



Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

8 May 2019

A meeting of the **Development Management Committee** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Wednesday 15 May 2019 at 10:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Confirm Draft Minutes of Meeting of Development Management Committee held on Wednesday 17 April 2019 (herewith).

Public Items for Decision

5. Application No.0044/FUL/18 - Application under Section 42 to vary the terms of condition 5 of planning permission 0424/FUL/13 for erection of a thermal treatment plant to increase the restriction on tonnage of waste from 400,000 to 750,000 tonnes per year brought into the Levensat Waste Management Facility, by Forth, Lanark (herewith)
6. Application No.0135/FUL/19 - Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect) at 105 Boghall Drive, Boghall, Bathgate (herewith)

DATA LABEL: Public

7. Application No.0524/P/09 - Variation of condition 24(f) and (i) of planning permission 0524/P/09 to change timescale for delivery of park and ride facility at Kirknewton Railway Station, Kirknewton (herewith)

Public Items for Information

8. Consider list of delegated decisions on planning applications and enforcement actions for 12 April to 3 May 2019 (herewith)

9. Appeals :-

- (a) Application No.0993/P/18 - Erection of house at Rosend, Philipstoun, Linlithgow - Appeal submitted

- (b) Application No.0819/A/18 - Advertisement consent for St David's Church, Bathgate - Appeal submitted

NOTE **For further information please contact Val Johnston, Tel No.010506 281604 or email val.johnston@westlothian.gov.uk**

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

This form is to help members. It is not a substitute for declaring interests at the meeting.

Members should look at every item and consider if they have an interest. If members have an interest they must consider if they have to declare it. If members declare an interest they must consider if they have to withdraw.

NAME	MEETING	DATE

AGENDA ITEM NO.	FINANCIAL (F) OR NON-FINANCIAL INTEREST (NF)	DETAIL ON THE REASON FOR YOUR DECLARATION (e.g. I am Chairperson of the Association)	REMAIN OR WITHDRAW

The objective test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.

Other key terminology appears on the reverse.

If you require assistance, please ask as early as possible. Contact Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk, James Millar, Governance Manager, 01506 281695, james.millar@westlothian.gov.uk, Carol Johnston, Chief Solicitor, 01506 281626, carol.johnston@westlothian.gov.uk, Committee Services Team, 01506 281604, 01506 281621 committee.services@westlothian.gov.uk

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

“...whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor”

The General Exclusions

- As a council tax payer or rate payer or in relation to the council's public services which are offered to the public generally, as a recipient or non-recipient of those services
- In relation to setting the council tax.
- In relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension.
- As a council house tenant, unless the matter is solely or mainly about your own tenancy, or you are in arrears of rent.

Particular Dispensations

- As a member of an outside body, either appointed by the council or later approved by the council
- Specific dispensation granted by Standards Commission
- Applies to positions on certain other public bodies (IJB, SEStran, City Region Deal)
- Allows participation, usually requires declaration but not always
- Does not apply to quasi-judicial or regulatory business

The Specific Exclusions

- As a member of an outside body, either appointed by the council or later approved by the council
- The position must be registered by you
- Not all outside bodies are covered and you should take advice if you are in any doubt.
- Allows participation, always requires declaration
- Does not apply to quasi-judicial or regulatory business

Categories of “other persons” for financial and non-financial interests of other people

- Spouse, a civil partner or a cohabitee
- Close relative, close friend or close associate
- Employer or a partner in a firm
- A body (or subsidiary or parent of a body) in which you are a remunerated member or director
- Someone from whom you have received a registrable gift or registrable hospitality
- Someone from whom you have received registrable election expenses

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 17 APRIL 2019.

Present – Councillors Charles Kennedy (Chair), Tom Kerr, Stuart Borrowman, William Boyle, Harry Cartmill, Pauline Clark, Lawrence Fitzpatrick and David Tait

Apologies – Councillor George Paul

1. DECLARATIONS OF INTEREST

Agenda Item 5 (App No.0922/MSc/18 - Wellhead Farm, Murieston) – Councillor Charles Kennedy declared an interest in that his wife was employed by Bellway Homes (the applicant) so would not participate in the item of business;

Agenda Item 5 (App No.0922/MSc/18 - Wellhead Farm, Murieston) – Councillor Lawrence Fitzpatrick declared an interest in that he was a council appointed member of West of Scotland Archaeology Service who were a statutory consultee and many of the petitioners to the application were known to him but would participate in the item of business;

Agenda Item 6 (App No.1110/FUL/18 – Grange Knowe, Linlithgow) – Councillor Lawrence Fitzpatrick declared an interest in that he was a council appointed member of West of Scotland Archaeology Service but would participate in the item of business; and

Agenda Item 7 (App No.1184/MSc/18 – Balmoral Gardens, Bellsquarry) - Councillor Lawrence Fitzpatrick declared an interest in that he was a council appointed member of West of Scotland Archaeology Service but would participate in the item of business

2. ORDER OF BUSINESS

The Chair ruled that as he had declared an interest in Agenda Item 5 (Application No.0922/MSc/18), Agenda Item 6 (Application No.1110/FUL/18) and 7 (Application No.1184/MSc/18) would be considered first, followed by Agenda 5.

3. MINUTE

The committee confirmed the Minute of its meeting held on 20 March 2019. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.1110/FUL/18

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
1110/FUL/18	Erection of 54 houses with associated works including access, landscaping and infrastructure on land off Blackness Road, east of Grange Knowe, Linlithgow	Grant planning permission subject to conditions and a S75 legal agreement to secure developer contributions

The committee then heard Mr John Kelly of Linlithgow and Linlithgow Bridge Community Council and Ms Janice McBride, a local resident, speak in support of their objections to the application.

The committee noted that whilst Ms Lynn Stanford had requested to speak she was not in attendance at the committee.

The committee then heard Mr Derek Lawson, the applicant, speak in support of the application. It was noted that whilst Mr Mark Giles accompanied Mr Lawson he was only there to answer questions from committee.

The committee also noted that the council's Flood Prevention Officer, Transportation Officer and Education Planning Officer were in attendance at the meeting and available to answer questions from committee.

Decision

To continue the application for two cycles for education capacity data to be included in the committee report and for further discussion between the planning authority and the developer in relation to traffic calming measures along Blackness Road.

5. APPLICATION NO.1184/MSC/18

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
1184/MSC/18	Erection of 4 houses with garages, access road, parking and associated works on land at Balmoral Gardens, Murieston, Livingston	Grant planning permission subject to conditions

The committee then heard from Mr Bill Grant, Mr McCormack and Mr Tom Hutchison all speak in support of their objections to the application.

The committee then heard from Mr Paul Houghton, the applicant's agent, who spoke in support of the application. The committee also noted that whilst Mr Malcom Parry was accompanying Mr Houghton he did not wish to address committee but was available to answer questions. The committee also noted that whilst the applicant, Mr Shakeel Ahmad, had requested to speak he was in attendance at the meeting.

The committee then heard from local ward member Councillor Lawrence Fitzpatrick who spoke in objection to the application.

Decision

To approve the terms of the report and grant matters specified in conditions.

6. APPLICATION NO.0922/MSC/18

Councillor Willie Boyle took no further part in the remaining items of business

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0922/MSC/18	Approval of matters specified in conditions of planning permission 0918/P/15 for the erection of 280 houses with roads, parking, SUDS, landscaping and associated works at land south east of Wellhead Farm, Murieston Road, Murieston, Livingston	Grant planning permission

The committee then heard Mr Ian Brown, of Murieston Community Council; and Mr Nick Landell, Ms Joan Rychter, Mr Kenneth Kirk and Ms Yvonne Green, all local residents, all speak in support of their objections to the application.

The committee then heard Mr Ewan McIntyre, the applicant's agent, speak in support of the application. The committee also noted that whilst the applicant's, Mr Graham Patrick and Mr Mark Lindsay, were in attendance they did not wish to address committee but were available to answer questions from committee.

The committee also noted that the council's Flood Prevention Officer, Transportation Officer and Education Planning Offer were in attendance

at the meeting and available to answer questions from the committee.

Motion

To approve the terms of the report and approve matters specified in conditions but subject to the additional condition that there was to be an additional bus stop on the opposite of the road and a crossing point if required.

- Moved by Councillor Tom Kerr and seconded by Councillor Stuart Borrowman

Amendment

To continue the application for two cycles to allow for further discussion between the planning authority, the developer and the local community on a travel plan and the possibility of an enhanced tree line along Murieston Road frontage.

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Pauline Clark

A roll call vote was taken. The result was as follows

Motion

Stuart Borrowman

Tom Kerr

Amendment

Harry Cartmill

Pauline Clark

Lawrence Fitzpatrick

David Tait

Decision

Following a vote the amendment was successful by 4 votes to 2 (3 members absent) and it was agreed accordingly.

7. LIST OF DELEGATED DECISIONS

The Head of Planning, Economic Development and Regeneration had delegated powers to issue decisions on planning applications and enforcement action.

A list (copies of which had been circulated) of delegated and enforcement action for the period 15 March to 5 April 2019 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development & Regeneration

1 DESCRIPTION AND LOCATION

- 1.1 Application under Section 42 to vary the terms of condition 5 of planning permission 0424/FUL/13 for erection of a thermal treatment plant to increase the restriction on tonnage of waste from 400,000 to 750,000 tonnes per year brought into the Levenseat Waste Management Facility, by Forth, Lanark.

2 DETAILS

Reference no.	0044/FUL/19	Owner of site	Levenseat Limited
Applicant	Levenseat Limited	Ward & local members	Fauldhouse and Breich Valley Councillor Pauline Clark Councillor David Dodds Councillor Cathy Muldoon
Case officer	Mahlon Fautua	Contact details	01506 282426 mahlon.fautua@westlothian.gov.uk

Reason for referral to committee: Referred by Councillor Clark

3 RECOMMENDATION

- 3.1 Grant variation to condition 5.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

- 4.1 Permission is sought to vary the terms of condition 5 of planning permission 0424/FUL/13 (Phase 1 Thermal Treatment Plant) to increase the restriction on tonnage of waste brought into the overall Levenseat waste management site from 400,000 to 750,000 tonnes per year.
- 4.2 The application has been submitted to bring the planning permission for the Phase 1 thermal treatment plant in line with the current permission (0915/FUL/08) for the overall site which allows 750,000 tonnes of waste per year to be brought into the facility. No physical change is proposed to the already consented and operational phase 1 thermal treatment plant.
- 4.3 The council approved a variation to condition 11 of the current permission (0915/FUL/08) for the overall site on 5th December 2018 to increase the tonnage of waste permitted to enter the facility from 400,000 tonnes to 750,000 tonnes given the negligible impact on the road network.
- 4.4 The applicant has provided a simplified breakdown (attached to this report) of how the incoming waste is proposed to be processed on site.

- 4.5 Of the proposed 750,000 tonnes, 500,000 tonnes (66%) is to be directed to the thermal treatment plants. The waste to be landfilled is 35,000 tonnes (5%). The remaining waste would be recycled and used for other processes such as composting. It is noted that while the overall tonnage capacity is increased, the waste going to landfill would be halved due to other improved waste processes on the site including the thermal treatment plants.

Planning History – Overall Waste Management Site

Reference Number	Description	Decision and Date
0190/M/90	Permission to use area for Landfill	Granted - May 1994
0915/FUL/08	Section 42 variation of condition 1 of planning permission 0190/M/90 to increase time scale of waste management permission to 31/3/2032	Granted – 23/03/17
0509/FUL/14	Formation of internal service and access road.	Granted - 23/09/14
0241/A/19	Display of 4 illuminated feature signs incorporating natural stone walling, weathered corten steel uprights and landscaping	Granted – 05/04/19

Planning History – Phase 1 Thermal Treatment Plant and Materials Recycling Facility

Reference Number	Description	Decision and Date
0528/FUL/10	Proposed waste management facility thermal treatment (gasification) plant & buildings, storage facilities and landscaping	Granted - 01/12/2010
0772/PAC/12	Proposal of application notice for proposed development of a thermal treatment plant for waste, associated plant and buildings, storage facilities, landscaping and boundary treatment.	N/A
0116/EIA/13	EIA scoping request for the erection of a thermal treatment plant	EIA required – 03/04/13
0424/FUL/13	Erection of advanced thermal treatment (gasification) plant, associated plant and buildings, storage facilities, landscaping and boundary treatment including utilisation and export of secondary heat.	Granted – 21/10/13

Reference Number	Description	Decision and Date
0743/PAC/14	Proposal of application notice for the erection of a materials sorting building and associated works	N/A
0019/FUL/15	Erection of a 4290sqm extension to materials sorting building and associated works	Granted – 18/03/15
0367/PAC/15	Proposal of application notice for additional materials sorting/recycling building and extension to Thermal Treatment Plant operations	N/A
0503/EIA/16	EIA screening opinion for extension to materials recycling facility and thermal treatment operations	EIA Required – 4/08/16

Planning History – Phase 2 Thermal Treatment Plant

Reference Number	Description	Decision and Date
0549/EIA/16	EIA scoping opinion for extension to materials recycling facility and thermal treatment operations	Scoping agreed on 4 th October 2016.
0795/FUL/16	Erection of thermal treatment plant and extension to materials sorting/recycling building with associated plant and facilities	Granted – 05/04/17
1244/PAC/18	Proposal of application notice for thermal treatment plant (to replace 0795/FUL/16)	N/A
0272/EIA/19	EIA scoping opinion for erection of a thermal treatment plan (phase 2)	Currently under consultation.

5 REPRESENTATIONS

5.1 The application was subject of statutory publicity no representations were received within the prescribed notification period.

Two late representations were received outwith the notification period.

6 CONSULTATIONS

6.1 The consultations are summarised below. The full consultations are contained in the application file.

Consultee	Objection	Comments	Planning Response
WLC Roads & Transportation	No	Acceptable without conditions.	Noted.
Transport Scotland	No	None	Noted.
Edinburgh Airport	No	None	Noted.
SEPA	No	Initially objected, however withdrew their objection based on further information submitted by the applicant	Noted.

7 PLANNING POLICY ASSESSMENT

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (the Act) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan comprises of the Strategic Development Plan for Edinburgh and South East Scotland (SESplan) and the West Lothian Local Development Plan (WLLDP).
- 7.2 This is an application under section 42 of the Act and this requires planning authorities to consider only the question of the conditions subject to which planning permission should be granted.
- 7.3 With respect to this application, it is considered that the main issue for consideration is the increase in vehicle movements to the site.

Plan	Policy	Assessment	Conform
WLLDP	DES 1 – Design principles All development proposals will require to 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.	The application seeks to vary condition 5 of the current planning permission which proposes an increase the restriction on tonnage of waste. No physical change to the phase 1 thermal treatment plant as consented is proposed. Nonetheless, DES 1 requires proposals must also accord with other relevant policies and proposals in the development plan. In this instance, the relevant polices are TRAN 1 and EMG 4 below.	N/A

Plan	Policy	Assessment	Conform
WLLDP	<p>TRAN 1 – Transport Infrastructure</p> <p>...</p> <p>Development will only be permitted where transport impacts are acceptable.</p> <p>...</p>	<p>The proposal seeks to increase the restriction on tonnage of waste brought into the overall Levenseat waste management site and results in an increase in traffic movements on the surrounding road network.</p> <p>In support of the proposed variation, the applicant has submitted a transport statement (TS). The full TS is able to be viewed in the application file.</p> <p>The average hourly increase in HGV traffic as a consequence of the proposal equates to nine two-way vehicle movements.</p> <p>The TS includes traffic surveys for key locations for traffic movements from Levenseat.</p> <p>Overall, in the worst case there would be an increase of less than 10% in existing HGV movements at the junction of the A706 and A71 (Breich junction).</p> <p>It is noted that the predicted increase in HGV traffic in Whitburn is 5.1% which is an increase in overall total traffic of 0.5%.</p> <p>The TS also provides existing mitigating measures through a Traffic Management Plan which includes liaising with customers with respect to their access arrangements. Additionally, customers already consolidate deliveries to maximise efficiencies.</p> <p>The existing weighbridge facility also ensures that vehicles are staggered when leaving the site to avoid convoys.</p> <p>WLC Roads and Transportation and Transport Scotland have reviewed the proposal and TS and do not object to the proposal.</p>	Yes

Plan	Policy	Assessment	Conform
		Therefore, based on the TS and consultation, the indiscernible impact on the surrounding road network and as such the expected transport impact from the proposed variation is acceptable.	
WLLDP	EMG 4 – Air Quality	<p>The proposed variation seeks to increase the restriction on tonnage of waste brought into the overall Levenseat waste management site and results in an increase in traffic movement.</p> <p>The proposal would not have any impact on the identified Air Quality Management Areas.</p> <p>Furthermore, the impact on the road network is considered to be indiscernible, therefore in accordance with planning guidance on air quality, no further assessment is required.</p> <p>It is noted that an air quality impact assessment (AQIA) was submitted with the original permission and has been assessed and accepted for the existing phase 1 treatment plant.</p> <p>Furthermore, it is noted that a further update AQIA for an amendment to the consented second phase of the plant is currently being prepared.</p>	Yes

8 SUMMARY AND CONCLUSIONS

- 8.1 The proposed variation to condition 5 meets the terms of policies DES 1 (Design Principles), TRAN 1 (Transport Infrastructure) and EMG 4 (Air Quality) of the West Lothian Local Development Plan. The assessments indicate that the expected impact on the road network and air quality will be indiscernible.
- 8.2 In summary, the proposal complies with the development plan and in considering the proposed variation to condition 5 there are no material considerations that outweigh allowing the increase in site tonnage.

8.3 It is therefore recommended that planning permission to vary condition 5 be granted and recommended to be worded as follows:

5 *In any one calendar year, the overall total of waste material brought to the existing waste management site, the landfill facility and the development which is the subject of this planning consent shall be not more than **750,000** tonnes.*

Reason: To limit the amount of waste to the capacity of the site and the surrounding road network

9 ATTACHMENTS

- Full set of draft conditions
- Aerial photograph
- OS Location Map
- Levensat Waste Management (graphic)
- Local member referral request

Craig McCorrison
Head of Planning, Economic Development & Regeneration **Date: 15 May 2019**

DRAFT CONDITIONS - APPLICATION 0044/FUL/18

- 1 The development shall be carried out and operated in accordance with the approved plans, environmental statement and other information submitted with the planning application, unless otherwise agreed in writing with the planning authority.

Reason: To ensure that the development is carried out in accordance with the information which has been assessed.

- 2 Surface water from the development shall be treated and attenuated by a sustainable drainage system (SUDS) in accordance with the principles contained in The SUDS Manual (CIRIA C753). The treatment shall meet the requirements of the Scottish Environment Protection Agency (SEPA).

Reason: To minimise the cumulative effects of surface water and diffuse pollution on the water environment.

- 3 Prior to commencement of development on site, a full site specific Environmental Management Plan (EMP) incorporating a Construction Method Statement (CMS) and a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the planning authority, in consultation with SEPA. Thereafter, all works shall be carried out in accordance with the approved EMP.

The environmental mitigation measures and techniques outlined in SEPA's Pollution Prevention Guidelines should be incorporated into the CMS

Reason: To ensure that the necessary mitigation is in place to protect and preserve the status of water courses and other sensitive environments, in the interests of environmental amenity

- 4 Prior to the commencement of development on site, details of the following shall be submitted to and approved in writing by the planning authority:

- Type and colour of materials to be used to externally finish all buildings and structures hereby approved,
- materials for hard surfacing,
- all boundary fences, walls and other means of enclosure,
- all external lighting,
- all external plant.

Reason: To allow full consideration of details yet to be agreed in the interests of visual amenity.

- 5 In any one calendar year, the overall total of waste material brought to the existing waste management site, the landfill facility and the development which is the subject of this planning consent shall be not more than 750,000 tonnes.

Reason: To limit the amount of waste to the capacity of the site and the surrounding road network

6 Prior to commencement of development on site UK DVOF & Powerlines at the Defence Geographic Centre shall be provided with the following information and the planning authority shall be provided with evidence that this has been done, to its satisfaction:

- The precise location of the development
- The date of commencement of construction;
- The date of completion of construction
- The height above ground level of the tallest structure
- The maximum extension height of any construction equipment

Reason: To ensure that the MOD has sufficient information to plot details of the stack on charts to ensure military aircraft avoid the area.

7 Prior to commencement of development, all details of proposed landscaping shall be submitted to and approved in writing by the planning authority. It shall include details of plant species, sizes, planting distances and methods of protection. It shall further include details of the body that will maintain the landscaping together with a schedule of maintenance works. Thereafter the landscaping as approved shall be implemented in the first planting season following completion of the development.

Landscaping shall be implemented and maintained for a period of five years until it becomes established, in accordance with BS 3936-1 Nursery stock - Part 1: Specification for trees and shrubs and BS 4428 - Code of practice for general landscape operations (excluding hard surfaces). Any trees which within a five year period following completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species unless the planning authority gives written consent to any variation.

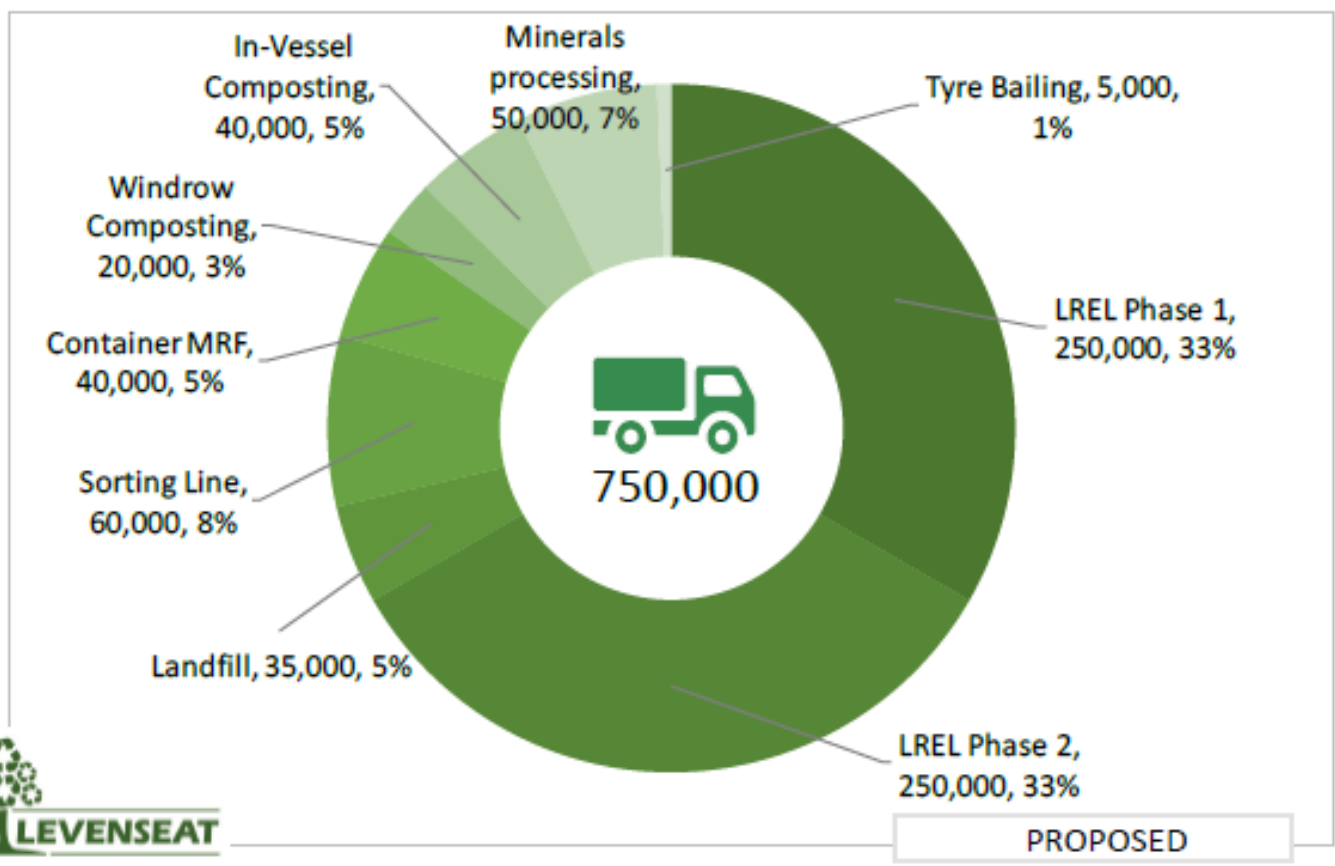
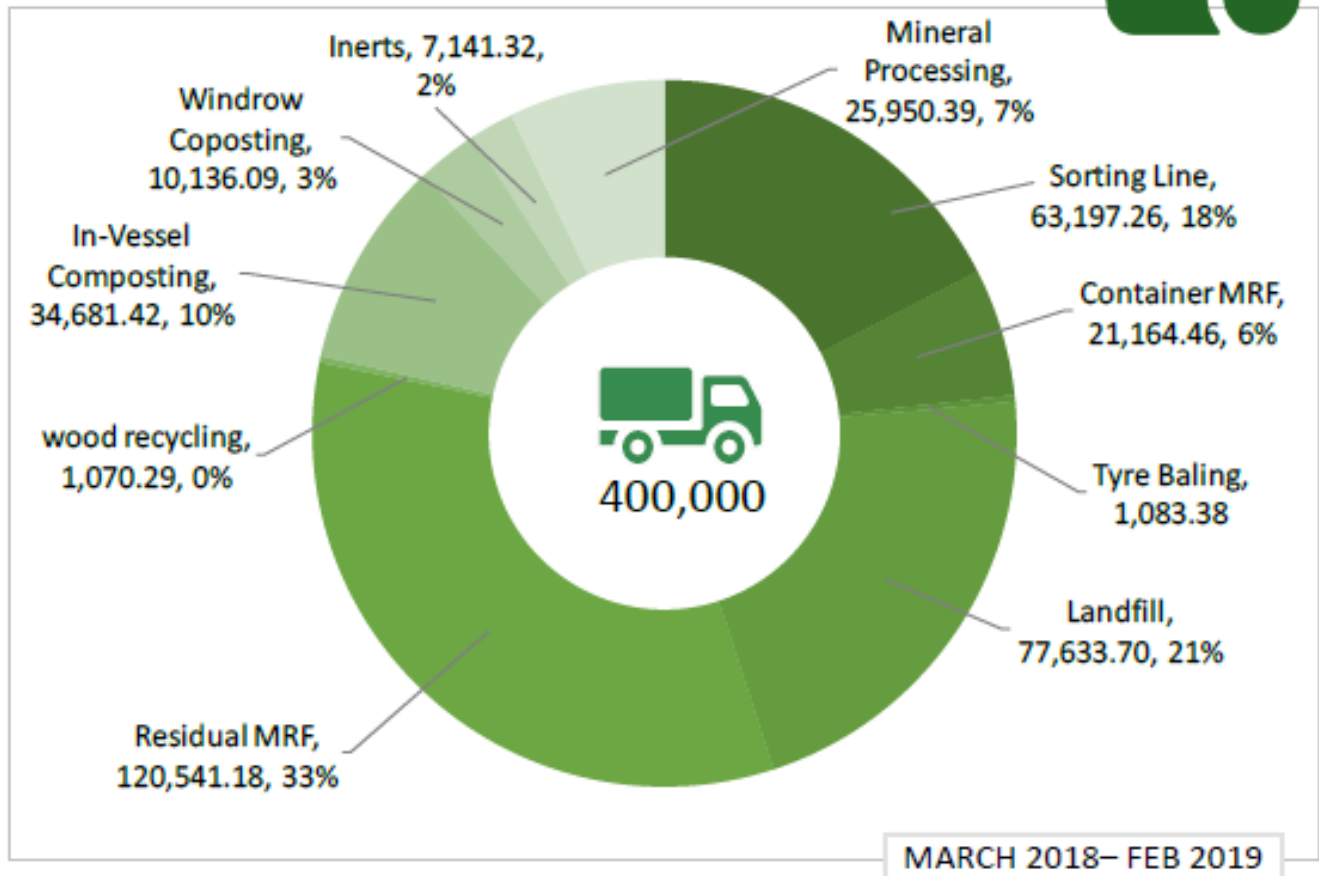
Reason: To enable full consideration to be given to those details which have yet to be submitted, in the interests of visual and environmental amenity.





LEVENSEAT

AT A GLANCE





West Lothian Council

Planning Services
Development Management Committee

LOCAL MEMBER REFERRAL REQUEST

Members wishing a planning application to be heard at the Development Management Committee must complete and return this form to Development Management within 7 days.

The planning application details are available for inspection on the council's web site at http://planning.westlothian.gov.uk/WAM133/searchsubmit/performOption.do?action=search

Application Details: Application Reference Number 0044/FUL/19, Site Address ...Levensat by Forth Lanark ML11 8EP, Title of ApplicationApplication to under section 42 to vary the ToC 5, Member's Name CllrPauline Clark, Date11.03.19. Reason For Referral Request: Applicant Request, Constituent Request, Other.

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 Description

- 1.1 Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect) at 105 Boghall Drive, Boghall, Bathgate, West Lothian, EH48 1JD

2 Details

Reference no.	0135/FUL/19	Owner of site	Mr Piotr Grzegorz Lisowsk
Applicant	Mr Piotr Grzegorz Lisowski	Ward & local members	Bathgate Cllr. Willie Boyle Cllr. Harry Cartmill Cllr. Charles Kennedy Cllr. John McGinty
Case officer	Thomas Cochrane	Contact details	01506 281110 thomas.cochrane@westlothian.gov.uk

Reason for referral to Committee: Request from Councillor Boyle

3 Recommendation

- 3.1 Refuse Planning permission.

4 Description of the Proposal and Planning History

- 4.1 This is a proposal for change of use from domestic garage to vehicle repair business and the siting of a storage container and sheds to the front of the principal elevation of the dwelling.
- 4.2 The proposed development involves introducing commercial premises into a residential area.

5. REPRESENTATIONS

- 5.1 The application has attracted twenty one representations, nineteen in support and two objections. These are summarised below.

Comments (objection)	Response
Grey Portacabin is an eyesore	Agreed it is not suitable for a domestic setting
Increase in traffic and vehicle parking	Agreed, any addition of vehicle will cause traffic problems especially at School opening and closing times.
In close vicinity of Boghall Primary School	Agreed.
Increase in noise level	Agreed, see response from Environmental Health.
Increase in vehicle numbers crossing pavement	Agreed
Business is not conducive with a residential area	Agreed
Comments (Support)	
Support people who cannot afford to use dealers and High Street Businesses.	Not a material consideration
It's mostly a hobby	Not a material consideration
Area is always tidy	Agreed, at site visit the property was clean and tidy.
Vehicles causing parking problems are school run mothers and taxis attending the School.	Any addition to these vehicle movement due to the introduction of a commercial garage will compound this problem.
Two or three modified vehicles are causing noise issues and not the garage.	Introduction of engine testing and compressor noise will compound this problem
No work carried out in the evenings.	Noted.
Benefit to the community	Noted
Contributes to local economy and culture.	Noted
Application for industrial units are either rejected or unaffordable.	Not a material consideration

6. CONSULTATIONS

6.1 Consultations are summarised below.

Consultee	Objection	Comments	Planning Response
WLC Roads & Transportation	No	Application is acceptable with the condition that the storage of vehicles waiting to be repaired or collected shall be stored within the grounds of the property.	Parking sufficient for two or three vehicles and would require parked vehicles to maneuver out with the premises to allow access to garage.

Environmental Health	Yes	Objects on the grounds that the vehicle repair business would be operation in a residential area and has the potential to cause a noise nuisance to neighbouring premises.	Noted
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7. ASSESSMENT

- 7.1** Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2** The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Development Plan (WLLDP). In this case policies from the WLLDP are relevant.

Policy	Assessment	Conform
DES 1 Design Principles When assessing development proposals, the developer will be required to ensure that: a. there is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity.	The proposal would have a detrimental effect on the residential amenity of the locality due to its commercial nature, potential for noise nuisance and the position and design of the storage buildings in the front garden.	No
EMG 5 Noise There is a presumption against developments that are: a. likely to generate significant amounts of noise being located close to noise sensitive developments such as existing or proposed housing; or b. residential or other noise sensitive developments being close to noisy land use. The only exceptions will be where it can be demonstrated that: a. through design or mitigation, satisfactory internal and external noise levels can be achieved at the noise sensitive development; and b. through design or mitigation, there will be no adverse impact on the continued operation of any existing or proposed business or activity. The terms of the council's Supplementary Guidance on Noise will apply.	The proposal has potential to cause noise nuisance and disturbance to surrounding residential property to the detriment of the amenity of the locality.	No

Also relevant is the council's statutory supplementary guidance *Planning & Noise*.

8. CONCLUSION AND RECOMMENDATION

- 8.1** The plans which were initially submitted showed a container in the front garden, however during the site visit it was evident there were a further three storage huts.
- 8.2** The proposal is considered to have a detrimental impact on the residential amenity of the locality due to its commercial nature and potential for noise disturbance. Further, the position and design of the storage buildings in the front garden harms

the visual amenity of the area.

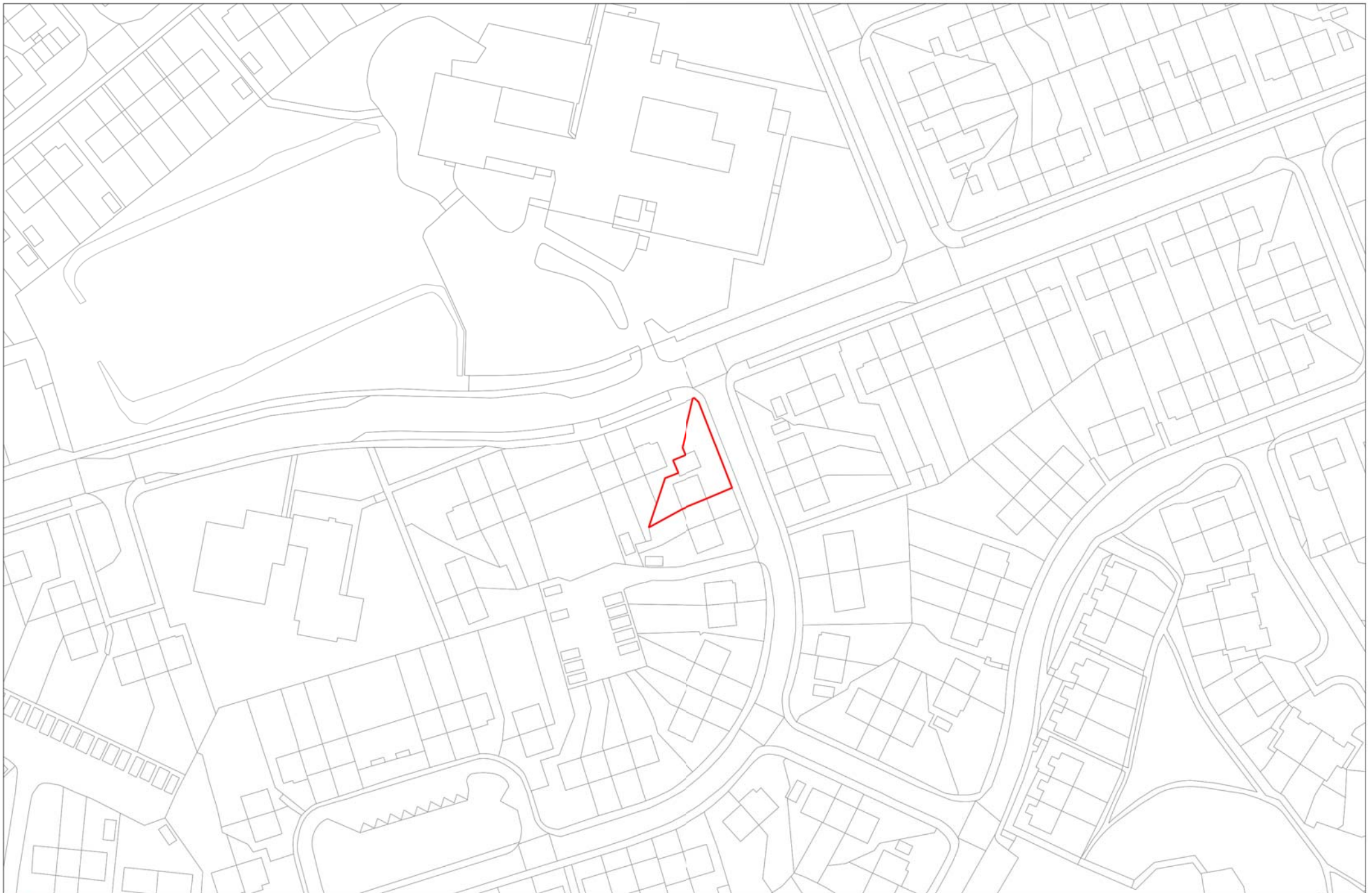
- 8.3** The change of use from residential to a commercial garage business is not conducive with the residential characteristics of the area and has real potential to cause adverse noise and disturbance problems. Further, there is potential for adverse parking problems.
- 8.4** It is therefore recommended that the planning permission be refused as the proposal is contrary to the West Lothian Local Development Plan policy DES 1, EMG 5 and the council's statutory supplementary guidance *Planning & Noise*.

9. APPENDICES

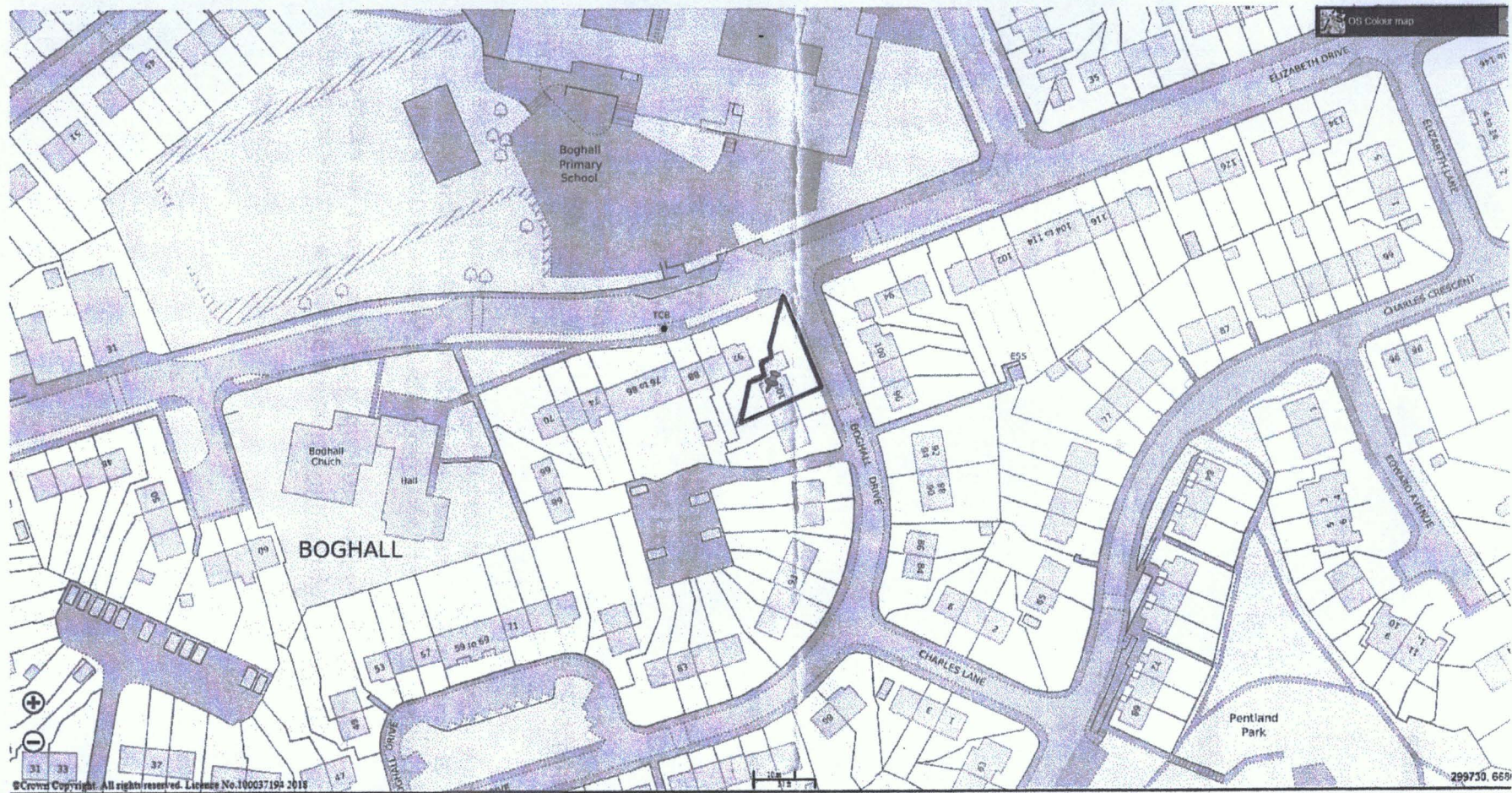
- Location Plan
- Aerial view
- Proposed and amended plans
- Representations
- Members request form
- Draft Reason for refusal

Craig McCorriston

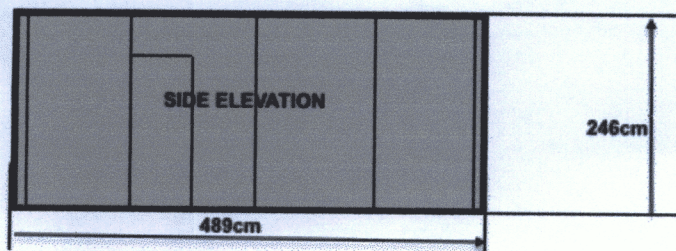
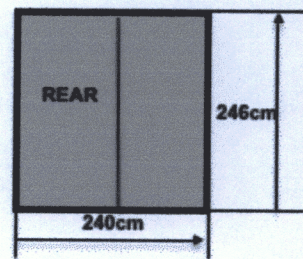
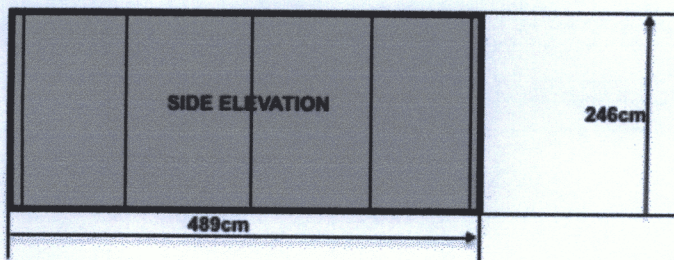
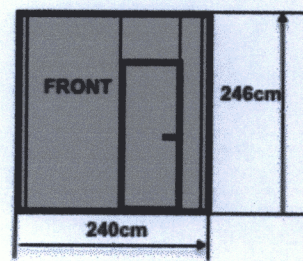
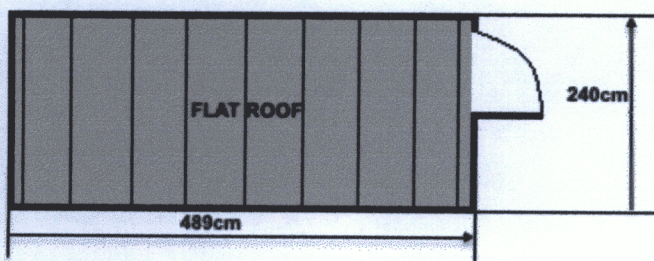
Head of Planning, Economic Development and Regeneration **Date: 15th May 2019**











HEIGHT 246CM
 LENGHT 489CM
 WIDTH 240CM

Comments for Planning Application 0135/FUL/19

Application Summary

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details

Name: Mrs Heather Hay

Address: 100 Boghall Drive 100 Boghall Drive Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I feel the grey portacabin is an eyesore. Behind this were two shelves filled with tyres, which I feel is not safe. The main road in outside the property in Boghall Drive can sometimes be full of cars parked up to the junction with Elizabeth Drive, which I feel is an accident waiting to happen. They do not park at his drive entrance as he got a white line painted when the workers were re doing the white lines on the road. I feel this is not safe especially as we have got Boghall Primary just across the road. I object to the revving of engines especially at night and weekends, this is a housing estate not an industrial estate.

I know the garage has got a hydrolic car lift an air compressor in it. Which not only does he use but his friends come along as well to use this, which means they park in his drive and occasionally out onto the pavement which means pedestrians need to walk on road. Surely a risk assessment would highlight lots of reasons this should not be allowed

Comments for Planning Application 0135/FUL/19

Application Summary

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details

Name: Ms Agnieszka Surowiec

Address: 96 Boghall Drive Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly disagree with previous comment. I think that Mr. Wilson who does not even live close to No 105 and the case does not really concern him should not undermine the commentary of MRS. Hay - which lives opposite.

Mr. Willson who rents house No 66, recently bought a house in Whitburn and will soon move out of Boghall Drive Street, his comment should not be taken into account. I am a owner of a house No 96 on Boghall Dr, just like MRS. Hay, the remaining houses nearby (92,94,98,101,103) are temporarily rented. I fully agree with the commentary of MRS. Hay.

We all as a house owners on Boghall Drive Street agree that this type of business should not be located in a housing estate.

Comments for Planning Application 0135/FUL/19

Application Summary

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details

Name: Ms Agnieszka Surowiec

Address: 96 Boghall Drive Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I expressed my opinion about planned vehicle repair business on Boghall Drive Street - to my disappointment, my comment was removed without my permission. Referring to my precious comment I just want to confirm that I fully agree with the commentary of Mrs. Heather Hay .

I am a house owner on Boghall Drive Street, just like MRS. Hay, the remaining houses nearby (No 92,94,98,101,103) are rented.

We all as house owners - agree that this type of business should not be located in a housing estate.

Comments for Planning Application 0135/FUL/19

Application Summary

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details

Name: Mr Scott Wilson

Address: 66 Boghall Drive BATHGATE

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: 105 Boghall drive has always been an excellent neighbor and member of the community and helps many people around boghall with their cars.

He has been the go to source for many to get advice and minor repairs as lots of people here can't afford to go to dealers and high street businesses.

This is more a hobby for him rather than a business he has no signage or advertising only word of mouth, his garden is always tidy and leaves no parts or waste anywhere.

I actually strongly disagree with comments made previously about cars parking on the pavement or blocking the road, the only vehicles which block the road which is a nuisance for him as well is school run mothers and taxis attending the school i myself have been forced to walk on the road by taxis mounting the pavement here none of these vehicles have anything to do with 105, he always makes a point of telling visitors not to park on the pavement or block driveways and every vehicle he sees is always kept on his property not on the road.

There are also plenty revving vehicles in boghall drive none of which are coming from 105 there are two or three modified vehicles that are started and revved at various times of day none of which are associated with 105.

He always keeps noise to a minimum and does not carry out work late in the evening.

Comments for Planning Application 0135/FUL/19

Application Summary

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details

Name: Ms LEE MCGAUGHAY

Address: 92 ELIZABETH DRIVE BOGHALL

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: THIS GARAGE WOULD BE A GREAT BENIFIT TO OUR COMUNITY.

Comments for Planning Application 0135/FUL/19

Application Summary

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details

Name: Miss LEE MCGAUGHAY

Address: 92 ELIZABETH DRIVE BOGHALL

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: THIS GARAGE WOULD BE A GREAT BENIFIT TO OUR COMUNITY.

Comments for Planning Application 0135/FUL/19

Application Summary

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details

Name: Mr Kevin Aniello

Address: 101 Boghall Drive Bathgate

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have reviewed the planning application for 105 Boghall Drive, Vehicle repair business. After reading other people's opposed reasons, I have to strongly disagree with some of them. The only time there are cars blocking the street is when the school children are being dropped off or collected. As for Mr Lisowski letting his friends use his hydraulic lift, this is simply not true and I have only ever witnessed himself using it. I have also never heard or seen him or any customers revving their engines at anytime of day especially at night when it would be more obviously heard.

Planning Application 0135/FUL/19

Lee McAUGHAY [REDACTED]
92 ELIZABETH DRIVE
Boghall Bathgate
EH48 1JB

I am the neighbour directly next to the garage and have no problem with it its a great idea and we need somewhere to get our cars fixed there is no noise coming out of the garage that could affect my day to day activities there is no cars parked on the street except the school Parents dropping kids of and picking them up I cant find any problems with this garage opening these people will go out there way to help anyone including me and my neighbour I am the closest person to the garage and dont hear a noise come from it I ~~th~~ strongly think this garage should be granted and will be a benifit for the whole comuinty

yours, Sincerely
[REDACTED]

Comments for Planning Application 0135/FUL/19

Application Summary:

Application number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change from use from domestic garage to vehicle repair business of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Commenter Type Neighbour/Friend

Dear Sir/Madame

I'm writing in regards to above proposal which contributes to one of my neighbours but also Friends.

I know Mr. Piotr since I've moved into Bathgate. We've been good friend and neighbours for good 10 years. I do pass his property every single day in different times of the day and I've never experienced any uncomfortable situations on the road (Boghall Drive).

From the street view it's really difficult to realise that there is a garage. There is no problem with parking spaces overly in the area I live. I've never have any trouble to park my car when I need to visit Mr. Piotr. Only in rush hours when people drop off or pick up their kids from primary school, at these time it's impossible to find a car space in this area. But That's the only time.

The Front Garden in Piotr's property is really well groomed and clean.

All over area of the neighbourhood is not affected in any way because of Piotr's passion which is motorisation. He is always happy to help if any member of our family is having any trouble either on the private site or any Car issues. His big passion is motorisation and I've never been charged for his help with my car because Piotr is very polite and helpful man.

I've been in this neighbourhood for years and I've never experience any uncomfortable situations caused by Piotr and also I've never heard any unpleasant comments about Piotr from any of the neighbours.

I would also like to ask for anonymity because one of the neighbours warned me that somebody is threatening others who have a different point of view in this case.

I'm more than happy to confirm my point of view in person if it's necessary.

Kind Regards

[REDACTED]

[REDACTED]

Planning Application 0135/FUL/19

105 Boghall Drive

EH48 1JD

Change of use from domestic garage to vehicle repair business (in retrospect) and siting of storage container and sheds.

I live in the neighbourhood, and have known Piotr for over 10 years, repairing motorisation has always been his hobby. Therefore, I can confidently say that he is a respectful man who doesn't cause trouble in the neighbourhood. He is one who is mindful, kind and always starts conversation with people in the community. His garage is open only to his acquaintances, speaking of, it is kept clean at all times. All machinery and equipment are maintained in safe places. Car parts which are changed by Piotr have been kept and taken back with the individuals who use his facilities, not kept near his premises. People use Boghall drive as a way of parking when picking up or dropping off children from school, which is across the road, then both sides of the road are packed, however Piotr is not responsible for that.

Boghall, 31/3/19

Waldemar Matusik

72 Marina Road,

Bathgate

EH48 1SY



Planning Application 0135/FUL/19

105 Boghall Drive

EH48 1JD

Change of use from domestic garage to vehicle repair business (in retrospect) and siting of storage container and sheds.

I live in the neighbourhood, and have known Piotr for over 10 years, repairing motorisation has always been his hobby. Therefore, I can confidently say that he is a respectful man who doesn't cause trouble in the neighbourhood. He is one who is mindful, kind and always starts conversation with people in the community. His garage is open only to his acquaintances, speaking of, it is kept clean at all times. All machinery and equipment are maintained in safe places. Car parts which are changed by Piotr have been kept and taken back with the individuals who use his facilities, not kept near his premises. People use Boghall drive as a way of parking when picking up or dropping off children from school, which is across the road, then both sides of the road are packed, however Piotr is not responsible for that.

Boghall, 31/3/19

Waldemar Matusik

72 Marina Road,

Bathgate

EH48 1SY



Comments for Planning Application 0135/FUL/19

Application Summary

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

We are supporting above application. As a Piotr Lisowski's friends We can say that We can always count on his help if We have a problem with the car. His work is always done conscientiously and accurately. Prices for car repairs are low but the quality is very high. We also want to notice that Piotr Lisowski does not advertice his services anywhere, he does not place any posters because he treats this activity more as a hobby than the earnings. Passing by his garage at first glance, you can not see that he is repairing cars because the front garden is always clean and looks like ordinary garden. In our opinion, his hobby does not make any disruptions and difficulties to any of his neighbours or people passing by his property.

Milena Staporek



Piotr Miszczak



63 Ogilvie Way

EH54 8HN Livingston

West Lothian

Phone No:



Comments for Planning Application 0135/ful/19

Application number: 0135/FUL/19
Address: 105 Boughall Drive
West Lothian
EH48 1JD

Piotr is a friend of mine who's been a great support with change parts in my car. Always keeping the enviroment clean and tidy. He also fixes several issues with my girlfriends car. Piotr is a good, friendly always happy to help person.

Sincerely
Sebastian Kulwicki
Karolina Sadel



Comments for Planning Application 0135/FUL/19

Application Summary

ApplicationNumber:0135/FUL/19

Address: 105 Boghall Drive Bathgate EH48 1JD

Proposal:Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Customer Details:

Name: Mr. Igor Strashivskyy

Address: 93 Boghall Drive Bathgate EH48 1JD

Comment Details:

I'm a neighbor, I live nearby, oftentimes I go to the garage in a neighbourly. People are very pleasant and friendly. I am very glad that the garage is not far, as they will always help and prompt with car repair. The garage is open from 9:00 to 17:00. Boghall Drive is a very busy district, a many of cars that park at the side of the road, especially a lot when school finishes and parents travel for children. This car is not from garage. On the territory of the garage is clean and tidy there is no dirt. When working in the garage almost minimal noise.

31.03.19

RE APPLICATION
NO 0135/FUL/19.

W.L.C. 3 DURHAM AV
BATHSATE
EH48 2BZ
02 APR 2019 30-3-19.

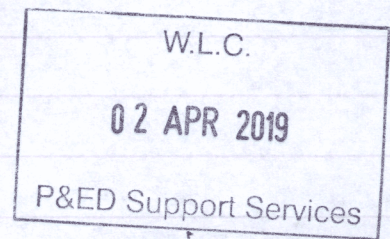
DEAR SIR,

P&ED Support Services

I HAVE BEEN VERY GOOD FRIENDS WITH LIDIA AND PIOTR LISOWSKI FOR APPROX 10 YEARS, I AM A HEALTH CARE ASSISTANT WITH MARIE CURIE CANCER CARE FOR 10+ YEARS IN EDINBURGH, LIDIA AND I GO HILL WALKING. I AM APPAUKED AT THE WAY THEIR NEIGHBOURS AR VICTIMISING THEM, THEY ARE QUIET LAW ABIDING CITIZENS. PIOTR HAS CHECKED MY CAR A FEW TIMES AS IT IS HIS HOBBY AND PASSION TO POTTER WITH CARS. HE NEVER LEAVES A MESS, SCRAP OR LITTER LYING AROUND, LIDIA WOULD NOT LET HIM AS SHE KEEPS HER GARDEN AND SURROUNDING AREA. AMMACULATE, AS ANY PASSING PERSON CAN WITNESS. (THIS IS LIDIA'S PASSION). WHEN I VISIT THE ONLY CARS CAUSING A PROBLEM IN THE STREET ARE THE SCHOOL RUN, CARS AND IF THERE IS A SCHOOL EVENT AND THE STREET IS REALLY BUSY. I CAN SYMPATHISE AS I LIVE BESIDE THE WINDYKNOW P.S., BUT THESE ARE THINGS ONE MUST TOLERATE

YOURS FAITHFULLY

COMMENTS FOR PLANNING APPLICATION
0135/FUL/19



APPLICATION: SUMMARY

APPLICATION: NUMBER 0135/FUL/19

ADDRESS: 105 BOGHALL BATHGATE WEST LOTHIAN EH48 1JD

PROPOSAL: CHANGE OF USE FROM DOMESTIC GARAGE TO VEHICLE REPAIR BUSINESS AND SITTING OF STORAGE CONTAINER AND SHEDS.

CASE OFFICER - THOMAS COCHRANE

CUSTOMER DETAILS - NAME ISOBEL JONES,

ADDRESS 14 CHERRY AVE BOGHALL

COMMENT DETAILS -

COMMENTS - BEEN A RESIDENT IN BOGHALL FOR OVER

30 YEAR AND A FRIEND OF PIOTR FOR OVER 10

I have been a friend of Piotr for over 10 years and always found him polite and helpful, he is a very good mechanic, he just loves working with cars, I've took my car down to him many times, he changes my light bulbs and window wipers and any small problems with car he will fix and not charge me "Just glad to help he will say" and any big thing wrong with car he will fix at affordable price and show me anything he has to change and repair, whenever I've been down his garden and surrounding areas are always well kept.

Piotr will always stop for a chat if I'm passing in fact when we were chatting I happened to say I was looking for a locksmith as my key had broken in my front door lock

don't bother he said give me 5 mins.
and I'll fix it. and all it cost was a
cup of coffee. We need more people like
people like PIOTR in our community giving an
affordable service and a helping hand when
he can, I'm a pensioner and live alone so
it's reassuring to know there is people like
Piotr that will look out for you in
our community.

And as for cars blocking the road
the only time it is blocked is when school
kids are getting dropped off and picked up at
Primary school. also I know he doesn't
like to work late and he has Sunday
as a rest day. Piotr is only a man
trying to make a honest living at something
he loves.

Yours sincerely

[REDACTED]
31/3/2019

Comments for Planning Application 0135/FUL/19

Application Number: 0135/FUL/19

Address: 105 Boghall Drive Boghall Bathgate West Lothian EH48 1JD

Proposal: Change of use from domestic garage to vehicle repair business and siting of storage

container and sheds (in retrospect)

Case Officer: Thomas Cochrane

I am writing to support my husband Piotr Lisowski planning application and I feel that some clarification should be given to online comments objecting this application.

The line at our driveway has been painted to prevent school drop offs and pick ups parking and blocking our driveway and I truly believe there is nothing wrong with having such a line painted as they are designed for this purpose. Yes, we do ask people to don't park on this line in afternoon as our neighbours (Mr and Mrs Hay) are reversing back to their driveway and we are making this manoeuvre easier by providing this space free from obstructions – however our kindness has been used against us in online comment.

We are well known for asking people to don't park on pavements as there is elderly gentleman living in our area using mobility scooter and he is very often passing by our property. On bin collection days I am always putting my next door neighbour and Mrs /Mr Hay bins back to their driveways making sure this gentleman has got a free way and can pass easily.

Also we can not take responsibility for vehicles parked on the road / pavements especially during school start and finishing times. On many occasions we have been blocked with vehicles during this times and there was absolutely nothing we could do about it – we live beside the school and it is one of the joys that we simply need to accept.

Many times we are seeing a vehicle parked at our property during the day as some parents are coming over to the school and due to zig-zag lines on main road they decide to park at Boghall Drive and we are the closest to the junction so it looks like the vehicle belongs to us.

Regards to tyres comment – there is our spare set of wheels with tyres lying at the back of storage container (you cant see them from street view) and surely many people got the same in their gardens therefore I don't feel that this is causing any safety issues especially to any of my

W.L.C.
02 APR 2019
P&ED Support Services

neighbours.

We fully understand that this is a housing estate hence why my husband is limiting his working hours to 9-17, Monday to Saturday (never on Sundays) and does not pick any jobs that could cause a lot of noise that could upset our neighbours. Sometimes garage doors are open a bit later but its not due to extending working hours but simply he is having conversation with his friends coming in for a quick chat or catching up with his phone calls and messages. I am pretty sure that there is nothing wrong with being in the garage and chatting over the phone or with a friend and many people will do happily do that instead of standing outside in cold weather when its wet and windy.

We can not take responsibility for modified vehicles driving around Boghall and revving their engines and for sure this can not be controlled by us. It feels like we are getting blamed for the noise simply because we have a car in the garage or the doors are open.

Also having a small car lift or an air compressor in the garage is not prohibited and this kind of information should not be disclosed online for security reasons as this type of equipment is not cheap. Yes we do help our family and friends and they do use my husband tools and there is nothing wrong with that – its called being helpful and friendly and many people will borrow something from a friend or a neighbour at some point of their life. Its like asking a friend to alternate your trousers or simply use their sewing machine to DYI and having her neighbours blaming her for it – surely that is not a positive approach.

Both houses (100,96) that have objected online this application have been happy enough to use my husband services before, however once he is following planning procedures suddenly they have objection where for so many years we have not heard a word against his work. In fact I have been prised by them and many other people for lovely garden especially during summer time where my flowers are blooming. Also my husband has been told on many occasions by Mr Hay to “keep going” with what he is doing.

Also there is a correction needed for Ms Surowiec comment as number 103 is actually occupied by the owner therefore is not rented – that is how much Ms Surowiec knows her neighbourhood however she feels she has the right to apply her own opinion to every house owner. In my opinion this application is not about the house owners but it's about how much good my husband does for local people, friends and community by being very helpful. His very positive attitude makes him very approachable and that's how he has gained a lot of friends in local

community what perhaps can be an eyesore to some people.

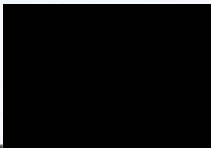
We would more than happy to move my husband hobby to industrial estate, unfortunately is not that easy as most of us would think. For at least 3 years we have been looking for an affordable industrial unit for my husband to move his hobby to more convenient place however each time something comes up we are facing either a financial barrier or refusal of the unit. The only affordable local units are provided by West Lothian Council on their Industrial Estates and unfortunately each time we are receiving email or phone-call that they DO NOT rent units for vehicle related businesses -end off. I can't remember how many times I have been explaining the way how my husband runs his car repair hobby however I have been facing a wall of refusal each time.

We are both self employed and we don't make a lot of money but it's enough to survive and we are happy enough to don't complain about it. We don't want to look for support from social/benefit services as we believe there is much more people being in much worse situation then we are and they really need this kind of help more then we do. We haven't been on holidays for at least 5 years and we spend our evenings, weekends and days off at home as we can not afford to go out but that doesn't bother us. Regardless to our financial situation we will always try to help anyone who will ask for it as we believe that it's nice to be nice and you get back what you give.

We are simply trying to get on with our lifes ...

Kind Regards

Lidia Lisowski



105 Boghall Drive
Bathgate
EH481JD

29/03/2019

Application number: 0135/FUL/19

Address: 105 Boghal Drive Boghal Bathgate West Lothian EH 48 1JD

Prospal: Charge from use from domestic garage to vehicle repair business and sitting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Details

Name: Mariusz Wojtonis

Address: 32 Burnvale, EH54 6DD, Livingston

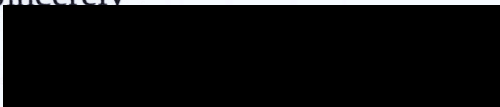
Commenter Type: Friend

Dear Sir/Madam,

I am writing in support of the recently submitted planning application.

I am not neighbour but whenever I had a problem with car, he always try to helped me. Every time he told me on what time I have to came and I leaved my car on him driveway. I noticed that he has tidy in garage and outside. .He always was smiling, honest and he had a positive attitude.

Sincerely



W.L.C.
02 APR 2019
P&ED Support Services

31/03/2019

Application number: 0135/FUL/19

Address: 105 Boghal Drive Boghal Bathgate West Lothian EH 48 1JD

Prospal: Charge from use from domestic garage to vehicle repair business and sitting of storage container and sheds (in retrospect)

Case Officer: Thomas Cochrane

Details

Name: Marek Prytula

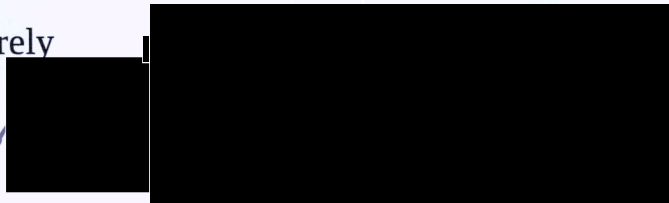
Address: 27 Alexandra Avenue EH48 1SA Bathgate
07707473303

Commenter Type: Friend

Dear Sir/Madam,

I am writing to You in support of the recently submitted planning application. I know my friends a lot of years and they are very friendly. They never refused to help me. They are very honest, honorable and smiling people with great positive attitude. During last winter I got a problem with my car. Any workshop did not work, but Piotr did not leave me without help. Such people we should support and respect.

Sincerely

A large black rectangular redaction box covers the signature and name of the sender.

W.L.C.
02 APR 2019
P&ED Support Services

APPLICATION NUMBER: 0135/FUL/19

ADDRESS: 105 BOGHALL DRIVE
BOGHALL BATHGATE
WEST LOTHIAN
EH48 1JD

W.L.C.

02 APR 2019

P&ED Support Services

PROSPAL: CHARGE FROM USE FROM DOMESTIC GARAGE TO VEHICLE
REPAIR BUSINESS ^{AND SITTING} OF STORAGE CONTAINER AND SHEDS.
(IN RETROSPECT)

CASE OFFICER: THOMAS COCHRANE

DETAILS:

ALINA WOJTONIS
19 GREENWELL STREET
FAULDHOUSE, EH47 9ET
[REDACTED]

Dear Sir / Madam

I am writing this letter in support of the recently submitted planning application.

Piotr is my friend. Whenever I had a problem with my car or my dad's car, he never refused help. He came to my house for a car, took it to his garage and later brought it to me. He always told me what broke in the car and what he repaired.

Mostly I felt that I was paying for the cost of the parts. Sometimes it was a small of thing and he did not want money for it.

I think that there are few people like Piotr who are honest and sincere in what he does.

Sincerely
[REDACTED]

28/03/19

Planning Application 0135/FUL/19

105 Boghall Drive

EH48 1JD

Change of use from domestic garage to vehicle repair business (in retrospect) and siting of storage container and sheds.

I live in the neighbourhood, and have known Piotr for over 10 years, repairing motorisation has always been his hobby. Therefore, I can confidently say that he is a respectful man who doesn't cause trouble in the neighbourhood. He is one who is mindful, kind and always starts conversation with people in the community. His garage is open only to his acquaintances, speaking of, it is kept clean at all times. All machinery and equipment are maintained in safe places. Car parts which are changed by Piotr have been kept and taken back with the individuals who use his facilities, not kept near his premises. People use Boghall drive as a way of parking when picking up or dropping off children from school, which is across the road, then both sides of the road are packed, however Piotr is not responsible for that.

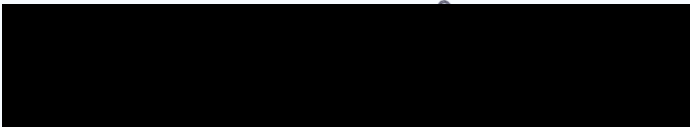
Boghall, 31/3/19

Waldemar Matusik

72 Marina Road,

Bathgate

EH48 1SY



W.L.C.
02 APR 2019
P&ED Support Services

APPLICATION 0135/FUL/19

105 BOHGALL DRIVE, BATHGATE EH481JD

**CHANGE OF USE FROM DOMESTIC GARAGE TO VEHICLE REPAIR BUSINESS AND
SITTING OF METAL STORAGE AND SHEDS**

22/03/2019

I am sorry but my english not very good. I support application. Piotr my friend do my car cheap. Helps me a lot as I no have money. His good guy - help other people. His place is clean - no garbage.

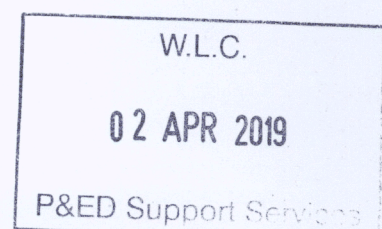
Thank you very much

Damian Ochal

29 Birniehill Road

EH482RP

07438831322



Jaroslav Jarosz
13 Liggat Syke
Broxburn
EH526SY
Tel. 07783624017

28/03/2019

0135/FUL/19

105 BOHGALL DRIVE, BATHGATE EH481JD

I am writing this letter in support of the recently submitted Planning Application for CHANGE OF USE FROM DOMESTIC GARAGE TO VEHICLE REPAIR BUSINESS AND STORAGE SHEDS.

Piotr has always been into vehicle repairs and many times he has helped me and my family with our cars saving us a lot of money. Its really hard to find someone like Piotr this times. He really does put his hart into his hobby and he does a fantastic job.

A lot of times I have witnessed people coming to see Piotr for an advice – he's always been very helpful to everyone.

I do believe that no one will regret having such a “mechanic” in their community.

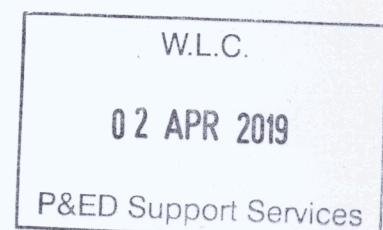
His front garden is well maintained by his wife and there is no obvious signs of car repair business there or any business. He does ask to take old parts away with us as he doesn't got a waste facility there, what is absolutely understandable. Very often he picks up the car and drops off once he has finished with it, sometimes I bring my car over and once I couldn't get into his driveway as someone was picking up child from school and has parked in front of his driveway gates. There was no available space to park around his property due to parents picking up their children from school.

In my own opinion his place can be compared to shed grooming services however they do advertise where Peter doesn't , his hobby business is purely word of mouth.

I support in full the application as his friend, I hope you will take these points into consideration.

Regards

Jaroslav Jarosz



Date 30/03/2019

Dariusz Sztal

24 Fivestanks Place

Broxburn

EH526BJ

07749613264

Dear Sirs,

Re: 0135/FUL/19

105 BOGHALL DRIVE

BATHGATE

EH481JD

I am writing this letter in support of the recently submitted Planning Application for change of use from private garage to business – however is hard to understand why Piotrs car hobby and helping out his family and friends should be classed as business.

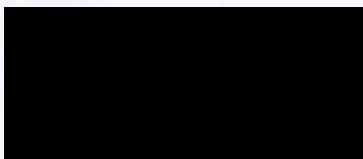
I know that he is helping out other people at his neighborhood area, and providing services to them surely is building up community. I personally wish to have such a person staying close to me to bring good community spirit as such is disappearing everywhere.

As you are aware not many people at Boghall can afford to go to hi priced garages to fix their cars and many times Piotr has helped them saving money, this is surely improving road safety and environment. He is for sure positively contributing to the local economy and culture.

And thats why I am supporting his application.

King Regards

Dariusz Sztal



W.L.C.
02 APR 2019
P&ED Support Services

André Pereira
17 Anne Street
EH48 1SL, Bathgate
M: 07938679148
E: andreperreira@w3blink.net

Thomas Cochrane

Civic Centre
Howden South Road
EH54 6FF, Livingston

Dear Thomas Cochrane

I am writing this letter to express my opinion regarding a Planning Application, 0135/FUL/19, for a project at 105 Boghall drive, EH48 1JD with the desire to convert a domestic garage in to a vehicle repair business.

As a resident in Bathgate area since 2014, I've always found hard to find proper mechanics to take care of the maintenance and repairs on my cars.

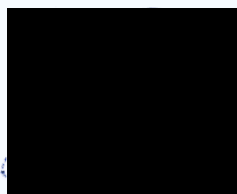
Since we moved into Boghall and used Pete services for the first time we felt like we finally found someone who was willing to help and maintain our cars free of problems for an affordable price. Having engaged with Pete for many times regarding various situations, I feel that having him "just across the road" is a bonus and a value added to us and to all the Boghall community.

Pete has always shown concern with the surroundings, making sure his business didn't upset anyone around him. He never allowed us to drop our cars in front of his garage unless it was just a quick stop to speak with him for a bit of advice, which a lot of people do because they trust him.

Every time I needed a car repair I had to book a slot so he would have free space inside is driveway area or even inside the garage. He is very professional and a very knowledgeable mechanic, an absolut star for all the community and for those who need his help.

I would like to express my satisfaction and total support for this application hoping it will be approved/granted as soon as possible.

André Pereira



W.L.C.
02 APR 2019
P&ED Support Services

From: Boyle, William - Councillor

Sent: 12 April 2019 15:02

To: Burton, Ross

Subject: Re: Development Management - Weekly list of proposed delegated planning decisions

0135/ful/19

Boghall Drive

Bathgate

Change of use from domestic garage to business use.

Hi Ross

As it is not possible to complete your notification form on line please register this application for call in to committee. I have been requested by the applicant to do this.

Willie.

Sent from my iPad

Draft Justification for Refusal

The council in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 (as amended) refuses planning permission for planning application . for the reason(s) set out as follows:

The proposal is considered to have a detrimental impact on the residential amenity of the locality due to its commercial nature and potential for noise disturbance. Further, the position and design of the storage buildings in the front garden harms the visual amenity of the area. The proposal is therefore contrary to the West Lothian Local Development Plan policy DES 1, EMG 5 and the council's statutory supplementary guidance *Planning & Noise*.

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development & Regeneration

1 DESCRIPTION AND LOCATION

- 1.1 Variation of condition 24(f) & (i) of planning permission 0524/P/09 to change timescale for delivery of park & ride facility at Kirknewton Railway Station, Kirknewton

2 DETAILS

Reference no.	0524/P/09	Owner of site	Various
Applicant	Stirling Developments	Ward & local members	East Livingston & East Calder Dave King Carl John Damian Timson Frank Anderson
Case officer	Tony Irving	Contact details	01506 282410 tony.irving@westlothian.gov.uk

Reason for referral to Development Management Committee: Discretion of Head of Planning, Economic Development & Regeneration

3 RECOMMENDATION

- 3.1 Agree to vary condition 24.

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

- 4.1 Stirling Developments is the lead developer of the Calderwood development that forms part of the core development area at East Calder. Planning permission in principle (PPiP) was granted in 2013 for a mixed use development including 2300 homes. The development is progressing well on site with some 400 homes occupied, substantial roads, drainage and open space infrastructure in place and a community shop/café (The Larder) is open.
- 4.2 The PPiP has various conditions controlling different aspects of the development. Condition 24 requires the provision of transportation infrastructure. Part (f) of condition 24 originally required a 50 space first phase of the park & ride facility by the 300th home occupation. That was subsequently varied to the 378th occupation. Part (i) of condition 24 requires a 50 space second phase of the park & ride facility by the 500th occupation.

- 4.3 Stirling Developments has been progressing the detailed design of the park & ride facility and has submitted two applications. The first application (0634/MSC/15) was withdrawn to allow further discussion on the design of the facility with stakeholders. The second application (0666/MSC/18) was refused contrary to officer recommendation by Development Management Committee on 20 February 2019 for the following reason:

The proposal does not accord with policies DES1 and TRAN1 of the West Lothian Local Development Plan 2018 as it would cause severe loss of amenity to 6 Milrig Holdings in terms of access, noise, light pollution and air quality and as the proposal would have adverse impacts on road and pedestrian safety due to the proximity of the access road to the existing station car park access and to the level crossing

- 4.4 Stirling Developments has indicated that it intends to appeal against this refusal to the Scottish Government. Stirling Developments has also indicated that it is investigating alternative designs in the event any appeal is unsuccessful and that it remains fully committed to providing the facility in accordance with the PPIp for Calderwood.
- 4.5 Following the refusal of the application for the detailed design of the park & ride, Stirling Developments has now submitted a request to vary the timescale to deliver the first two phases of the park & ride as set out in condition 24 (f) & (i) of the PPIp. The wording of condition 24 allows the requirements of condition 24 to be amended if agreed with the council. Stirling Developments has advised that the refusal has directly impacted on its ability to deliver the facility and thus it seeks additional time to secure the necessary consent whilst allowing house building at Calderwood to continue.
- 4.6 Stirling Developments thus seeks to vary the requirement for the first phase (50 spaces) of the park & ride from the 378th occupation to the 575th occupation and vary the requirement for the second phase (50 spaces) of the park & ride from the 500th occupation to the 650th occupation.
- 4.7 The PPIp also requires a third phase (50 spaces) at the 1000th occupation, a fourth phase (50 spaces) at the 1500th occupation and a final fifth phase (100 spaces) at the 2000th occupation, thus giving a potential total park & ride capacity of 300 spaces.

5 REPRESENTATIONS

- 5.1 As the request to vary condition 24 (f) & (i) has been made under the terms of the condition and not a new application, there is no requirement for any publicity and there are no representations.

6 CONSULTATIONS

- 6.1 The consultations are summarised below. The full consultations are contained in the application file.

Consultee	Objection	Comments	Planning Response
WLC Roads & Transportation	No	Acknowledge that the delay in provision of the park & ride would have an impact on sustainable transport options but that the additional trips this would result in on the A71 would be negligible.	Noted.

7 PLANNING POLICY ASSESSMENT

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 The development plan comprises of the Strategic Development Plan for Edinburgh and South East Scotland 2013 (SESplan) and the West Lothian Local Development Plan 2018 (WLLDP).
- 7.3 Relevant development plan policies are listed below.

West Lothian Local Development Plan 2018

Policy	Assessment	Conform
<p>TRAN1 Transport Infrastructure</p> <p>The council will co-operate with other agencies in preparing investment programmes to enhance the environment by active travel infrastructure, public transport facilities, traffic and parking management in its towns and villages.</p> <p>Development will only be permitted where transport impacts are acceptable.</p> <p>This will be established where appropriate, through a Transport Assessment which covers all modes of transport and has been approved by the council.</p> <p>Parking levels for development shall conform to the council's current adopted standards.</p> <p>Further guidance is found in the council's draft Active Travel Plan (2015) which will be taken forward as Supplementary Guidance alongside the council's draft Local Transport Strategy (refresh) (2016).</p> <p>Strategic transport infrastructure requirements are set out in Chapter 6 of the Local Development Plan.</p>	<p>The park & ride will still be provided, but at a slightly later date. The transport impacts of the delay are acceptable.</p>	<p>Yes</p>

<p>TRAN2 Development Contributions and Associated Works</p> <p>Developers will be required to provide or contribute towards, the provision of travel improvements including traffic and environmental management measures, measures to promote trips by sustainable modes including walking, cycling, public transport, car sharing, and road improvements where these would be justified as a result of new development or redevelopment. Travel plans and an associated monitoring framework will be required to support major new developments such as the previously identified Core Development Areas, strategic housing allocations and inward investment proposals.</p>	<p>The park & ride will still be provided.</p>	<p>Yes</p>

<p>8 ASSESSMENT</p>

- 8.1 The proposal by Stirling Developments is to delay the provision of the first phase (50 spaces) of the park & ride from the 378th occupation to the 575th occupation and the second phase (50 spaces) from the 500th occupation to the 650th occupation. At present there are some 400 occupations.
- 8.2 The delay is sought as result of Stirling Developments being refused permission for the detailed design of the park & ride and the consequent need for additional time to secure approval for this.
- 8.3 The delay in provision of the park and ride will have, to a degree, a negative impact on sustainable travel options for residents from not only new housing in the core development area but also for existing residents in East Calder and Kirknewton. There will be a loss of transferring existing travel patterns to rail with some measure of traffic relief on the road network.
- 8.4 The impact on vehicle trips on the A71 as a result of delaying the trigger point for the park & ride from the 378th occupation to the 575th occupation, a delay of 197 residential units, is a potential increase of 7 vehicles trips per day on the A71. This figure is calculated using information from the transport assessment submitted with the PPIP application for Calderwood (197 units with 47% car drivers and 8% of these travelling by rail).
- 8.5 Calderwood is proving to be a successful development, is a valuable contributor to the housing land supply in West Lothian and continues to generate substantial economic benefits for the local economy. Calderwood is an important element of the council's development strategy and its continued build out is supported.

- 8.6 The delay in provision of the park & ride is not ideal as it will limit potential for increased trips by rail which is important in terms of sustainable travel objectives. However, the delay sought is not unreasonable given the need to secure consent for the detailed design of the park & ride and the limited impact this will have on the road network.

9 SUMMARY AND CONCLUSIONS

- 9.1 The proposal will result in a delay in provision of the park & ride at Kirknewton Railway Station. This will have an impact on sustainable transport options for residents. This delay needs to be weighed against the benefits of the continued development of Calderwood and the successful implementation of a major element of the council's development strategy.
- 9.2 It is concluded that the delay sought is acceptable as it will allow Stirling Developments time to secure consent for the detailed design of the park & ride, will have a negligible impact in terms of additional vehicle trips on the A71 and will allow house building to continue at Calderwood.
- 9.3 It is thus recommended that condition 24 (f) & (i) be varied to require the first phase (50 spaces) of the park & ride by the 575th occupation and the second phase (50 spaces) by the 650th occupation.

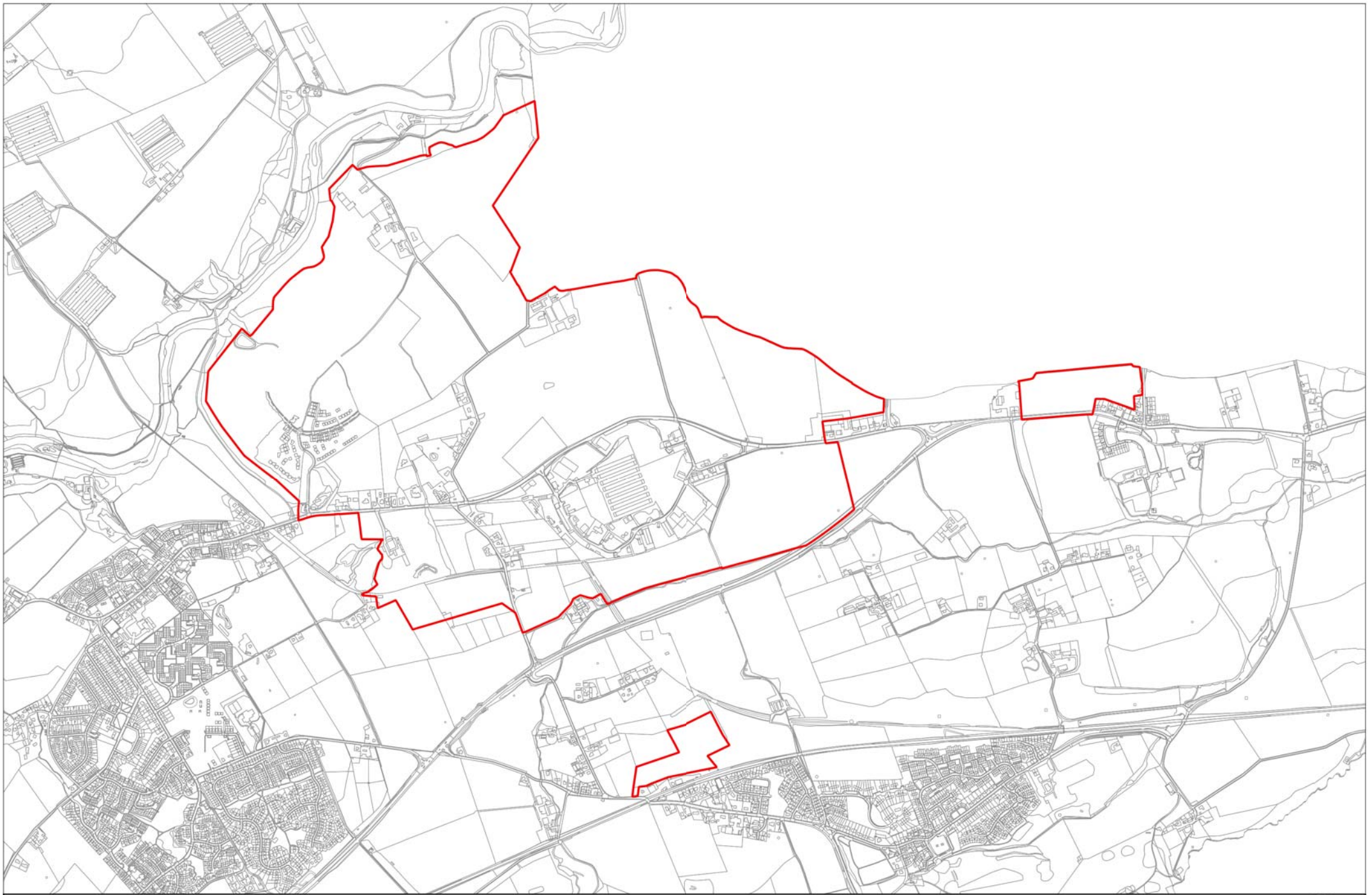
10 ATTACHMENTS

- Location plans

Craig McCorrison

Head of Planning, Economic Development & Regeneration

Date: 15 May 2019





Development Management

List of Delegated Decisions - 12th April 2019

The following decisions will be issued under delegated powers unless any Member 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.:	0135/FUL/19	Recommendation:	Refuse Permission
Proposal:	Change of use from domestic garage to vehicle repair business and siting of storage container and sheds (in retrospect)		
Address:	105 Boghall Drive, Boghall, Bathgate, West Lothian, EH48 1JD (Grid Ref: 299663,668575)		
Applicant:	Mr Piotr Grzegorz Lisowski Big Pit Garage	Type:	Local Application
Ward:	Bathgate	Case Officer:	Thomas Cochrane
<u>Summary of Representations</u>			
23 Representations in support and 3 objections -			
<ul style="list-style-type: none"> - Support: <ul style="list-style-type: none"> o Excellent neighbour. o It is a hobby o Benefit to the community - Objections: <ul style="list-style-type: none"> o Portacabin is an eyesore o Parking/access o Noise from car engines o Noise from Air compressor 			
<u>Officers report</u>			
Retrospective planning permission is sought for a change of use of a garage at a semi-detached property from domestic use to vehicle repair business, and the siting of storage containers and storage sheds associated with the business in the garden and driveway of the property. The house sits within a residential neighbourhood and is adjacent to Boghall Primary School. It is located within 20m of the junction of Boghall Road and Elizabeth Drive. The application was submitted following enforcement action after the council received complaints from neighbours about the use.			

Environmental health recommend refusal on the grounds of potential noise nuisance to neighbouring premises. This would also be contrary to West Lothian Local Development Plan policies DES 1, which seeks to prevent uses which have a "significant impact on adjacent buildings in terms of amenity" and EMP 2, which states that "proposals should be compliant with neighbouring land uses and have no unacceptable traffic, amenity or environmental impact." The metal container which is used for storage and as a workshop is also inappropriate in a residential setting.

In view of the identified detrimental impact on neighbouring residential uses is recommended that planning permission is refused.

Ref. No.:	0175/P/19	Recommendation:	Refuse Permission
Proposal:	Planning permission in principle for a 1.7 Ha residential development		
Address:	Land Near Craigrigg Cottages, Bridgehouse, Westfield, West Lothian, (Grid Ref: 293755,671045)		
Applicant:	Mr Billy Grant Chartmount Landholdings Ltd	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Mahlon Fautua

Summary of Representations

One objection
-Impact on drainage and wildlife

Officers report

Planning permission in principle is sought for a residential development on a former brickworks in the countryside near Bridgehouse. The brickworks were closed in the 1970s and demolished in 1977.

As the site is in open countryside, outwith the settlement boundary, the proposal is assessed against Policy ENV 2 of the West Lothian Local Development Plan, which carries a presumption against housing in the countryside, unless it can be justified against a number of exceptions. One exception, which the applicant cites in a supporting statement, is the development of a visually intrusive previously developed site which has no prospect of returning to agricultural use and which is vacant and derelict.

While the site was previously developed it has remained vacant for approximately 40 years. In that time the site has naturally regenerated and now has the appearance of a greenfield site. It is not considered to be visually intrusive. Therefore it is considered that the proposal does not meet the exception to Policy ENV 2. There are no other material considerations which outweigh the policy presumption against development.

In view of the above it is considered that the development is not justified and therefore it is recommended that the application is refused.

Development Management

List of Delegated Decisions - 18th April 2019

The following decisions will be issued under delegated powers unless any Member 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.:	0198/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Formation of 16 space overspill carpark in relation to application 0197/FUL/19 for alterations to Ogilvie School Campus		
Address:	Land Adjacent To,Knightsridge Industrial Estate, Knightsridge East Road, Knightsridge, Livingston (Grid Ref: 304406,669080)		
Applicant:	West Lothian Council	Type:	Local Application
Ward:	Livingston North	Case Officer:	Steven McLaren

Summary of Representations

There have been 2 representations received relating to: Parked cars in the area would encourage further anti-social behaviour; Additional noise impacting on shift working; No security lighting is proposed; No security fencing proposed; No CCTV proposed.

Officers report

The proposal is to construct an overspill car park of the Ogilvie School Campus on an area of land at the entrance to Knightsridge Service Units and directly behind Ross Way. The overspill car park is proposed to take account of previous objections to a proposed extension to Ogilvie School Campus which will allow it to take children through primary and secondary education. This will eventually result more staff at the school and more on street parking in 2 to 3 years following the school extension being complete. Objections have been received from 2 residents citing noise nuisance and exacerbating anti social behaviour. Anti social behaviour is a matter for the police but to prevent the car park being used outwith school hours a lockable gate can be installed. Noise from cars running on a loose surface has also been raised and the central section of the car park can be tarmac. There is a limited budget for this project therefore electronic barrier and full tarmac surfacing may not be possible. The solutions proposed would remove some of the issues raised. Recommendation therefore is to grant planning permission with conditions relating to a secure gate and surfacing. This is a longer term solution and in the interim, another option may arise which will provide additional parking for staff.

Development Management

List of Delegated Decisions - 26th April 2019

The following decisions will be issued under delegated powers unless any Member 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.:	0282/H/19	Recommendation:	Refuse Permission
Proposal:	Extension to house		
Address:	Cottage West Of Oakbank Cottages, West Calder, West Lothian, , (Grid Ref: 301548,664940)		
Applicant:	Mr George Ritchie	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Thomas Cochrane
<u>Summary of Representations</u>			
No representations received			
<u>Officers report</u>			
<p>This property is a dilapidated traditional single-storey cottage that is in scale and context with neighbouring properties at Oakbank Cottages. The proposal is contrary to LDP policy DES 1 due to the extension size and design having an adverse impact on local built heritage and on the visual amenity of the locality. Furthermore, the council's house extension & alteration design guide states that development should reflect the character of the property, should not dominate the existing building and should be subsidiary to the existing property. The proposal doesn't achieve this.</p>			

Development Management

List of Delegated Decisions - 3rd May 2019

The following decisions will be issued under delegated powers unless any Member 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.:	1043/FUL/17	Recommendation:	Refuse Permission
Proposal:	Erection of 2 houses		
Address:	18-20 Mid Street, Bathgate, West Lothian, EH48 1PT, (Grid Ref: 297624,668956)		
Applicant:	Mr Brian Goudie Hydro Property Company	Type:	Local Application
Ward:	Bathgate	Case Officer:	Gillian Cyphus
<u>Summary of Representations</u>			
No representations have been received.			
<u>Officers report</u>			
The proposed new houses would have no street frontage, a very poor out look and an unacceptably low level of amenity. The siting of two houses in the rear garden of the existing flats is considered to be tandem development and will have a detrimental impact on the amenity of the existing residents. The application is therefore contrary to policies DES1 and HOU 3 in the adopted WLLDP and the council's Residential Development Guide, so it is recommended that planning permission is refused.			

Ref. No.:	0538/FUL/18	Recommendation:	Refuse Permission
Proposal:	Conversion and extension of farm buildings to form 4 houses and erection of 4 houses with associated works		
Address:	Cairnview Mains Farm, West Calder, West Lothian, EH55 8LD, (Grid Ref: 300640,661483)		
Applicant:	DM Reid Farming	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Mahlon Fautua

Summary of Representations

No representations received

Officers report

The proposed conversion of the derelict farm building is acceptable in principle. However the four new houses would be substantially beyond the footprint of the existing yard/developed area. Furthermore, the applicant has not demonstrated that the buildings are capable of being retained and converted.

It is considered that the proposed development does not fully satisfy the fundamental criteria in policy ENV 2 of the LDP. Therefore the development is not justified in accordance with the development plan.

It is therefore recommended that planning permission is refused as the proposal is contrary to LDP policies, DES1 (Design Principles) and ENV2 (Housing Development in the Countryside).

Ref. No.:	0718/FUL/18	Recommendation:	Grant Planning Permission
Proposal:	Erection of 16 houses		
Address:	Land At Allison Gardens,Blackridge, West Lothian, , (Grid Ref: 289930,666887)		
Applicant:	Southvale Homes (Lanark) Ltd	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Mahlon Fautua

Summary of Representations

One objection -
 -plot 43 of this Application is to close to property of No 25 Allison Gardens
 -who is responsible for fence at the rear of the proposed properties.

Officers report

The proposed development is acceptable subject to confirmation on noise mitigation from the adjacent railway
 It is considered that the proposed development meets the relevant West Lothian Local Plan policies - DES 1 and EMG 5
 It is therefore recommended that planning permission be granted subject to conditions.
 Please note that proposed units are exempt from developer contributions.

Ref. No.:	0826/FUL/18	Recommendation:	Grant Planning Permission
Proposal:	Demolition of existing properties and erection of 136 residential units (as amended from 144 units) with associated infrastructure works and landscaping		
Address:	Site At Deans South, Deans, Livingston, West Lothian, (Grid Ref: 302119,668325)		
Applicant:	Miss Sandra Lindsay Springfield Properties / Wheatley Group	Type:	Major Application
Ward:	Livingston North	Case Officer:	Wendy McCorriston

Summary of Representations

One objection
Three support

One objection was received from an existing owner relating to the initial plan, concerned about the overall layout and in particular the lack of parking provision in the south west of the site. The layout has been amended and the parking for the houses and visitors has been increased in this area. The objector has been re-notified of the amended plan. He acknowledges that the material planning issues regarding the layout have been improved, but does not wish to withdraw his objection.

Transportation is satisfied with the amended parking provision. The material planning and transportation issues have been fully addressed by the amended plan.

Officers report

The application is for redevelopment of the central part of the Deans South housing area. To the west of the site is recently built council housing and to the east is a vacant site that has a "minded to grant" decision for a further 37 council houses.

The site is within allocated housing site H-LV27, as detailed in the adopted 2018 West Lothian Local Development Plan (LDP).

The proposals have been amended to reduce the housing numbers on this site from 144 to 136 and improve the parking and open space provision. The proposals will bring significant visual and environmental improvements to the area and will ensure that all the previous social housing which has or will be demolished is re-provisioned at a higher standard. A mix of house types and sizes, including bungalows suitable for people with disabilities will be provided. Open space and play provision will meet the required standards and all technical requirements in terms of drainage, parking and contaminated land are met.

The layout details, as amended, are acceptable and comply with the policies and provisions of the adopted LDP and the council's Residential Development Guide. It is recommended that planning permission is granted, subject to the conclusion of a planning obligation for the necessary developer contributions.

Ref. No.:	0169/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Extension to provide additional toilets, installation of locker room canopy and formation of hard standing for parking		
Address:	Mid Calder Bowling Club, School Lane, Mid Calder, West Lothain, EH53 0AT (Grid Ref: 305280,667171)		
Applicant:	Mid Calder Bowling Club	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Steven McLaren

Summary of Representations

Three objections -

- Impact on green space.
- Traffic.
- Impact on property values
- Impact on character of conservation area.
- Extension is out of character and potentially harmful to the conservation area.

Officers report

The proposal relates to three areas of work, a canopy on the existing changing rooms, an extension to the club house and a change of use of an areas of open space on the southern periphery of the parkland to provide additional car parking adjacent to the bowling club.

The canopy is minor and has no impact on the area.

The extension to the club house is designed to match the previous extension on the east elevation of the original building and is set in from the north elevation meaning that it will not be visible from the majority of the public park.

The overall impact of the extension on the historic nature of the area is therefore considered to be minimal given the context of the site. Concern has also been raised over the formation of a car park within this area of allocated public open space. Whilst the bowling club is the applicant, there is no desire from the club to fence off the area and restrict the use to club members only. The parking would be available for use by residents of Combfoot Cottages, visitors or park users and bowling club members alike. The club is amenable to providing a suitable surfaced finish and landscaping to ensure the parking area does not appear out of character or impact adversely with the park setting. Concern has been raised by neighbours regarding an increase in traffic. There is currently a small parking area at the end of the Coombfoot Cottages cul-de-sac and the street that is used by visitors and residents. On balance, the modest nature of the car park is unlikely to lead to a significant increase in traffic and may assist in taking some cars off the street. Whilst the principle of the development is justifiable, the full scale of the area to be set aside for parking requires further discussion and may require to be reduced in size.

Recommendation therefore is to grant planning permission subject to conditions relating to materials, finish, scale and landscaping.

Ref. No.:	0172/FUL/19	Recommendation:	Refuse Permission
Proposal:	Formation of hard standing yard, erection of 2.4m high fence with gates, siting of portable office cabin, installation of 4 light columns and part change of use to vehicle hire, maintenance & repair (in retrospect)		
Address:	21 Inchmuir Road, Bathgate, West Lothian, EH48 2EP, (Grid Ref: 298418,666629)		
Applicant:	James Rafferty JWR Holdings Ltd	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Gillian Cyphus

Summary of Representations

No representations received.

Officers report

Whilst the application is broadly acceptable in terms of the use proposed and the design and siting of the office, the developer has already removed the landscaping strip on the eastern side of the site adjacent to Blackburn Road and has erected a security fence adjacent to the footway. This has had a significant detrimental visual impact. The applicant is willing to replant trees within the site but has refused to relocate the fence. The trees formed an important landscape strip which provided a soft edge to the industrial estate, and it is considered that the landscaping must be re-instated outwith the compound area. Failure to do so means that the application is contrary to policies to policies DES1 and EMP1 in the adopted Local Development Plan. It is recommended therefore that planning permission is refused and enforcement action over the planting strip and fence is instigated.

Ref. No.:	0210/FUL/19	Recommendation:	Refuse Permission
Proposal:	Use of shop as a house and erection of porch		
Address:	1 Craighill View,Blackridge, West Lothian, , (Grid Ref: 290399,667438)		
Applicant:	Mr Avi Zahid	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Gillian Cyphus
<u>Summary of Representations</u>			
No representations were received.			
<u>Officers report</u>			
<p>Planning permission is sought for the use of a small (7.6m x 7m) shop as a detached house. The proposed house would have an unacceptably low standard of amenity, because of the lack of private garden ground and privacy issues. A small area of ground shown on the site plan as a garden area is not within the control of the applicant as it belongs to the council. The application is therefore contrary to policies DES1 and HOU3 in the adopted Local Development Plan and the council's Residential Development Guide, so it is recommended that planning permission is refused.</p>			

Ref. No.:	0256/H/19	Recommendation:	Grant Planning Permission
Proposal:	Erection of a fence (in retrospect)		
Address:	Winnock, Burnside Road, Bathgate, West Lothian, EH48 4PX (Grid Ref: 296983,669243)		
Applicant:	Dr Jana Anderson	Type:	Local Application
Ward:	Bathgate	Case Officer:	Thomas Cochrane
<u>Summary of Representations</u>			
<p>One objection -</p> <ul style="list-style-type: none"> - Traffic and pedestrian safety - Privacy 			
<u>Officers report</u>			
<p>Planning permission is sought for a 2 metre high fence forward of the principal elevation of a detached property which is set back from the road. The fence runs parallel to a shared driveway. The fence stops approximately 1.5 metres from the public pavement where it reduces in height to a 1.2 metre high gate. To reduce visual impact and improve traffic safety, the applicant has agreed to reduce the two panels of the fence closest to the road to 1.2 metres in height. Subject to this change, the fence is considered to be acceptable and it is recommended that planning permission is granted.</p>			

Ref. No.:	0276/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Change of use from police station to house		
Address:	17 Blackfaulds Place, Fauldhouse, Bathgate, West Lothian, EH47 9AS (Grid Ref: 293238,660620)		
Applicant:	West Lothian Council	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Mahlon Fautua

Summary of Representations

One objection
 -Limited parking spaces
 -Privacy
 -noise

Officers report

The proposed change of use is acceptable as it is within the Fauldhouse settlement and a compatible land use. It is considered that the proposal would not cause a significant detrimental impact on the existing residential amenity.

The existing window facing onto the adjacent garden would be for a toilet, therefore the window material would require to be opaque to maintain privacy. No on-site parking is provided, however there is adequate room on the street around the site to accommodate parking.

As such it is considered that the proposal meets the relevant development plan in particular West Lothian Local Development Plan policy DES 1.

It is therefore recommended that planning permission be granted subject to conditions.

Ref. No.:	0291/H/19	Recommendation:	Refuse Permission
Proposal:	Roof alterations		
Address:	Farclas, Redhouse Cottages, Threemiletown, Linlithgow, West Lothian (Grid Ref: 305982,675380)		
Applicant:	Mr & Mrs S Ruddell	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Thomas Cochrane

Summary of Representations

No representations received.

Officers report

Planning permission is sought for roof alterations to a single story dwelling adjacent to the Miners Rows at Threemiletown. The proposals would involve changing the design of the roof from a traditional slate pitched roof to a Mansard style which would have a significant, detrimental, impact on the street scene and the appearance of the current dwelling. This would give the house the appearance of a flat roofed two storey building, which would be unsympathetic to the original design. It would also be contrary to the council's House Extension and Alteration Design Guide, and to policy DES 1 of the Local Development Plan, which seeks to ensure that new development will be integrated with the local context and built form. Accordingly, it is recommended that planning permission is refused

Ref. No.:	0294/H/19	Recommendation:	Grant Planning Permission
Proposal:	Erection of a fence		
Address:	61 Harburn Avenue, Deans, Livingston, West Lothian, EH54 8NH (Grid Ref: 303108,668873)		
Applicant:	Miss Nicola Livingstone	Type:	Local Application
Ward:	Livingston North	Case Officer:	Thomas Cochrane

Summary of Representations

One objection and two letters of support -

Objection

- 1m is the limit for front fences.
- loss of light
- overshadowing

Officers report

Planning permission is sought for the erection of a fence to the front elevation of the a mid terraced house which is stepped forward of the neighbouring property to the north. To the south of the principal elevation is a garage which separates this property and its southerly neighbour. The fence is 1.83m high at its highest point; this height continues for 2.18m then the height of the fence falls away to a height of 1.15m. The lower height encloses the majority of the front garden.

The fence does not have an impact on residential or visual amenity and is considered to be acceptable, so it is recommended that planning permission is granted.

Ref. No.:	0297/H/19	Recommendation:	Grant Planning Permission
Proposal:	Conversion of garage to form ancillary accomodation		
Address:	Burnside Cottage,Burnside Road, Bathgate, West Lothian, EH48 4PX (Grid Ref: 296964,669221)		
Applicant:	Mr & Mrs Mark Flockhart	Type:	Local Application
Ward:	Bathgate	Case Officer:	Thomas Cochrane

Summary of Representations

One objection -

- Insufficient parking
- Privacy
- Noise
- Emissions
- Safety (fire)
- Construction noise and disturbance

Officers report

Planning permission is sought for the conversion of a double garage to form ancillary accommodation. A previous planning application, 0009/H/19, was refused by committee on 20th March 2019 because of privacy issues, which have been resolved by the removal of all windows and doors on the elevation which faces the immediate neighbour. The amended design avoids any windows on the elevation facing the neighbouring property, and the proposal, to create a one bedroom, living room, kitchen and bathroom dwelling which is linked accessed from the garden of the main house, is considered to be acceptable. It is recommended, therefore, that planning permission is granted.

Proposed Enforcement Actions - 18/04/2019

Ref. No.	Owner/ Developer	Location & Alleged Breach of Planning Control	Ward	Proposed action	Reasons for decision and summary steps to comply if applicable
ENF/0246/18	Mrs E McMahon	Access at Main Street, adjacent Old Mill Court, East Whitburn, EH47 0JR Formation of access, erection of a gate, siting of kiosk and container, importation of materials and formation of hardstanding	Whitburn & Blackburn	Serve Enforcement Notice	Development is unauthorised and despite the service of a notice requiring the submission of a planning application by 21 March 2019 no application has been submitted Steps to comply: remove gate, kiosk, container and hardstanding from the site and make good the land to its original condition.

Development Management

List of Delegated Decisions - 3rd May 2019

The following decisions will be issued under delegated powers unless any Member 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.:	1043/FUL/17	Recommendation:	Refuse Permission
Proposal:	Erection of 2 houses		
Address:	18-20 Mid Street, Bathgate, West Lothian, EH48 1PT, (Grid Ref: 297624,668956)		
Applicant:	Mr Brian Goudie Hydro Property Company	Type:	Local Application
Ward:	Bathgate	Case Officer:	Gillian Cyphus
<u>Summary of Representations</u>			
No representations have been received.			
<u>Officers report</u>			
The proposed new houses would have no street frontage, a very poor out look and an unacceptably low level of amenity. The siting of two houses in the rear garden of the existing flats is considered to be tandem development and will have a detrimental impact on the amenity of the existing residents. The application is therefore contrary to policies DES1 and HOU 3 in the adopted WLLDP and the council's Residential Development Guide, so it is recommended that planning permission is refused.			

Ref. No.:	0538/FUL/18	Recommendation:	Refuse Permission
Proposal:	Conversion and extension of farm buildings to form 4 houses and erection of 4 houses with associated works		
Address:	Cairnview Mains Farm, West Calder, West Lothian, EH55 8LD, (Grid Ref: 300640,661483)		
Applicant:	DM Reid Farming	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Mahlon Fautua

Summary of Representations

No representations received

Officers report

The proposed conversion of the derelict farm building is acceptable in principle. However the four new houses would be substantially beyond the footprint of the existing yard/developed area. Furthermore, the applicant has not demonstrated that the buildings are capable of being retained and converted.

It is considered that the proposed development does not fully satisfy the fundamental criteria in policy ENV 2 of the LDP. Therefore the development is not justified in accordance with the development plan.

It is therefore recommended that planning permission is refused as the proposal is contrary to LDP policies, DES1 (Design Principles) and ENV2 (Housing Development in the Countryside).

Ref. No.:	0718/FUL/18	Recommendation:	Grant Planning Permission
Proposal:	Erection of 16 houses		
Address:	Land At Allison Gardens,Blackridge, West Lothian, , (Grid Ref: 289930,666887)		
Applicant:	Southvale Homes (Lanark) Ltd	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Mahlon Fautua

Summary of Representations

One objection -
 -plot 43 of this Application is to close to property of No 25 Allison Gardens
 -who is responsible for fence at the rear of the proposed properties.

Officers report

The proposed development is acceptable subject to confirmation on noise mitigation from the adjacent railway

It is considered that the proposed development meets the relevant West Lothian Local Plan policies - DES 1 and EMG 5

It is therefore recommended that planning permission be granted subject to conditions.

Please note that proposed units are exempt from developer contributions.

Ref. No.:	0826/FUL/18	Recommendation:	Grant Planning Permission
Proposal:	Demolition of existing properties and erection of 136 residential units (as amended from 144 units) with associated infrastructure works and landscaping		
Address:	Site At Deans South, Deans, Livingston, West Lothian, (Grid Ref: 302119,668325)		
Applicant:	Miss Sandra Lindsay Springfield Properties / Wheatley Group	Type:	Major Application
Ward:	Livingston North	Case Officer:	Wendy McCorriston

Summary of Representations

One objection
Three support

One objection was received from an existing owner relating to the initial plan, concerned about the overall layout and in particular the lack of parking provision in the south west of the site. The layout has been amended and the parking for the houses and visitors has been increased in this area. The objector has been re-notified of the amended plan. He acknowledges that the material planning issues regarding the layout have been improved, but does not wish to withdraw his objection.

Transportation is satisfied with the amended parking provision. The material planning and transportation issues have been fully addressed by the amended plan.

Officers report

The application is for redevelopment of the central part of the Deans South housing area. To the west of the site is recently built council housing and to the east is a vacant site that has a "minded to grant" decision for a further 37 council houses.

The site is within allocated housing site H-LV27, as detailed in the adopted 2018 West Lothian Local Development Plan (LDP).

The proposals have been amended to reduce the housing numbers on this site from 144 to 136 and improve the parking and open space provision. The proposals will bring significant visual and environmental improvements to the area and will ensure that all the previous social housing which has or will be demolished is re-provisioned at a higher standard. A mix of house types and sizes, including bungalows suitable for people with disabilities will be provided. Open space and play provision will meet the required standards and all technical requirements in terms of drainage, parking and contaminated land are met.

The layout details, as amended, are acceptable and comply with the policies and provisions of the adopted LDP and the council's Residential Development Guide. It is recommended that planning permission is granted, subject to the conclusion of a planning obligation for the necessary developer contributions.

Ref. No.:	0169/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Extension to provide additional toilets, installation of locker room canopy and formation of hard standing for parking		
Address:	Mid Calder Bowling Club, School Lane, Mid Calder, West Lothain, EH53 0AT (Grid Ref: 305280,667171)		
Applicant:	Mid Calder Bowling Club	Type:	Local Application
Ward:	Broxburn, Uphall & Winchburgh	Case Officer:	Steven McLaren

Summary of Representations

Three objections -

- Impact on green space.
- Traffic.
- Impact on property values
- Impact on character of conservation area.
- Extension is out of character and potentially harmful to the conservation area.

Officers report

The proposal relates to three areas of work, a canopy on the existing changing rooms, an extension to the club house and a change of use of an areas of open space on the southern periphery of the parkland to provide additional car parking adjacent to the bowling club.

The canopy is minor and has no impact on the area.

The extension to the club house is designed to match the previous extension on the east elevation of the original building and is set in from the north elevation meaning that it will not be visible from the majority of the public park.

The overall impact of the extension on the historic nature of the area is therefore considered to be minimal given the context of the site. Concern has also been raised over the formation of a car park within this area of allocated public open space. Whilst the bowling club is the applicant, there is no desire from the club to fence off the area and restrict the use to club members only. The parking would be available for use by residents of Combfoot Cottages, visitors or park users and bowling club members alike. The club is amenable to providing a suitable surfaced finish and landscaping to ensure the parking area does not appear out of character or impact adversely with the park setting. Concern has been raised by neighbours regarding an increase in traffic. There is currently a small parking area at the end of the Coombfoot Cottages cul-de-sac and the street that is used by visitors and residents. On balance, the modest nature of the car park is unlikely to lead to a significant increase in traffic and may assist in taking some cars off the street. Whilst the principle of the development is justifiable, the full scale of the area to be set aside for parking requires further discussion and may require to be reduced in size.

Recommendation therefore is to grant planning permission subject to conditions relating to materials, finish, scale and landscaping.

Ref. No.:	0172/FUL/19	Recommendation:	Refuse Permission
Proposal:	Formation of hard standing yard, erection of 2.4m high fence with gates, siting of portable office cabin, installation of 4 light columns and part change of use to vehicle hire, maintenance & repair (in retrospect)		
Address:	21 Inchmuir Road, Bathgate, West Lothian, EH48 2EP, (Grid Ref: 298418,666629)		
Applicant:	James Rafferty JWR Holdings Ltd	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Gillian Cyphus

Summary of Representations

No representations received.

Officers report

Whilst the application is broadly acceptable in terms of the use proposed and the design and siting of the office, the developer has already removed the landscaping strip on the eastern side of the site adjacent to Blackburn Road and has erected a security fence adjacent to the footway. This has had a significant detrimental visual impact. The applicant is willing to replant trees within the site but has refused to relocate the fence. The trees formed an important landscape strip which provided a soft edge to the industrial estate, and it is considered that the landscaping must be re-instated outwith the compound area. Failure to do so means that the application is contrary to policies to policies DES1 and EMP1 in the adopted Local Development Plan. It is recommended therefore that planning permission is refused and enforcement action over the planting strip and fence is instigated.

Ref. No.:	0210/FUL/19	Recommendation:	Refuse Permission
Proposal:	Use of shop as a house and erection of porch		
Address:	1 Craighill View,Blackridge, West Lothian, , (Grid Ref: 290399,667438)		
Applicant:	Mr Avi Zahid	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Gillian Cyphus
<u>Summary of Representations</u>			
No representations were received.			
<u>Officers report</u>			
<p>Planning permission is sought for the use of a small (7.6m x 7m) shop as a detached house. The proposed house would have an unacceptably low standard of amenity, because of the lack of private garden ground and privacy issues. A small area of ground shown on the site plan as a garden area is not within the control of the applicant as it belongs to the council. The application is therefore contrary to policies DES1 and HOU3 in the adopted Local Development Plan and the council's Residential Development Guide, so it is recommended that planning permission is refused.</p>			

Ref. No.:	0256/H/19	Recommendation:	Grant Planning Permission
Proposal:	Erection of a fence (in retrospect)		
Address:	Winnock,Burnside Road, Bathgate, West Lothian, EH48 4PX (Grid Ref: 296983,669243)		
Applicant:	Dr Jana Anderson	Type:	Local Application
Ward:	Bathgate	Case Officer:	Thomas Cochrane
<u>Summary of Representations</u>			
<p>One objection -</p> <ul style="list-style-type: none"> - Traffic and pedestrian safety - Privacy 			
<u>Officers report</u>			
<p>Planning permission is sought for a 2 metre high fence forward of the principal elevation of a detached property which is set back from the road. The fence runs parallel to a shared driveway. The fence stops approximately 1.5 metres from the public pavement where it reduces in height to a 1.2 metre high gate. To reduce visual impact and improve traffic safety, the applicant has agreed to reduce the two panels of the fence closest to the road to 1.2 metres in height. Subject to this change, the fence is considered to be acceptable and it is recommended that planning permission is granted.</p>			

Ref. No.:	0276/FUL/19	Recommendation:	Grant Planning Permission
Proposal:	Change of use from police station to house		
Address:	17 Blackfaulds Place, Fauldhouse, Bathgate, West Lothian, EH47 9AS (Grid Ref: 293238,660620)		
Applicant:	West Lothian Council	Type:	Local Application
Ward:	Fauldhouse & The Breich Valley	Case Officer:	Mahlon Fautua

Summary of Representations

One objection
 -Limited parking spaces
 -Privacy
 -noise

Officers report

The proposed change of use is acceptable as it is within the Fauldhouse settlement and a compatible land use. It is considered that the proposal would not cause a significant detrimental impact on the existing residential amenity.

The existing window facing onto the adjacent garden would be for a toilet, therefore the window material would require to be opaque to maintain privacy. No on-site parking is provided, however there is adequate room on the street around the site to accommodate parking.

As such it is considered that the proposal meets the relevant development plan in particular West Lothian Local Development Plan policy DES 1.

It is therefore recommended that planning permission be granted subject to conditions.

Ref. No.:	0291/H/19	Recommendation:	Refuse Permission
Proposal:	Roof alterations		
Address:	Farclas, Redhouse Cottages, Threemiletown, Linlithgow, West Lothian (Grid Ref: 305982,675380)		
Applicant:	Mr & Mrs S Ruddell	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Thomas Cochrane
<u>Summary of Representations</u>			
No representations received.			
<u>Officers report</u>			
<p>Planning permission is sought for roof alterations to a single story dwelling adjacent to the Miners Rows at Threemiletown. The proposals would involve changing the design of the roof from a traditional slate pitched roof to a Mansard style which would have a significant, detrimental, impact on the street scene and the appearance of the current dwelling. This would give the house the appearance of a flat roofed two storey building, which would be unsympathetic to the original design. It would also be contrary to the council's House Extension and Alteration Design Guide, and to policy DES 1 of the Local Development Plan, which seeks to ensure that new development will be integrated with the local context and built form. Accordingly, it is recommended that planning permission is refused</p>			

Ref. No.:	0294/H/19	Recommendation:	Grant Planning Permission
Proposal:	Erection of a fence		
Address:	61 Harburn Avenue, Deans, Livingston, West Lothian, EH54 8NH (Grid Ref: 303108,668873)		
Applicant:	Miss Nicola Livingstone	Type:	Local Application
Ward:	Livingston North	Case Officer:	Thomas Cochrane

Summary of Representations

One objection and two letters of support -

Objection

- 1m is the limit for front fences.
- loss of light
- overshadowing

Officers report

Planning permission is sought for the erection of a fence to the front elevation of the a mid terraced house which is stepped forward of the neighbouring property to the north. To the south of the principal elevation is a garage which separates this property and its southerly neighbour. The fence is 1.83m high at its highest point; this height continues for 2.18m then the height of the fence falls away to a height of 1.15m. The lower height encloses the majority of the front garden.

The fence does not have an impact on residential or visual amenity and is considered to be acceptable, so it is recommended that planning permission is granted.

Ref. No.:	0297/H/19	Recommendation:	Grant Planning Permission
Proposal:	Conversion of garage to form ancillary accomodation		
Address:	Burnside Cottage,Burnside Road, Bathgate, West Lothian, EH48 4PX (Grid Ref: 296964,669221)		
Applicant:	Mr & Mrs Mark Flockhart	Type:	Local Application
Ward:	Bathgate	Case Officer:	Thomas Cochrane

Summary of Representations

One objection -

- Insufficient parking
- Privacy
- Noise
- Emissions
- Safety (fire)
- Construction noise and disturbance

Officers report

Planning permission is sought for the conversion of a double garage to form ancillary accommodation. A previous planning application, 0009/H/19, was refused by committee on 20th March 2019 because of privacy issues, which have been resolved by the removal of all windows and doors on the elevation which faces the immediate neighbour. The amended design avoids any windows on the elevation facing the neighbouring property, and the proposal, to create a one bedroom, living room, kitchen and bathroom dwelling which is linked accessed from the garden of the main house, is considered to be acceptable. It is recommended, therefore, that planning permission is granted.