



Development Management

List of Delegated Decisions - 10th March 2023

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.:	0964/FUL/22	Recommendation:	Grant Planning Permission
Proposal:	Amendment to approved layout for planning permission 0636/FUL/19 (erection of 27 retirement lodges) and erection of a dwellinghouse for site manager		
Address:	11B Humbie Holdings, Kirknewton, West Lothian,, , , (Grid Ref: 305280,667171)		
Applicant:	Mr Jacob Hendry	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Mahlon Fautua

Summary of Representations

Two Objections
 -traffic capacity
 -original consent has not been built out
 -tipping/landfill

Officers report

The application amends the current planning permission ref 0636/FUL/19 for the erection of 27 retirement lodges at No 11B Humbie Holdings, near Kirknewton. The amended development now includes a manager's house. The proposed house is a single storey 3-bed house includes office and utility rooms. The house will be located to the north eastern corner of the site. Some minor changes are proposed to the consented layout.

It is noted that retirement lodges is under construction with some plots nearing completion and occupation.

Any visual impact would not be significant in the context of the consented and established development

The principle of the house is accepted.

It is recommended that planning permission be granted subject to conditions and the securing of the relevant planning obligations.

Ref. No.:	1119/FUL/22	Recommendation:	Grant Planning Permission <small>Agenda Item 10</small>
Proposal:	Change of use from public house (sui generis) to cafe / restaurant (Class 3) with hot food takeaway		
Address:	271 High Street, Linlithgow, West Lothian, EH49 7EP, (Grid Ref: 299739,677042)		
Applicant:	Falconer Real Estate Ltd	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad

Summary of Representations

One objection has been received Main points for consideration include:

Waste/litter
Odour/vermin
Increase in footfall

Officers report

The property is a traditional building of stone/slate (C Listed) situated on the high street within the core area of the town centre/Conservation Area of Linlithgow. The area displays a mixture of traditional tenements and modern infill development with businesses occupying ground floor units to include shops, cafes, restaurants and offices.

The application seeks consent for a change of use of the ground floor of the building (former public house) to cafe/restaurant with take-away. The application is accompanied by a detailed planning statement, the main points detail that the unit has been vacant for a 6-month period. The restaurant will accommodate up to 20No covers. The proposed opening hours would be from 09.00-22.00 hours with no use of amplified music. There is an internal store and external store for waste storage. Consent was granted for a change of use form public house to cafe in 2011 (not implemented) under 0111/FUL/11.

The key consideration are the potential impact on the vitality of the town centre, residential amenities and the character an appearance of the Conservation Area.

Policy TCR1 and TCR2 require that new business be appropriately located taking into account the sequential test with prime requirement for town centre first and that the type of business will contribute positively to the vitality of the town centre. TCR3 requires that -
Proposals for most forms of commercial entertainment developments, including hot food shops, amusement arcades, public houses, discotheques and other licensed premises in town or village centres, or in areas of predominantly non-residential use, will be supported in principle. It must however be demonstrated that there will be no adverse impact on the amenity of adjacent residential properties, or the surrounding area generally, by virtue of noise, disturbance, litter or odours, and that parking and access requirement can be satisfied.

An objection has been received to the proposals, the main issues raised being increase in footfall, lack of waste storage, odour and vermin.

Principle

Agenda Item 10

Whilst the loss of a public house serving the community is regrettable, it is noted that there are several pubs in the local vicinity that provide a similar service. The proposal to change the use of the premises from sui generis to mixed use Class 3 (cafe) and sui generis (take away) is deemed to be acceptable in principle. The site is reasonably and appropriately located within the settlement for use as Class 3/sui generis. The application site is situated on the main thoroughfare and readily accessible by public transport. The proposal will bring back into use a vacant site on the high street. The use is appropriate for this location.

Concerns had been raised with regard to an increase in footfall to the premises and storage of waste/increase in littering. Whilst the development will generate footfall to the area, the previous use as a public house attracted visitors with a similar level of associated noise and disturbance to the area. The area is served by public transport and there are public car parks spaces in the vicinity. The Roads Transport Officer has not objected to the development.

Concerns were raised in relation to potential odour/vermin stemming from waste. The applicant advises that there is an internal store and external store for waste storage. The Environmental Health Officer who has no objection to the proposals has recommended conditions be applied with regard to equipment on the premises in order to ensure noise, vibration and odours are controlled. Application of appropriately worded conditions should ensure that residential amenity is preserved.

Due to the location of the property within the historic core of the town (medieval rigg system) the Archaeologist was consulted but advised no archaeological mitigation or works would be necessary in this instance, given the proposed works relate to the interior rather than groundworks.

Other matters

External alterations

There are no proposals to alter the exterior facades of the building. An advert for the business will be required. The applicant has advised that it is intended to utilise the existing chimney with provision of a new hood to aid circulation.

Internal alterations

There are no major alterations proposed to the structure or fabric of the building. There will be modifications to internal stud walling, The interior will be refitted to provide a modern kitchen area (canopy hood to cooking range), toilet facilities (to include baby change area) and internal seating for customers. installation of an electrostatic precipitator, insulation of the false ceiling and installation of ductwork to provide extract to existing chimney.

However, an informative is required to ensure the applicant is aware that any alterations to the interior or exterior fabric of the listed building to include the proposed chimney hood will require submission of an application for listed building consent and advertising of the business will require separate advert consent.

Conclusion

The proposal complies with policies TCR2, TCR2 and TCR3 of the West Lothian Local Development Plan in that the business will contribute to the vitality of the high street by providing a new restaurant to serve the public creating new jobs in the process. There will be adverse impact on visual or residential amenities nor the streetscape within the wider Conservation Area. It is recommended that the application for a change of use of the building is approved subject to conditions in respect of construction hours, noise, vibration and odour.

Ref. No.:	1175/H/22	Recommendation:	Grant Planning Permission <small>Agenda Item 10</small>
Proposal:	Installation of raised decking (in retrospect)		
Address:	59 Wester Bankton, Murieston, Livingston, West Lothian, EH54 9DY (Grid Ref: 306069,665491)		
Applicant:	Mr Stewart And Mrs Catherine Grant	Type:	Local Application
Ward:	Livingston South	Case Officer:	Anna McCabe

Summary of Representations

1 Objection
 -loss of privacy
 -Nailed cross members onto posts without permission

Officers report

59 Wester Bankton is a semi-detached house located in Livingston which is constructed of brown render and brown concrete roof tiles.

The applicant seeks retrospective consent to erect a raised decking.

The decking measures approximately 5.5m x 3.5m and is located to the rear (west) of the property. There are two steps that lead up to the first level of the decking and then a further two to allow access to the top level taking the height of the decking up to 550mm. The taller portion of the decking is mostly used for storage with the lower portion (200mm high) containing seating.

With the added height there is potential for overlooking the property to the west however this is minimised due to the fence. The land behind the site is also a public footpath which causes no issues.

It is recommended that this application is approved.

1 Objection
 -loss of privacy
 -Nailed cross members onto posts without permission

The proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy, National Planning Framework 4 Policies 16g and 16h House Extension & Alteration Design Guide and follows the appropriate guidance given in the Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

Ref. No.:	0104/H/23	Recommendation:	Refuse Permission	Agenda Item 10
Proposal:	Erection of garden room (in retrospect)			
Address:	60 Gordon Way,Knightsridge, Livingston, West Lothian, EH54 8JQ (Grid Ref: 304616,669412)			
Applicant:	Mr John King	Type:	Local Application	
Ward:	Livingston North	Case Officer:	Anna McCabe	

Summary of Representations

Officers report

60 Gordon Way is an end terraced house located in Livingston which is constructed of brown dashed render and brown concrete roof tiles.

The applicant seeks retrospective permission to erect a garden room.

The garden room measures 3m x 4m and sits at a height of 2.8m at its highest and is located to the rear (west) curtilage of the property. The structure sits over 1m from each of the boundary lines and has two windows and a set of bi-folding doors. The two windows are located to either side of the garden room (north and south) which overlook the occupant's curtilage and the open land to the north of the property.

The materials of this development are aluminium framed doors and windows, a single ply roof membrane with a western red cedar finish on the walls. The garden room dominating in scale that that contrasts the neighbouring properties and can be seen from the main road. Its appearance stark against the main house and detract from the appearance of the dwelling or surroundings.

There is significant impact on adjacent buildings and the streetscape in terms of scale, massing, design and amenity.

It is recommended that this application is refused.



Development Management

List of Delegated Decisions - 17th March 2023

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.:	0958/FUL/22	Recommendation:	Refuse Permission
Proposal:	Erection of a garage/workshop with upper floor office		
Address:	East Blacklaws, Longridge, Bathgate, West Lothian, EH47 8AA (Grid Ref: 296003,663473)		
Applicant:	Mr John Young	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
No representations received			
<u>Officers report</u>			
<p>This application is for the erection of a garage/workshop with upper floor office at East Blacklaws. The application site is located within the countryside, as identified in the West Lothian Local Development Plan (LDP).</p> <p>The proposal is acceptable in principle. However, repeated requests have been made for a drainage assessment including calculations or porosity testing, a satisfactory phase 2 site investigation report, including remediation strategy where necessary and NPF4 Policy 3 statement. These have not been submitted.</p> <p>In view of the lack of information, the application is contrary to the following policies: DES 1 (Design Principles), EMP 3 (Employment Development outwith Settlement Boundaries), ENV 3 (Other Development in the Countryside), EMG 3 (Sustainable Drainage) and EMG 6 (Vacant, Derelict and Contaminated Land) of the LDP. The proposal is also contrary to supplementary guidance on Flooding and Drainage and the SG on Development in the Countryside.</p>			

The proposal is also contrary to Policy 3 (Biodiversity), Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings), Policy 22 (Flood Risk and Water Management) of NPF4.

It is therefore recommended that planning permission be refused.

Ref. No.:	1163/FUL/22	Recommendation:	Grant Planning Permission
Proposal:	Change of use from hairdressers (Class 1) to a cafe (Class 3) and hot food takeaway (sui generis)(in retrospect)		
Address:	29 Uphall Station Road, Pumpherston, West Lothian, EH53 0NB (Grid Ref: 306831,669105)		
Applicant:	Mrs Roseanna Crolla	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
<p>Four objections:</p> <ul style="list-style-type: none"> -No requirement for a further eatery/food premises -Litter and vermin -Parking, traffic and road safety -Smells/lack of ventilation -Noise and antisocial behaviour -Opening late 			
<u>Officers report</u>			
<p>This application seeks full planning permission for the change of use from a hairdressers (Class 1) to a cafe/take away (Class 3/sui generis) (in retrospect). The site falls within the settlement boundary of Pumpherston & Uphall Station. A separate application is under consideration for signage for the business 1195/A/22.</p> <p>The application site occupies the ground floor shop unit within a terrace of dwellings. The building is constructed of render and tile and fronts the road to the east B8046. There is a storage yard to the rear/west.</p> <p>The business primarily sells ice cream but also includes fried churros. It offers takeaways and deliveries. The applicant has confirmed that there are 3 seats which are used by clients sitting in/waiting for orders for short periods. The proposed opening hours would be from 15.30-22.00 hours. There is provision for waste storage bins in the service area to the rear of the building.</p> <p>The key considerations are the potential impact on the vitality of the area, residential amenities and the character and appearance of the area.</p>			

West Lothian LDP Policy DES1 (Design Principles) requires that all development proposals take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community and where appropriate, should include measures to enhance the environment and be high quality in their design.

This unit was formerly used as a hairdressing salon. The change the use of the premises to Class 3/sui generis use (cafe/take away) is acceptable in principle. The site is reasonably and appropriately located within the village for the proposed use. The application site is situated on the main thoroughfare adjacent to a convenience store/sweet shop. The development will generate footfall to the area with a similar level of associated noise and disturbance as similar establishments aimed at family use. Concerns have been raised as to parking and road safety. The Roads & Transportation officer has reviewed the proposals and not objected to the development.

Concerns have been raised with regard to odour, noise and littering. EH requested that suitable bin storage be provided on the site premises. The applicant has provided an amended plan to detail that there is provision for waste storage in tall bins within the service area to the rear of the shop. In terms of odour EH has advised that any frying would require a ventilation system to be installed. The applicant has advised that equipment includes a small domestic fryer. EH has no objections to the proposed development but has recommended conditions be applied with regard to equipment on the premises, in order to ensure odours and waste are controlled. Application of appropriately worded conditions should ensure that residential amenity is protected. In terms of the proposed opening hours EH has raised no concerns.

The development complies with Policy DES1 and it is recommended that the application be granted.

Ref. No.:	0004/FUL/23	Recommendation:	Refuse Permission
Proposal:	Erection of link extension to form a new kitchen and lounge and extension to form an additional 12 bedrooms		
Address:	Heatherfield Nursing Home, 49 Bathgate Road, Armadale, West Lothian, EH48 2PD (Grid Ref: 294853,668708)		
Applicant:	Mr Alex Wilson Holmes Care Group	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Kirsty Hope

Summary of Representations

No representations received.

Officers report

This application is for the erection of link extension to form a new kitchen and lounge and extension to form an additional 12 bedrooms at Heatherfield Nursing Home in Armadale. The application site is within the settlement boundary as identified in the West Lothian Local Development Plan (LDP).

The proposal is acceptable in principle. However, requests have been made for drainage assessment, levels, coal mining risk assessment, preliminary ecological assessment, tree plan/report or NPF4 policy 3 statement. Further, no site investigation report has been submitted. The application cannot be properly assessed without this information.

In view of the lack of information, the application is contrary to the following policies: DES 1 (Design Principles), ENV 9 (Woodland, Forestry, Trees and Hedgerows), ENV 20 (Species Protection and Enhancement), EMG 3 (Sustainable Drainage) and EMG 6 (Vacant, Derelict and Contaminated Land) of the LDP. The proposal is also contrary to the supplementary guidance on Flooding and Drainage.

The proposal is also contrary to Policy 3 (Biodiversity), Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) and Policy 22 (Flood Risk and Water Management) of NPF4.

It is therefore recommended that planning permission be refused.

Ref. No.:	0014/FUL/23	Recommendation:	Refuse Permission
Proposal:	Erection of a house with a garage		
Address:	Land to East Of 10 Barns Court, East Whitburn, West Lothian, EH47 8ET (Grid Ref: 296011,665046)		
Applicant:	Mr J Hamilton	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>This application is for the erection of a house with a garage at land to east of number 10 Barns Court, East Whitburn. The application site is within the settlement boundary as identified in the West Lothian Local Development Plan (LDP). The site forms part of a wider woodland green network area of open space.</p> <p>The applicant has not submitted a preliminary ecological assessment. A biodiversity statement as required by NPF4 has also not been submitted.</p> <p>The proposal would involve an incursion beyond the established built form and into an area of woodland green network open space. The proposal would not satisfactorily integrate with local context and built form. It would significantly adversely impact on the woodland green network area of open space and constitute an unjustified incursion into this area, to the detriment of the amenity of the locality.</p> <p>The application is thus contrary to the following policies: DES 1 (Design Principles), HOU 3 (Infill/Windfall Housing Development within Settlements) and ENV 10 (Protection of Urban Woodland), ENV 20 (Species Protection and Enhancement), ENV 21 (Protection and Enhancement of Open Space) of the LDP.</p> <p>The proposal is also contrary to Policy 3 (Biodiversity) and Policy 6 (Forestry, Woodland and Trees) of NPF4.</p> <p>It is therefore recommended that planning permission be refused.</p>			

Ref. No.:	0031/FUL/23	Recommendation:	Refuse Permission
Proposal:	Erection of a HGV workshop/service centre and covered wash bay		
Address:	Drummond Distribution, 1 Bathgate Road, Armadale, West Lothian, EH48 2PE (Grid Ref: 294435,668752)		
Applicant:	Drummond Distribution	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
<p>One letter of objection was received: -</p> <ul style="list-style-type: none"> -Noise impacts and disturbance to residents -High CO2 levels/omissions -Questions on the location closest to neighbouring residents -Safeguarding the amenity of neighbouring properties 			
<u>Officers report</u>			
<p>This application is for the erection of a HGV workshop/service centre and covered wash bay located at the existing Drummond Distribution site, within the Armadale settlement boundary as identified in the West Lothian Local Development Plan (LDP).</p> <p>Requests have been made for: coal mining risk assessment, drainage assessment, site levels, dimensions of ridge and eaves height, supporting statement including operational hours and justification, site investigation additional gas update and a remediation strategy and none of this information has been submitted. Further, no information has been submitted regarding the trees on site, which will be lost due to this development. A biodiversity statement, as required by NPF4 Policy 3 has not been submitted.</p> <p>In view of the lack of information, the application is therefore contrary to policies: DES 1 (Design Principles), EMP 2 (Employment Development within Settlement Boundaries), ENV 9 (Woodland, Forestry, Trees and Hedgerows), EMG 3 (Sustainable Drainage) and EMG 6 (Vacant, Derelict and Contaminated Land) of the LDP.</p> <p>The application is also contrary to Policy 3 (Biodiversity), Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) and Policy 22 (Flood Risk and Water Management) of NPF4.</p> <p>It is therefore recommended that planning permission be refused.</p>			

Ref. No.:	0055/FUL/23	Recommendation:	Refuse Permission
Proposal:	Demolition of outbuildings and erection of a house		
Address:	Glencroft, Woodend, Armadale, West Lothian, EH48 3AP (Grid Ref: 292657,669054)		
Applicant:	Mr J Hardie	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Kirsty Hope
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>This application is for the demolition of outbuildings and erection of a house located at Glencroft, Armadale. The site is located within the countryside as identified in the West Lothian Local Development Plan (LDP).</p> <p>Requests have been made for: justification for a house in the countryside location, site investigation report, site levels, ecology information. Further, a biodiversity statement, as required by Policy 3 (Biodiversity) of NPF4 has not been submitted.</p> <p>There is no justification for the proposed house given the rural location and the design of the house would not satisfactorily integrate with surrounding local context and built form. In addition, there is a lack of technical information to fully assess the proposal. The application is thus contrary to the following policies: DES 1 (Design Principles), ENV 2 (Housing Development in the Countryside), ENV 20 (Species Protection and Enhancement), and policy EMG 6 (Vacant, Derelict and Contaminated Land) of the LDP.</p> <p>The proposal is also contrary to Policy 3 (Biodiversity), Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings), Policy 14 (Design Quality and Place), Policy 17 (Rural homes) and Policy 22 (Flood Risk and Water Management) of NPF4.</p> <p>It is therefore recommended that planning permission be refused.</p>			

Ref. No.:	0061/H/23	Recommendation:	Refuse Permission
Proposal:	Installation of two dormers windows with internal changes and the installation of a flue		
Address:	27 Deanburn Park, Linlithgow, West Lothian, EH49 6EZ (Grid Ref: 299674,676297)		
Applicant:	Mr and Mrs Devlin	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Anna McCabe
<u>Summary of Representations</u>			
<p>2 Objections</p> <ul style="list-style-type: none"> - overlooking dining room and garden -dominate view from neighbouring property -design is out of proportion -likely to cause increased noise 			
<u>Officers report</u>			
<p>27 Deanburn Park is a traditional bungalow that is located in Linlithgow which is constructed of render, brick, wooden cladding, and concrete roof tiles. It should be noted that the development falls within the Air Quality Management Area of Linlithgow.</p> <p>The applicant seeks consent to introduce two box dormers with internal changes and the installation of a flue.</p> <p>The internal alterations that are being proposed on the ground floor are to include partial conversion of the garage to include a utility room, two new bi-folding doors that allow ease of access to the new extended patio/decking area, and the introduction of a flue to the rear of the property. The new doors are to be in place of existing windows and overlook the occupant's curtilage therefore causing no issues with overlooking. The proposed flue is to be in the sitting room located at the rear (south) of the development and is to extend 1m from the roof line and is approximately 6m away from the proposed dormers.</p> <p>The two proposed box dormers are to span 10.44m across and reach a maximum height of 5m from ground level, and are to be located on the south of the roof. They are to sit 0.30m from the existing ridge line and will be stepped back from the eaves. The extension is to hold a new master bedroom, a hallway and a new bathroom.</p> <p>The new bedroom is to have bi-folding doors with a railing as well as an eave roof light which overlook the rear curtilage and is set back approximately 7.5m from the boundary and approximately 13m from the southern neighbour's window. This does not meet the minimum distance between window openings in dwellings nor the 9m distance for first floor windows to adjacent boundaries.</p>			

The proposed hallway is also to have a roof light on the south elevation as well as a Velux balcony on the north. The balcony will look onto the public road and surrounding properties which are approximately 21m away causing no issues for overlooking the neighbouring properties.

The materials proposed for this development are to be consistent throughout the design, with all existing windows and doors being replaced with the same style of anthracite grey fittings in the same proportion found on the existing house. The house is to be finished with smooth dry-dashed white render, composite grey cladding boards, new grey concrete roof tiles, with the new extension being clad in seamed zinc.

The proposed extension is of a scale that does not dominate the existing or neighbouring properties. It is subsidiary in appearance to the main house and should not detract from the appearance of the dwelling or surroundings as the extension is to the rear.

There is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity. However, as the proposed development does not meet the minimum standard of distance between window openings it is recommended that this application is refused.

The proposal is contrary to West Lothian Local Development Plan's DES 1 (Design Principles) Policy, National Planning Framework 4 Policies 16g and 16h and the House Extension & Alteration Design Guide, 2020. It is recommended that this application is refused planning permission.



Development Management

List of Delegated Decisions - 24th March 2023

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.:	1069/FUL/22	Recommendation:	Grant Planning Permission
Proposal:	Formation of new access and upgrading of existing car park		
Address:	Almond Valley Heritage Centre, Millfield, Livingston Village, Livingston, West Lothian (Grid Ref: 303248,666894)		
Applicant:	Almond Valley Heritage Trust	Type:	Local Application
Ward:	Livingston North	Case Officer:	Gillian Cyphus
<u>Summary of Representations</u>			
<p>4 objections received, relating to</p> <ul style="list-style-type: none"> - traffic increase - road and pedestrian safety - loss of trees - impact on wildlife - impact on residential amenity 			
<u>Officers report</u>			
<p>The application is for the formation of a new access and alterations to the car park at the existing Almond Valley Heritage Centre. The development would result in the removal of in the region of 50 mature trees from the existing shelter belt to form the new access. At present there is an informal footpath at the location of the proposed access which local residents use to walk from Millfield to Thirlfield Wynd. A new footpath into the site would be provided, allowing this informal route to continue.</p> <p>Whilst it is recognised that the loss of trees is regrettable, significant replacement planting will need to be secured, along with other biodiversity enhancements. The council's arborist and the ecologists have no objection to the application, subject to those conditions.</p>			

Transportation has also been consulted on the application and has raised no objection. The proposal is acceptable in terms of road and pedestrian safety. Whilst it is recognised that the existing use does generate a significant amount of traffic in what is predominantly a residential area, that is an existing authorised use. The current application to amend the access and parking will not give rise to a significant increase in traffic or any impact on the amenity of the surrounding area.

The application therefore complies with policies DES1 (Design Principles), ENV9 (Woodlands), ENV10 (Urban Woodlands), EMP7 (Tourism) and TRAN1 (Transport Infrastructure) in the West Lothian LDP and Policy 3 (Ecology), Policy 6 Woodland) and Policy 30 (Tourism) in NPF4. It is recommended that this application be granted.

Ref. No.:	0113/LBC/23	Recommendation:	Grant Listed Building Consent
Proposal:	Listed building consent to replace 13 single glazed windows with double glazing		
Address:	4 Bridge Castle House, Westfield, West Lothian, EH48 3DN (Grid Ref: 294356,670951)		
Applicant:	Professor Lance Butler	Type:	Other
Ward:	Armadale & Blackridge	Case Officer:	Anna McCabe
<u>Summary of Representations</u>			
<p>1 Objection</p> <ul style="list-style-type: none"> -No condition reports -Sashes should be repaired -Fail to preserve or enhance the specialist architectural character of the listed building 			
<u>Officers report</u>			
<p>4 Bridge Castle House is a flatted B-listed property located in Armadale, which is constructed of stone and state. The applicant seeks consent to upgrade 13 sash and case windows with double glazed ones of the same scale and material. The applicant highlighted the intended windows are to be replaced due to heat loss. It should be noted that the other flats within this development have also upgraded their sash and case windows under application 0919/LBC/21.</p> <p>Number 4 is located at the rear of the building and contains 13 windows that are in keeping with the character and appearance of the B-listed property. The proposed windows will be like-for-like in colour, materials, design and fit and all historical details are to be matched and existing cases are to be refurbished. As a result, the proposed works will not significantly impact upon either the character or appearance of the existing property and will not be detrimental to the visual amenity. Historic Environment Scotland has no issues with the proposal.</p> <p>Relevant Policies are - West Lothian Local Development Plan 2018, Policy DES1 (Design Principles) and Policy ENV28 (Listed Buildings), Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 National Planning Framework 4, Policy 16 (g) and (h) (Quality Homes), 2022 House Extension & Alteration Design Guide</p> <p>The works will retain and upgrade the fabric of the building, it is recommended that the application be granted.</p>			

Ref. No.:	0120/H/23	Recommendation:	Grant Planning Permission
Proposal:	Erection of outbuilding		
Address:	Cathlaw Bungalow, Torphichen, West Lothian, EH48 4NW (Grid Ref: 298150,672309)		
Applicant:	Mr & Mrs W Taylor	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Anna McCabe
<u>Summary of Representations</u>			
<p>1 Objection</p> <ul style="list-style-type: none"> -would be clearly visible from the drive to a listed building -not in keeping with surrounding buildings -further undermine the landscape and visual qualities of the area -being built in the Bathgate Hills, Special Landscape Area 			
<u>Officers report</u>			
<p>Cathlaw Bungalow is located in Torphichen. It should be noted that this development is within the Ancient Woodland Inventory and a special landscape area.</p> <p>The applicant seeks consent to erect an outbuilding.</p> <p>The proposed development is to have a 5.2m x 4.4m cabin with a 5.2m x 2.2m covered veranda with a pitched roof. The eave height is proposed to be 2.1m with a ridge height of 2.7m. The cabin has to have three windows and a set of patio doors.</p> <p>The cabin is to be at the front (south) of the development within the large field owned by the occupant and constructed of timber cladding, timber windows and doors with a grey felt roof.</p> <p>Relevant Policies West Lothian Local Development Plan 2018 DES 1 (Design Principles) and ENV 1 (Character and Special Landscape Areas) National Planning Framework 4, Policy 16 (g) and (h) (Quality Homes), 2022 House Extension & Alteration Design Guide</p>			

The development has minimal impact on the surroundings due to the isolation of the site and does not adversely impact on the neighbouring listed building.

It is recommended that this application is approved

Ref. No.:	0130/H/23	Recommendation:	Refuse Permission
Proposal:	Erection of a 1.9m high timber fence and gates and formation of a gravel surfaced car park (in retrospect)		
Address:	Threemiletown Farmhouse, Threemiletown, Linlithgow, West Lothian, EH49 6NF (Grid Ref: 305926,675756)		
Applicant:	Mr Stuart Provan Seamab	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Anna McCabe

Summary of Representations

15 Objections

- Fence and car park are an eyesore
- Restricted visibility from car park
- Busy residential footpath
- Car park, hard core should be a change of use
- Misleading/incomplete application
- Satellite dish on the property (since removed)
- Changes the character of the Listed Building
- Conservation area (not applicable)
- Unsympathetic to the key identity of the area
- Overbearing development
- Unsightly paving
- Restricted access to Canal Court for existing 29 occupants

Officers report

Threemiletown Farmhouse is a detached traditional category C listed blond sandstone house. The property is a residential property with care and will be run by Seamab which is a Scottish charity registered with the Office of the Scottish Charity Regulator (OSCR) and the Care Inspectorate.

The applicant seeks retrospective consent to erect a 1.9m high timber fence and gates and form a gravel surfaced car park to the front of the property.

The 1.9m fence runs on the west and east perimeter of the property and is set back approximately 9m from the southern boundary to allow for a gravel car park. This fence was erected to ensure the safety of the children under the applicant's care. The fence is constructed of vertical timber fence boards and is stark in contrast to the immediate context of the surrounding listed buildings.

The gravel car park to the front (south) of the property uses light grey gravel and runs the width of the property up to the new southern fence. The existing entrance to the property allowed access to the house via a footpath across a garden, the new car park creates a large hard surface which is in severe contrast to the blond sandstone of the C-listed building.

Roads and Transportation has commented stating that there shall be no direct vehicular access onto B9080 (road to the south of the site) due to the restricted visibility eastwards that the neighbouring building creates. They suggest that any vehicular access to the site should be via Canal Court.

Relevant Policies are:

West Lothian Local Development Plan 2018, Policy DES1 (Design Principles) and Policy ENV28 (Listed Buildings),
National Planning Framework 4, 2022
House Extension & Alteration Design Guide

The overall impact of the fence and the car park are stark in contrast with the existing building and detract from the character and appearance of the listed building.

It is recommended that this application is refused due to the adverse impact on the listed building.



Development Management

List of Delegated Decisions - 6th April 2023

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.:	0123/FUL/23	Recommendation:	Grant Planning Permission
Proposal:	Change of use from flat to short term let (in retrospect)		
Address:	14 Knightsridge House, Watson Green, Knightsridge, Livingston, West Lothian (Grid Ref: 304190,669944)		
Applicant:	Mr andy milliken	Type:	Local Application
Ward:	Livingston North	Case Officer:	Lucy Hoad
<u>Summary of Representations</u>			
<p>There have been 2 letters of objection and one letter of support.</p> <p>The main concerns raised include:</p> <ul style="list-style-type: none"> Residential area/neighbourhood Noise Parking Smoking Disturbance to neighbours/people asking for access to building Additional communal waste 7 of the 18 No flats are short term accommodation lets 			
<u>Officers report</u>			
<p>Knightsridge House is a B listed C19 Georgian Mansion House that has been converted into flats. The development contains 18 flats. No 14 is located in the extended wing to eastern gable.</p> <p>This application seeks full planning permission for the change of use of the dwelling flat to tourist accommodation (short term let). The flat is located on the ground floor of the building.</p> <p>2 objections and one letter of support has been received. Concerns have been raised with regard to the area being primarily residential in nature with impacts to residents in terms of noise, parking, waste, smoking, disturbance to residents with guests seeking access to the property and the number of</p>			

short term lets operating in the complex. The latter matter is being reviewed by enforcement.

No physical alterations are being proposed as part of this application and so it is only the change of use which is being considered. The application proposes the change of use from a 2 bed home to tourist accommodation/short term let.

The flat is located on the ground floor at the main entrance to the building so visitors can access the flat without having to go through the rest of the building. The property has 2 bedrooms and accepts a maximum number of 4 adults. On average the bookings are 3 per month. Majority of bookings are for 2 adults. The building has its own private parking area and there is communal visitor parking and waste storage. The manager advises that instructions for access are provided to guests prior to arrival and that he is on call to deal with any complaints .

The nature and location of the proposal is such that it is considered unlikely to have any significant impact on the amenity of the surrounding area. Additionally, Transportation were consulted on the application and confirmed that they neither object or require any additional conditions to be attached to the decision notice. The EHO has no objections to the application but advised a short term let licence would be required in order to operate the business.

Livingston is the major town in the area with ready access to facilities and the countryside. The proposal will contribute to the range of tourist accommodation options within the town of Livingston. Ultimately, the proposal is acceptable in terms of Policy DES 1 and Policy EMP 7 of the West Lothian Local Development Plan 2018.

It is recommended that permission be granted for a temporary period of 1 year to enable the impacts of the use on residential amenity to be monitored.

Proposed Enforcement Actions – 06/01/2023

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0176/20	Douglas David Gardiner	Erection of fence	Livingston North	Enforcement Notice	<p>The fence is not in keeping within the street scene and surrounding area. It is located on a principal elevation and exceeds 1m in height.</p> <p>Steps to comply;</p> <ol style="list-style-type: none"> 1. Reduce the height of the fence to a maximum of 1m in height from the original ground level, in order for it to comply with the householder permitted development rights set out in planning legislation.