significance of the building and its appreciation.</p> <p>The prime concern is that the public view in to the principle elevation of the building is preserved and accessible - this is the best view of the property. The introduction of the proposed fence line in front of the house (albeit at an angle) will prevent the front/north elevation</p>			

being seen as intended by the architect, with the permanent positioning of the modern structure interrupting the public view. The uninterrupted connection from the property to the view out from the listed building is also lost.

Whilst it is appreciated that a narrow road has been laid down in front of the house, this lies at ground level and thus does not interfere with the line of sight from the grassed area lying to the front of the property back to the house. There is an impact stemming from the introduction of this access route on the setting which is unfortunate but it is a very low-level impact, whereas the introduction of any raised structure such as fence or walling will have a much greater degree of impact on the setting of the listed building as proposed in this instance.

At the time of the earlier application the Roads officer raised concerns as to traffic and road safety stemming from the siting of the boundary treatment and this view is pertinent to the revised application given that the siting of the fence line remains in the same position.

The building is of local importance both architecturally and historically. The open aspect and public views in to the building would be adversely impacted to the detriment of the setting of the listed building which contributes to significance of the historic asset and its appreciation.

This proposal is contrary to West Lothian Local Development Plan's Policies ENV28 (Listed Buildings) and DES 1 (Design Principles). It is recommended that the application be refused.

Ref. No.:	0951/H/22	Recommendation:	Grant Planning Permission
Proposal:	Installation of dormer windows		
Address:	10 Buchan Road, Broxburn, West Lothian, EH52 6JF (Grid Ref: 307283,672182)		
Applicant:	Ms S Gemmell	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Anna McCabe
<u>Summary of Representations</u>			
<p>1 objection</p> <p>-bedroom may overlook</p>			
<u>Officers report</u>			
<p>10 Buchan Road is a semi-detached three-bedroom cottage formed over two levels that sits within Broxburn and is constructed of stone and natural slate roof tiles. This development is out with the Broxburn Conservation Area</p> <p>The applicant seeks consent to introduce dormer windows to the roof to enlarge the third bedroom and introduce a bathroom and more storage on the second floor.</p> <p>The proposed dormer that will enlarge the first floor is to be 3.5m x 7.3m and extend 6.1m from ground level spanning from east to west. The material choice for the proposed development has the same render finish as the existing building, natural slate, for the flat roofs it will be dark grey EPDM with a grey trim. The windows are to be white uPVC to match the existing. The extension is over 1m away from the boundary of the neighbours' roof.</p> <p>The placement of the windows on the East elevation with overlook the curtilage of the property and the garden of the attached neighbouring property. However, is will not overlook any patios or private spaces in the grounds of 8 Buchan Road. The placement of the windows on the West elevation look onto the street and are approximately 16m from the adjacent property causing no issue for overlooking. As the height of the development does not exceed the height of the original roof, and the east - west orientation there is no issue of overshadowing the neighbours' patio or habitable rooms.</p> <p>The extension is of a scale that does not dominate the existing property or the neighbouring houses. It is subsidiary in appearance to the main house and should not detract from the appearance of the dwelling or surroundings. All along Buchan Road there are precedents for</p>			

dormer extensions, therefore, there is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity.

This proposal complies with Policy DES 1 (Design Principles) of the West Lothian Local Development Plan and the guidance in the council's House Extension and Alteration Design Guide.

It is recommended this application is approved

Ref. No.:	0953/H/22	Recommendation:	Refuse Permission
Proposal:	Formation of a driveway		
Address:	15 Merker Terrace, Linlithgow, West Lothian, EH49 6DD (Grid Ref: 299284,676680)		
Applicant:	Mr Alan McMeechan	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Anna McCabe
<u>Summary of Representations</u> 3 objections -parking is already limited -takes away yet another parking slot. -drive not long enough -an unprecedented number of driveways -very close proximity to the academy and therefore causes residents to have to park at the high school -causes congestion in the mornings for all concerned.			
<u>Officers report</u> 15 Merker Terrace is mid terrace house that sits within Linlithgow and is constructed of wet-dashed render and a grey concrete tiled roof. The development is out with the Linlithgow conservation area but within the Linlithgow Peel and Royal Park. The applicant seeks consent to drop the kerb and develop a front driveway. The proposed driveway is to be 4.7m x 3.4m and is to be constructed of concrete slabs, chipped stones. The kerb is to match that of the existing and contain pre-cast edging at the foot of the driveway as well as a dropped road kerb. WLC Roads & Transportation object to the application. The street that the development is proposed on is very crowded with street parking, making it difficult to move around in a vehicle. The introduction of a drive will remove one more car from the street and take up less space than a car would require to park on the street (approximately 4.5m). However, the proposed driveway is less than the minimum 5.5m and preferably 6m.			

This proposal is therefore contrary to Policy DES 1 (Design Principles) of the West Lothian Local Development Plan and to the guidance in the council's House Extension and Alteration Design Guide.

It is recommended that this application is refused.

Ref. No.:	0972/A/22	Recommendation:	Refuse Advertisement Consent
Proposal:	Display of 1 illuminated and 2 non-illuminated wall mounted signs (in retrospect)		
Address:	67A Whitburn Road, Bathgate, West Lothian, EH48 1HE (Grid Ref: 297203,668596)		
Applicant:	Ms Paula Merrilees	Type:	Other
Ward:	Bathgate	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
N/A			
<u>Officers report</u>			
<p>The application seeks advertisement consent for the display of illuminated and non-illuminated signage at 67A Whitburn Road Bathgate. The business is a hair dressing salon. The works have been undertaken and the application is retrospective.</p> <p>Consent for the signage was refused on 27.05.2022 under application in 0163/A/22. There have been no material changes in planning policy since that refusal.</p> <p>The signage comprises:</p> <p>Front elevation A small sign above main entrance door way (2400 x 576mm) illuminated, stating business name and small board sign to side of door (858 x 500mm) detailing opening hours. A larger rectangle sign (4983 x 1250mm) has been installed to side of door stating name and phone number with details/image of services. All signage is constructed of aluminium with acrylic lettering.</p> <p>Under the terms of the Advertisement Regulations the considerations that are to be taken into account are the potential impact on the amenity, of the building and wider area, and public safety.</p> <p>The following comments were made at the time of the earlier application and remain pertinent to the current application.</p> <p>Roads & Transportation advised at the time of the previous application that they had no objection to the proposals. The council's Town Centre Manager raised an objection to part of the signage (larger sign to side of doorway).</p>			

The signage above the door and the small sign to side of door are visually appropriate for the building. With regard to the large sign to the side of the door, taking into account the context of the site and surrounding buildings, the signage is deemed to be inappropriate and creates visual clutter and is deemed excessive for what is required to advertise the business.

In conclusion, whilst the proposal raises no concerns in respect of road or public safety, the large sign is not considered to be suitable within the context of the surrounding area and is thus contrary to LDP policy DES1 (Design Principles) and the provisions of the Advertisement Regulations. The extent of the signage is excessive to advertise the business and has an unacceptable adverse impact on the visual amenity of the building and wider area and contributes to visual clutter of the streetscape.

It is recommended that the application be refused.

Development Management

List of Delegated Decisions - 25th November 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.:	0801/FUL/22	Recommendation:	Grant Planning Permission
Proposal:	Installation of 468 sqm non-trading mezzanine within existing retail unit		
Address:	Unit 5 And 6, Falkirk Road, Linlithgow, West Lothian (Grid Ref: 299497,677044)		
Applicant:	Marks & Spencer plc	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Alexander Calderwood

Summary of Representations

1 objection from a neighbour. The objection raises concern over the impact of noise from fridge units outside and also the delivery times associated with the service area.

It should be noted that the objection does not directly relate to the proposal that is under consideration.

Officers report

This application seeks full planning permission for the installation of a 468sqm non-trading mezzanine within an existing retail unit. This application relates to Units 5 & 6 of the Stockbridge Retail Park on Falkirk Road in Linlithgow. There was a restriction limiting use of the units to non-food uses on the original permission for the full retail area, but M&S now has planning permission for food retail use at this site. This application is submitted to ensure the original restriction will not apply to this additional floorspace.

The relevant policies of the West Lothian Local Development Plan are:

- Policy DES 1 (Design Principles)
- Policy TCR 2 (Town Centres First Sequential Approach)

The applicant, M&S, requires to respond to times of peak customer demand (e.g. Christmas and New Year) by increasing storage space. The agent has advised that this is often achieved by the temporary siting of storage containers within external service yards, but this is not possible at the Stockbridge site, so a permanent, internal increase in storage space is needed.

The use of the proposed mezzanine is to be limited to non-trading storage of goods and related 'back of house' use so it will have no impact on the extent of the ground floor trading floorspace within the M&S unit. Agenda Item 8

The existing first floor space within Unit 6 extends to 250sq m and will be removed as part of the mezzanine proposal, so the net increase in floorspace within the amalgamated unit will be limited to 218sq m.

The proposed works are wholly internal and will not have any adverse impacts on the character of the surrounding retail estate. A mezzanine does already exist within the building and the additional 218sqm of floor space that will be created is acceptable. The site falls within a commercial centre and the proposal will contribute to its continued success.

The proposal accords with the terms of Policy DES 1 (Design Principles) and Policy TCR 2 (Town Centres First Sequential Approach) of the West Lothian Local Development Plan 2018. There are no other material considerations to suggest that planning permission should not be granted.

It is recommended that planning permission be granted.

Ref. No.:	0879/H/22	Recommendation:	Grant Planning Permission Agenda Item 8
Proposal:	Extension to house and alteration to dormer window		
Address:	40 Justinhaugh Drive, Linlithgow Bridge, Linlithgow, West Lothian, EH49 7QP (Grid Ref: 298687,677278)		
Applicant:	Mr Rob Sneddon	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad

Summary of Representations

One objection relating to:

- loss of sunlight and daylight to house and garden
- noise and dust stemming from construction works

Officers report

The property is a mid-terraced dwellinghouse constructed of render and tile.

The application seeks consent for a single storey extension (4.4m x 3.0m) to the rear of the dwelling. The extension will have a lean to roof and external finishes are to be brick and concrete tiles, all to match the existing. The dormer on the main elevation of the property is also to be modified to detail a gabled roof as opposed to a minor hipped design.

In terms of design, the mass and scale of the proposed extension is visually acceptable, being subservient in nature in relation to the main building, with use of appropriate materials. There is ample garden ground remaining to serve the property. The works will be visible from the public sphere to the side of the terrace but result in a suitable addition to the rear facade of the building. The alterations to the approved dormer are deemed minor in nature and visually acceptable. It is noted that there are similar extensions evident within the wider scheme.

Concerns have been raised by the neighbouring property relating to a loss of sunlight and daylight to house and garden and noise and dust stemming from construction works.

There are no issues of a loss of privacy in respect of neighbouring properties, as no windows are proposed to gable ends of the extension. Taking into account site context and orientation of the sun, there would be no significant overshadowing of neighbouring properties. Concerns over amenity arising during construction works can be addressed by a suitably worded condition which can be applied in this instance.

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.

Ref. No.:	0903/H/22	Recommendation:	Grant Planning Permission Agenda Item 8
Proposal:	Two storey extension to rear and single storey extension to side of house		
Address:	1 Woodrush Glade, Adambrae, Livingston, West Lothian, EH54 9JY (Grid Ref: 304074,665531)		
Applicant:	Mr Mohammad Arif	Type:	Local Application
Ward:	Livingston South	Case Officer:	Lucy Hoad

Summary of Representations

10 objections have been received from surrounding residents. The grounds of objection are:

- design,
- overdevelopment of plot
- accuracy of plans,
- loss of privacy/amenity from overlooking.

Officers report

The property is a modern detached dwelling house situated within a residential scheme in the Adambrae area of Livingston. The house plot sits in a prominent position as you enter the street (cul-de sac). The front area of the dwelling is short/open in nature whilst the rear garden is bounded by timber fencing. The land slopes down from the rear garden to the public road at the front.

The application seeks consent to extend the property to the side and rear elevations in order to provide additional and expanded living accommodation.

It is intended to provide a 2-storey addition centred on the rear façade (south) to provide a ground floor kitchen and family room with a master bedroom at upper floor level. The external finishes are to be render and tile to match the existing house. The plans have been amended to lower the roof ridgeline to match that of the main roof.

To the east side of the dwelling, a single storey addition for provision of a utility room will extend out to adjoin the existing garage. The external finishes are to be render and tile to match the existing house.

In terms of design, the mass and scale of the proposed additions are visually acceptable, without overloading the building. The materials can be conditioned to ensure a quality standard in keeping with the property. There is ample garden ground remaining to serve the dwelling house and the works are not regarded as being overdevelopment of the plot.

The rear extension will be partially visible at an angle from the public road to the front and from higher residential properties situated to the rear of the house. The existing garage provides an element of screening to the rear addition. Overall, the proposals are visually acceptable, without having a detrimental impact on the wider street scene.

The land and houses to the rear of the property are raised above the application site. The applicant has provided an amended site plan detailing distances to neighbouring properties to the rear as over 18m in terms of window to window distances. The works therefore comply with council standards and do not raise any issues of privacy. No windows are now proposed to the gables of the 2-storey addition. There is an existing degree of mutual overlooking of neighbouring properties in the vicinity and the proposals do not exacerbate the current situation to a degree that would warrant refusal of the application.

Concerns have been raised relating to a loss of sunlight and daylight to houses and garden areas. Taking into account site context and orientation of the sun, there would be no significant overshadowing of neighbouring properties.

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 subject to a condition to ensure materials are to match the existing property.

Development Management

List of Delegated Decisions - 2nd December 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.:	0361/FUL/22	Recommendation:	Refuse Permission
Proposal:	Application under section 42 to vary to planning permission 1227/FUL/07 to alter the approved house types and remove the acoustic fence		
Address:	174 Uphall Station Road, Pumpherston, West Lothian, EH53 0PD, (Grid Ref: 306561,669619)		
Applicant:	Mr W Ness	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Alexander Calderwood

Summary of Representations

3 objections were received in relation to this application. The nature of the objections are as follows:

- The acoustic fencing should remain. The reason it was installed in the first place was to protect the residential amenity of the new build housing project from the noise generated by the adjacent bus depot.
- The acoustic fence will ensure a level of privacy for the new build housing project.

Officers report

This application seeks planning permission to vary planning permission 1227/FUL/07 to alter the approved house types and remove an acoustic fence.

The site adjacent to the application site is currently used as a bus depot by E & M Horsburgh bus company. Environmental Health (EH) were consulted on the application and objects. EH note the acoustic fence was required following a noise impact assessment to protect future residents from potential noise exposure should the neighbouring property use their consented permission to operate buses from the property. Therefore, there is no justification for the removal of the acoustic fence.

Removal of the acoustic fence from the development would be unacceptable. The proposal does not comply with policies DES 1 (Design Principles) or EMG 5 (Noise) of the West Lothian Local Development Plan 2018.

It is therefore recommended permission be refused.

Ref. No.:	0766/FUL/22	Recommendation:	Grant Planning Permission Agenda Item 8
Proposal:	Upgrade of West Calder to Harburn Right of Way LW044 & LW045 including partial realignment and fencing		
Address:	Right Of Way From West Calder To Harburn, West Muir Road, West Calder To U40 West Torphin To Turniemoon, West Lothian, , (Grid Ref: 305280,667171)		
Applicant:	Allan McLaughlan West Calder and Harburn Community Council	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Kirsty Hope

Summary of Representations

- Ten objections were received:-
- Proposal would alienate members of the community and have no benefit
- Attract antisocial behaviours/crime and motorbikes/off road vehicles to use this pathway
- Field often floods
- Impact on local area due to increase footfall with noise and increased littering
- Loss of privacy for residents
- Drawings inaccurate with footpath width not shown or fences
- 6ft fence would be an eyesore
- Waste of Money
- Other footpath upgrades would be more appropriate.
- Impact on wildlife and biodiversity of area
- Road safety concerns as B7008 has no footpath and multiple blind spots with increase to accidents.
- Proposal is not supported by community.
- Proposal is not an upgrade but a new pathway created
- Impact on trees needing to be felled not trimmed (bat/bird impact)
- Very few people use the current right of way
- Not fitting with surroundings and spoil countryside.
- No ecological assessment
- Route should be circular to avoid roads

One letter of support received:-

- This upgrade would provide a welcome functional and recreational footpath to the benefit of local residents and others wishing to walk in the West Lothian countryside.

Officers report

This application is for the upgrade of the right of way from West Calder to Harburn (LW044 & LW045) which includes the partial realignment of the

footpath as well as post and wire fencing. The right of way is located within the countryside. Amended plans were submitted to remove a section of 6ft timber screen fencing along the boundary with neighbouring house.

Policy DES 1 (Design Principles) advises that all development proposals will require to take account of and be integrated with the local context and built form. The upgrading of the existing right of way and realignment would encourage local residents or visitors to the area to walk along a footpath that would enhance the local area and make the route more accessible for all. This proposal would also encourage active travel.

Policy ENV 3 (Other Development in the Countryside) states that development will be permitted where development is for countryside recreation use. The proposed footpath is an acceptable form of development within the countryside location. The proposed stock fence details shall be conditioned to provide details of the height and materials/finish.

It is therefore recommended to grant planning permission.

Ref. No.:	0895/P/22	Recommendation:	Refuse Planning Permission in Principle <small>Agenda Item 8</small>
Proposal:	Planning permission in principle for residential development including replacement farmhouse and conversion of existing steading buildings		
Address:	Broompark Farm, Broompark, Torphichen, West Lothian, EH48 4NL (Grid Ref: 296200,672049)		
Applicant:	Mr W F Wylie	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Kirsty Hope

Summary of Representations

One letter of objection received:
- Why did the agent not notify neighbouring residents?

Officers report

This application is for planning permission in principle for residential development including replacement farmhouse and conversion of existing steading buildings. The existing farmhouse and steading buildings are located within the settlement boundary of Torphichen whilst the area for the new replacement farmhouse and two new farm buildings would be out with the settlement envelope and within the countryside.

Policy ENV 2 (Housing Development in the Countryside) sets out criteria whereby housing in the countryside would be accepted. The new farmhouse location would not meet the criteria of policy ENV 2.

With regard to the conversion of the farm steadings, it has not been demonstrated that these buildings are capable of conversion as no structural report has been submitted. Whilst these buildings are mostly intact on site, it is considered they have limited historic and architectural merit. No justification has been given for the two new houses on the site.

The proposal is therefore contrary to policy ENV2.

It is not clear from the plans provided where the access to the premises would be from. Both roads that lead to this site are single track and neighbouring properties have objected to using one of the access routes. It is also unclear if the existing farm house will remain on site.

No site investigation phase 1 report has been submitted, contrary to policy EMG 6 (Vacant, Derelict and Contaminated Land).

No drainage assessment was submitted, contrary to policy EMG 3 (Sustainable Drainage).

No ecology information was submitted contrary to policy ENV 20 (Species Protection and Enhancement). WLC Ecology and Biodiversity has requested a visual inspection be carried out for bat roosts prior to replacing the farm house.

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

Ref. No.:	0898/FUL/22	Recommendation:	Grant Planning Permission Agenda Item 8
Proposal:	Change of use of garage/studio to allow short term holiday lets		
Address:	Elderslie, 6 Parkhead Road, Linlithgow, West Lothian, EH49 7BS (Grid Ref: 299615,677571)		
Applicant:	Mrs Ishbel Campbell	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Alexander Calderwood

Summary of Representations

1 objection has been received for this application:

- The change of use would have an adverse impact on local amenity and the character of the neighbourhood.
- The access to the site is a single track road. There is a blind summit just before arriving at the site. The increase in visitors to the site will increase the risk to pedestrians along the road.
- Parkhead Road is a private road where maintenance is shared by the property owners equally. The proposal would create unfairness because of the disproportionate use of the road by the applicant.
- The applicant has previously let out the building without planning consent.

Officers report

This application seeks planning permission for the change of use of a garage/studio to allow short term holiday lets. The application relates to a building within the curtilage of 6 Parkhead Road, Linlithgow.

West Lothian Local Development Plan 2018 (Relevant Policy)

- Policy DES 1 (Design Principles)
- Policy EMP 7 (Tourism)

The garage/studio was consented under application 0845/FUL/19 and is a new, modern building. It has a garage space at ground floor level and living accommodation at first floor level, which includes a shower/wc, kitchen area and space for one double bed. It is 4.8 metres by 9.2 metres and the ridge height is 6.1 metres. It is accepted within the context of the surrounding area.

Both Transportation and Environmental Health were consulted on the application and confirmed no objection to the proposal. It is considered that parking provision and access to the site is acceptable and that there are no noise concerns. It is recognised that the site is located within a residential area and that there are dwellings immediately to the east and west. It is considered that any consent should be time limited to allow for the monitoring of impacts on residential amenity.

Additionally, conditions would be attached to any consent to ensure the premises is not used as permanent residential accommodation.

The proposal is considered to comply with policy DES 1 and EMP7.

It is therefore recommended permission be granted.

Ref. No.:	0941/MSC/22	Recommendation:	Refuse Matters Specified in Conditions <small>Agenda Item 8</small>
Proposal:	Approval of matters specified in conditions of planning permission 0101/P/17 for the erection of 2 houses		
Address:	Land To South East Of Oaklands,Bridgehouse, Westfield, BATHGATE, EH48 3DQ (Grid Ref: 305280,667171)		
Applicant:	Mr & Mrs J Johnston	Type:	Other
Ward:	Armadale & Blackridge	Case Officer:	Kirsty Hope

Summary of Representations

One letter of objection was received:

- Concerns regarding the existing trees along the boundary line.
- Tree mapping should be carried out.
- Shallow rooted conifers and disturbance may cause damage to neighbouring residents,
- Request a 1.8m high fence along the full length of the site set in 1m from the boundary fence for privacy

Officers report

This application is for the approval of matters specified in conditions of planning permission LIVE/0101/P/17 for the erection of 2 houses and detached garages. The site is located linear in shape and has been cleared with two storage containers and secured by temporary fencing along the roadside. Access to both properties would be provided directly from the adjacent roadside. This application site is located in the countryside.

The application site has mature trees on it and there are also trees on the boundary of the site, however no details of these trees have been provided within the plans nor has a tree report including tree protection measures been submitted. No landscape plan has been submitted in accordance with condition 2c and 2d of the permission in principle.

No details of existing and proposed ground levels were submitted in relation to condition 2e of the permission in principle.

No drainage assessment or flood risk assessment was submitted with the application in relation to condition 2f and 2h of the permission in principle

No phase 1 site investigation report was submitted in relation to condition 2g of the permission in principle.

No boundary details have been provided.

WLC Roads and Transportation has advised there is no details of a 2m adoptable footway in relation to condition 2(i) of the permission in principle.

Plot 1 and 2 has the proposed garage(s) within close proximity to the boundary and it is unclear from the plans of the impact on trees.

Plot 2 footprint appears to be over bearing for the linear shape of the site, it also wouldn't face onto the roadside which would be unusual for the

surrounding area.

The existing trees on the western boundary would impact the property's by overshadowing the properties and restrict natural daylight. No overshadowing calculations were provided by the applicant. It is therefore not been demonstrated that these proposed houses would have a good level of residential amenity.

It is therefore recommended that this application is refused.

Ref. No.:	0954/FUL/22	Recommendation:	Refuse Permission Agenda Item 8
Proposal:	Change of use of shop (Class 1) to a house (Class 9)		
Address:	111 Uphall Station Road, Pumpherston, Livingston, West Lothian, EH53 0NU (Grid Ref: 306657,669379)		
Applicant:	Mr George Johnston G Johnston Plans and Building Design	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Alexander Calderwood

Summary of Representations

No representations were received in relation to this application.

Officers report

This application seeks full planning permission for the change of use of a shop (Class 1) to a house (Class 9). The similar proposal was previously submitted under application 0931/FUL/21 and was refused on 29.10.2021. The application was referred to the council's Local Review Body and the review was dismissed.

West Lothian Local Development Plan 2018 (Relevant Policy)

Policy DES 1 (Design Principles)

Policy HOU 3 (Infill/Windfall Housing Development within Settlements)

The Supplementary Guidance 'Residential Development Guide' states that:

- Residential development must be sympathetic to the locality of a given site, and contribute to the streetscape and creation of places.
- Adequate space in and around new houses and flats is important to protect the amenity and well-being of the occupants.

The building concerned is to the rear of a retail unit at 111 Uphall Station Road. The shop is comprised of two rooms, the shop floor to the front and a store room to the rear. The applicant proposes to convert the ground floor store room into a house. This would be out of context with the area, which hosts traditional flatted development along Harrysmuir Street and flats above shops along Uphall Station Road.

The original proposals (refused under 0931/FUL/21) detailed the main entrance as being on the north elevation and windows looking out onto the plant equipment associated with the shop to the north. Additionally, the west elevation was to have two windows looking out onto the neighbouring residence to the west. This was unacceptable in terms of outlook and privacy.

The current proposals now detail the main entrance to the dwelling being on the west elevation where there is a distance of 1.1 metres between the elevation and the neighbouring boundary. A window remains on the northern elevation overlooking the plant equipment, and there are now no windows in either the bedroom or w/c. The outlook of a dwelling relates to the environment in which it is located as well as the views that it has out into the surrounding area. The proposal remains unacceptable in terms of outlook and standard of amenity.

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Additionally, the house will have no private garden ground and limited space in and around the proposed curtilage, meaning that the residential environment will be particularly poor. The area of the unit to be converted is suitable as a store room but not for residential use. The proposal does not comply with policies DES 1, HOU3 or the Residential Development Guide.

It is therefore recommended permission be refused.

Ref. No.:	1016/FUL/22	Recommendation:	Refuse Permission Agenda Item 8
Proposal:	Erection of a house with a garage		
Address:	Land To East Of 10 Barns Court, East Whitburn, Bathgate, West Lothian, EH47 8ET (Grid Ref: 296011,665046)		
Applicant:	Mr J Hamilton	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope

Summary of Representations

No representations received.

Officers report

This application is for the erection of a single storey house with attached double garage to be located at land to the east of number 10 Barns Court. The proposed house would have three bedrooms and a driveway access from Barns Court. The application site is located within an established woodland area within the settlement boundary of East Whitburn.

Policy DES 1 (Design Principles) advises that all development proposals will require to take account of and be integrated with the local context and built form. The proposal would have an adverse impact on the existing streetscape in terms of layout of the existing streetscape and on visual and residential amenity.

Policy ENV 10 (Protection of Urban Woodland) advises that urban woodlands contribute to townscape, landscape, amenity, biodiversity, cultural or historic value. The loss of the trees in this area would not achieve significant and clearly defined public benefits it would be for an individual basis. No tree survey was submitted along with this application to indicate the number of trees on the site, type and how many trees would be felled. However, from the site visit it was clear there would be a significant loss of woodland.

Policy HOU 3 set out criteria where housing would be supported. The proposal would not be in keeping with the character of the settlement and local area. It is noted that the site is not identified for an alternative use in the LDP. The application site does form an area of woodland. Whilst the housing use would be compatible with surrounding uses, there would be an adverse impact on the character of the local area and a satisfactory residential environment can be achieved.

It is therefore recommended that the application is refused planning permission.