



## ***Development Management Committee***

West Lothian Civic Centre  
Howden South Road  
LIVINGSTON  
EH54 6FF

7 December 2022

A hybrid meeting of the **Development Management Committee** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston** on **Wednesday 14 December 2022 at 10:00am**.

For Chief Executive

### **BUSINESS**

#### **Public Session**

1. Apologies for Absence
2. Declarations of Interest - Members must declare any interests they have in the items of business for consideration at the meeting, identifying the relevant agenda items and the nature of their interests.
3. Order of Business, including notice of urgent business, declarations of interest in any urgent business and consideration of reports for information.

The Chair will invite members to identify any such reports they wish to have fully considered, which failing they will be taken as read and their recommendations approved.

4. Confirm Draft Minutes of Meeting of Development Management Committee held on Wednesday 16 November 2022 (herewith)

#### **Public Items for Decision**

5. Application No.0934/H/22 - Erection of front boundary railings with vehicular and pedestrian access, Williamsraig House, Linlithgow (herewith)
6. Application No.0972/A/22 - Display of 1 illuminated and 2 non-illuminated wall mounted signs (in retrospect), 67a Whitburn Road, Bathgate

(herewith)

7. Application No.0604/FUL/22 - Erection of a 298sqm restaurant/bar & cafe/ hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park, land at Bankton Centre, Muirieston, Livingston (herewith)

**Public Items for Information**

8. Consider list of delegated decisions on planning applications and enforcement actions for the period 11 November to 2 December 2022 (herewith).
9. Appeals :-
- (a) Application 0202/LBC/22: Listed Building Consent for the installation of roof mounted solar panels at 5 Bridge Castle House, Westfield
  - (b) Application 0216/A/22: The display of 2 illuminated fascia signs and 1 illuminated free standing pylon sign at 21 Inchmuir Road, Blackburn, Bathgate
  - (c) Application 0226/A/22: Advertisement consent for the display of replacement fascia sign, installation of replacement illuminated and non-illuminated signs at Black Bitch Tavern, 14 West Port, Linlithgow
  - (d) Application 0227/LBC/22: Listed Building Consent for the display of replacement fascia sign, installation of replacement illuminated and non-illuminated Signs at Black Bitch Tavern, 14 West Port, Linlithgow
  - (e) Application 0244/FUL/22: Erection of a house with associated works at Dechmont House, Woodlands Park, Deans, Livingston
  - (f) Application 0151/P/22: Planning permission in principle for a mixed-use development for business (Class 4), industrial (Class 5) and storage & distribution (Class 6) with associated engineering, landscaping and drainage works at land to north and south Of A705, Cousland Farm, Livingston
  - (g) Application 0470/FUL/22: Change of use from open space to private garden ground and erection of decking across watercourse (in retrospect) at 15 Ballencrieff Mill, Bathgate
  - (h) Application 0854/A/22: Display Of 6 illuminated and non-illuminated signs and floodlights (in retrospect) at The Old Market Inn, 28 West Main Street, Whitburn

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DATA LABEL: Public

NOTE     **For further information please contact Val Johnston, Tel No.01506 281604 or email [val.johnston@westlothian.gov.uk](mailto:val.johnston@westlothian.gov.uk)**





## **CODE OF CONDUCT AND DECLARATIONS OF INTEREST (2021)**

**This form is a reminder and an aid. It is not a substitute for understanding the Code of Conduct and guidance.**

**Interests must be declared at the meeting, in public.**

**Look at every item of business and consider if there is a connection.**

**If you see a connection, decide if it amounts to an interest by applying the objective test.**

**The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.**

**If the connection does not amount to an interest then you have nothing to declare and no reason to withdraw.**

**If the connection amounts to an interest, declare it as soon as possible and leave the meeting when the agenda item comes up.**

**When you declare an interest, identify the agenda item and give enough information so that the public understands what it is and why you are declaring it.**

**Even if the connection does not amount to an interest you can make a statement about it for the purposes of transparency.**

**More detailed information is on the next page.**

Look at each item on the agenda, consider if there is a “connection”, take advice if necessary from appropriate officers in plenty of time. A connection is any link between the item of business and:-

- you
- a person you are associated with (e.g., employer, business partner, domestic partner, family member)
- a body or organisation you are associated with (e.g., outside body, community group, charity)

Anything in your Register of Interests is a connection unless one of the following exceptions applies.

A connection does not exist where:-

- you are a council tax payer, a rate payer, or a council house tenant, including at budget-setting meetings
- services delivered to the public are being considered, including at budget-setting meetings
- councillors’ remuneration, expenses, support services or pensions are being considered
- you are on an outside body through a council appointment or nomination unless it is for regulatory business or you have a personal conflict due to your connections, actions or legal obligations
- you hold a view in advance on a policy issue, have discussed that view, have expressed that view in public, or have asked for support for it

If you see a connection then you have to decide if it is an “interest” by applying the objective test. The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection amounts to an interest then:-

- declare the interest in enough detail that members of the public will understand what it is
- leave the meeting room (physical or online) when that item is being considered
- do not contact colleagues participating in the item of business

Even if decide your connection is not an interest you can voluntarily make a statement about it for the record and for the purposes of transparency.

The relevant documents are:-

- [Councillors’ Code of Conduct, part 5](#)
- [Standards Commission Guidance, paragraphs 129-166](#)
- [Advice note for councillors on how to declare interests](#)

If you require assistance, contact:-

- James Millar, Interim Monitoring Officer and Governance Manager, 01506 281613, [james.millar@westlothian.gov.uk](mailto:james.millar@westlothian.gov.uk)
- Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, [carol.johnston@westlothian.gov.uk](mailto:carol.johnston@westlothian.gov.uk)
- Committee Services Team, 01506 281604, 01506 281621  
[committee.services@westlothian.gov.uk](mailto:committee.services@westlothian.gov.uk)

January 2022

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 16 NOVEMBER 2022.

Present – Councillors Stuart Borrowman (Chair), George Paul, William Boyle, Pauline Clark, Damian Doran-Timson, Lawrence Fitzpatrick and Pauline Stafford

Apologies – Councillor Tom Conn

1. DECLARATIONS OF INTEREST

Agenda Item 8 (App No.0792/P/22) - Councillor Lawrence Fitzpatrick stated a connection in that he was a council appointed member of the West of Scotland Archaeology Service who were a statutory consultee on the application;

Agenda Item 7 (App No.0596/FUL/22) - Councillor George Paul stated that as the application had been continued from the September meeting which he had not attended he had not heard all the merits of the case and therefore would not participate in the item of business;

Agenda Item 7 (App No.0596/FUL/22) - Councillor Damian Doran-Timson stated that as the application had been continued from the September meeting which he had not attended he had not heard all the merits of the case and therefore would not participate in the item of business;

Agenda Item 7 (App No.0596/FUL/22) - Councillor Pauline Stafford declared an interest in that she had a personal connection to the applicant. Therefore, she would withdraw from consideration of the application.

2. ORDER OF BUSINESS

Committee were advised that Agenda Item 8 (App No.0792/P/22) had been withdrawn by the applicant after the agenda had been published.

Committee were advised that two applications that had been continued (App No.0898/FUL/21 & App No.0604/FUL/22) and were due to return to the November meeting had been further delayed due to ongoing discussions between the applicant and the Planning Authority.

Committee intimated it wished to ask questions on Agenda Item 11c.

Committee agreed, in accordance with Standing Order 8(3), that agenda items 10, 11(a), 11(b) and 11(d) to 11(k) were to taken as read and their recommendations noted without further consideration.

3. MINUTE

The committee approved the Minute of its meeting held on 19 October 2022. There Minute was thereafter signed by the Chair.

4. APPLICATION NO.0583/P/22

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>
0583/P/22	Planning permission in principle for the erection of 6 houses, 16 Raw Holdings East, East Calder	Refuse planning permission in principle

The committee then heard from Euan Robertson, the applicant's agent, speak in support of the application.

Decision

To refuse planning permission

5. APPLICATION NO.0657/FUL/22

he 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>
0657/FUL/22	Erection of 56sqm two storey extension to industrial unit at Scotlens, Mill Road Industrial Estate, Linlithgow	Grant planning permission subject to conditions

The committee then heard from Rhodri Williams, the applicant's agent, speak in support of the application.

Decision

To grant planning permission subject to the draft conditions annexed to the committee report and to add two further conditions to be drafted by the Development Manager:- 1) the standard construction restriction condition that will, amongst other things, put a restriction on construction noise; and 2) a condition which will require the screen mesh fence to be constructed before construction on the extension commences, and once, constructed, maintained to a satisfactory standard as agreed in writing with the Planning Authority.

6. APPLICATION NO.0872/A/22 & 0873/LBC/22

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</u>	<u>Proposal</u>	<u>Recommendation</u>
0872/A/22 0873/LBC/22	& Listed Building Consent and planning permission for the display of 1 free standing backlit sign and 1 wall mounted backlit sign, 4 Court Square, Linlithgow	Approve Listed Building Consent and Advertisement Consent subject to conditions.

Decision

To grant Listed Building Consent and Advertising Consent.

7. APPLICATION NO.0596/FUL/ 22

Councillor Stafford having previously declared an interest did not participate in the following item of business.

Councillor Paul and Damian Doran-Timson having previously declared that they had not heard all the merits of the case did not participate in the following item 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>
0596/FUL/22	Continued operation of children's nursery, 9 Riverside Lea, Seafield Road, Blackburn	Grant planning permission subject to conditions

The committee then heard from Barry Simpson, Dennis Uttridge, Catherine Muir, Qudsia Afzal (speaking on behalf of Muhammad Afzal) and Tracy Uttridge (speaking on behalf of Haleh Nather) all speak in support of their objections to the proposal.

The committee then heard Luke Addison (the applicant's son), Dr Lynn McNair and Jim Sorrell all speak in support of the application.

Decision

To grant temporary planning permission for a period of 1 year subject to

the draft conditions annexed to the committee report with Condition 3 being amended to provide that an updated Traffic Management Plan that included progress on the proposed mitigation measures within the Traffic Management Plan be submitted to the Planning Authority within three months of the date of the consent as opposed to within six months of the date of the consent.

## 8. 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 14 October to 4 November 2022 was submitted for the information of committee.

### Decision

To note the list of delegated decisions.

## 9. APPEALS

Committee noted that the following enforcement appeals had been allowed in part :-

<u>Ref Number</u>	<u>Proposal</u>
ENF/0146/19	Change of use from open space to private garden ground to the west of property and the erection of a new boundary fence and outbuilding at 120 Spottiswoode Gardens, Mid Calder, Livingston
ENF/0246/21	Unauthorised change of use from agriculture to bus/HGV repairs, salvage, breaking, reclamation and storage of vehicles at Northfield Farm, Fauldhouse, Bathgate

Committee note that the following appeal had been dismissed :-

<u>Application No.</u>	<u>Proposal</u>
0558/TPO/22	Felling of 1 no. sycamore tree at 4 St Ninian's Way, Linlithgow

Committee noted that the following appeals had been submitted :-

<u>Application No.</u>	<u>Proposal</u>
------------------------	-----------------

0854/A/22	Display of 6 illuminated and non-illuminated signs and floodlights (in retrospect) at The Old Market Inn, 28 West Main Street, Whitburn
0566/FUL/22	Demolition of an existing two storey outbuilding and erection of two one-bedroom studio flats at 14 Market Street, Mid Calder, Livingston
0240/FUL/22	Change of use of shop and upper flat with extensions and alterations to building to form 8 flats at 64-66 Charles Crescent, Bathgate
ENF/0253/22	Change of use from public open space to private garden ground and erection of a 1.8M high fence
0584/FUL/21	Change of use from open space to private garden ground and erection of decking across watercourse (in retrospect) at 15 Ballencrieff Mill, Bathgate

Committee noted that the following appeal had been allowed :-

Application No.

Proposal

0497/P/21

Application under Section 42 to develop land to modify Condition 4 of planning permission in principle 0020/P/16 for a 19-hectare residential development with associated works to allow a maximum of 375 residential units to be constructed on the north side of the A89 (increase from 300 To 375) at Standhill North/South West Main Street, Armadale

Committee then took the opportunity to ask questions of the Head of Planning, Economic Development and Regeneration in respect of the Application No.0497/P/21 and its implications for local communities.

Committee noted that the following appeals were to be re-determined following appeal decisions being quashed by the Court of Session :-

Application No.

Proposal

0210/P/21

Planning Permission in principle for A 58Ha mixed use development including residential development

(dwellings and flatted - up to 400 units), local Centre (including Class 1, Class 2 And Class 3 Uses), community facilities, public open space, and associated works and infrastructure (EIA Development) at Drumshoreland Garden community land North of Old Clapperton Hall Cottages , East Calder

0206/P/21

Planning permission in principle for a 108Ha mixed use development including residential development (dwellings and flatted - up to 1800 homes), local centre (including Class 1, Class 2 And Class 3 Uses), community facilities (including a primary school), ancillary development, public open space, and associated works and infrastructure at Drumshoreland Garden community land North of Old Clapperton Hall Cottages , East Calder



## DEVELOPMENT MANAGEMENT COMMITTEE

### Report by Head of Planning, Economic Development and Regeneration

#### 1 DESCRIPTION

Erection of front boundary wall and railings with vehicular and pedestrian gates at Williamsraig House, Linlithgow, West Lothian, EH49 6QF

#### 2 DETAILS

<b>Reference no.</b>	<a href="#">0934/H/22</a>	<b>Owner of site</b>	MR D Barnes
<b>Applicant</b>	Mr D Barnes Williamsraig House Linlithgow West Lothian EH49 6QF	<b>Ward &amp; local members</b>	<b>Linlithgow</b>  Councillor Tom Conn Councillor Pauline Orr Councillor Sally Pattle
<b>Case officer</b>	Lucy Hoad	<b>Contact details</b>	01506 282558 <a href="mailto:lucy.hoad@westlothian.gov.uk">lucy.hoad@westlothian.gov.uk</a>

**Reason for referral to Development Management Committee:** Referred by Councillor Pattle

#### 3 RECOMMENDATION

3.1 Refuse planning permission

#### 4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Planning permission is sought for the erection of front boundary wall and railings with vehicular and pedestrian access gates at Williamsraig House Linlithgow. The building is designated as Category B Listed (LB12897).
- 4.2 The submitted plans detail the line of the railings to be sited parallel to a private single lane track and set at an oblique angle to the front/north of the dwelling house. The proposal comprises metal railings atop a low stone wall with gate piers provided at the vehicular access point. The drawings detail the walling to be of height 350mm and constructed of stone to match the basecourse of the listed building. The fence railings are to be 1.0m high, constructed of metal (painted black). The wall is to curve in from the track toward the house at the point of the vehicular access which displays gate piers 3500mm apart constructed of stone to height of 2097mm and metal gates to height 1730mm. A separate narrow gate is provided for pedestrian use.
- 4.3 The application is accompanied by detailed plans and a design statement which can be viewed in the application file.

- 4.4 The application site is located 700m south of the settlement boundary of Linlithgow and situated within a former country estate in the rural landscape, as identified in the adopted West Lothian Local Development Plan, 2018 (LDP). The site lies within the Special Landscape Area (Bathgate Hills).

## History

- 4.5 The relevant site history is set out below:

- 0628/H/22 Erection of a front boundary wall with vehicular and pedestrian gates withdrawn September 2022.
- 0822/LBC/22 Listed building consent for stone cleaning of listed building approved November 2022, subject to survey.

## EIA Development

- 4.6 The proposal is not EIA development as it does not fall within Schedule or Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017 (EIA Regulations).

## Equalities Impact

- 4.7 The application has been assessed and has no impact in terms of equalities or human rights.

## 5. REPRESENTATIONS

- 5.1 No representations have been received on the application

## 6. CONSULTATIONS

- 6.1 This is a summary of the consultations received to the original application. The full documents are contained in the application file.

Consultee	Objection?	Comments	Planning Response
WLC Roads & Transportation	No Comment		Noted.

## 7. PLANNING POLICY

- 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
- 7.3 The relevant development plan policies are listed below:

<b>Plan and Policy</b>	<b>Policy Summary</b>	<b>Assessment</b>	<b>Conform?</b>
West Lothian Local Development Plan (LDP) (2018)  DES1 - Design Principles	All development proposals will require to take account of and be integrated with the local context and built form.	The siting and design of the proposed fence line is unjustified and would be to the detriment of the rural character and visual amenity of the surrounding area.	No
LDP  ENV28 – Listed Buildings	The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the buildings character, appearance and setting.	The siting and design of the proposed fence line is not in keeping with the rural character of the area and would adversely impact the quality of the setting of the listed building.	No
LDP  ENV1 – Character and Special Landscape Areas	Development should respect the landscape character and be compatible in terms of scale, siting and design.	The proposed fence line is not in keeping with the rural character and visual amenity of the surrounding area.	No

## **8. ASSESSMENT**

- 8.1 The key considerations are the impact of the railings on the setting of the listed building, the rural character and the visual amenity of the area.
- 8.2 In considering whether to grant planning consent, the planning authority must, under the terms of the Planning (Listed Buildings and Conservation Areas (Scotland) Act 1997 and Historic Environment Scotland guidance on Managing Change in the Historic Environment (Setting) 2016, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.3 The setting is regarded as the surroundings in which a heritage asset is experienced. The view of the principle elevation of Williamsraig House is taken from the grassed area and road immediately to the front of the building. This relatively short, but uninterrupted view, is significant in terms of the contribution it makes to the historic significance of the building and its appreciation.

- 8.4 Williamsraig House is described as being an 1878, 2-storey, 3-bay Scots Baronial, L-plan villa with circular stair tower to south; rear wing raised and entrance porch added circa 1925 to E (side) elevation. The applicant proposes to erect a low wall and metal railings with provision of access gates for pedestrian and vehicular use to the front/north of the dwelling house.
- 8.5 The proposed design reflects the type of fence railings that could be described as Victorian in style and appropriate for a townhouse and streetscape of that period. The listed building concerned is a large country house situated within a rural setting. It is appreciated that the land surrounding the dwelling has shrunk in terms of land ownership. The area immediately to the front of the dwelling appears to be all that is left for an appreciation of the character and architecture of the house in an open setting. The position of the wall, railings and gates immediately in front of the listed building divides the open ground remaining for its setting and hence has a detrimental impact on that setting. The works are therefore not visually appropriate in this particular instance.
- 8.6 The line of the railings will lie at an oblique angle in front of the principal elevation of the building. It will be set back from and run parallel to the line of the track (running north west to south east) and will enclose the parking area (finished in stone chips). The agent advised that historical records indicate access to the dwelling house was originally provided through the estate to the rear of the property, along a driveway passing through the listed gate piers situated at the lodge to the east. Over time the estate has been subdivided with part of the main house, together with the grassed area directly in front of the dwelling, now belonging to the applicant.
- 8.7 The prime concern is that the open public view in to the principal elevation of the building is preserved and accessible - this is the best view afforded of the property. The introduction of the proposed line of railings in front of the house (albeit at an angle) will prevent the front/north elevation being seen as intended by the architect, with the permanent positioning of the modern structure interrupting the public view and appreciation of the cultural and historic asset. The uninterrupted connection from the property to the view out from the listed building is also impaired.
- 8.8 Whilst it is appreciated that a narrow road has been laid down in front of the house this lies at ground level and thus does not interfere with the line of sight from the area lying to the front of the property back to the house. It is accepted that there is an impact stemming from the introduction of this access route on the setting which is unfortunate but it is a very low-level impact, whereas the introduction of any raised structure such as fence line or walling will have a much greater degree of impact on the setting of the listed building as proposed in this instance. It will subdivide the land, further separating the dwelling from its setting.
- 8.9 Local Development Plan Policies DES 1 (Design Principles) and ENV1 (Character and Special Landscape Areas) require that all development proposals take account of and be integrated with the local context and built form. Policy ENV 28 (Listed Buildings) requires that the council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## **9. CONCLUSION AND RECOMMENDATION**

9.1 The building is of local importance both architecturally and historically. The design of railings proposed is not rural in style and appearance. The position of the fence line detracts from the experience and appreciation of the prime elevation of the property. This proposal is contrary to West Lothian Council's Local Development Plan's Policies ENV28 (Listed Buildings) and DES 1 (Design Principles). The open aspect and public views in to the building would be adversely impacted to the detriment of the setting of the listed building which contributes to the significance of the historic asset and its appreciation.

9.2 It is therefore recommended that planning permission be refused.

## **10. BACKGROUND REFERENCES & ATTACHMENTS**

- Draft reasons for refusal
- Location Plan
- Site Plan
- Railing Details
- Local Member Referral Form

Plans and site photos are available in the accompanying slide presentation pack.

Craig McCorriston

**Head of Planning, Economic Development and Regeneration**      **Date: 14/12/2022**

### **DRAFT REASONS FOR REFUSAL – APPLICATION 0934/H/22**

#### **Reasons for refusal**

The building is of local importance both architecturally and historically. The design of railings proposed is not rural in style and appearance. The position of the fence line detracts from the experience and appreciation of the prime elevation of the property. The open aspect and public views in to the building would be adversely impacted to the detriment of the setting of the listed building which contributes to the significance of the historic asset and its appreciation.

The proposal is therefore contrary to policies DES1 (Design Principles), ENV1 (Character and Special Landscape Areas), ENV28 (Listed Buildings of the West Lothian Local Development Plan 2018 and Historic Environment Scotland guidance on Managing Change in the Historic Environment (Setting) 2016





Notes :

Agenda Item 5



**CDM Regulations 2015:**

The designs on this drawing and all drawings relating to it have been prepared with due consideration of the need to identify hazards and give regard to their elimination or minimization. Remaining hazards are noted on this drawing where applicable.

Rev	Date	Revision	By
-	-	-	-

Client:  
Jennifer and David Barnes

Project:  
**Williams House**  
Linlithgow  
EH49 6QF

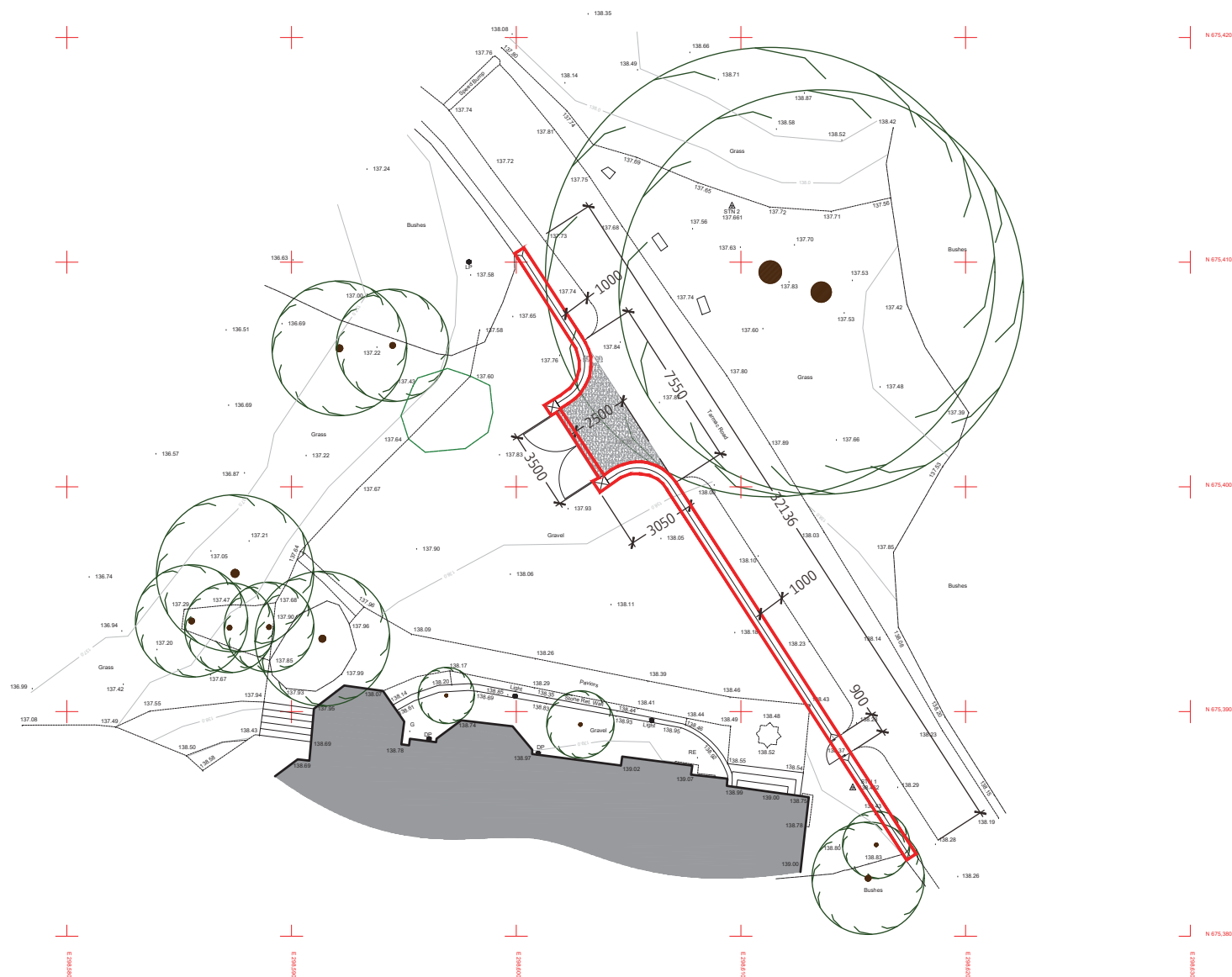
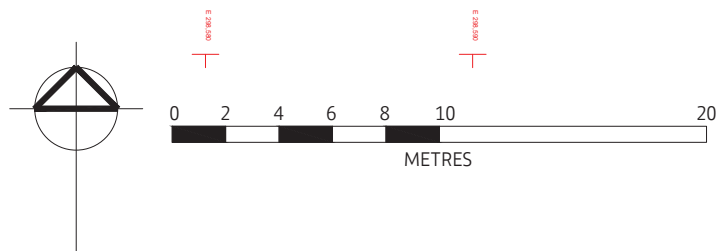
Title:  
Location Plan  
.

Issue Status: PLANNING	Scale: 1:2500	Original Size: A3
Date: July 2022	Drawn by: FM	Checked by: WL

Project No: <b>E3704</b>	Stage: N/A	Drawing No: <b>1G (9-) 001</b>	Rev: .
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**Notes :**

### Agenda Item 5



 CDM Regulations 2015:

The designs on this drawing and all drawings relating to it have been prepared with due consideration of the need to identify hazards and give regard to their elimination or minimization. Remaining hazards are noted on this drawing where applicable.

Rev	Date	Revision	By

Client:  
Barnes

Project :  
**Williamsraig Boundary Wall**  
Williamsraig House  
Linlithgow

Title :  
Block Plan  
As Proposed

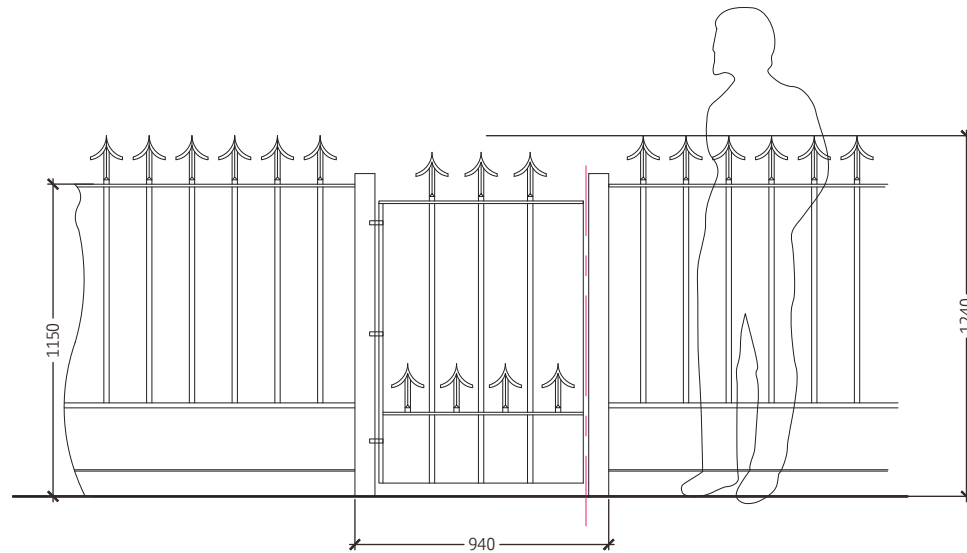
Issue Status : PLANNING	Scale : 1:200	Original Size : A3
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Date: June 2022	Drawn by: DMJ	Checked by: .
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Project No: <b>E3704</b>	Stage: 3 Spatial Design	Drawing No: <b>G (--) 002</b>	Rev: .
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Notes :

Agenda Item 5

**⚠ CDM Regulations 2015:**

The designs on this drawing and all drawings relating to it have been prepared with due consideration of the need to identify hazards and give regard to their elimination or minimization. Remaining hazards are noted on this drawing where applicable.

-	-	-	-
Rev	Date	Revision	By

Client :  
Barnes

Project :  
**Williamsraig Boundary Wall**  
Williamsraig House  
Linlithgow

Title :  
Pedestrian Gate Detail  
As Proposed

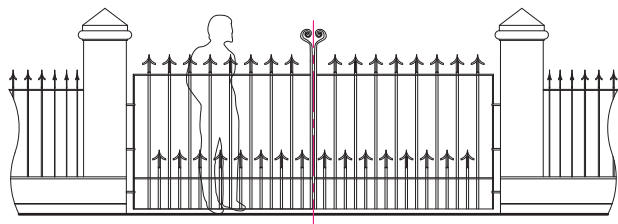
Issue Status : PLANNING	Scale : 1:20	Original Size : A3
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Date : SEPTEMBER 2022	Drawn by : FC	Checked by : DMJ
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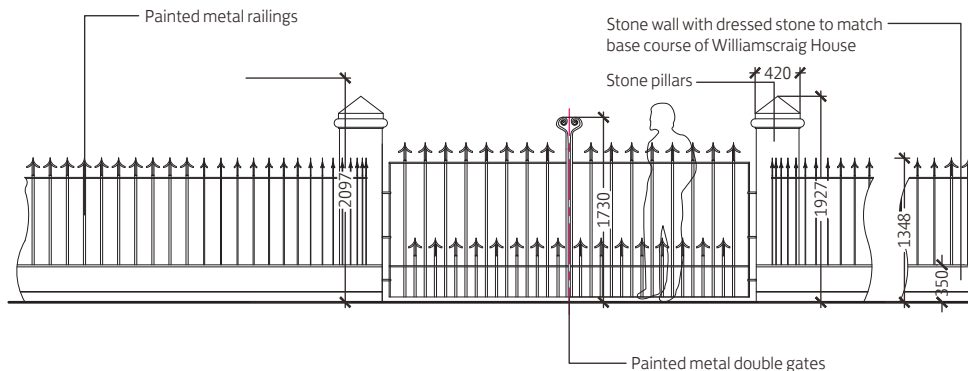
Project No : <b>E3704</b>	Stage : 3 Spatial Design	Drawing No : <b>G (2-) 002</b>	Rev : -
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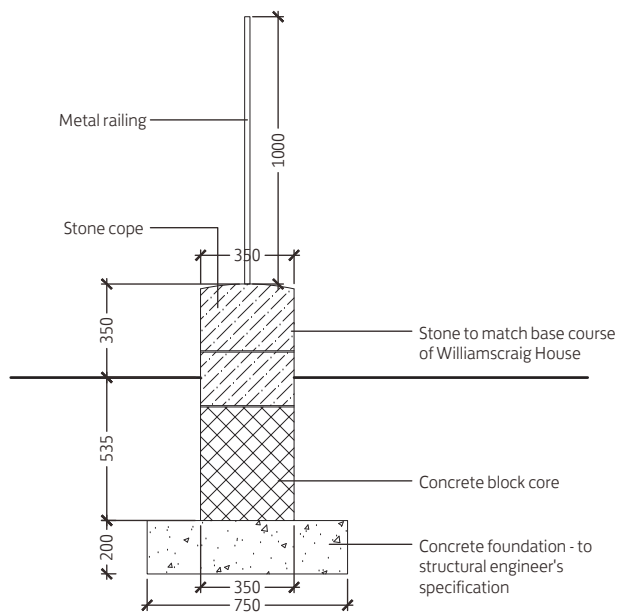
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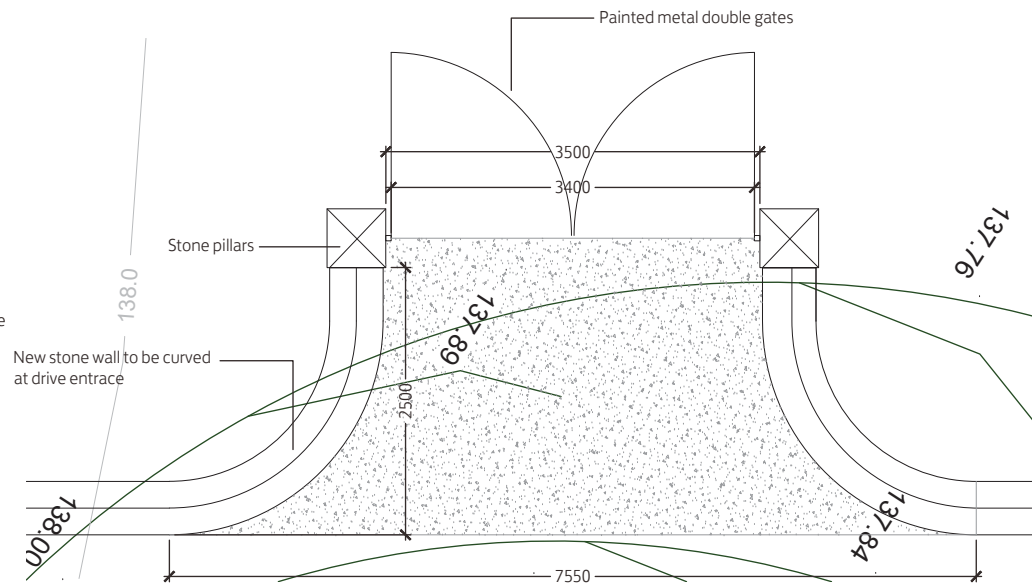
Gate Elevation  
Internal



Gate Elevation  
External



Construction Detail  
1:20



Gate Plan

Notes :

Agenda Item 5



**CDM Regulations 2015:**

The designs on this drawing and all drawings relating to it have been prepared with due consideration of the need to identify hazards and give regard to their elimination or minimization. Remaining hazards are noted on this drawing where applicable.

Rev	Date	Revision	By

Client:  
Barnes

Project:  
**WilliamsCraig Boundary Wall**  
WilliamsCraig House  
Linlithgow

Title:  
Gate Detail  
As Proposed

Issue Status: PLANNING	Scale: 1:50	Original Size: A3
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Date: September 2022	Drawn by: FC	Checked by: DMJ
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Project No: <b>E3704</b>	Stage: 3 Spatial Design	Drawing No: <b>G (2-) 001</b>	Rev: -
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## PROPOSED DELEGATED PLANNING DECISIONS

### ☒ LOCAL MEMBER REFERRAL REQUEST ☒

In accordance with standing orders members wishing a planning application to be heard at the Development Management Committee have to either represent the ward in which the application site is located or be chair of Development Management Committee and complete and return this form to Development Management within 7 days and by 12 Noon.

*The planning application details are available for inspection within the Planning & Building Standards web site by clicking on the link below.*

<https://planning.westlothian.gov.uk/publicaccess/>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p><b>Application Reference Number</b></p> <p>0934/H/22</p> <p>.....</p>	<p><b>Applicant Request</b>..... <input type="checkbox"/></p>
<p><b>Site Address</b></p> <p>Williamsraig House, Linlithgow, West Lothian, EH49 6QF (Grid Ref: 298598,675375)</p> <p>.....</p> <p>.....</p>	<p><b>Constituent Request</b>..... <input checked="" type="checkbox"/></p>
<p><b>Title of Application</b></p> <p>Erection of front boundary railings with vehicular and pedestrian gates</p> <p>.....</p> <p>.....</p>	<p><b>Other (please specify)</b>..... <input type="checkbox"/></p>
<p><b>Member's Name</b></p> <p>Cllr .....SALLY PATTLE.....</p>	
<p><b>Date</b></p> <p>24/11/22</p> <p>.....</p>	



# Development Management Committee

14 December 2022

Agenda Item 5 - Application : 0934/H/22

Erection of front boundary railings with vehicular and pedestrian gates

Williamsraig House / Linlithgow / EH49 6QF









#### Notes :



#### CDM Regulations 2015:

The designs on this drawing and all drawings relating to it have been prepared with due consideration of the need to identify hazards and give regard to their elimination or minimization. Remaining hazards are noted on this drawing where applicable.

Rev	Date	Revision	By
-	-	-	-

Client:  
Jennifer and David Barnes

Project:  
**Williams House**  
Linlithgow  
EH49 6QF

Title:  
Location Plan  
.

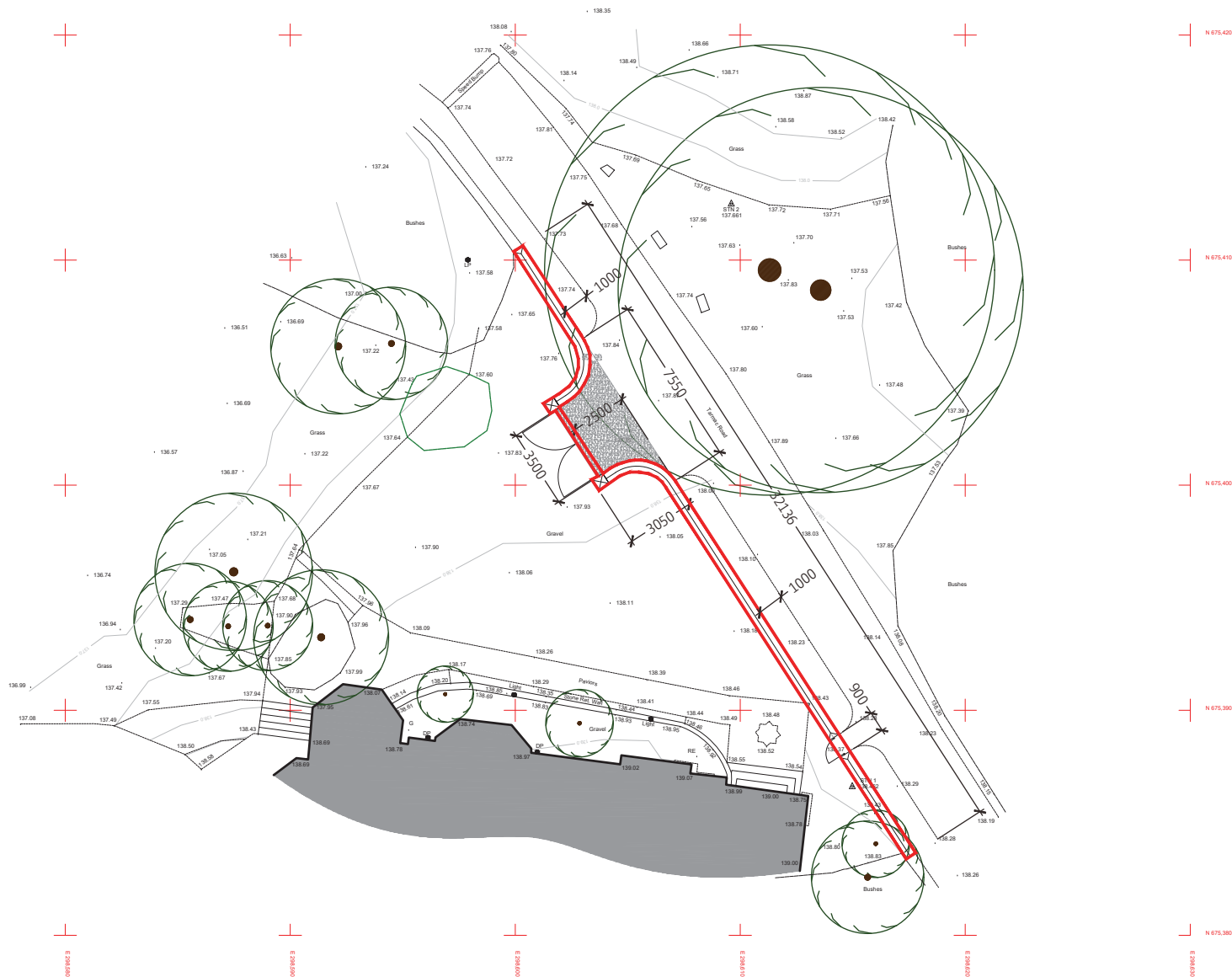
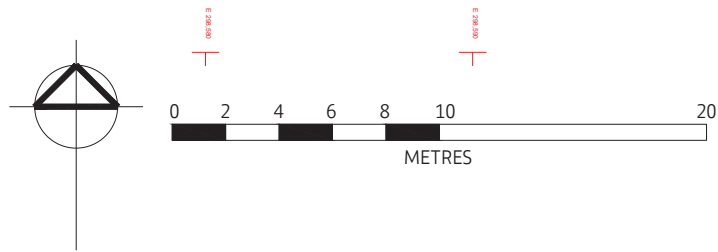
Issue Status: PLANNING	Scale: 1:2500	Original Size: A3
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Date: July 2022	Drawn by: FM	Checked by: WL
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Project No: <b>E3704</b>	Stage: N/A	Drawing No: <b>1G (9-) 001</b>	Rev: .
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## Notes :

### ⚠ CDM Regulations 2015:

The designs on this drawing and all drawings relating to it have been prepared with due consideration of the need to identify hazards and give regard to their elimination or minimization. Remaining hazards are noted on this drawing where applicable.

Rev	Date	Revision	By
-	-	-	-

Client:  
Barnes

Project:  
**Williamsraig Boundary Wall**  
Williamsraig House  
Linlithgow

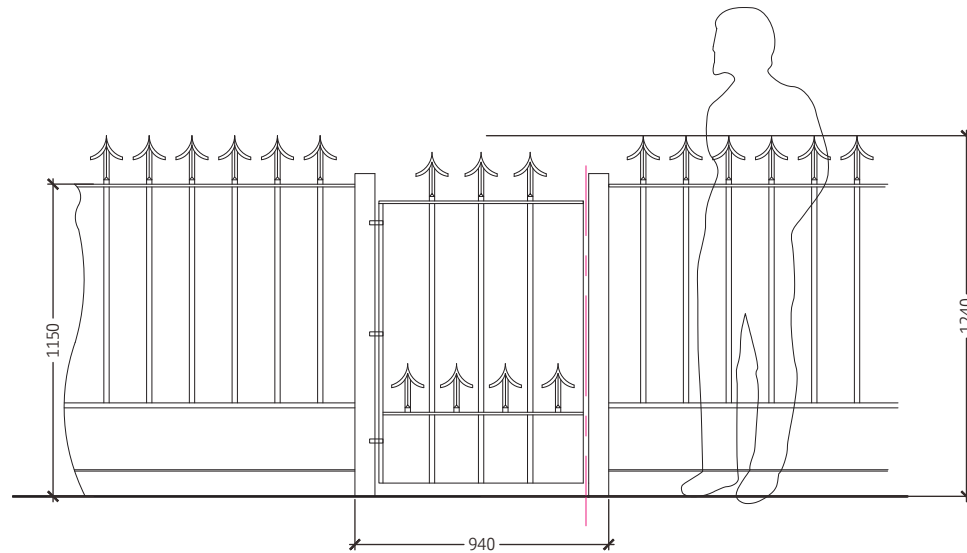
Title:  
Block Plan  
As Proposed

Issue Status: PLANNING	Scale: 1:200	Original Size: A3
Date: June 2022	Drawn by: DMJ	Checked by: .

Project No: <b>E3704</b>	Stage: 3 Spatial Design	Drawing No: <b>G (-) 002</b>	Rev: .
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#### Notes :

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The designs on this drawing and all drawings relating to it have been prepared with due consideration of the need to identify hazards and give regard to their elimination or minimization. Remaining hazards are noted on this drawing where applicable.

-	-	-	-
Rev	Date	Revision	By

Client :  
Barnes

Project :  
**Williamsraig Boundary Wall**  
Williamsraig House  
Linlithgow

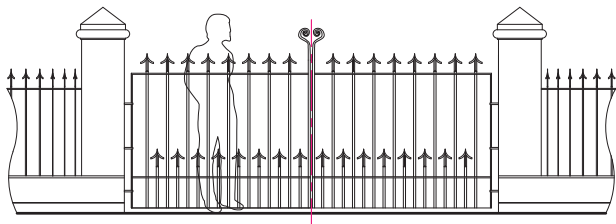
Title :  
Pedestrian Gate Detail  
As Proposed

Issue Status : PLANNING	Scale : 1:20	Original Size : A3
Date : SEPTEMBER 2022	Drawn by : FC	Checked by : DMJ

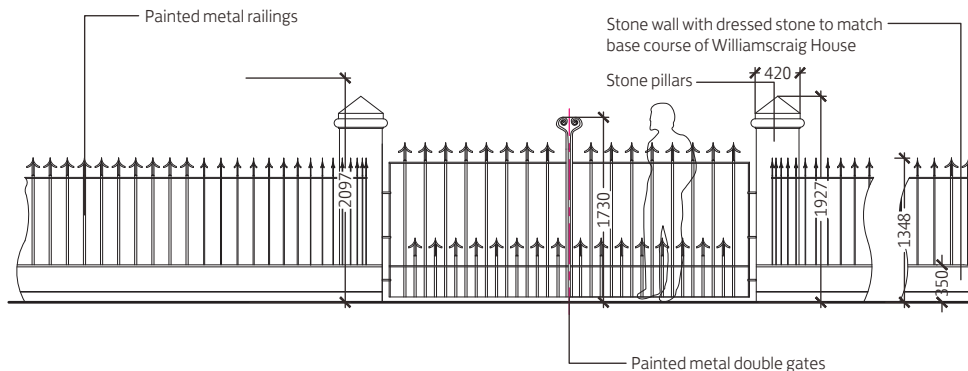
Project No : <b>E3704</b>	Stage : 3 Spatial Design	Drawing No : <b>G (2-) 002</b>	Rev : -
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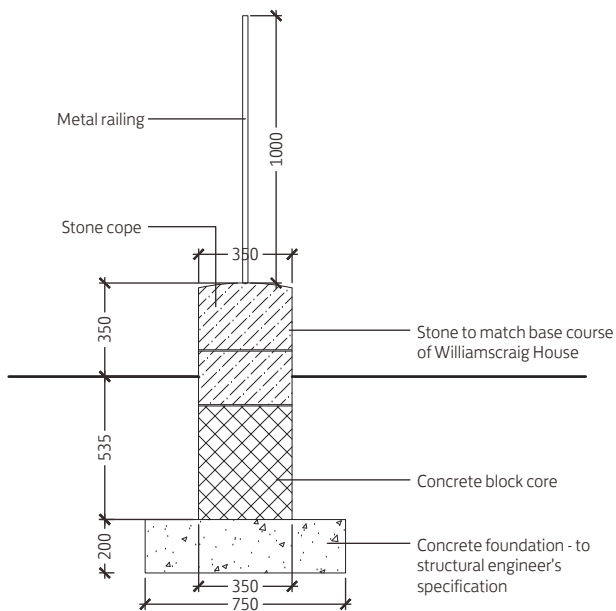
**glm**



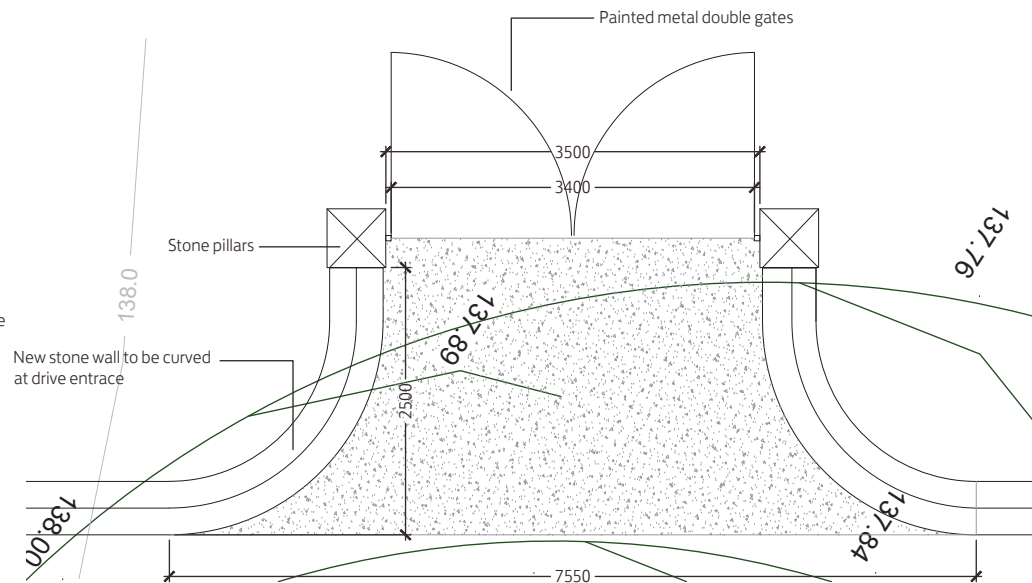
Gate Elevation  
Internal



Gate Elevation  
External



Construction Detail  
1:20



Gate Plan

## Notes :

### ⚠ CDM Regulations 2015:

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Rev	Date	Revision	By

Client:  
Barnes

Project:  
**Williamsraig Boundary Wall**  
Williamsraig House  
Linlithgow

Title:  
Gate Detail  
As Proposed

Issue Status: PLANNING	Scale: 1:50	Original Size: A3
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Date: September 2022	Drawn by: FC	Checked by: DMJ
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Project No: <b>E3704</b>	Stage: 3 Spatial Design	Drawing No: <b>G (2-) 001</b>	Rev: -
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## DEVELOPMENT MANAGEMENT COMMITTEE

### Report by Head of Planning, Economic Development and Regeneration

#### 1 DESCRIPTION

Display of 1 illuminated and 2 non-illuminated wall mounted signs (in retrospect) at 67A Whitburn Road Bathgate West Lothian

#### 2 DETAILS

<b>Reference no.</b>	<a href="#">0972/A/22</a>	<b>Owner of site</b>	Unknown
<b>Applicant</b>	Ms Paula Merrilees 67A Whitburn Road Bathgate	<b>Ward &amp; local members</b>	<b>Bathgate</b> Councillor Willie Boyle Councillor Harry Cartmill Councillor Tony Pearson Councillor Pauline Stafford
<b>Case officer</b>	Lucy Hoad	<b>Contact details</b>	01506 282558 <a href="mailto:lucy.hoad@westlothian.gov.uk">lucy.hoad@westlothian.gov.uk</a>

**Reason for referral to Development Management Committee:** Referred by Councillor Borrowman

#### 3 RECOMMENDATION

3.1 Refuse advertisement consent

#### 4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application seeks advertisement consent for the display of 1 illuminated and 2 non-illuminated wall mounted signs. The works have been undertaken and the application is retrospective.
- 4.2 A small sign has been installed above the entrance door way (2400 x 576mm). This is illuminated, which states the business name. A small board sign has been installed to the right-hand side of door (858 x 500mm) that details the opening hours. A larger rectangular sign (4983 x 1250mm) has been installed to the left-hand side of door stating name and phone number of the business with details/image of services. All signage is constructed of aluminium with acrylic lettering.
- 4.3 The application site is a ground floor hairdresser shop forming part of a larger unit. The building lies within the town centre boundary as identified in the Local Development Plan. Internally, the building is sub-divided to accommodate different business units. The hairdresser is accessed through a small door located on the east elevation of the building. The applicant advises that lighting is installed above the fire door and comes on at night only .

- 4.4 The signage in the surrounding area is a mixture of plastic and aluminium signage that is either externally or internally illuminated.

## History

- 4.5 0163/A/22 Consent for the signage was refused on 27.05.2022. The extent of the signage/lighting installed was deemed to be excessive for what is required to advertise the business and has an adverse impact on the visual amenity of the building and wider area contributing to a visual clutter of the street scape. There have been no material changes in planning policy since that refusal and this application is identical.

## 5. REPRESENTATIONS

- 5.1 No representations have been received to this application.

## 6. CONSULTATIONS

- 6.1 This is a summary of the consultations received to the original application. The full documents are contained in the application file.

Consultee	Objection?	Comments	Planning Response
WLC Roads & Transportation	No Objection	-	Noted.
Town Centre Manager	Part Objection	Sign to left hand side of main entrance door is inappropriate in both scale and visual amenity and is not deemed critical to business	Noted.

## 7. PLANNING POLICY

- 7.1 Under the Town and Country (Control of Advertisements) (Scotland) Regulations 1984 applications for advertisement consent are required to be assessed in terms of the impacts on visual amenity and public safety.

## Visual Amenity

- 7.2 Policy DES 1 requires proposals to be integrated with the local context and built form and not to have an adverse impact on amenity. The signage is dark in colour and visually prominent when viewed against the light concrete blocks of the modern unit. Due to the scale and design of the large rectangular sign to the side of the door it will not integrate with its context and will have an adverse impact on the building and wider area. This large sign is inappropriate and creates visual clutter and is excessive for what is required to advertise the business.
- 7.3 The signage above the door and the small sign to the right-hand side of door are visually appropriate for the building in terms of scale and design.
- 7.4 The large sign is not suitable within the context of the surrounding area and is thus contrary to LDP policy DES1 (Design Principles) and the terms of the Advertisement Regulations. The extent of the signage is deemed to be excessive to advertise the business and has an unacceptable adverse impact on the visual amenity of the building and wider area and contributes to visual clutter of the streetscape.

## Public Safety

- 7.5 The signs do not give rise to any discernible safety risk for road users and are therefore acceptable in terms of their impact on public safety.

### **8. CONCLUSIONS AND RECOMMENDATIONS**

- 8.1 In summary, the rectangular sign to the left-hand side of the doorway is of an unacceptably large size that does not comply with council policies and guidance nor the terms of the Advertisement Regulations and will not integrate with surrounding signs for this reason.
- 8.2 Whilst the proposal raises no concerns in respect of road or public safety, the large sign is not acceptable in terms of LDP policy DES1 (Design Principles) and the impacts on the visual amenity of the area. The extent of the signage is deemed to be excessive to advertise the business and has an unacceptable adverse impact on the visual amenity of the building and wider area and contributes to visual clutter of the streetscape.
- 8.3 Consequently, and in view of the above, it is recommended that advertisement consent is refused.

### **9. BACKGROUND REFERENCES & ATTACHMENTS**

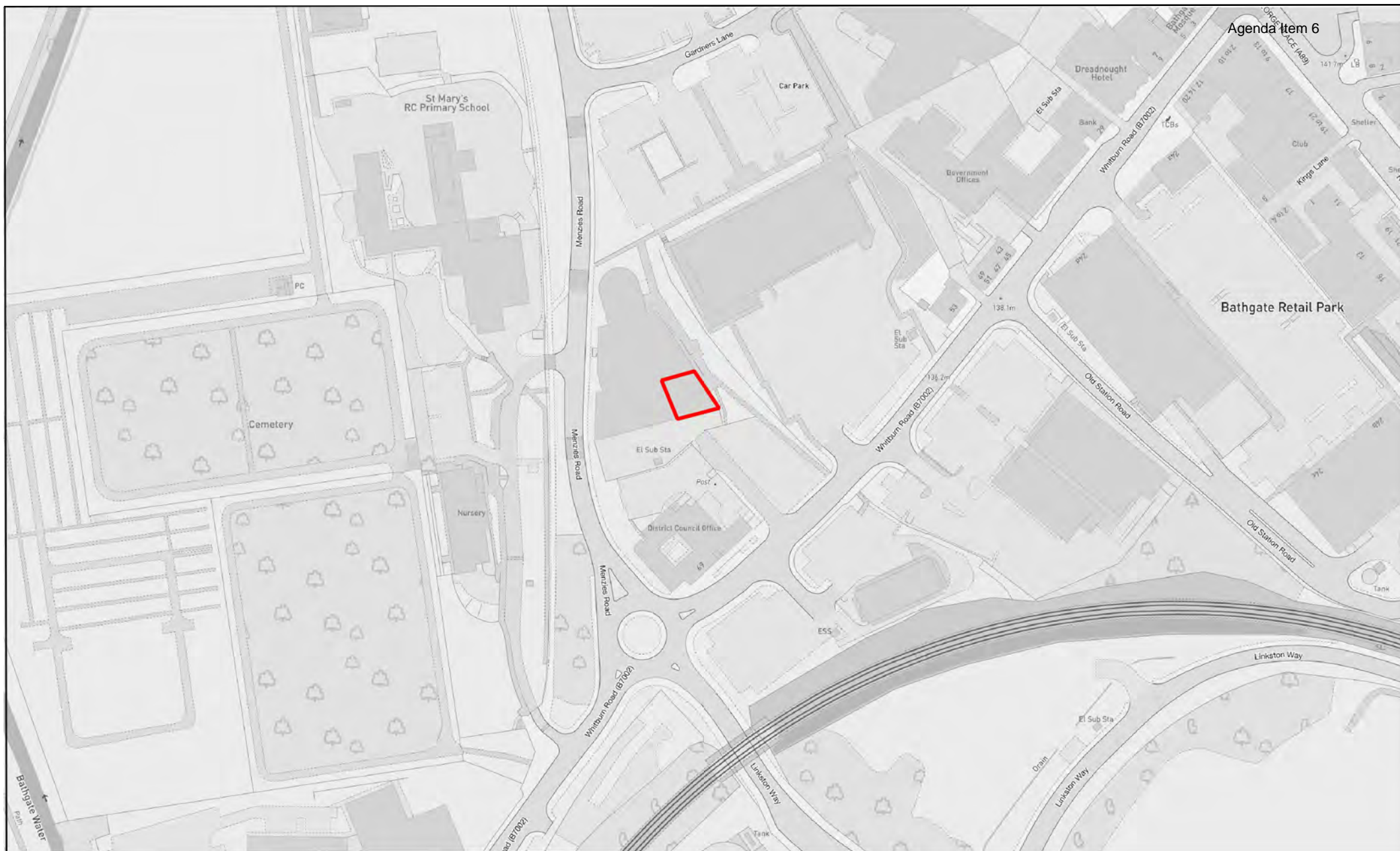
- Draft reasons for refusal
- Location Plan
- Sign Plan
- Member Referral Form

Craig McCorriston

**Head of Planning, Economic Development and Regeneration      Date: 14 December 2022**

**DRAFT REASONS FOR REFUSAL – APPLICATION 0972/A/22****Reasons for refusal**

The extent of the signage installed is deemed to be excessive for what is required to advertise the business and has an adverse impact on the visual amenity of the building and wider area contributing to a visual clutter of the streetscape. The proposal is therefore contrary to policy DES1 (Design Principles ) and the terms of the Town and Country (Control of Advertisements) (Scotland) Regulations 1984 in regard to the detrimental impacts on the visual amenity.







fret cut aluminium composite sign tray with flush to face opal acrylic letters and vinyl graphics  
rear tray with internal led illumination



aluminium composite panel with vinyl graphics to face



aluminium composite panel with vinyl graphics to face

## PROPOSED DELEGATED PLANNING DECISIONS

### ☒ LOCAL MEMBER REFERRAL REQUEST ☒

In accordance with standing orders members wishing a planning application to be heard at the Development Management Committee have to either represent the ward in which the application site is located or be chair of Development Management Committee and complete and return this form to Development Management within 7 days and by 12 Noon.

*The planning application details are available for inspection within the Planning & Building Standards web site by clicking on the link below.*

<https://planning.westlothian.gov.uk/publicaccess/>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<b>Application Reference Number</b> 0972/A/22 .....	<b>Applicant</b> Request.....X... <input type="checkbox"/>
<b>Site Address</b> .....67a Whitburn Road, Bathgate EH48 1HE .....	<b>Constituent</b> Request.....X... <input type="checkbox"/>
<b>Title of Application</b>  <b>Display of illuminated and non-illuminated signs</b> ..... .....	<b>Other (please specify)</b> ..... <input type="checkbox"/>
<b>Member's Name</b>  <b>Cllr</b> .....BORROWMAN.....	
<b>Date</b>  .....21 Nov 22.....	

# Development Management Committee

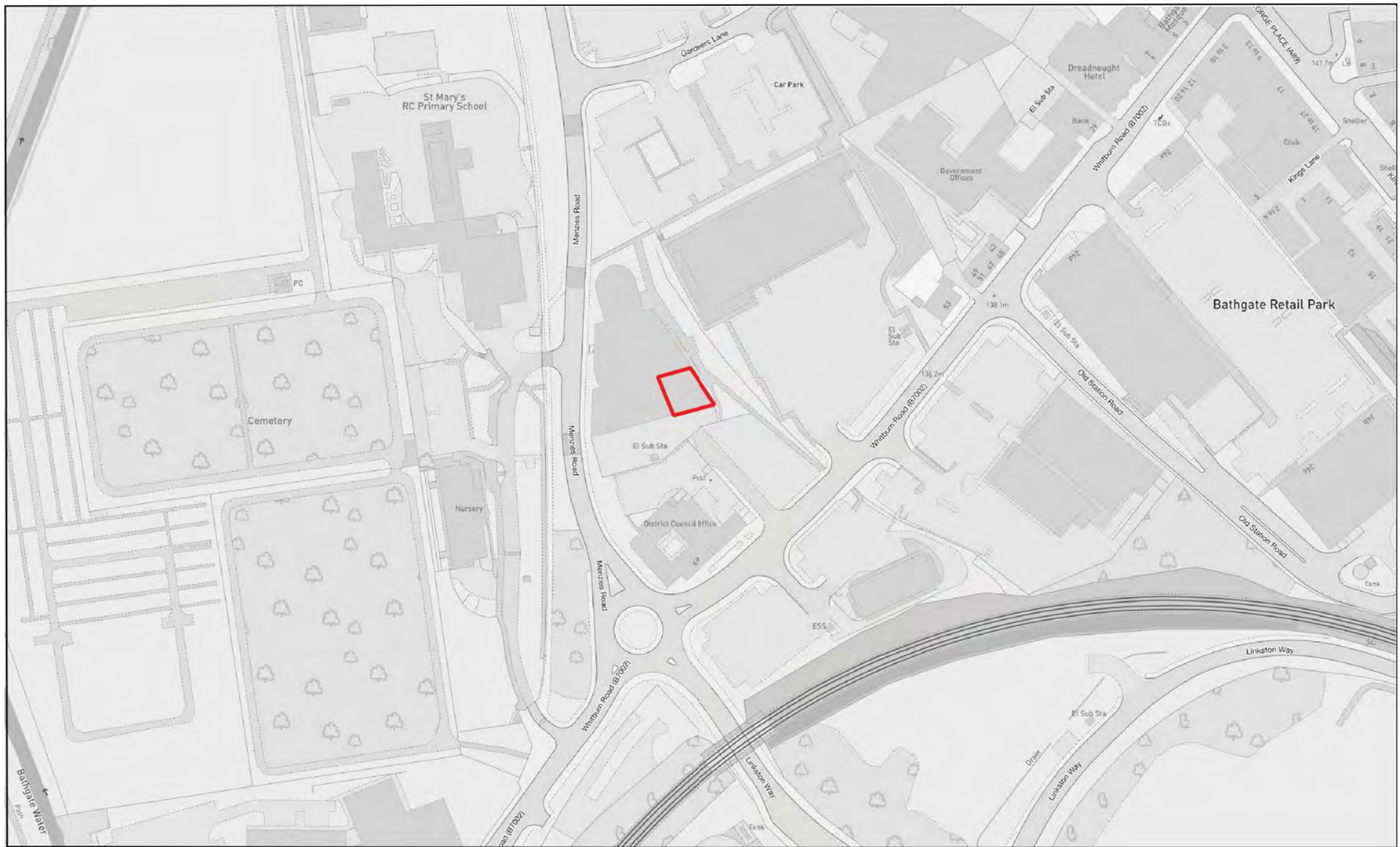
14 December 2022

Agenda Item 6 - Application : 0972/A/22

Display of 1 illuminated and 2 non-illuminated wall mounted signs (in retrospect)

67A Whitburn Road / Bathgate / EH48 1HE





0972/A/22 - 67A Whitburn Road - Bathgate - EH48 1HE

Development Management - West Lothian Civic Centre - EH54 6FF

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St Mary's RC  
Primary School



Bathgate Social  
Work Centre



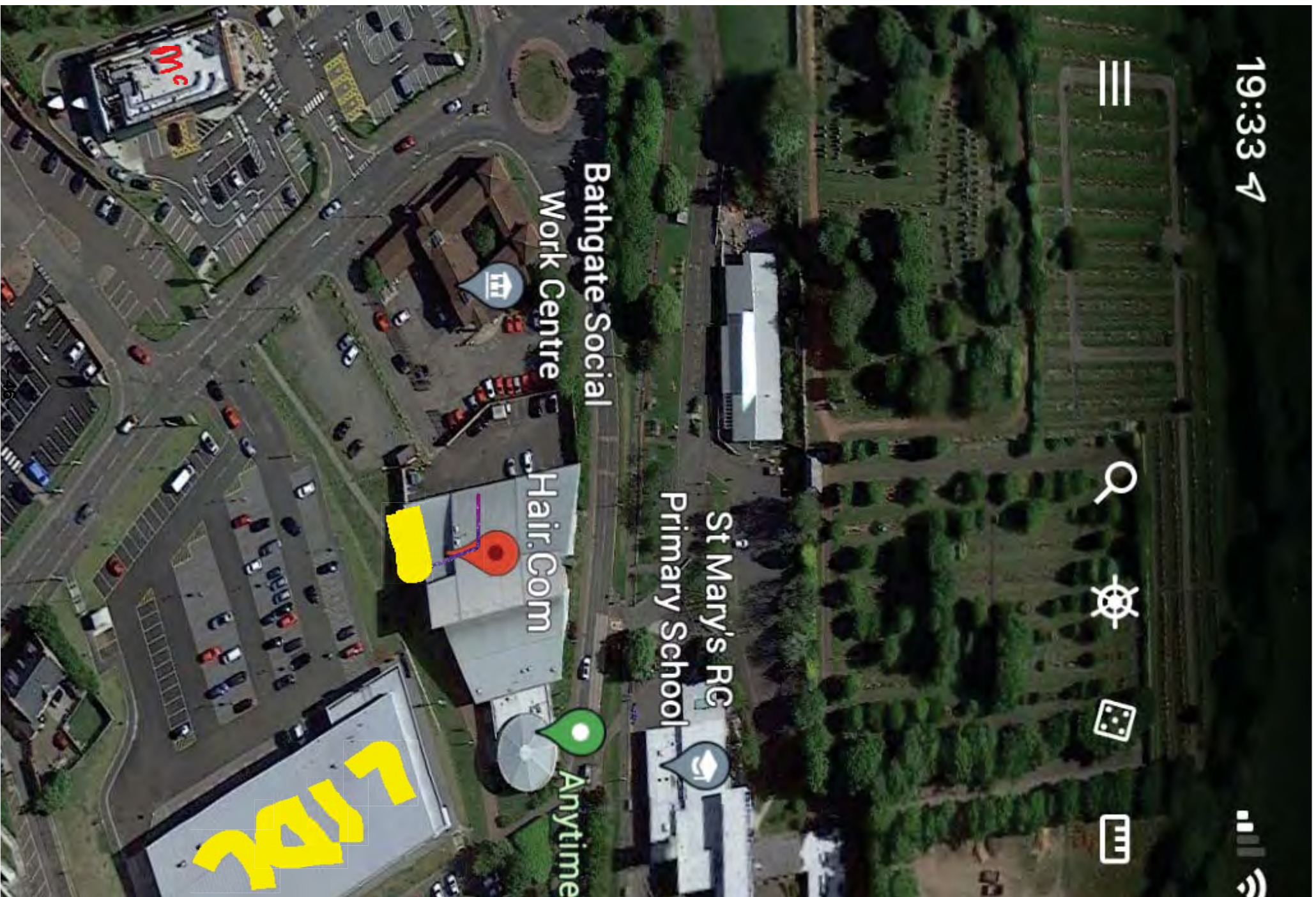
Hair.Com



Anytime



123





fret cut aluminium composite sign tray with flush to face opal acrylic letters and vinyl graphics  
rear tray with internal led illumination



aluminium composite panel with vinyl graphics to face

- 47 -



aluminium composite panel with vinyl graphics to face









f@air.co

est 2000

hairstressing | bea





## DEVELOPMENT MANAGEMENT COMMITTEE

### Report by Head of Planning, Economic Development and Regeneration

#### 1 DESCRIPTION

Erection of a 298 sqm restaurant/ bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park, site at Bankton Centre, Murieston, Livingston

#### 2 DETAILS

<b>Reference no.</b>	<a href="#">0604/FUL/22</a>	<b>Owner of site</b>	Z1 Properties Ltd.
<b>Applicant</b>	Z1 Properties Ltd	<b>Ward &amp; local members</b>	<b>Livingston South</b> Councillor Lawrence Fitzpatrick Councillor Peter Heggie Councillor Maria MacAulay Councillor Moira Shemilt
<b>Case officer</b>	Steven McLaren	<b>Contact details</b>	01506 282404 <a href="mailto:steve.mclaren@westlothian.gov.uk">steve.mclaren@westlothian.gov.uk</a>

**Reason for referral to Development Management Committee:** Referred by Councillor Heggie

#### 3 RECOMMENDATION

3.1 Refuse planning permission.

#### 4 DETAILS OF THE PROPOSAL AND BACKGROUND

4.1 Members will recall the above planning application was heard on 19 October 2022 and continued for one cycle to 'allow for clarification to be provided in respect of existing parking and any proposed parking provision to ensure that it was adequate for the proposals.

#### Points of clarification

4.2 For clarification, the 298sqm quoted in the title of the application refers to the footprint of the building rather than the floor area. A Transport Note has been prepared by the applicant's transport consultant and this identifies the total proposed public floor area as 327sqm. This is the floor area used to calculate the number of parking spaces required for the development.

- 4.3 The applicant has confirmed that in terms of customer numbers, the 227 covers previously reported and shown on the originally submitted floor plans is unrealistic for this development. The applicant has provided revised floor plans which now incorporates additional staff and storage space that was not shown on the original drawings. These plans form part of a Transport Note attached and are included in the presentation pack.
- 4.4 The applicant has confirmed that the café and restaurant are intended to operate at different times however for clarity, at peak times, the expected maximum number of customers has been estimated to be around 70. It is also recognised that most restaurants and cafes do not operate at 100% capacity on a regular basis so whilst the number of 70 has been provided, it is likely that the actual daily peak number will be lower than this. The Transport Note also identifies the actual likely number of spaces required for the development.

#### **Overview and current parking availability**

- 4.5 The total current parking spaces in the Bankton Centre east car park is 26 and in the west car park is 19, giving a total of 45, as can be seen from the annotated aerial attached.
- 4.6 When assessing the number of parking spaces required for a development, the council's Roads & Transportation apply various standards based on public floor area, ground floor area, numbers of staff etc, depending on the end use of the premises. In this case, public floor area at a rate of 1 space per 13sqm is applied to determine the parking requirement for the restaurant/café development.
- 4.7 The Transport Note prepared by Local Transport Projects on behalf of the applicant confirms that the total number of spaces required for the development is 25 spaces, being 1 space per 13sqm for a public floor area of 327sqm.
- 4.8 The current uses within the east part of Bankton Centre include a hairdressers, a Co-op and a hot food take away. The parking standard for the hairdressers and the Co-op is 1 space per 20sqm and 1 space per 13sqm (public floor area) for the hot food take-away. The required spaces for each are 5 spaces, 22 spaces and 5 spaces respectively, giving a total requirement for the existing uses of 32 spaces.
- 4.9 The west part of Bankton Centre incorporates a florists, restaurant with take-away facility and a Day-Today store. Calculating the parking for the west part of Bankton Centre, a total of 26 parking spaces is required.
- 4.10 Based on floor area calculations and parking standards alone for the existing uses, the total parking requirement for the east and west car parks combined is 58 spaces (including disabled). Technically therefore, the available parking within Bankton Centre falls short of the current parking standard requirements by 13 spaces.
- 4.11 Whilst there is a technical shortfall based on current standards for the existing uses, the level of parking is acceptable and raises no concerns.

- 4.12 The application proposes 6 additional spaces within the application site boundary giving a shortfall of 19 spaces for this proposed restaurant/café development, however, within the Bankton Centre east car park, which is under the control of the applicant, there is an area marked as a loading bay which is currently used by customers to park. The applicant has intimated that this area will be re-lined to provide 2 additional parking spaces.
- 4.13 Taking these 2 additional spaces into consideration within the east car park, there is a technical shortfall of 17 spaces within the Bankton Centre east car park for the proposed development.
- 4.14 With any retail area, however, there are busy periods and quiet periods where parking availability fluctuates. Bankton Centre is also a local centre and designed to serve the needs of nearby residents. Visits to the area are generally short term and with a high turnover of parking spaces. It would also be expected that a number of visits are either by foot or bicycle.
- 4.15 The Transport Note carried out by the applicant's transport consultant considers 4 elements: the number of parking spaces required for the unit in its own right, the number of parking spaces available in the area, an assessment of the actual number of parking spaces required for the development using an industry standard (TRICS) database, which is a tool for predicting traffic and parking and finally, a survey of the actual available parking within the Bankton Centre area.
- 4.16 A key element to the availability of free parking spaces within the Bankton Centre car parks and the Livingston South Station car park has been the survey of free parking spaces at peak times. The existing parking demand is tabulated on pages 9 and 10 of the attached report. This shows that within the Bankton Centre car parks and during expected peak times, the number of free spaces range between 14 and 36 spaces.
- 4.17 The industry standard (TRICS) database projects an indicated maximum weekday parking demand for the proposed restaurant/cafe of 14 cars, and 11 on a weekend. These figures will fluctuate at different times of the day.
- 4.18 The Transport Note concludes that *'at the busiest time of day (12:30 Friday), there are 14 spaces currently available in the two Bankton Centre car parks. The proposed restaurant/café would increase this provision by 6, so a total of 20 spaces available. The expected parking demand from the proposed restaurant/café at this time is only 14 spaces, which can be accommodated within the existing car parks, even without the additional 6 proposed spaces.'*
- 4.19 The existing parking demand at other times of the day is lower and therefore there would be more spare capacity. The Transport Note also sets out the current underutilisation of the station car park therefore the station car park can provide overspill spaces if required.

- 4.20 Considering the Bankton Centre area as a whole, and including the train station car park within the overall parking assessment, there are 160 parking spaces and 10 disabled spaces available. It could be argued that rather than looking at the east parking area of Bankton Centre in isolation, the overall parking availability in the area should be considered, and this is part of the justification that is set out in the applicant's Transport Note.

<b>5. CONCLUSION AND RECOMMENDATION</b>
---

- 5.2 Roads & Transportation has reviewed the Transport Note and agrees with the findings set out. Transportation therefore does not object to the proposed development on the basis of the parking assessment carried out and the existing and proposed parking.
- 5.3 The applicant has demonstrated that overall within the Bankton Centre there is sufficient available parking to accommodate the additional development and this is not a reason to recommend refusal. Transportation agrees with this position.
- 5.4 Nevertheless, fundamentally, the development of the protected open space is unacceptable for the reasons detailed and set out in the committee report of 19 October 2022.
- 5.5 The proposals therefore remain contrary to the policies set out in section 7 of the committee report of 19 October 2022 and recommendation is to refuse planning permission in accordance with the reasons for refusal set out in that report.

<b>6. BACKGROUND REFERENCES &amp; ATTACHMENTS</b>
---

- Transport Note.
- WLC Roads & Transportation response
- Aerial (parking availability)
- Committee report of 19 October 2022

Plans and site photos are available in the accompanying slide presentation pack.

Craig McCorriston

**Head of Planning, Economic Development and Regeneration**

**Date: 14 December 2022**

**local transport projects** 

*traffic engineering and transport planning*

Z1 Properties Limited

---

**Proposed Restaurant/Café Development  
Bankton Centre, Livingston  
Transport Note**

---

November 2022

Armstrong House,  
The Flemingate Centre,  
Beverley,  
HU17 0NW

📞 01482 679 911

✉️ [info@ltp.co.uk](mailto:info@ltp.co.uk)

🌐 [www.local-transport-projects.co.uk](http://www.local-transport-projects.co.uk)

Registered No. 5295328

## Z1 Properties Limited

# Proposed Restaurant/Café Development Bankton Centre, Livingston Transport Note

November 2022

**Client Commission**

Client:	Z1 Properties Limited	Date Commissioned:	November 2022
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**LTP Quality Control**

Job No:	LTP/22/5317	File Ref:	Bankton Centre TN Final Issue 1A
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Issue	Revision	Description	Author	Checked	Date
1	A	Minor text amendments	-	-	29/11/2022
1	-	Final Issue	AC	SW	23/11/2022
Authorised for Issue:				SW	

**LTP PROJECT TEAM**

As part of our commitment to quality the following team of transport professionals was assembled specifically for the delivery of this project. Relevant qualifications are shown and CVs are available upon request to demonstrate our experience and credentials.

Team Member	LTP Designation	Qualifications
Steven Windass	Technical Director (Developments)	BSc(Hons) MSc(Eng) CEng FIHE MCIHT
Annabel Carrick	Senior Transport Planner	BSc(Hons) EngTech MIHE

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# PROPOSED RESTAURANT/CAFÉ DEVELOPMENT BANKTON CENTRE, LIVINGSTON TRANSPORT NOTE

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## APPENDICES

- Appendix 1 – Proposed Site Layout Plans (PFA)
- Appendix 2 – Proposed Site Layout Plans (GFA)
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## I. INTRODUCTION

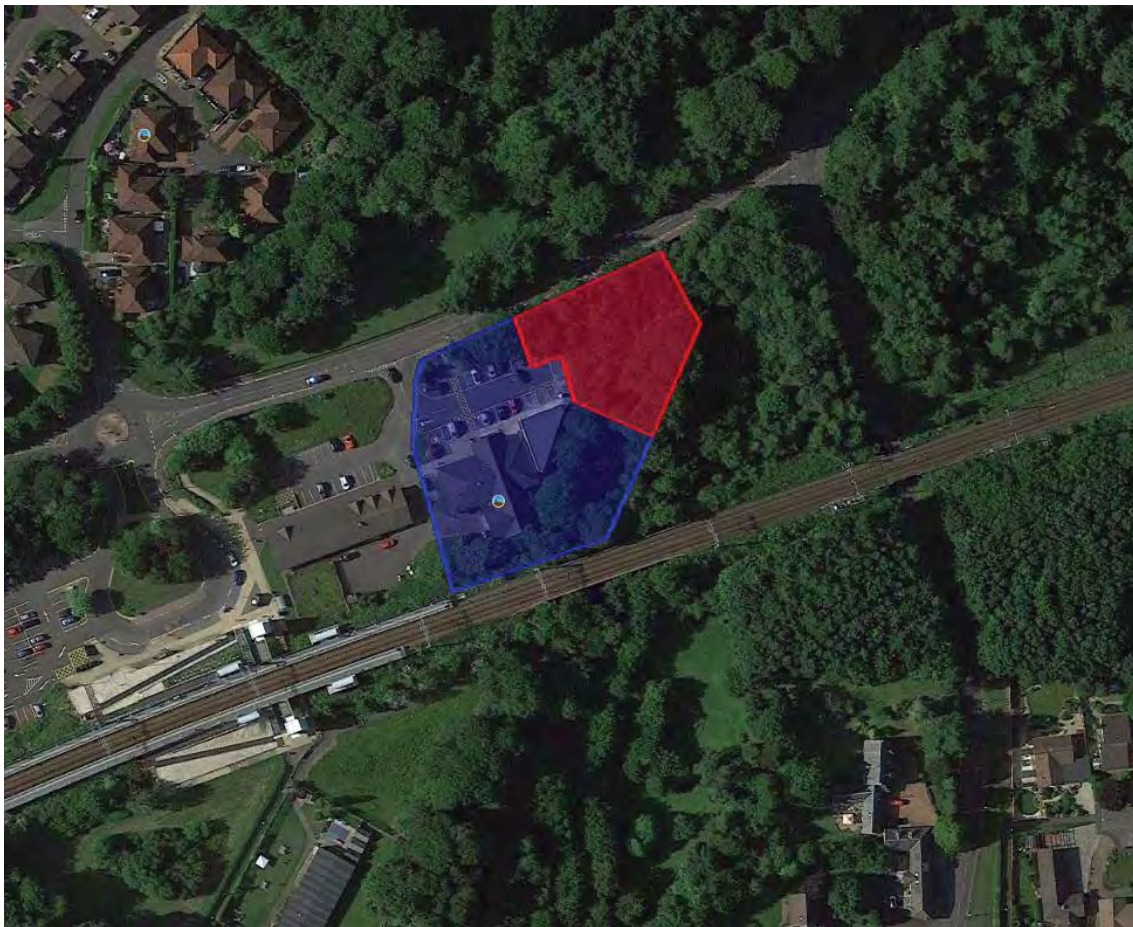
- 1.1.1 Local Transport Projects Ltd (LTP) has been commissioned to produce a Transport Note (TN) in support of an application (ref: 0604/FUL/22) for the *'erection of a 298m<sup>2</sup> restaurant/bar and café/hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park'* at Bankton Centre in Livingston. This TN provides an appraisal of the car parking requirements for the scheme, with reference to the applicable local parking standards and the expected level of parking demand for the proposed restaurant/café, as well as on-site parking surveys of the current demand generated by other uses at the Bankton Centre.
- 1.1.2 The local planning and roads authority for the site is West Lothian Council (WLC).
- 1.1.3 This TN report has been prepared in accordance with the above scope and reference has been made to the following documents where appropriate:
- Draft Our Fourth National Planning Framework – Scotland 2045 (SG, 2021);
  - The Adopted West Lothian Local Development Plan (WLC, 2018);
  - National Planning Framework 3 (NPF3) (SG, 2014a);
  - Scottish Planning Policy (SPP) (SG, 2014b);
  - National Roads Development Guide (SG, 2014c);
  - Development Planning – Planning Circular 6/2013 (SG, 2013);
  - Transport Assessment Guidance (TS, 2012);
  - Designing Streets (SG, 2010); and
  - Planning Advice Note 75 (PAN75) (SG, 2005).

## 2. SITE BACKGROUND

### 2.1 Site Location

- 2.1.1 The proposed development site is situated on greenfield land to the east of the Bankton Centre in Livingston. The site is bound by Murieston East Road to the north, vegetation to the east and south, and Bankton Centre to the west. The approximate location and boundary of the proposed development site is shown in red within Figure 1, with land under the Applicant's control shown in blue.

**Figure 1: Site Location**



Source Imagery: Copyright Google Earth Pro (License Key-JCPMR5M58LXF2GE)

- 2.1.2 Bankton Centre is a collection of existing businesses. It is split into an eastern and western section, with the proposed development to be situated within the eastern section. The operation/opening times of the existing businesses are understood to be as follows:
- Co-op Food – open every day between 06:00 and 22:00;
  - Food Takeaway – open from 16:00 onwards;
  - Salon (appointment only) – open Tuesday, Wednesday and Friday between the hours of 10:00-16:00, open Thursday 10:00-20:00, and Saturday between 10:00-17:00 (closed on Sundays and Mondays).

- 2.1.3 Bankton Centre is accessed via a simple priority T-junction connecting with Murieston East Road to the north. The access road connects with two separate car parks; one situated to the north of the eastern facilities and another to the north of the western facilities. A breakdown of the car parking spaces provided within each car park is provided below:

**Eastern Car Park**

- 25 standard car parking bays (including one 'parent and child' space, and a loading bay counted as 2 parking spaces); and
- 3 disabled bays.

**Western Car Park**

- 17 standard car parking bays; and
- 2 disabled bays.

- 2.1.4 Therefore, across the two car parks there are 42 standard car parking bays and 5 disabled bays, a total of 47 car parking spaces.

- 2.1.5 The Applicant proposes to change the surface markings of the parking area to delete the 2no. loading bays in the eastern car park (which are no longer used) to form 2no. new parking spaces.

**2.2 Livingston South Rail Station Car Park**

- 2.2.1 Livingston South Rail Station is situated to the south-west of the Bankton Centre, accessed via the southern arm of the Murieston East Road/Bankton Wood/Murieston West Road roundabout. The car park at the station is free, and provides approximately 120 car parking spaces, 5 disabled bays, a taxi rank and a drop-off/pick-up layby.

- 2.2.2 A footway to the west of the station car park connects with the western section of the Bankton Centre, providing a short walk between the facilities.

**2.3 Development Proposals & Access Arrangements**

- 2.3.1 The proposals are for the '*erection of a 298m<sup>2</sup> restaurant/bar and café/hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park*' (ref: 0604/FUL/22). The café is expected to be open between the hours of 08:00 and 18:00, with the restaurant to be open between 17:00 and 23:00.

- 2.3.2 The proposals involve the provision of an additional 6 car parking spaces within the Bankton Centre east car park, and this TN has been produced in order to investigate the parking requirements associated with the application, alongside the other existing uses at the Bankton Centre.

## 2.4 Planning History

- 2.4.1 The current planning application (ref: 0604/FUL/22) is for the *'erection of a 298m<sup>2</sup> restaurant/bar and café/hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park'*. A Transport Statement (TS) (ZG, 2022) has been prepared in support of the application.
- 2.4.2 A previous planning application (ref: 0240/FUL/21) was submitted in March 2021 and refused in April 2021 for the *'erection of a 284m<sup>2</sup> restaurant/bar and café/hot food takeaway with balcony and terrace, external timber stair and extension to car park.'* The Reasons for Refusal (RfR) were not transport-related.

### 3. CAR PARKING STANDARDS

- 3.1.1 WLC sets the maximum car parking standards for a range of development types, including restaurants. The standards outline that for restaurants outside of the town centre, 1 car parking space per 13m<sup>2</sup> of Public Floor Area (PFA) should be provided. Information provided by the architect shows that the PFA of the proposed development is 327m<sup>2</sup>, as shown on the plans attached as Appendix 1. Therefore, there is a requirement for circa 25 car parking spaces to be provided at the site (327/13).
- 3.1.2 Furthermore, a minimum of 3 disabled bays should be provided, although it is unclear within the guidance whether these bays should be counted within the 25 spaces or provided as additional spaces. For the purposes of this report, it has been assumed that the disabled parking provision should be included within the 25 required spaces. However, it is also acknowledged that the car parking provision for the proposed restaurant/café will be shared with the adjacent Bankton Centre uses, also with sharing of the existing Bankton Centre parking provision, and so the existing provision of 5 disabled bays serving Bankton Centre (3 in the eastern car park and 2 in the western car park) is considered sufficient to serve the existing and proposed Bankton Centre uses.
- 3.1.3 The proposed development will provide an additional 6 car parking spaces at the Bankton Centre, which is below the maximum parking standard requirements. However, in order to ensure that there is not an under-supply of parking at the site, a more site-specific calculation of the likely parking demand has been predicted using data from the industry-standard TRICS database. Furthermore, the proposed restaurant/café will share parking with the other Bankton Centre uses, and there is significant reserve capacity in these car parks, so the parking provision and demand has been considered for the wider Bankton Centre site, not just the proposed restaurant/café in isolation.

## 4. PROPOSED PARKING DEMAND

- 4.1.1 In order to predict the likely level of demand for parking at the proposed restaurant/café, the maximum parking accumulation of the site has been estimated for weekdays and weekends separately, utilising data within the TRICS database, which is an industry-standard tool for predicting traffic and parking at development sites.
- 4.1.2 In order to derive reflective parking data, survey statistics within the 'Hotel, Food & Drink - Restaurant' (06-B) category from the TRICS database have been interrogated. To ensure that only survey statistics for comparable sites were used in calculations, the TRICS sites were filtered to the following criteria:
- Database version: 7.9.3;
  - Survey type: All survey types;
  - Size: Up to 800m<sup>2</sup> Gross Floor Area (GFA);
  - TRICS location type: 'Neighbourhood Centre', 'Suburban Area' & 'Edge of Town';
  - Regions: UK (excluding Ireland and Greater London);
  - One run using weekday data only, and one using weekend data only; and
  - Recent survey data only (exclusion of surveys undertaken prior to 01/01/2014); and
  - Exclusion of any survey undertaken during the 2020/2021 Covid-19 pandemic.
- 4.1.3 The above filtering returned 6 sites for weekdays, and 3 sites for weekends.
- 4.1.4 The TRICS Good Practice Guide 2022 (TCL, 2021) defines GFA as *'The total internal floor area of all floors within the site building(s), including mezzanine floors. There are exceptions to this (see Car Show Rooms, Garden Centres, Builders Merchants, Mixed Bargain Retail Units, Warehousing, and DIY Superstores (with garden centres) in the Guide to Land Use Classifications section). Internal floor areas will include all areas accessible to staff and visitors (e.g. office space, canteens, storage areas, toilets, etc), but will exclude service areas (e.g. lift shafts, stairwells, plant, staff and visitor car parks, etc). Trip rates are calculated per 100m<sup>2</sup> GFA.'*
- 4.1.5 The architect has confirmed that the GFA of the proposed restaurant/café is 335m<sup>2</sup> (see plans attached as Appendix 2), based on the specific TRICS definition (which TRICS acknowledge may differ from other definitions of GFA used for other purposes), therefore this has been used within the below calculations.
- 4.1.6 The TRICS trip rates allow a prediction of the number of vehicular arrivals and departures for the proposed restaurant/café, and this data can then be used to predict the parking accumulation/demand for the restaurant/café throughout the day. The projected parking demand for the proposed restaurant/café is shown in shown in Table 1, with the detailed calculations outlined within Appendix 3.

**Table 1: Projected Parking Occupancy**

Time Period	Weekday Parking Occupancy	Weekend Parking Occupancy
08:00-09:00	0	0
09:00-10:00	0	3
10:00-11:00	1	5
11:00-12:00	5	9
12:00-13:00	14	11
13:00-14:00	12	11
14:00-15:00	8	9
15:00-16:00	5	10
16:00-17:00	6	8
17:00-18:00	9	8
18:00-19:00	12	7
19:00-20:00	12	11
20:00-21:00	10	9
21:00-22:00	7	5
22:00-23:00	5	3
23:00-00:00	2	-2
<b>MAXIMUM</b>	<b>14</b>	<b>11</b>

- 4.1.7 The parking projections in Table 1 indicate that the maximum parking accumulation at the proposed restaurant/café is expected to be 14 during the week, occurring at 12:00-13:00, with a secondary peak in the evening (18:00-21:00), and 11 on a weekend at several times (12:00-14:00 and 19:00-20:00), with fluctuations throughout the day.

## 5. EXISTING PARKING DEMAND (PARKING SURVEYS)

5.1.1 As previously outlined, there are three car parks within the vicinity of the proposed site; Bankton Centre eastern car park, Bankton Centre western car park, and Livingston South Rail Station car park. Parking surveys were undertaken at each car park on a variety of days and times to establish the existing demand and the spare capacity of the car parks. The survey days and times were as follows:

- Friday 11<sup>th</sup> November 2022 at 12:30-13:10, 18:30 and 20:00;
- Saturday 12<sup>th</sup> November 2022 at 12:15, 18:15 and 20:00;
- Monday 14<sup>th</sup> November 2022 at 12:15, 18:15 and 20:00.

5.1.2 The results of the parking surveys are outlined in Table 2 below, with a sample of accompanying photos included as Appendix 4.

**Table 2: Client Parking Survey Results**

Time	Bankton Centre East Car Park Spare Capacity	Bankton Centre West Car Park Spare Capacity	Total Spaces Available
<b>Friday 11<sup>th</sup> November 2022</b>			
<b>12:30</b>	7 spaces + 1 disabled bay	5 spaces + 1 disabled bay	<b>12 spaces + 2 disabled bays</b>
<b>12:40</b>	6 spaces + 1 disabled bay	6 spaces + 1 disabled bay	<b>12 spaces + 2 disabled bays</b>
<b>12:50</b>	5 spaces + 1 disabled bay	9 spaces + 1 disabled bay	<b>14 spaces + 2 disabled bays</b>
<b>13:00</b>	6 spaces + 1 disabled bay	10 spaces + 2 disabled bays	<b>16 spaces + 3 disabled bays</b>
<b>13:10</b>	8 spaces + 2 disabled bays	10 spaces + 2 disabled bays	<b>18 spaces + 4 disabled bays</b>
<b>18:30</b>	14 spaces + 2 disabled bays	9 spaces + 2 disabled bays	<b>23 spaces + 3 disabled bays</b>
<b>20:00</b>	18 spaces + 2 disabled bays	9 spaces + 2 disabled bays	<b>27 spaces + 3 disabled bays</b>
<b>Saturday 12<sup>th</sup> November 2022</b>			
<b>12:15</b>	9 spaces + 3 disabled bays	15 spaces + 2 disabled bays	<b>24 spaces + 5 disabled bays</b>
<b>18:15</b>	18 spaces + 3 disabled bays	6 spaces + 1 disabled bays	<b>24 spaces + 4 disabled bays</b>
<b>20:00</b>	19 spaces + 3 disabled bays	12 spaces + 2 disabled bays	<b>31 spaces + 5 disabled bays</b>
<b>Monday 14<sup>th</sup> November 2022</b>			
<b>12:15</b>	13 spaces + 2 disabled bays	15 spaces + 1 disabled bay	<b>28 spaces + 3 disabled bays</b>
<b>18:15</b>	13 spaces + 2 disabled bays	13 spaces + 1 disabled bay	<b>26 spaces + 3 disabled bays</b>
<b>20:00</b>	17 spaces + 3 disabled bays	15 spaces + 1 disabled bay	<b>31 spaces + 4 disabled bays</b>

5.1.3 The survey results in Table 2 outline that there was significant spare capacity across the Bankton Centre east and west car parks across all surveys days and times, with a minimum of 14 spaces available at even the busiest time.

5.1.4 The results in Table 2 indicates the worst-case scenario in terms of spare parking capacity was 12:30-13:00 on the Friday, during which between 14 and 19 spaces were available across the Bankton Centre car parks. The Applicant has advised that schools in Livingston close at 12:30 on a Friday, with some parents expected to pick children up from school and then visit the local amenities, which results in this time period being the busiest period at the Bankton Centre.

5.1.5 WLC also undertook a parking survey at the three car parks, with the results outlined in Table 3 below:

**Table 3: WLC Parking Survey Results**

Time	Bankton Centre East Car Park Spare Capacity	Bankton Centre West Car Park Spare Capacity	Livingston South Rail Station Car Park Spare Capacity	Total Spaces Available
<b>Friday 4<sup>th</sup> November 2022</b>				
<b>10:30</b>	8 spaces	14 spaces	62 spaces	<b>84 spaces</b>
<b>Tuesday 8<sup>th</sup> November 2022</b>				
<b>10:00</b>	15 spaces	17 spaces	37 spaces	<b>69 spaces</b>
<b>11:00</b>	10 spaces	10 spaces	39 spaces	<b>59 spaces</b>

5.1.6 Table 3 shows broadly similar results to the survey results in Table 2, with significant spare capacity across the three car parks.

5.1.7 Based on the Officer's visits and those carried out on 11<sup>th</sup>, 12<sup>th</sup> and 14<sup>th</sup> November 2022, in the opinion of the Applicant, the station car park is currently underutilised and there is additional capacity available should it be required.

## 6. ACCOMMODATING PROPOSED PARKING DEMAND

- 6.1.1 As previously outlined, the proposed restaurant/café is expected to generate a maximum parking demand of 14 cars during a weekday and 11 on a weekend, with fluctuations expected throughout the day. Table 4 below looks to establish whether the expected parking demand for the proposed restaurant/café can be accommodated within the spare capacity at the Bankton Centre car parks and the 6 bays proposed as part of the development.
- 6.1.2 The survey results in Table 2 have been used for the purposes of the assessment as they provide a more detailed outlook (i.e. more day and time periods) and a worst-case scenario of spare parking capacity, compared to the WLC survey results.

**Table 4: Accommodating Proposed Parking Demand**

Time	Total Spaces Available (see Table 2 for existing spare capacity)	Development Parking Demand (see Table 1)	Over/Under Supply
<b>Friday</b>			
12:30	14 existing + 6 proposed = 20	14 spaces	+6
12:40	14 existing + 6 proposed = 20	14 spaces	+6
12:50	16 existing + 6 proposed = 22	14 spaces	+8
13:00	19 existing + 6 proposed = 25	12 spaces	+13
13:10	22 existing + 6 proposed = 28	12 spaces	+16
18:30	26 existing + 6 proposed = 32	12 spaces	+20
20:00	30 existing + 6 proposed = 36	10 spaces	+26
<b>Saturday</b>			
12:15	29 existing + 6 proposed = 35	11 spaces	+24
18:15	28 existing + 6 proposed = 34	7 spaces	+27
20:00	36 existing + 6 proposed = 42	9 spaces	+33
<b>Monday</b>			
12:15	31 existing + 6 proposed = 37	14 spaces	+23
18:15	29 existing + 6 proposed = 35	12 spaces	+23
20:00	35 existing + 6 proposed = 41	10 spaces	+31

- 6.1.3 Table 4 above highlights that the parking demand likely to be generated by the proposed development can suitably be accommodated within the Bankton Centre existing car parks and the 6 spaces proposed as part of the development throughout the different day and time periods, with further spare capacity to accommodate any peaks in demand and a turnover of vehicles. Furthermore, there are a large number of additional spaces available in the car park serving South Livingston Rail Station.
- 6.1.4 Furthermore, only three businesses will be open at any one time; cafe, salon and Co-op Food during the day, and the restaurant, Co-op Food and takeaway during an evening/night. Therefore, the parking associated with the Bankton Centre is expected to be relatively spread across the day, as seen within the above assessments.

## 7. SUMMARY

7.1.1 This Transport Note (TN) provides an appraisal of the car parking requirements for a proposed restaurant/café at Bankton Centre, Livingston, with reference to the applicable local parking standards and the expected level of parking demand for the proposed restaurant/café, as well as on-site parking surveys of the current demand generated by other uses at the Bankton Centre. A summary of the investigations into parking requirements for the scheme is provided below:

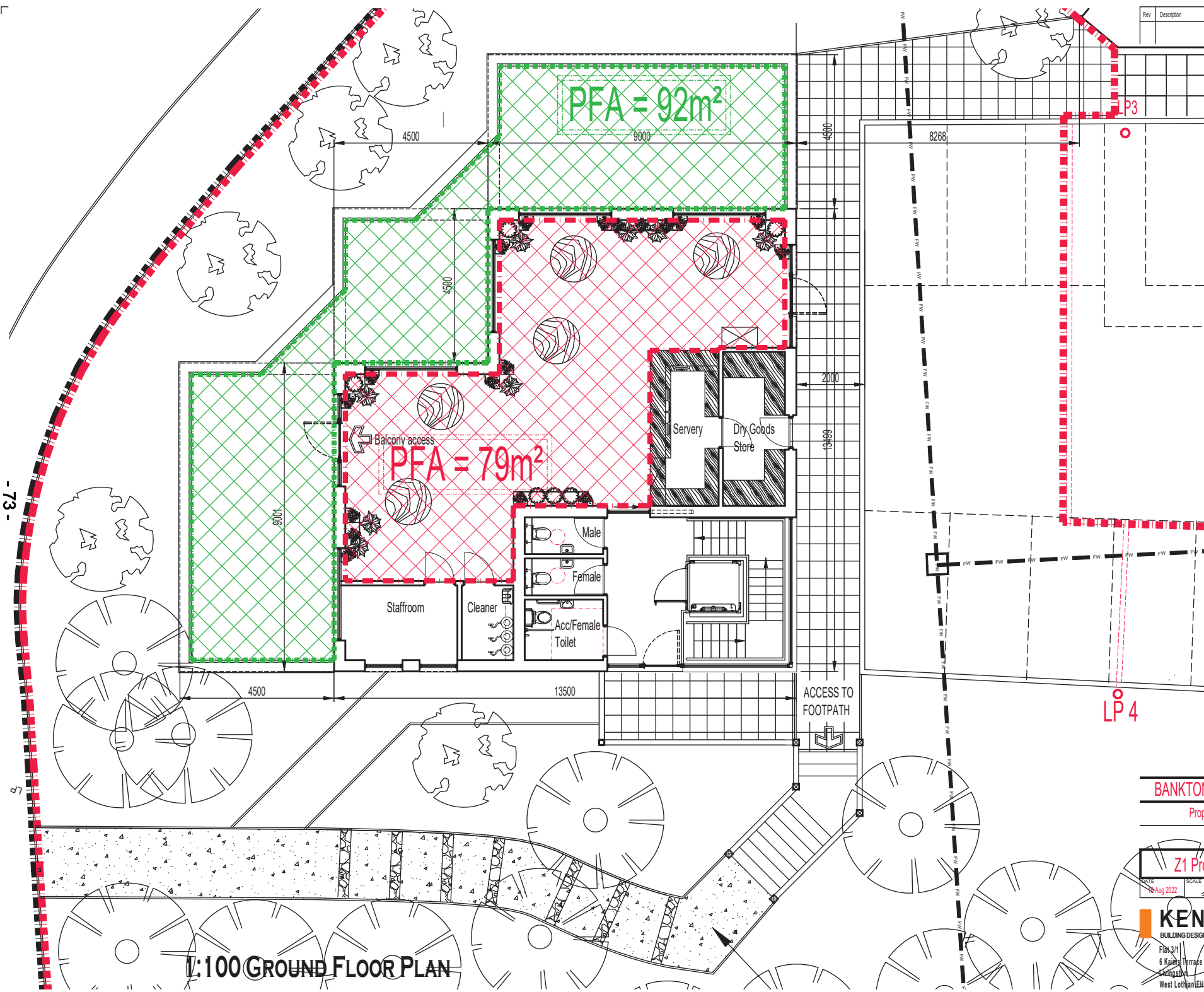
- Based on the WLC parking standards, 25 car parking spaces, which is understood to include 3 disabled bays, are required for the proposed development. The proposed development will provide an additional 6 car parking spaces, and would also have access to 47 existing spaces at the Bankton Centre, which are shared with other uses.
- In order to predict the likely level of demand for parking at the site on weekdays and weekends, data from real-world surveys at comparable sites within the industry-standard TRICS database has been analysed. These parking projections indicate that the maximum weekday parking demand at the site is likely to be 14 cars, and 11 on a weekend, with fluctuations at different times of day.
- A parking survey has been undertaken across the Bankton Centre east and west car parks and the Livingston South Rail Station car park across a variety of dates and times. Surveys of a similar nature were undertaken by WLC officers. The surveys indicate that there is significant spare capacity across the three car parks.
- At the busiest time of day (12:30 Friday), there are 14 spaces currently available in the two Bankton Centre car parks. The proposed restaurant/café would increase this provision by 6, so a total of 20 spaces available. The expected parking demand from the proposed restaurant/café at this time is only 14 spaces, which can be accommodated within the existing car parks, even without the additional 6 proposed spaces.
- At other times of day and days of the week, the existing parking demand is lower, with more spare capacity, and also the parking demand for the proposed restaurant/café is expected to be lower too.
- Therefore the assessments indicate that the parking demand likely to be generated by the proposed development can suitably be accommodated within the Bankton Centre existing car parks and the 6 spaces proposed as part of the development throughout the different day and time periods.

7.1.2 Based on the above assessments, it is reasonable to consider that the proposed parking provision at the site would be suitable, given that any additional demand generated by the site could be accommodated within the Bankton Centre east and west car parks, with additional spare capacity in the Livingston South Rail Station car park.

## **8. REFERENCES**

- SG (Scottish Government), 2021. Draft Our Fourth National Planning Framework – Scotland 2045.
- SG, 2014a. National Planning Policy Framework 3 (NPF3).
- SG, 2014b. Scottish Planning Policy (SPP). June 2014.
- SG, 2014c. National Roads Development Guide. June 2014.
- SG, 2013. Development Planning – Planning Circular 6/2013. Scottish Planning Series.
- SG, 2010. Designing Streets – A Policy Statement for Scotland.
- SG, 2005. Planning Advice Note 75 (PAN75).
- TCL (TRICS Consortium Ltd), 2021. TRICS Good Practice Guide 2022.
- TS (Transport Scotland), 2012. Transport Assessment Guidance.
- WLC (West Lothian Council), 2018. West Lothian Local Development Plan 2018.

## **Appendix I – Proposed Site Layout Plans (PFA)**



BANKTON CENTRE, LIVINGSTON. EH54 9DA

Proposed Erection of New Cafe/Restaurant Unit

Ground Floor - PUBLIC FLOOR SPACE

Z1 Properties Limited

727-20

10 Aug 2022

SCALE: 1:100

DRAWN: K. Duncan

SHEET: A3

STATUS: Local Authority

KEN DUNCAN

MCIAT

BUILDING DESIGN

ARCHITECTURAL TECHNOLOGY

INTERIOR DESIGN

Flat 2/1

6 Kaine Terrace

Livingston

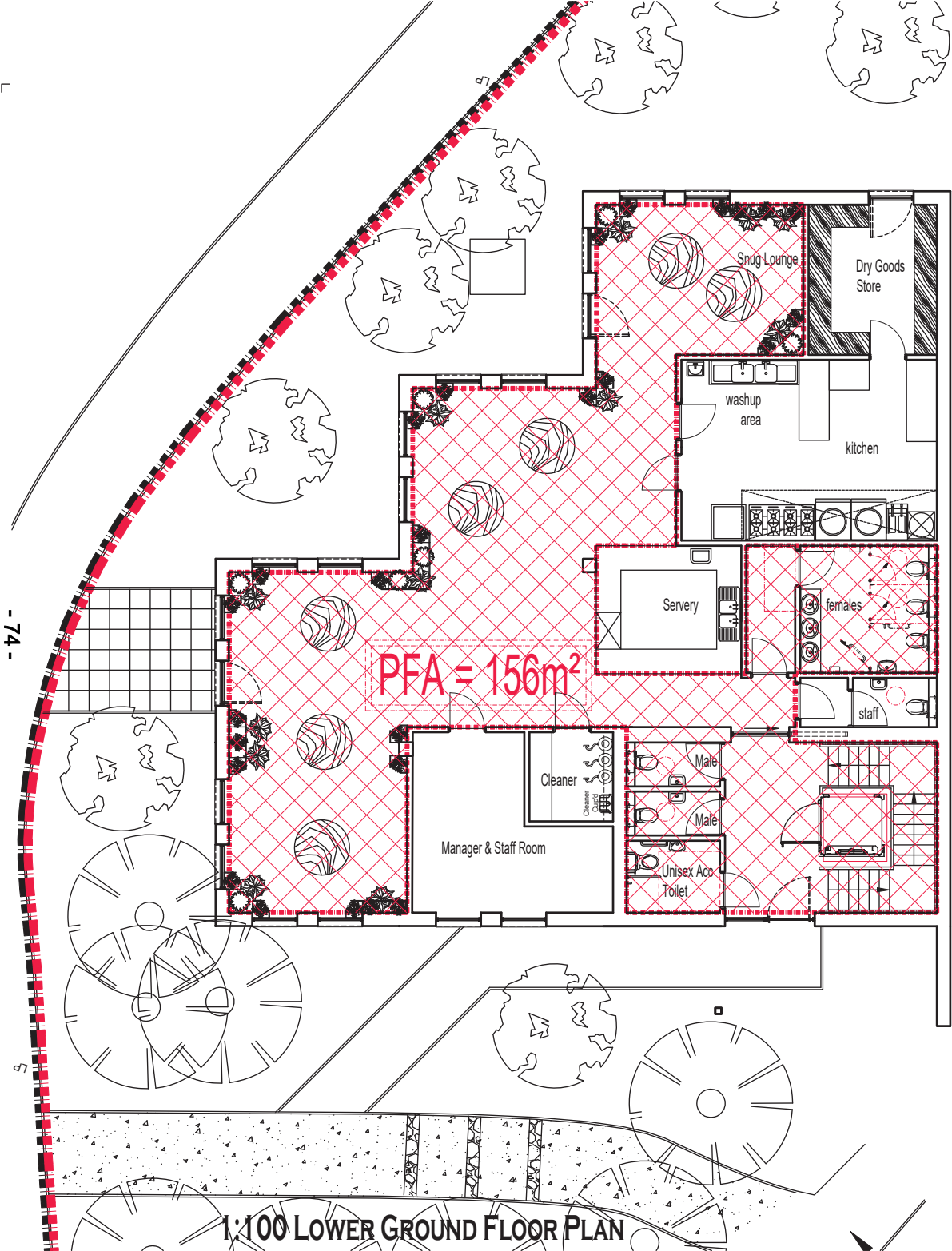
West Lothian EH54 7EX

Mobile: 07359 225573

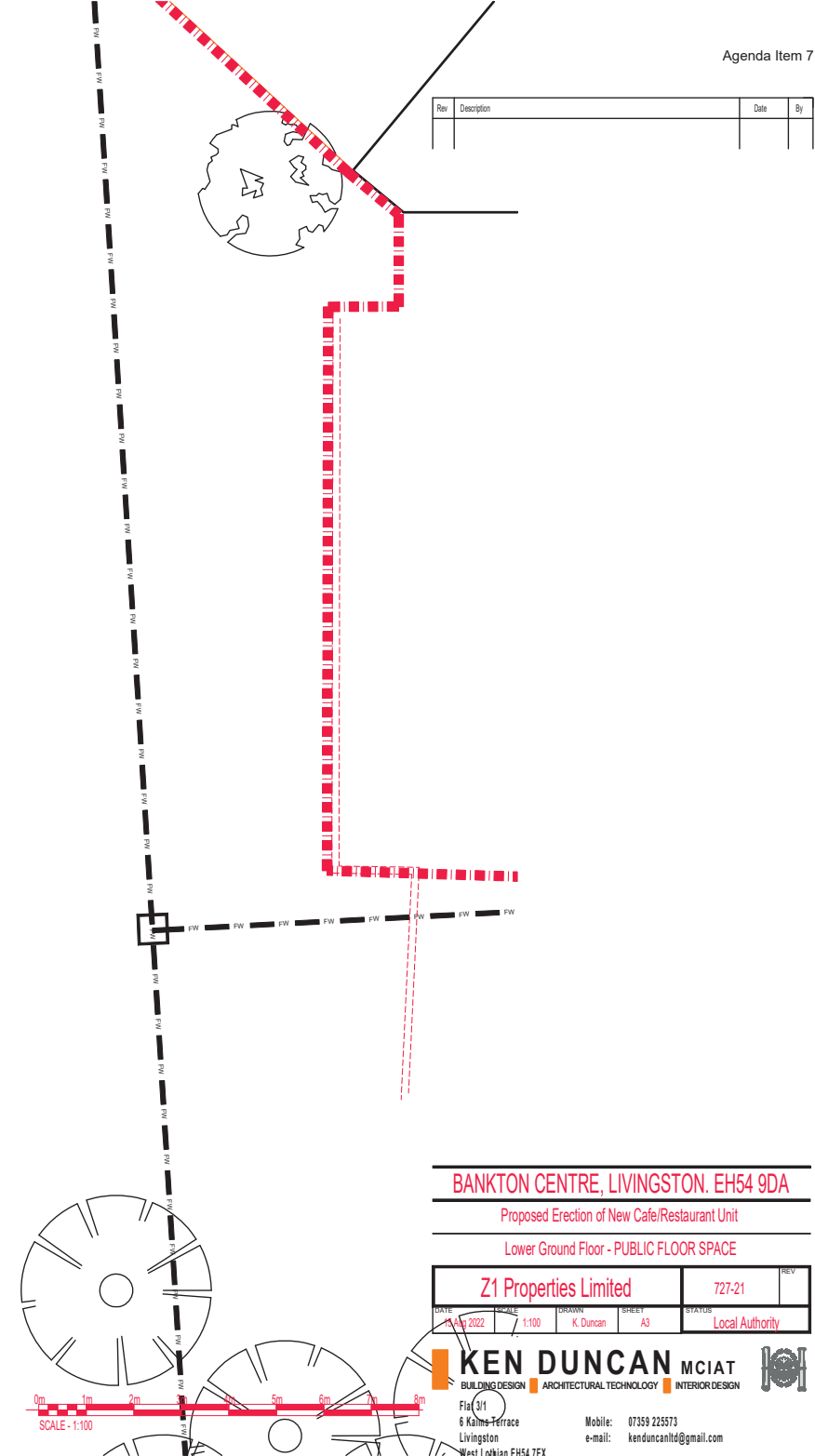
e-mail: kenduncan1td@gmail.com

- 73 -

Rev	Description	Date	By



1:100 LOWER GROUND FLOOR PLAN



**BANKTON CENTRE, LIVINGSTON. EH54 9DA**  
Proposed Erection of New Cafe/Restaurant Unit  
Lower Ground Floor - PUBLIC FLOOR SPACE

<b>Z1 Properties Limited</b>		727-21	REV
DATE	SCALE	DRAWN	SHEET
PL Aug 2022	1:100	K. Duncan	A3
STATUTORY		Local Authority	

**KEN DUNCAN** MCIAT  
BUILDING DESIGN ARCHITECTURAL TECHNOLOGY INTERIOR DESIGN

Flat 5/1  
6 Kalmes Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 226573  
e-mail: kenduncanhd@gmail.com

## **Appendix 2 – Proposed Site Layout Plans (GFA)**



“The total internal floor area of all floors within the site building(s), including mezzanine floors. Internal floor areas include all areas accessible to staff and visitors (e.g. office space, canteens, storage areas, toilets, etc), but exclude service areas (e.g. lift shafts, stairwells, plant, staff and visitor car parks, etc).”

BANKTON CENTRE, LIVINGSTON. EH54 9DA

Proposed Erection of New Cafe/Restaurant Unit

Ground Floor - INTERNAL FLOOR AREA

Z1 Properties Limited				727-20 - IFA	REV
DATE 15 Aug 2022	SCALE 1:100	DRAWN K. Duncan	SHEET A3	STATUS Local Authority	

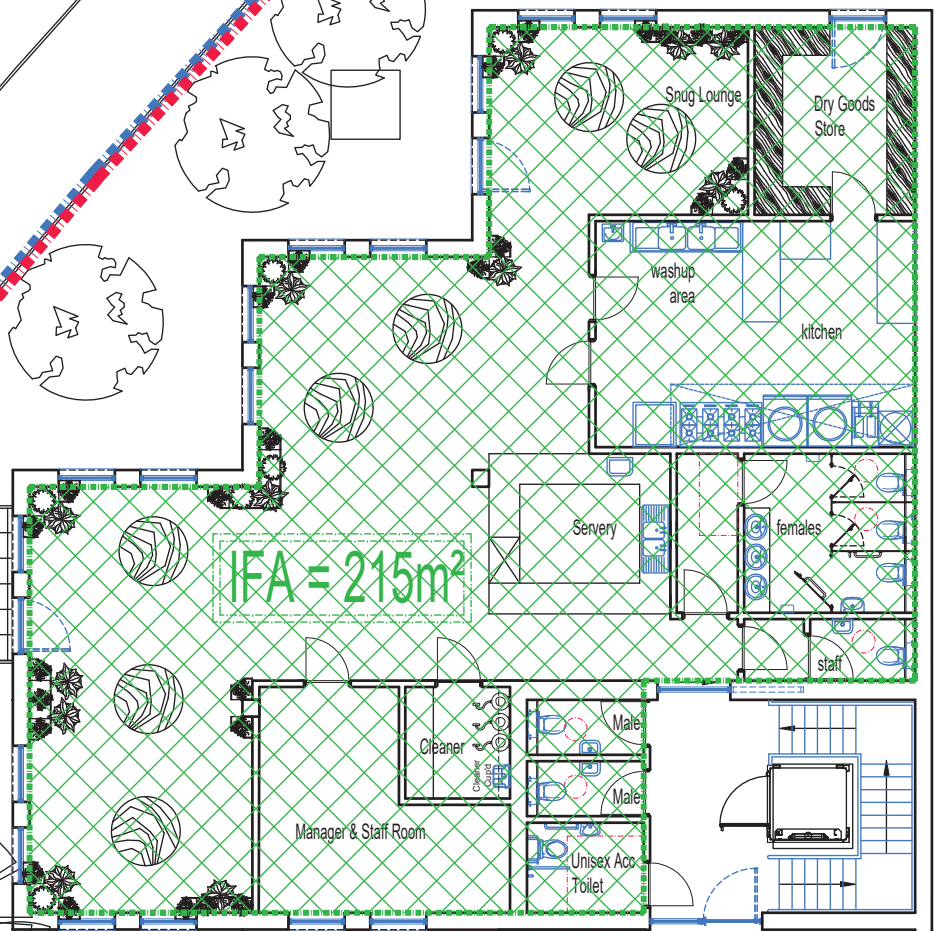
**KEN DUNCAN** MCIAT  
BUILDING DESIGN | ARCHITECTURAL TECHNOLOGY | INTERIOR DESIGN

Flat 3/1  
6 Kaims Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 225573  
e-mail: kenduncanltd@gmail.com

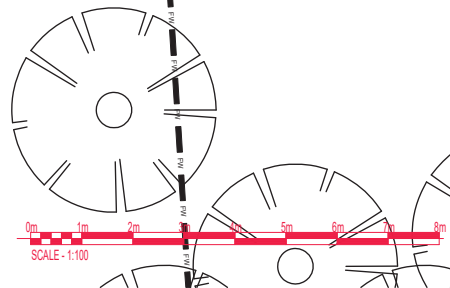
## 1:100 GROUND FLOOR PLAN

Rev	Description	Date	By



1:100 LOWER GROUND FLOOR PLAN

"The total internal floor area of all floors within the site building(s), including mezzanine floors. Internal floor areas include all areas accessible to staff and visitors (e.g. office space, canteens, storage areas, toilets, etc), but exclude service areas (e.g. lift shafts, stairwells, plant, staff and visitor car parks, etc)."



**BANKTON CENTRE, LIVINGSTON. EH54 9DA**  
Proposed Erection of New Cafe/Restaurant Unit  
Lower Ground Floor - INTERNAL FLOOR SPACE

<b>Z1 Properties Limited</b>				727-21 - IFA
DATE	SCALE	DRAWN	SHEET	STATUS
PL Aug 2022	1:100	K. Duncan	A3	Local Authority

**KEN DUNCAN** MCIAT  
BUILDING DESIGN ARCHITECTURAL TECHNOLOGY INTERIOR DESIGN

Flat 5/1  
6 Kalmes Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 226573  
e-mail: kenduncanltd@gmail.com

## **Appendix 3 – Parking Demand Calculations**

Proposed Restaurant Traffic Generation

GFA 335 sq.m

Vehicle Trip Rates (per 100sq.m GFA)

Time	IN	OUT	TOTAL
09:00-10:00	0.571	0.571	1.142
10:00-11:00	1.018	0.479	1.497
11:00-12:00	1.437	0.419	1.856
12:00-13:00	3.772	1.317	5.089
13:00-14:00	1.976	2.754	4.730
14:00-15:00	0.659	1.796	2.455
15:00-16:00	0.539	1.422	1.961
16:00-17:00	0.931	0.735	1.666
17:00-18:00	1.471	0.686	2.157
18:00-19:00	2.353	1.471	3.824
19:00-20:00	1.471	1.618	3.089
20:00-21:00	1.324	1.912	3.236
21:00-22:00	0.882	1.667	2.549
22:00-23:00	0.147	0.588	0.735
23:00-00:00	0.049	0.833	0.882
TOTAL	18.600	18.268	36.868

Vehicle Trips

Time	IN	OUT	TOTAL
09:00-10:00	2	2	4
10:00-11:00	3	2	5
11:00-12:00	5	1	6
12:00-13:00	13	4	17
13:00-14:00	7	9	16
14:00-15:00	2	6	8
15:00-16:00	2	5	7
16:00-17:00	3	2	5
17:00-18:00	5	2	7
18:00-19:00	8	5	13
19:00-20:00	5	5	10
20:00-21:00	4	6	10
21:00-22:00	3	6	9
19:00-20:00	0	2	2
20:00-21:00	0	3	3
TOTAL	62	60	122

Network PM Peak

Parking		Starting Occupancy
Difference	0	
0	0	
1	1	
4	5	
9	14	
-2	12	
-4	8	
-3	5	
1	6	
3	9	
3	12	
0	12	
-2	10	
-3	7	
-2	5	
-3	2	
MAX	14	

TRICS v7.9.3 - All survey types, Mean 06-B, UK (exc. Greater Ireland & Ireland), up to 800sqm, exc. Sat/Sun, Edge of Town/Suburban Area/Neighbourhood Centre, 2014+, 6 sites, exc. COVID sites

Proposed Restaurant Traffic Generation

GFA 335 sq.m

Vehicle Trip Rates (per 100sq.m GFA)

Time	IN	OUT	TOTAL
08:00-09:00	1.000	0.750	1.750
09:00-10:00	1.412	0.471	1.883
10:00-11:00	1.633	1.020	2.653
11:00-12:00	2.551	1.633	4.184
12:00-13:00	1.939	1.224	3.163
13:00-14:00	2.347	2.347	4.694
14:00-15:00	2.041	2.551	4.592
15:00-16:00	1.429	1.327	2.756
16:00-17:00	1.122	1.939	3.061
17:00-18:00	1.633	1.531	3.164
18:00-19:00	1.327	1.531	2.858
19:00-20:00	1.735	0.714	2.449
20:00-21:00	1.020	1.531	2.551
21:00-22:00	0.204	1.429	1.633
22:00-23:00	0.204	1.020	1.224
23:00-00:00	0.769	2.308	3.077
TOTAL	22.366	23.326	45.692

Vehicle Trips

Time	IN	OUT	TOTAL
08:00-09:00	3	3	6
09:00-10:00	5	2	7
10:00-11:00	5	3	8
11:00-12:00	9	5	14
12:00-13:00	6	4	10
13:00-14:00	8	8	16
14:00-15:00	7	9	16
15:00-16:00	5	4	9
16:00-17:00	4	6	10
17:00-18:00	5	5	10
18:00-19:00	4	5	9
19:00-20:00	6	2	8
20:00-21:00	3	5	8
21:00-22:00	1	5	6
19:00-20:00	1	3	4
20:00-21:00	3	8	11
TOTAL	75	77	152

Network PM Peak

	Parking
Difference	0
0	0
3	3
2	5
4	9
2	11
0	11
-2	9
1	10
-2	8
0	8
-1	7
4	11
-2	9
-4	5
-2	3
-5	-2
MAX	11

Starting Occupancy

TRICS v7.9.3 - All survey types, Mean 06-B, UK (exc. Greater Ireland & Ireland), up to 800sqm, Sat/Sun only, Edge of Town/Suburban Area/Neighbourhood Centre, 2014+, 3 sites, exc. COVID sites

## Appendix 4 – Parking Survey Photos

Friday 11<sup>th</sup> November 2022

Bankton Centre East and West Car Parks

12:40-12:45



12:50-12:55



13:00-13:10



Livingston South Rail Station Car Park  
@ 12:50



Saturday 12<sup>th</sup> November 2022

Bankton Centre East and West Car Parks

12:20-12:25



18:00-18:10



20:00-20:05



Monday 14<sup>th</sup> November 2022

Bankton Centre East and West Car Parks

13:00



Livingston South Rail Station Car Park

13:00





OPERATIONAL SERVICES  
ROADS & TRANSPORTATION  
DEVELOPMENT MANAGEMENT & TRANSPORTATION PLANNING

## ROADS & TRANSPORTATION CONSULTATION RESPONSE TO PLANNING APPLICATION

This proposal is (tick as appropriate)		Signing Off	
Acceptable without conditions	<input checked="" type="checkbox"/>	DM & TP Officer Roads & Transportation	Chris Nicol
Acceptable with conditions noted below	<input type="checkbox"/>	DM & TP Manager Roads & Transportation	
Not acceptable & should be refused	<input type="checkbox"/>	Date Issued to Development Management Officer	01 December 2022
HOLDING OBJECTION – The application is not acceptable in current format and applicant requires to submit additional information to enable the proposals to be fully assessed.	<input type="checkbox"/>		

Recommendation & Proposed Conditions	<p>From a Roads &amp; Transportation view, this application is approved with no reasons</p> <p><u>Note</u> I accept the transport statement as it demonstrates sufficient parking due to underutilisation of parking from other retail uses. The busy times from the restaurant align with quieter times from other retail uses so parking is able to be shared.</p>
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DM Case Officer	Steve McLaren	Applicant	Z1 Properties Ltd
Application Ref	0604/FUL/22	Date Issued	15 July 2022
Proposal	Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park		
Location	Land East of Murieston East Road, Livingston		

Legislation & Guidance Applicable (tick as appropriate)	Constraints (tick as appropriate)
Roads (Scotland) Act 1984 <input type="checkbox"/>	Public Footpath / Rights of Way <input type="checkbox"/>
Designing Streets <input type="checkbox"/>	Core Path Plan <input type="checkbox"/>
SCOTS National Roads Development Guide <input type="checkbox"/>	Car Parking standards <input checked="" type="checkbox"/>
SUDS for Roads <input type="checkbox"/>	Control of Advertisements (Scotland) 1984 <input type="checkbox"/>
Sewers for Scotland <input type="checkbox"/>	Residential Development Guide 2018 <input type="checkbox"/>
	Other (please specify) <input type="text"/>

Site Description	Woodland on edge of local centre
Quality Plan	N/A
Road Safety Audit	N/A
Transport Assessment or Statement	Revised and accepted with its content
Does the red line boundary reach the adopted public road	Yes
Is there a footway or footpath connecting the site to the existing adopted road network	Yes
Drawings & documents assessed	Location plan Site layout plan Supporting statement Transport statement
Does Road Layout comply with WLC Standards	Yes
Does Parking comply with WLC Standards (including disabled provision)	No suggested that 25 spaces are required but only 6 provided. Use of under provision from other retail uses allows parking levels to be accommodated.
Sightline Requirements	N/A
Do the proposals affect any existing TRO's (e.g) waiting restrictions, speed limits) or bus stop locations	No
Do the proposals affect any Core Paths, NCR's or Rights of Way	No
SUDS Details	

Site History including any previous planning applications	0240/FUL/21
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**ROADS & TRANSPORTATION MANAGER**  
**Operational Services**  
**Whitehill Service Centre**  
**4 Inchmuir Road**  
**Whitehill Industrial Estate**  
**Bathgate**  
**West Lothian**  
**EH48 2EP**

Total spaces = 160 + 10 disabled

Agenda Item 7  
Planning application  
site **with 6 additional  
spaces proposed**





## DEVELOPMENT MANAGEMENT COMMITTEE

### Report by Head of Planning, Economic Development and Regeneration

#### 1 DESCRIPTION

Erection of a 298 sqm restaurant/ bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park, site at Bankton Centre, Murieston, Livingston

#### 2 DETAILS

<b>Reference no.</b>	<a href="#">0604/FUL/22</a>	<b>Owner of site</b>	Z1 Properties Ltd.
<b>Applicant</b>	Z1 Properties Ltd	<b>Ward &amp; local members</b>	<b>Livingston South</b> Councillor Lawrence Fitzpatrick Councillor Peter Heggie Councillor Maria MacAulay Councillor Moira Shemilt
<b>Case officer</b>	Steven McLaren	<b>Contact details</b>	01506 282404 <a href="mailto:steve.mclaren@westlothian.gov.uk">steve.mclaren@westlothian.gov.uk</a>

**Reason for referral to Development Management Committee:** Referred by Councillor Heggie

#### 3 RECOMMENDATION

3.1 Refuse planning permission.

#### 4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application is for a proposed split-level building containing a 298sqm restaurant/bar and café/ hot food takeaway with balcony terrace, staircase and to extend the Bankton Centre car park to accommodate the proposed uses.
- 4.2 The site lies to the east of the established built local centre area which contains a mix of shops, hot food takeaways and restaurant. The proposed building will be located on a tree covered embankment on the edge of the built area and will extend to the Murieston Water path approximately 3.8m below the Bankton Centre car park.
- 4.3 The applicant seeks to create an establishment which can cater for around 105 seated customers on the lower ground floor, 60 seated customers inside the building on the first floor and a further 62 seated outside on the roof terrace. The applicant therefore envisages 227 covers for the development, plus a take away facility.

- 4.4 A timber staircase is to be provided on the embankment to provide connectivity between the existing built Bankton Centre area and the Murieston Water footpath and access to the building will be available on both levels.
- 4.5 The application site lies within two local development plan allocations, these being Local Neighbourhood Centre and Land Safeguarded for Open Space. Matters relating to this dual allocation and the location of the application site within the identified tree preservation order (TPO No.2 1965 Mid Lothian) are discussed in section 8.

## History

- 4.6 The relevant site history is set out below:
- 0573/FUL/09 – Erection of a 172sqm retail unit, granted 28/9/09.
  - 0833/FUL/12 – Erection of a 150sqm commercial unit to form a restaurant (Class 3), refused 4/3/13.
  - 0201/FUL/14 – Erection of a 112sqm commercial unit to form a Class 2 (financial, professional and other services), granted 12/5/14.
  - 0564/FUL/17 – Erection of a 112sqm hot food take-away building and associated works, granted 1/12/17.
  - 0723/FUL/20 - Application for use of substantially complete hot food take-away unit (sui generis) as a coffee shop/cafe (Class 3) with ancillary take-away and minor building alterations, granted 30/9/20
  - 0240/FUL/21 - Erection of a 284sqm restaurant/bar and cafe/hot food takeaway with balcony and terrace, external timber stair and extension to car park – refused 21/4/21 and refused by the council's Local Review Body on 10/11/21.

## EIA Development

- 4.7 The scale and nature of the development is such that does not fall within the description of development set out in Class 10 of Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017 (EIA Regulations).
- 4.8 A screening assessment has been carried out in accordance with the EIA Regulations and due to the scale and nature of the proposed development it does not constitute EIA development.

## Equalities Impact

- 4.9 The application has been assessed and has no impact in terms of equalities or human rights.

<b>5. REPRESENTATIONS</b>
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- 5.1 There have been 30 valid representations submitted on this application, 22 in support of the application and 8 objections, including a representation from Murieston Community Council.
- 5.2 A summary of the objections is located in the table below.

Comments	Response
<ul style="list-style-type: none"> <li>No Landscape Ecological Management Plan provided.</li> <li>Loss of trees.</li> <li>Impact on character of public path.</li> <li>Impact on overall character of area.</li> <li>Impact on wildlife.</li> </ul>	<ul style="list-style-type: none"> <li>Should planning permission be granted, an ecology report would be required prior to a site start.</li> <li>It is agreed that the loss of the trees will result in a change to the character of the area and impact adversely on the character of the area.</li> </ul>
<ul style="list-style-type: none"> <li>Lack of available parking.</li> <li>Building is over development.</li> <li>Restaurant not necessary.</li> <li>Additional hot food take-away not necessary.</li> <li>No substantial changes from previous refusal.</li> </ul>	<ul style="list-style-type: none"> <li>Transportation has assessed the proposals and confirmed that parking standards are met.</li> <li>It is agreed that the scale of the building within this context of the area is excessive in scale and over development, to the detriment of the character of the area.</li> <li>The applicant has submitted a business statement (copy attached) but this does not include a business plan identifying the need for an additional restaurant and hot food take-away in the area.</li> <li>Agreed, there is no fundamental change from the previous refusal.</li> </ul>
<ul style="list-style-type: none"> <li>Potential target for vandalism, break-ins and anti-social behavior.</li> <li>Empty units available at Hamilton Square.</li> </ul>	<ul style="list-style-type: none"> <li>This is not a material planning consideration.</li> <li>These units are not under the control of the applicant and are not a material planning consideration.</li> </ul>

5.3 22 representations were supportive of the business proposal. A further 9 were submitted without comments so are not valid representations.

5.4 Of the valid letters of support, only 4 were from the Murieston area with the majority share of 14 from areas further north in Livingston at Eliburn, Ladywell and Knightsridge. On balance therefore, the level of local support remains low.

## 6. CONSULTATIONS

6.1 This is a summary of the consultations received. The full documents are contained in the application file.

Consultee	Objection?	Comments	Planning Response
Transportation	No	No objections.	Noted.
Environmental Health	No	Standard construction conditions will be required.	Noted.
Flood Risk Management	No	There have been no drainage details submitted. These will be	Noted. A condition can be used to ensure drainage details are submitted should

Consultee	Objection?	Comments	Planning Response
		required in advance of development.	planning permission be granted.

## 7. PLANNING POLICY

- 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
- 7.3 The relevant development plan policies are listed below:

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018)  DES1 - Design Principles	All development proposals will require to take account of and be integrated with the local context and built form.	The proposed development impacts on the character and landscape of the area to its detriment. This matter is discussed in section 8.	No.
LDP  TCR2 – Town Centre First Sequential Approach	New retail, commercial leisure, visitor attractions, offices, community and cultural facilities and other developments appropriate to town centres should be located in accordance with the sequential approach.	The proposed development lies within an area allocated both as a local neighbourhood centre and protected open space. Consideration is required on the validity of this dual allocation. This matter is discussed in section 8.	No.
LDP  ENV9 – Woodland, Forestry, Trees and Hedgerows	There will be a presumption against development adversely affecting woodlands unless there is a proven locational need	Details of previous investment by the applicant has been provided but no details supporting a proven locational justification. This matter is discussed in section 8.	No.
LDP  ENV10 – Protection of Urban Woodland	Urban woodlands within settlements that contribute to townscape, landscape, amenity, biodiversity, cultural or historic value, particularly where their loss would jeopardise ongoing contribution to place-making and/or green network objectives, will be	The proposed development impacts adversely on the character of the designated protected open space. This matter is discussed in section 8.	No.

Plan and Policy	Policy Summary	Assessment	Conform?
	protected from development.		
LDP ENV 20 – Protected Species and Enhancement	Development that would affect a species protected by European or UK law will not be permitted unless specific criteria has been met such as there is an overriding public need and there is no satisfactory alternative.	There has been no preliminary ecological assessment or other habitat assessment report submitted with this application. Should planning permission be granted, an assessment of potential habitat impacts will be required.	No
LDP ENV21 – Protection of Formal and Informal Open Space	Proposals which will result in the loss of open space will not be supported unless it can be demonstrated specific criteria are met	The proposed development impacts adversely on the character of the designated protected open space. This matter is discussed in section 8.	No.
EMG6 – Vacant, Derelict and Contaminated Land	Developers are required to ensure that development sites are not classified contaminated land and that where required, suitable remediation is carried out in accordance with the council's supplementary guidance on contaminated land	A site investigation has not been carried out. A Phase 2 site investigation report will be required prior to any works stating on site, should planning permission be granted.	No
LDP NRG2 – Solar Roof Capacity Requirements	All new residential, commercial and industrial buildings must have a minimum installed solar roof capacity requirement.	No details have been provided of solar roof installation. If approved, details will need to be brought forward.	No
LDP EMG3 – Sustainable Drainage	Developers are required to bring forward drainage proposals to demonstrate the drainage from the site meets council requirements and takes into account the climate change emergency.	No drainage details have been submitted. If approved, the developer will be required to submit drainage details prior to works on site.	No

#### 7.4 Other relevant policy guidance and documents are listed below:

- SPP: Scottish Planning Policy

<b>8. ASSESSMENT</b>
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8.1 The determining issues in respect of this application are listed below:

**Local Development Plan allocation**

- 8.2 The Livingston area proposals map for the adopted West Lothian Local Development Plan, 2018 (LDP) shows the proposed development site lying within two plan allocations. These allocations relate to local neighbourhood centres and land safeguarded for open space.
- 8.3 This is an unusual situation as, although it would not be out of the question to have open space within a neighbourhood centre, in this case it is unlikely that the land could both be considered suitable for development and lie within an area identified as protected open space. It is, therefore, likely to be a drafting error which has been carried over from the previous West Lothian Local Plan and was failed to be rectified at the LDP stage. Weight must be given to one or other of the allocations as the two are mutually exclusive in this instance.
- 8.4 The applicant has pointed out that within the handling report for the previously refused planning application (0240/FUL/21) that policy TCR2 was not considered and argued that this was an error. His position is that TCR2 is relevant to this application and that significant weight should be given to this policy, thus supporting the proposed development.
- 8.5 The officer position is that consideration must be given to the character and nature of the site within the local context. It is agreed that the local neighbourhood centre allocation covers this area in the adopted LDP, however, the application site is also identified as being safeguarded for open space and contains a number of trees. In this regard ENV9, ENV10 and ENV21 are engaged.
- 8.6 Importantly, members will note from visiting the site and from the photographs in the presentation pack that there are two distinct area characteristics. The established Bankton Centre commercial area is formed from three buildings containing a variety of uses, vehicle access from Murieston East Road and lies adjacent to the Livingston South railway station and car park. This is the clear and well-established built area of the Bankton Centre.
- 8.7 The application site, however, lies on the eastern periphery of this established built area and extends into land characterised by woodland and the Murieston Water watercourse. The public path which follows the line of Murieston Water from the south of Easter Bankton to the southern edge of Livingston is flanked by woodland, open space and Murieston Water. This area at the eastern edge of Bankton Centre lies some 3.8m below the level of the Bankton Centre car park.
- 8.8 It is therefore difficult to reconcile the application site as a natural extension to the local neighbourhood centre. Taking into consideration the clear differences in the character and nature of the established built local neighbourhood centre, a judgement must be made on the weight which can be given to each of the local plan allocations.

- 8.9 Moreover, the triangular building granted under planning application 0201/FUL/14, with subsequent amendments to the use of the building under applications 0564/FUL/17 and 0723/FUL/20, was designed specifically to recognise the difference between the built area of Bankton Centre at the upper level and the protected open space from the top of the embankment and beyond. The red line boundary for the approved triangular building included part of the current application site adjacent to the car park and this area was to have benefited from tree planting, as a requirement of that consent.
- 8.10 Considering all of the above, little weight can be given to policy TCR2 and greater weight given to policies ENV9, ENV10 and ENV21 which seek to protect formal and informal open space, urban trees and the natural environment.

### **Policies ENV9, 10 and 21 assessment**

- 8.11 Policy ENV21 sets out five criteria on which a development can be assessed. The first is specific locational justification which outweighs the need to retain the open space. A supporting statement has been submitted setting out the applicant's long-term investment within Livingston and the local area.
- 8.12 Whilst it is acknowledged that the applicant has carried out investment, there is no detailed business case which sets out the need for a development of this type. The current Co-op building, formerly the Purple Sage restaurant and hot food take-away, lay vacant from pre-2009 until around 2012 when the Co-op moved from its fire damaged unit in the adjacent retail block.
- 8.13 Other units have also lain vacant both within the existing Bankton Centre and the extended local neighbourhood centre at Hamilton Square and there has been no demand for a restaurant of this scale. Given the history of the area and the applicant's opportunity to operate a Class 3 unit which had approval, the 'specific locational justification' cannot be met within policy ENV21.
- 8.14 The four remaining parts of ENV21 relate to there being no significant adverse effect on the overall recreational amenity of the area, taking into account the council's Open Space Strategy; the ecological value of the site; the provision of enhanced or replacement open space and connectivity with the wider green network.
- 8.15 The council's Open Space Strategy relates to ensuring open space within the council boundary is managed to deliver meaningful benefits to local communities. The impact of the development on the recreational amenity ie. the nature and character of the area as a green corridor within the local environment and landscape enjoyed by locals, must be considered.
- 8.16 The applicant has argued that it is unreasonable to maintain an objection to the development based on character without professional landscape or arboricultural support. He states that there has been no methodology or proper application of policy in this regard and that the assessment of significant adverse impact has not been properly established. This, however, is a local development which has a localised impact on the nature of the area.

- 8.17 It is without doubt that the removal of trees from the development site and the construction of a two-storey building, as seen from the Murieston Water path, will result in a significant change to the character of that area. Taking into consideration the clear distinction between the existing built local centre area and the Murieston Water footpath network, the development will not only result in a significant change to this area but also adversely affect the character of the area to its detriment.
- 8.18 With regards to the remaining points of policy ENV21; there has been no ecology report submitted for the site. It would be possible for the applicant to agree to carry out some replacement tree planting but the ground area would be lost to the provision of suitable undergrowth close to the watercourse. The applicant is also seeking to provide a staircase connecting Bankton Centre and the Murieston Water footpath. Whilst the staircase connection would be welcomed, on balance the proposals do not accord with policy ENV21.
- 8.19 Policies ENV9 and ENV10 seek to protect woodland, forestry, trees and hedgerows and urban woodland. The application site forms part of a wider wooded area and a tree report submitted by the applicant sets out that around 18 trees of low value will require to be removed in order to allow the development to proceed. Whilst the removal of these trees represents a small percentage of tree cover in the Murieston area, the local impact of the tree removal and the construction of the proposed restaurant will have a substantial impact.
- 8.20 The site lies within an area-based Tree Preservation Order area (TPO No2. 1965 Mid Lothian) and Policy ENV9a sets a presumption against development within a TPO where it involves the loss of, or damage to, woodland or groups of trees. The proposals will clearly result in the loss of trees.
- 8.21 The applicant sets out that when read as a whole, there is not a material conflict with policy ENV9 and the development is acceptable given the 'significant and clearly defined public benefits derived from the proposed environmental and recreational enhancement measures' as set out in the tree survey. This view is not accepted. The development of the site for the restaurant would simply remove land which could be further enhanced.
- 8.22 Policy ENV10 states that proposals that involve the removal of urban woodland in part or in its entirety will only be supported where it would achieve significant and clearly defined public benefits. The applicant contests this area cannot be classed as urban woodland therefore policy ENV10 is not engaged.
- 8.23 The adopted LDP states that 'Woodland within settlements contributes to placemaking, can support setting and amenity, supports urban greenways and tree cover to provide habitat and improve micro-climate. The loss of such woodland can have a detrimental effect on communities particularly those living in close proximity to the area of tree cover.' The application site contains a grouping of trees within a settlement and which contribute to place making and supports an urban greenway. Given this definition in the LDP, ENV10 is relevant.
- 8.24 The development would not deliver public benefit which outweighs the loss of the wooded area and the significant impact on the character of the area. The proposals therefore do not accord with policy ENV10.

## Building design

- 8.25 In order to fit the building on the site it is designed as a split-level building with access from the built level of Bankton Centre containing indoor seating and servery and access to a balcony area overlooking Murieston Water and the wooded areas. There is also access from the lower level and an external public staircase will be provided to link the two areas.
- 8.26 As stated previously, a staircase connection between the two areas in its own right would provide good connectivity and could be designed to ensure no trees were lost and this would be welcomed.
- 8.27 Whilst the concept, the principle and the overall impact of the development has remained unchanged from previous application 0240/FUL/21, the design has generally improved. The building has a slightly larger floor area, the elevational design has been improved with a saw tooth lower ground floor elevation to provide greater interest and add some additional interest to the roof terrace.
- 8.28 The proposed materials are also improved with the use finishes to match the recently completed triangular building adjacent to the Co-op. This will incorporate timber cladding or similar on the east facing elevation and adjacent to the existing wooded areas. Overall the design and finish are improved.
- 8.29 Policy DES1 states that 'All development proposals will require to take account of and be integrated with the local context and built form and that, amongst other factors, there is no significant adverse impact on landscape character. Policy DES1 also states that development proposals must also accord with other relevant policies and proposals in the development plan.
- 8.30 Although the design has improved, given that the development will have a significant adverse impact on the local landscape character and that it does not accord with additional policies set out in the adopted local development plan, the proposals still do not accord with policy DES1 of the adopted LDP.

## Sustainable development

- 8.31 The applicant concludes in their 'Bankton Planning Statement' which is available online in planning case file [0604/FUL/21](#) , that this is a sustainable development in principle and design consistent with the West Lothian Local Development Plan, 2018. The applicant quotes Scottish Planning Policy (SPP) which states there is a presumption in favour of development that contributes to sustainable development.
- 8.32 SPP however goes on to say that 'The aim is to achieve the right development in the right place; it is not to allow development at any cost' and that policies and decisions should be guided by a number of principles. Of these principles one requires consideration of 'protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.'
- 8.33 Given the discussions above, the assessment is that the development does impact adversely on landscape and green infrastructure. The proposals therefore do not accord with SPP.

## Footpath designation

- 8.34 The applicant sets out in their supporting statement that Murieston Mater path is not within a landscape designated for its national or regional importance or within a Special Landscape Area (SLA). It also does not affect the setting of an LDP designated strategic view point. The applicant also points out that this is not a designated core path as recognised by WLC's 'Core Paths and Active Travel - Draft Core Paths Plan' or recognised as an 'other path'. 'It is a path of local-level importance and views across the site are not considered to be high value'.
- 8.35 As set out previously, this is a local development with impacts on the local surroundings. One of these impacts will be on users of the Murieston Water path. Whilst not a designated path, it lies around 3.8m below the developed Bankton Centre area and around 15m distant. The characteristics of the area is therefore a green environment either side the length of this well used path. Bringing development down to this level and immediately adjacent to the footpath, regardless of its designation, significantly alters the nature of the area for walkers and cyclists.

## Ecological Impact

- 8.36 Policy ENV 20 states that development that adversely impacts protected species will not be supported unless four criteria are met. The PG on Planning for Nature expands on these criteria.
- 8.37 The Conservation (Natural Habitats, &c.) Regulations 1994 places a duty on planning authorities to have regard to the requirements of the Habitats Directive.

The planning authority is required to be satisfied that a proposed development will either:

- not impact adversely on any European Protected Species on site, or,
- where a European Protected Species may be harmed, all three tests necessary for the eventual grant of a licence by NatureScot have been met.

The three tests are

1. the activity to be licensed must be for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
2. there is no satisfactory alternative; and
3. the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

- 8.38 The applicant has not submitted any ecological appraisals in support of their application nor a protected species baseline report.
- 8.39 The application is therefore not compliant with Policy ENV 20 of the LDP.

## **9. CONCLUSION AND RECOMMENDATION**

- 9.1 The proposals result in the removal of a number of trees and introduce a building into the very area which people currently enjoy as part of the local landscape environment and which segregates Murieston Water from the commercial development.
- 9.2 Whilst the overall design of the building and the use of materials is an improvement on that which was refused under planning application 0240/FUL/21, the principle of the development and the adverse impact on the nature and character of the area is unacceptable.
- 9.3 The proposals are therefore contrary to the policies set out in section 7 of this report and recommendation is to refuse planning permission.

## **10. BACKGROUND REFERENCES & ATTACHMENTS**

- Draft reasons for refusal.
- Location Plan
- Site Plan
- Elevation Details
- Local Member Referral Form
- Financial Statement
- Representations

Plans and site photos are available in the accompanying slide presentation pack.

Craig McCorriston

**Head of Planning, Economic Development and Regeneration**     **Date: 19 October 2022**

## **Draft reasons for refusal – 0604/FUL/22**

(1) The applicant has failed to satisfy the council that there are justifiable reasons to depart from the provisions of the development plan which by virtue of Section 25 of the Town and Country Planning (Scotland) Act 1997 is to be afforded primacy in decision making.

(2) The scale of the development and its location on a tree covered embankment, within an area identified as protected open space in the adopted West Lothian Local development Plan, 2018, and out with the clearly defined built area of the Bankton Centre local neighbourhood centre, would result in an unacceptable intrusion on the character and nature of the area, to the detriment of the visual amenity of the natural environment and local area.

The proposal is therefore contrary to policy DES1 (design principles) of the adopted West Lothian Local Development Plan, 2018.

(3) The proposals would result in the construction of a split-level building within an area identified as protected open space in the adopted West Lothian Local Development Plan, 2018 and within the tree preservation order area TPO No.2 1965 Mid Lothian. The proposed development will result in the loss of trees and result in a significant and detrimental impact on the overall character and nature of the area of land adjacent to the Murieston Water footpath, which is protected against development by way of the local development plan designation.

There is a green corridor which separates the public footpath along Murieston Water from the commercial centre of Bankton Centre and the construction of a building on the land adjoining this area of ground will have a significant impact on the natural environment within this area to the detriment of users of this footpath connection.

The proposals are therefore contrary to the following policies of the adopted West Lothian Local Development Plan, 2018.

ENV9 (woodland, forestry, trees and hedgerows);  
ENV10 (protection of urban woodland) and  
ENV21 (protection of formal and informal open space).

(4) The proposals will result in the loss of a number of trees within an area identified within the adopted West Lothian Local Development Plan, 2018 as protected open space. The proposals have the potential to impact on wildlife in this area. No preliminary ecological assessment or other assessment into the potential impact on wildlife as a result of this development has been submitted.

The proposals are therefore contrary to policy ENV20 (protected species and enhancement) of the adopted West Lothian Local Development Plan, 2018.



EXTERNAL MATERIALS:-

**Walls** - Dark brown horizontal cladding with recessed 'lime green shadow gap' string courses

**Roof** - Anthracite Grey coloured single ply roofing membrane

**Doors/Windows** - Aluminium framed D/G system powder coated colour - lime green

**Paved Areas** - All new paved areas to be buff coloured 500x500 square PCC paving slabs to match existing around Coop building

**Balustrade** - Moulded RW handrails, newel posts and bottom rail stained light brown with 10mm toughened and dark tinted glass panels.

**Landscaping** - Existing trees to be retained as far as practical and any removals to be supplemented by new Birch, Rowan and Cherry tree standards  
(A full detailed landscaping plan to be provided later)

BOUNDARY OF DEVELOPEMENT SITE  
SHOWN IN DOTTED RED LINE

Beauty Salon

Cooperative

F

F

A

A

B

B

C

C

D

D

MURIESTON EAST ROAD

New 2.0m wide stepped and ramped footpath from Murieston Walkway winding through trees and linked to the pavement via timber steps.  
Path formed in black bitumen with 20% white chippings and stone flagged nosings to steps as required. New tree saplings to be planted as required and agreed with Planning Dept.

1:200 SITE LAYOUT PLAN



BANKTON CENTRE, LIVINGSTON. EH54 9DA

Proposed Erection of New Cafe/Restaurant Unit

Site Layout Plan

Z1 Properties Limited

727-10

REV A

DATE: May 2022 SCALE: 1:200 DRAWN: K. Duncan SHEET: A3 STATUS: Local Authority

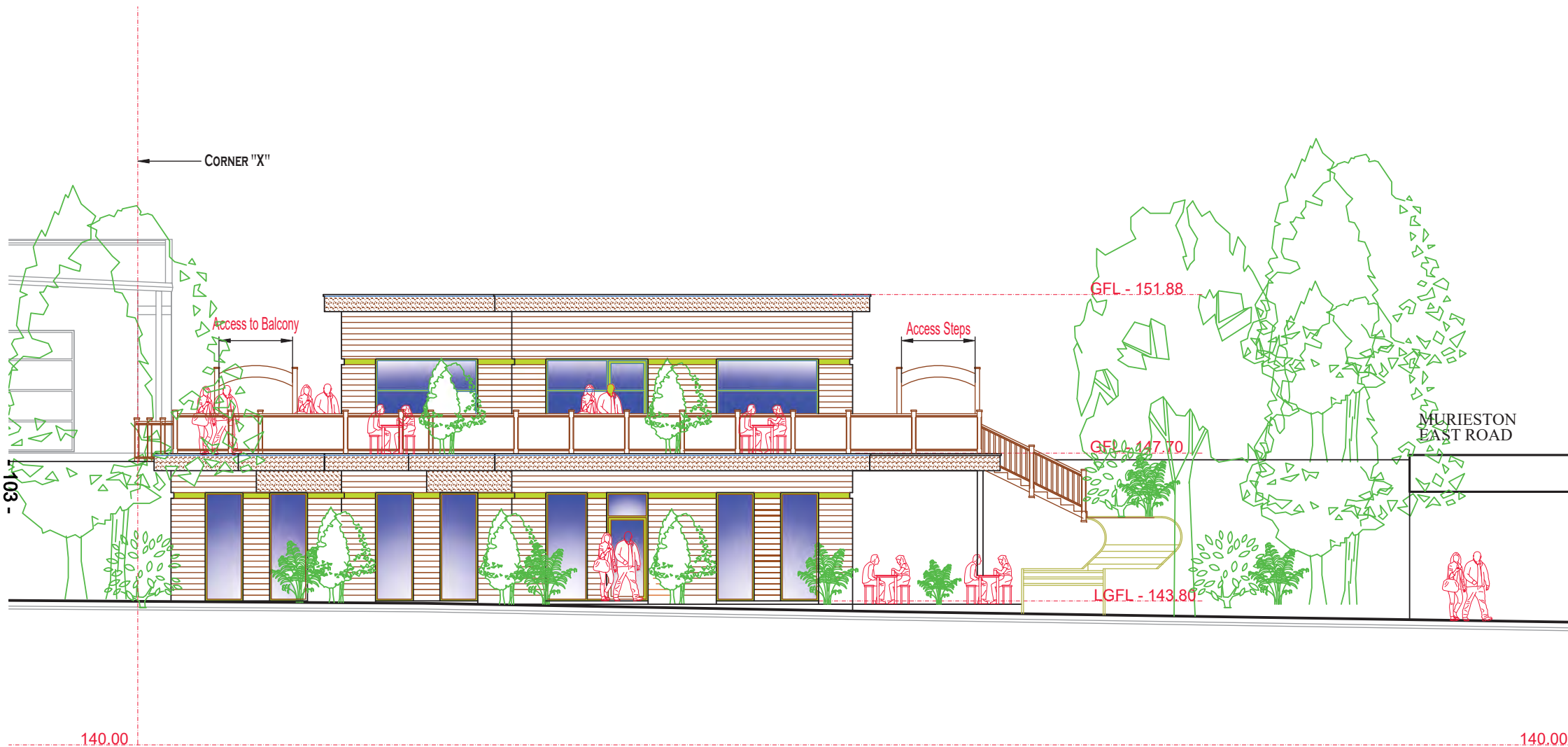
**KEN DUNCAN** MCIAT  
BUILDING DESIGN ARCHITECTURAL TECHNOLOGY INTERIOR DESIGN

Flat 3/1

6 Kaims Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 225573  
e-mail: kenduncanltd@gmail.com





1:100 EAST ELEVATION D-D



**BANKTON CENTRE, LIVINGSTON. EH54 9DA**  
Proposed Erection of New Cafe/Restaurant Unit  
East Elevation D-D

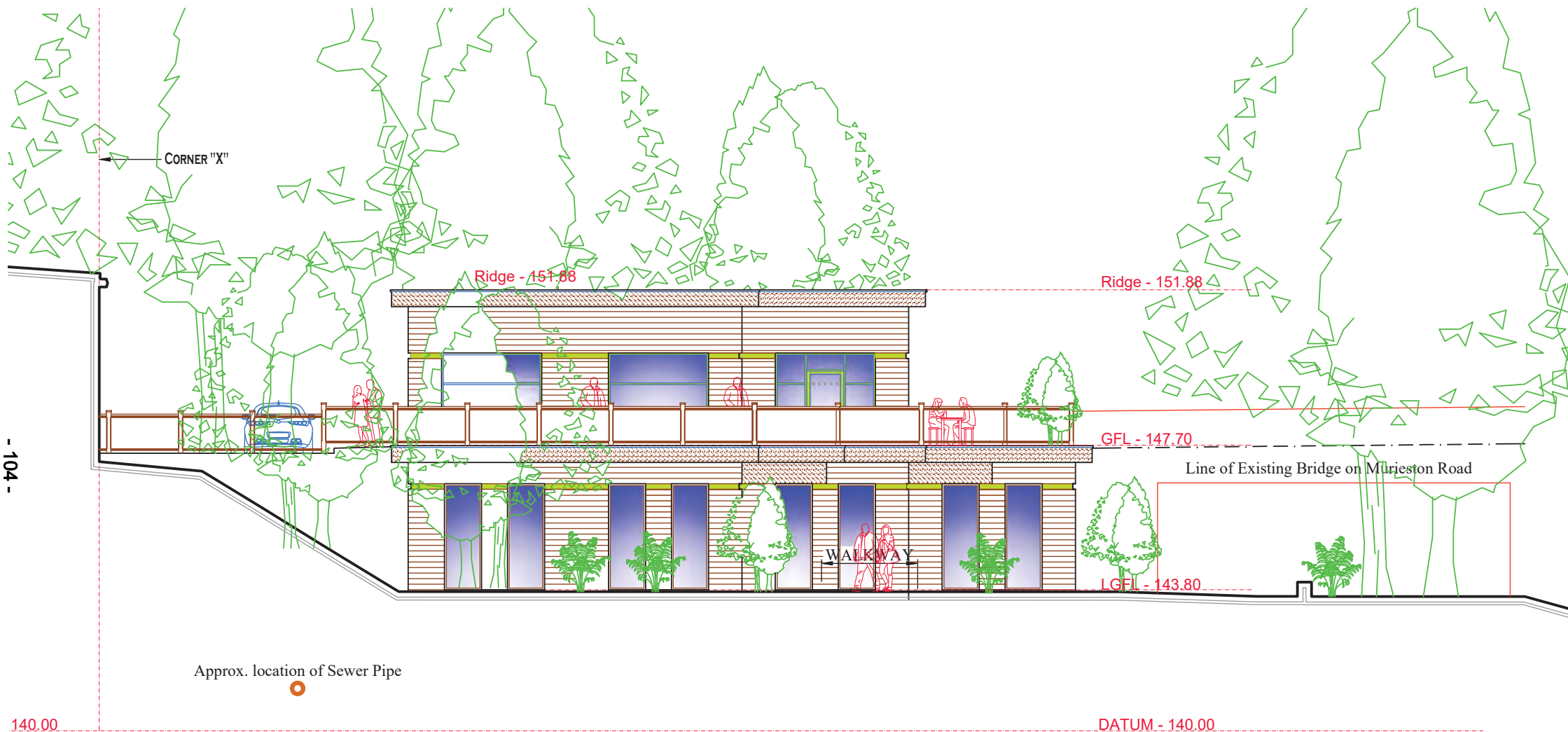
<b>Z1 Properties Limited</b>		<b>727-16</b>	REV
DATE 21 June 2022	SCALE 1:100	DRAWN K. Duncan	SHEET A3
STATUS Local Authority			

**KEN DUNCAN** MCIAT  
BUILDING DESIGN | ARCHITECTURAL TECHNOLOGY | INTERIOR DESIGN

Flat 3/1  
6 Kaime Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 225573  
e-mail: kenduncanltd@gmail.com

Rev	Description	Agenda Item	Date	By



Approx. location of Sewer Pipe

1:100 SOUTH ELEVATION F-F



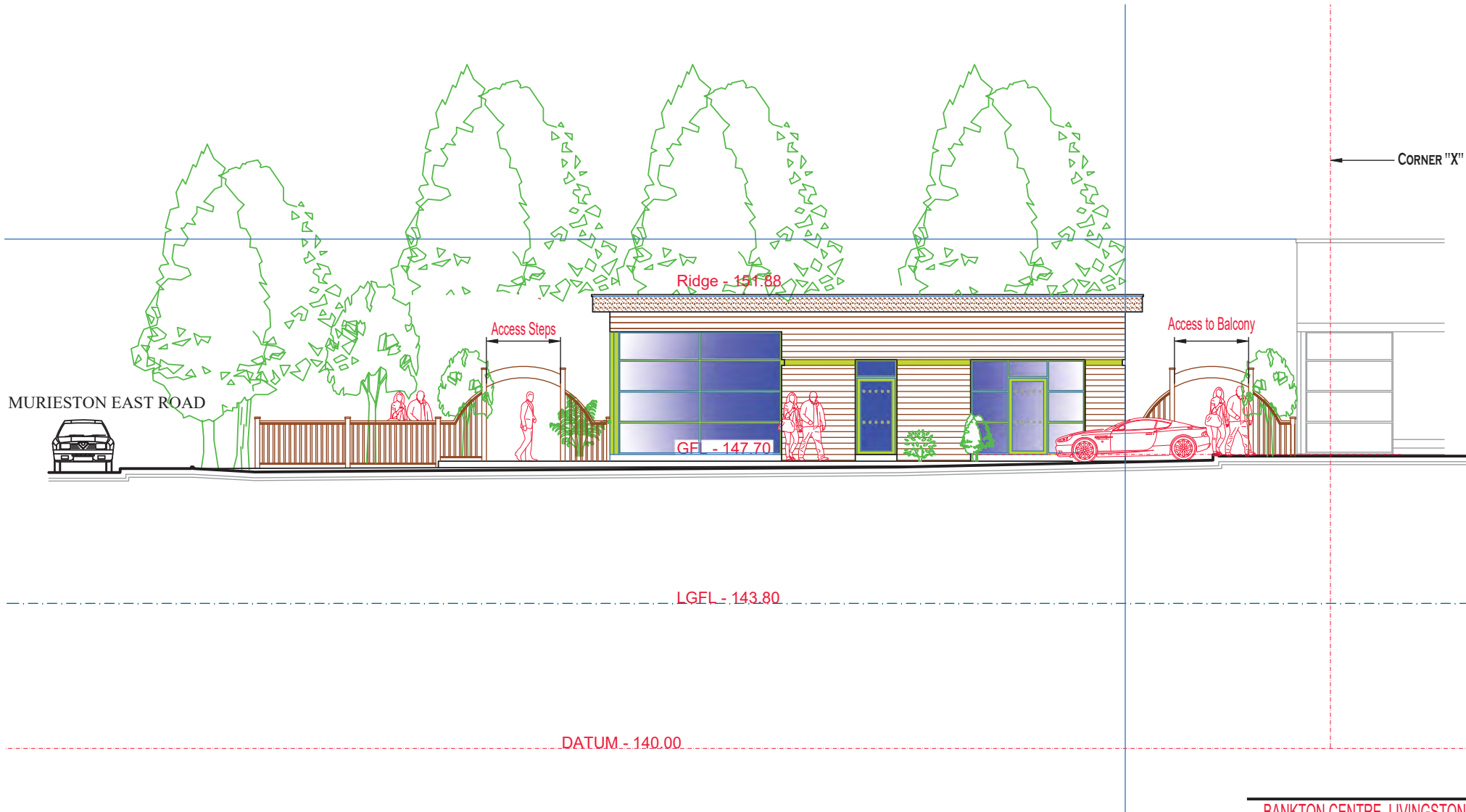
BANKTON CENTRE, LIVINGSTON, EH54 9DA				
Proposed Erection of New Cafe/Restaurant Unit				
South Elevation				
Z1 Properties Limited			727-19	REV
DATE May 2022	SCALE 1:100	DRAWN K. Duncan	SHEET A3	STATUS Local Authority

**KEN DUNCAN** MCIAT  
 BUILDING DESIGN | ARCHITECTURAL TECHNOLOGY | INTERIOR DESIGN

Flat 3/1  
 6 Kalms Terrace  
 Livingston  
 West Lothian EH54 7EX

Mobile: 07359 225573  
 e-mail: kenduncan10@gmail.com

Agenda Item 7				Date	By
Rev	Description				



BANKTON CENTRE, LIVINGSTON. EH54 9DA

Proposed Erection of New Cafe/Restaurant Unit

West Elevation

Z1 Properties Limited				727-13	REV
DATE	SCALE	DRAWN	SHEET	STATUS	
21 June 2022	1:100	K. Duncan	A3	Local Authority	

KEN DUNCAN

MCIAT

BUILDING DESIGN

ARCHITECTURAL TECHNOLOGY

INTERIOR DESIGN

Flat 3/1

6 Kaims Terrace

Livingston

West Lothian EH54 7EX

Mobile: 07359 225573

e-mail: kenduncanltd@gmail.com

1:100 WEST ELEVATION



## PROPOSED DELEGATED PLANNING DECISIONS

### ☒ LOCAL MEMBER REFERRAL REQUEST ☒

In accordance with standing orders members wishing a planning application to be heard at the Development Management Committee have to either represent the ward in which the application site is located or be chair of Development Management Committee and complete and return this form to Development Management within 7 days and by 12 Noon.

*The planning application details are available for inspection within the Planning & Building Standards web site by clicking on the link below.*

<https://planning.westlothian.gov.uk/publicaccess/>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<b>Application Reference Number</b>  .....0604/FUL/22.....	<b>Applicant Request</b> .....✓
<b>Site Address</b>  Land East of Murieston East Road, Murieston, Livingston, West Lothian	<b>Constituent Request</b> ..... <input type="checkbox"/>
<b>Title of Application</b>  Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park	<b>Other (please specify)</b> ..... <input type="checkbox"/>
<b>Member's Name</b>  Cllr .....Peter Heggie.....	
<b>Date</b>  .....22 Sep 2022.....	



Zetland Group Limited  
The Innovation Centre  
Vienna Court  
Kirkleatham Business Park  
Redcar  
TS10 5SH

**Tel:** 01642 777 726  
**Email:** info@zetlandgroup.com  
**www.zetlandgroup.com**

Steven McLaren - Planning Officer  
West Lothian Council - West Lothian Civic Centre  
Howden South Road  
Livingston  
EH54 6FF.

**Zetland Ref No:** 502  
**Date:** 28<sup>th</sup> September 2022

Dear Mr McLaren,

WEST LOTHIAN COUNCIL (WLC) PLANNING APPLICATION 0604/FUL/22	
<b>PROPOSAL</b>	ERECTION OF A 298 SQM RESTAURANT / BAR AND CAFE /HOT FOOD TAKEAWAY (CLASS 3 AND SUI GENERIS) WITH BALCONY TERRACE, STAIRCASE AND EXTENSION TO CAR PARK
<b>LOCATION</b>	LAND EAST OF MURIESTON EAST ROAD MURIESTON LIVINGSTON WEST LOTHIAN

I refer to the above-named application and I understand it will be determined by the Council at the Development Management Committee of the 19<sup>th</sup> October 2022.

Further to our e-mail exchange 21<sup>st</sup> September 2022 (18:24hrs) and I write to establish that the investment and expenditure impacts of the proposed development are a material consideration when performing the final planning balance. For the avoidance of doubt, I have extracted the relevant e-mail text:

- *The Applicant is a local businessman who has brought forward retail and office space in Livingston over the past 20 years and has owned the Bankton Centre for the past 15 years.*
- *In 2020/21 he built the adjacent unit using local tradesmen thereby keeping the investment and expenditure within the Livingston economy. The unit is now occupied by a beauty salon employing 16 full-time staff.*
- *A further £400k was invested re-surfacing the carpark and upgrading the street-lighting to make the Centre a safe and accessible place within which to investment. This unlocked a further £950k of investment from the Co-op who, in November 2021, chose to upgrade their retail store.*
- *If the current application were to be approved it would unlock a further £800k of capital investment creating 20-30 jobs construction jobs and a further 12-20 jobs once operational.*

The proposed development would benefit the local economy which is a consideration that weighs in favour of approval. If you contest this assessment then I would respectfully request that you share the evidence upon which this counter case relies in advance of the Committee meeting.

Please do not hesitate to come back to me if you have any concerns or queries.

Yours sincerely,

Nigel Moore (Hons), B.Pl, MRTPI  
Planning Manager

# Comments for Planning Application 0604/FUL/22

## Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

## Customer Details

Name: Ms Kirstin McMillan

Address: 1 Kaims Walk Livingston EH54 7ED

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have read through this planning application and strongly believe that it should be rejected in full due to many reasons that I will outline here. First of all, and most importantly, the building is far too large for the space on top of the hill and will therefore significantly impact on the Murieston path that runs adjacent to the river. The building will be erected all the way down the hill directly next to the path and is being sold as a positive addition to the greenspace. This area is not akin to a city lifestyle, such as Leith in Edinburgh whereby a glass terrace overlooking a river might be seen as attractive. Instead, this is small town living and therefore the green spaces are very much appreciated and valued by local residents. It's also highly unlikely that the business will pick up "passing trade" along that path. This building will result in the removal of trees and greenspace which will be detrimental to the area. I am not convinced that this revised application has given enough credence to the removal of trees, nor the impact on wildlife and the tranquil, highly valued pathway. Secondly, the commercial space is already heavily saturated with businesses- there is currently a hairdresser, two supermarkets and a florist, as well as a Chinese takeaway and a fish and chip shop. In addition, there is an Italian restaurant further up the road. There is no need for more food outlets in this area. Thirdly, there has been a lot of discussion in the community about the need for a local cafe, which is why residents may support this, however this is not a cafe, but a restaurant and takeaway on a large scale. I feel it is disingenuous to sell this as a cafe that sells soup and scones, which is actually what the locals would like. Fourthly, there are existing buildings that could be utilised, such as the Murieston unit with the Italian restaurant- are there not still spaces in there? Fifthly, the car park is already at capacity and at peak times impossible to park there. It's a really busy area and the application does not give enough attention to the car parking extension. Finally, this area has recently been targeted with vandalism with the hairdressers being broken into and the Co-op has also been robbed in recent times. How has the issue of potential vandalism been taken into consideration?

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr Scott McMillan

Address: 1 Kaims Walk Livingston EH54 7ED

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I would like to object to this planning application for two main reasons. One, there are already sufficient food outlets in this area and two, the building would remove trees and greenspace which would be detrimental to the Murieston path walkway.

## MURIELSTON COMMUNITY COUNCIL

Chair: Chris Dryden E-mail: [REDACTED]

Secretary: Davidson McQuarrie E-mail: [REDACTED]

Planning Secretary: Ian Brown Email [REDACTED]

Web: <http://murieston.communitycouncil.org.uk>

---

10<sup>th</sup> August 2022

Mr Steven McLaren  
Development Management  
West Lothian Council  
Civic Centre  
Howden South Road  
Livingston  
West Lothian  
EH54 6FF

Your Ref. 0604/FUL/22

Dear Mr McLaren

**Planning Application: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park | Land East of Murieston East Road Murieston Livingston.**

Murieston Community Council wish to lodge an objection to the above planning application for the following reason.

- The Planning Statement refers to a 'Landscape Ecological Management Plan (LEMP). However, it appears that the developer proposes only to present such a plan should the planning application be approved. The Community Council considers this plan as forming a crucial part of the information required to make a valid judgement of the planning application and as such the application is seen as incomplete.

Yours sincerely

[REDACTED]  
Ian Brown  
Planning Secretary  
Murieston Community Council

# Comments for Planning Application 0604/FUL/22

## Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

## Customer Details

Name: Mr Ian Shemilt

Address: 25 Murieston Drive Livingston West Lothian EH54 9AU

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: PARKING

Car parking in this area is already at a premium and the area adjacent to the development is frequently congested. This development will result in higher traffic flow in and out a narrow entrance and exit. There have been recent accidents in this area, which can be attested by Police Reports. Vehicle access for deliveries and customers for 2 supermarkets, a hairdressers, a florist and four hot food outlets would not cope with increased traffic as a result of this development.

The application includes the provision of yet another hot food takeaway, which will increase traffic congestion even further.

Williamston primary school recently decided to restrict parental vehicular access. It provided alternative dropping off advice to parents which included parking at the retail park and walking children to school. This will possibly add an additional burden to an already stretched facility.

## TREES

The developer's application referred to "dead or moribund" woodland. This is not the case. There are at least 30 mature trees of at least 10 inches radius which would be destroyed if this application goes ahead. This woodland is part of the extensive woodland along the riverside adjacent to Murieston Trail which is frequently used by dog walkers and pedestrians. The removal of these trees is contrary to the climate change agenda, supported by West Lothian Council.

## AMENITY VALUE

The application claims to add to the location, citing amenity value. The area already supports 3 other restaurants and no evidence that yet another would add value. On the other hand, the

development will encroach on what is currently a peaceful, leafy, quiet walkway by Murieston Water, which is used and enjoyed by many in the locality. It will abut this walkway and change its character for ever.

It should also be noted that there exists facilities next to the Murieston Medical Practice. This building has mostly been lying empty for some years. It would make more sense, in terms of minimising carbon footprints, if this building were maximised, rather than chopping down more trees and ruining quiet, green areas for the sake of yet another food emporium.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Ms Fiona Donaldson

Address: 16 Bankton Drive Livingston EH54 9EH

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to object to this proposal on the following grounds:

- there have been no substantial changes made since this application was originally submitted and refused. I do not see any information that satisfactorily refutes or mitigates the original reasons for refusal.
- encroachment onto the walkway along the river with no screening (the whole point of the development is to look onto the river)
- removal of existing trees contrary to existing local plans with losses of biodiversity and amenity
- there are already existing commercial units sitting empty in the vicinity that could easily be used for the proposed purpose. To me this does not demonstrate a need for another building and the carbon emissions this will generate.
- development of another fast food outlet right beside two existing units would increase antisocial behaviour in the area

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Ms Gail Wallace

Address: 63 East Bankton Place Murieston Livingston EH54 9BZ

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The surrounding wildlife and countryside has had to endure the installation of a replacement railway station, Millar and Belway housing schemes and more recently the erection and installation of a hairdressing salon. It is only just beginning to show signs of recovery and now this! This restaurant is not necessary to this area and will incur vandalism and break ins taking up already stretched all blue light services. What's wrong with using the empty units beside Murieston Medical Practice? They have lain empty for a long time now so why destroy what little we have left in our nature, environment and wildlife just for what? What about the badger setts, the roe deer and the foxes who live there? All for the sake of Something that is not needed. We need to protect our countryside not allow it to be demolished. It's not only the surrounding trees but the habitat and wildlife that goes hand in hand with them.

## Comments for Planning Application 0604/FUL/22

### Application Summary

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Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mrs Anne Seenan

Address: 38 East Bankton Place Mureiston Livingston EH54 9DB

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having read the plans for this development I have been struck that "extension to car park" gives no indication as to how many more spaces will be made available. The existing car park barely copes with the capacity generated by the current businesses . The adjacent car park for the florist, takeaway and new mini market is marked as Private, Customers only and I believe a 2 hour wait time. Given the size of the build for the proposed development use of that car park will not be possible. The building of this over large development will have a detrimental effect on the existing amenity No one will go for a meal /drink and spend 30 minutes.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr John Sharp

Address: 4 Murieston Road Murieston South LIVINGSTON EH54 9BB

### Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Building would intrude on the character of the walkway alongside the Murieston Water (to the east of the proposed location). There would be inevitable removal of existing trees, and unlikely to be sufficient space for any effective screening.

## Comments for Planning Application 0604/FUL/22

### Application Summary

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Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Miss Sophie Rodger

Address: 124 Huron Avenue Howden Livingston EH54 6LQ

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr Aryaan Ali

Address: 20 Beech Place Livingston Eh546rb

### Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mrs Taslim Bashir

Address: 20 Beech place Livingston Eh546rb

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mrs Kirsty Peters

Address: 56 Martin Brae Livingston Eh546ut

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I fully support this development bringing together our community for much needed socialising on our doorstep and helping to beat loneliness and mental health especially for those who can't travel to the restaurants within Livingston centre or further a field. This will also bring jobs and financial support to the local community/ area.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Miss Jessica Forde

Address: 29 Lochbank Ladywell Livingston EH546EQ

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I support this planning application as i believe it would be a great addition to the area.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr ross stevens

Address: 116 netherwood park deans livingston eh548rw

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I use the local train station and the area would benefit from somewhere for users to meet and have a hot drink while waiting on the train as there is nothing else in the area that supplies this .

## Comments for Planning Application 0604/FUL/22

### Application Summary

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Case Officer: Steven McLaren

### Customer Details

Name: Mr dennis moran

Address: 48 bankton brae murieston Livingston EH549LA

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Murieston is in need of more good quality restaurants. We all ready have a couple but turning this area into a small hub of high quality venues would be a boost to all local residents and would also see a welcome injection of income from non-local patrons. This addition in my option would boost income of the existing bars and restaurants too.

## Comments for Planning Application 0604/FUL/22

### Application Summary

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Case Officer: Steven McLaren

### Customer Details

Name: Mr Jagir Dhe

Address: 20 Westkip walk Livingston eh549fa

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:A nice Coffee shop/Cafe will be a great addition to this area as a local I would like to see this happen

## Comments for Planning Application 0604/FUL/22

### Application Summary

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Case Officer: Steven McLaren

### Customer Details

Name: Mr Sean Callaghan

Address: 30 Wester Bankton Murieston Livingston EH549DY

### Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I stay in the area and a cafe would be good for the community.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

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Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr barry peters

Address: 56 martin brae ladywell west livingston eh54 6ut

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Be a great boost to the Murieston economy and handy for the train station as nothing else of this type in the area

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr David Svraka

Address: 80 Queens crescent Livingston Eh54 8eg

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr william miller

Address: 15 alderstone place kirkton livingston village eh54 7fe

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:it would be nice to have a coffee shop/bar in muriston it would bring a new fresh vibe that I feel is well needed and also would create jobs in the local area.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Miss Saima Ali

Address: 4 Eliburn South Livingston Eh54 6sw

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This would make a great addition to Murieston.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr nikhil reddy kayathi

Address: 197 waverley crescent livingston eh54 8jt

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I support this application as it would nice to have a cafe whilst waiting for the train.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr Salman Ali

Address: 4 Eliburn south Livingston EH546SW

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I would like to see this happen and I hope the right decision is mad this time

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mrs Laura Ross

Address: 25 Whitedalehead Road Whitburn Bathgate EH47 8JS

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:It would be great for the local community and would allow new jobs in the area.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Miss Holly Smart

Address: 20 Heatherbank Ladywell Livingston EH54 6EE

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I support this application, as I think it would be a great addition to the area due to this type of establishment is needed.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Miss Courtney Hudson

Address: 33 riddochhill road Blackburn EH477et

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr Ali Haider

Address: 22 Westkip Walk Livingston EH549FA

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I believe a nice coffee shop/cafe/restaurant will be a great addition to the area specially with a balcony which will be great for the dog walkers in the area.

I Support this application which will be great for this area which is needed.

Haider

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr John Caldwell

Address: Sutherland Way 88 Livingston EH548HX

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This proposal looks like it would bring in a venue that would compete with the better eating establishments in the surrounding area. Please do not let this opportunity pass by.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mrs Linda Caldwell

Address: 88 Sutherland Way Knightsridge West Livingston EH54 8HX

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This is a wonderful opportunity for Livingston and indeed Muiriston in particular. Apart from the obvious benefits of a financial injection to the retail owners that this would bring into the community, who could wholeheartedly enjoy an evening meal in a place with an ambience quite unique to Livingston. Instead of the hustle and bustle of typical restaurants, this one would present a much more pleasant atmosphere in a beautiful woodland and river setting, that would be quite unique for the town and, an opportunity that the town really shouldn't let pass by.

The artists impression really excites me and at long last an opportunity to dine in a quality establishment you don't have in this area.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr James Murray

Address: 51 Ochiltree Drive Mid Calder Livingston EH53 ONX

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I support this application due to the area needing this type of establishment, giving somewhere for us locals to go and enjoy ourselves.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Ms Nasreen Akhtar

Address: 4 Eliburn South Livingston Eh54 6sw

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Great to have a restaurant local.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Ms Nasreen Akhtar

Address: 4 Eliburn South Livingston Eh54 6sw

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Great to have a restaurant local.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr paul leggat

Address: 159 dixon road whitburn eh470py

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I support this application any development that brings business and jobs has my blessing and full support

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr James Bryce

Address: 126 beech place Livingston Eh546re

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mrs Rabeena Ali

Address: 39 Sutherland Way Livingston Eh54 8ht

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Miss Zoe Arthur

Address: 28 The willows Fife KY12 8FG

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I support the build

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mrs Rabeena Ali

Address: 39 Sutherland Way Livingston Eh54 8ht

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:A nice Coffee shop/Cafe will be a great addition to this area as a local I would like to see this and will bring more jobs in the community.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Miss Tracy Sutherland

Address: 126 beech place Eliburn Livingston Eh546re

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I would like to support this development in the community.

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Abbie Ingram

Address: 18 Eden drive Livingston EH54 5LB

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr Brendan Cantwell

Address: 24 bankton Gardens Livingston Eh549dz

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

## Comments for Planning Application 0604/FUL/22

### Application Summary

Application Number: 0604/FUL/22

Address: Land East Of Murieston East Road Murieston Livingston West Lothian

Proposal: Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Case Officer: Steven McLaren

### Customer Details

Name: Mr Thomas Mcconnell

Address: 123 Beech place Livingston eh546re

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: this would be great for Livingston as we need more nice places in the area



# Development Management Committee

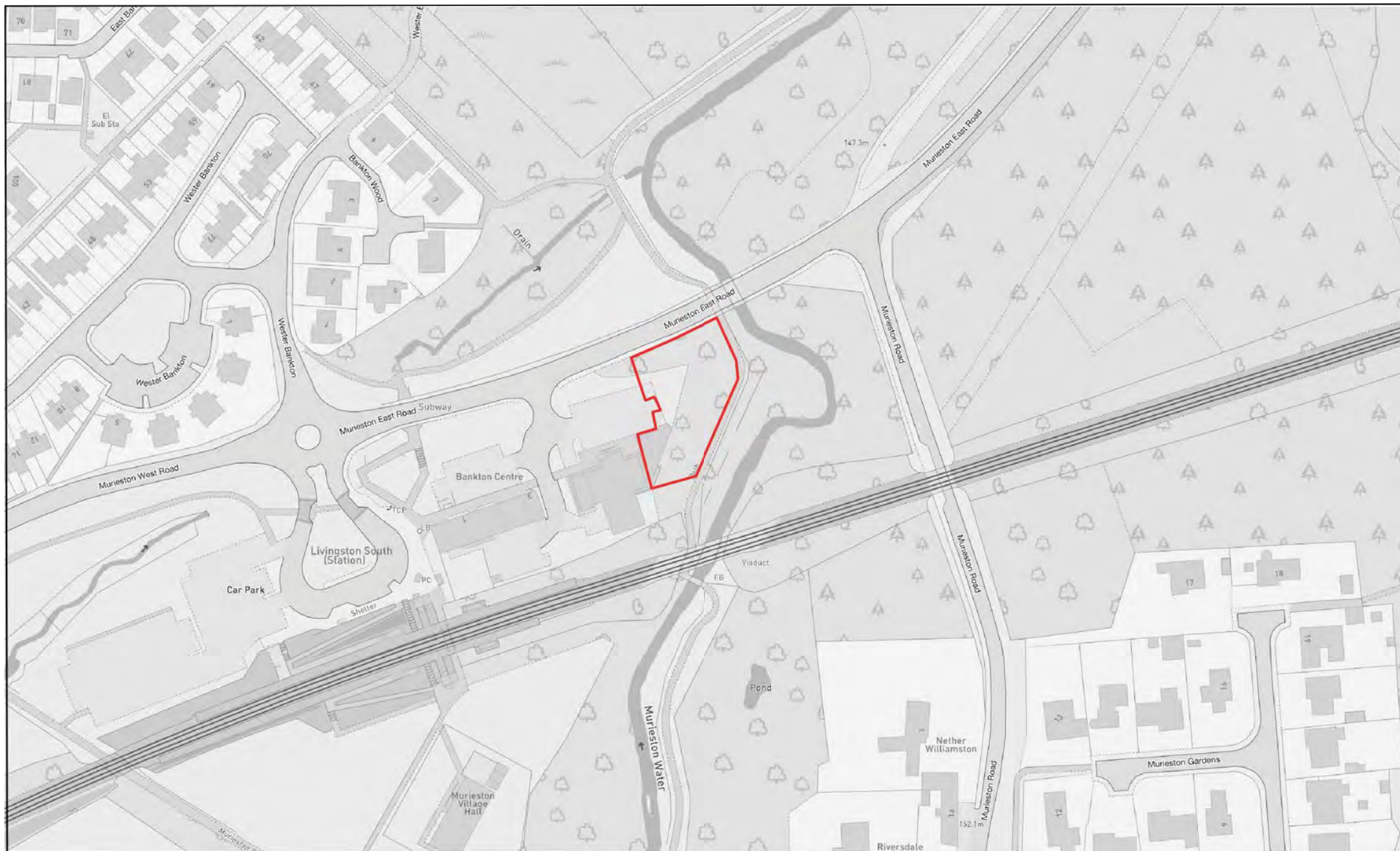
14 December 2022

Agenda Item 7 - Application : 0604/FUL/22

Erection of a 298 sqm restaurant / bar and cafe /hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park

Land at Bankton Centre - Murieston - Livingston







Total spaces = 160 + 10 disabled

Planning application  
site **with 6 additional  
spaces proposed**



Station car park – 120 + drop off area +5 disabled

East car park – 23 + 3 disabled.  
Loading bay to be converted to  
2 additional spaces.

West car park – 17 + 2 disabled

EXTERNAL MATERIALS:-

**Walls** - Dark brown horizontal cladding with recessed 'lime green shadow gap' string courses

**Roof** - Anthracite Grey coloured single ply roofing membrane

**Doors/Windows** - Aluminium framed D/G system powder coated colour - lime green

**Paved Areas** - All new paved areas to be buff coloured 500x500 square PCC paving slabs to match existing around Coop building

**Balustrade** - Moulded RW handrails, newel posts and bottom rail stained light brown with 10mm toughened and dark tinted glass panels.

**Landscaping** - Existing trees to be retained as far as practical and any removals to be supplemented by new Birch, Rowan and Cherry tree standards  
(A full detailed landscaping plan to be provided later)

BOUNDARY OF DEVELOPEMENT SITE  
SHOWN IN DOTTED RED LINE

Beauty Salon

Cooperative

3No new car park  
spaces formed

Line of kerb of existing car park

The band of trees along the roadside to be retained  
but pruned as required by qualified Arborist

New 2.0m wide stepped and ramped footpath from Murieston  
Walkway winding through trees and linked to the pavement via  
timber steps.  
Path formed in black bitumen with 20% white chippings and stone  
flagged nosings to steps as required. New tree saplings to be  
planted as required and agreed with Planning Dept.

BANKTON CENTRE, LIVINGSTON. EH54 9DA

Proposed Erection of New Cafe/Restaurant Unit

Site Layout Plan

Z1 Properties Limited

727-10

REV  
A

DATE  
May 2022

SCALE  
1:200

DRAWN  
K. Duncan

SHEET  
A3

STATUS  
Local Authority

**KEN DUNCAN** MCIAT  
BUILDING DESIGN ARCHITECTURAL TECHNOLOGY INTERIOR DESIGN

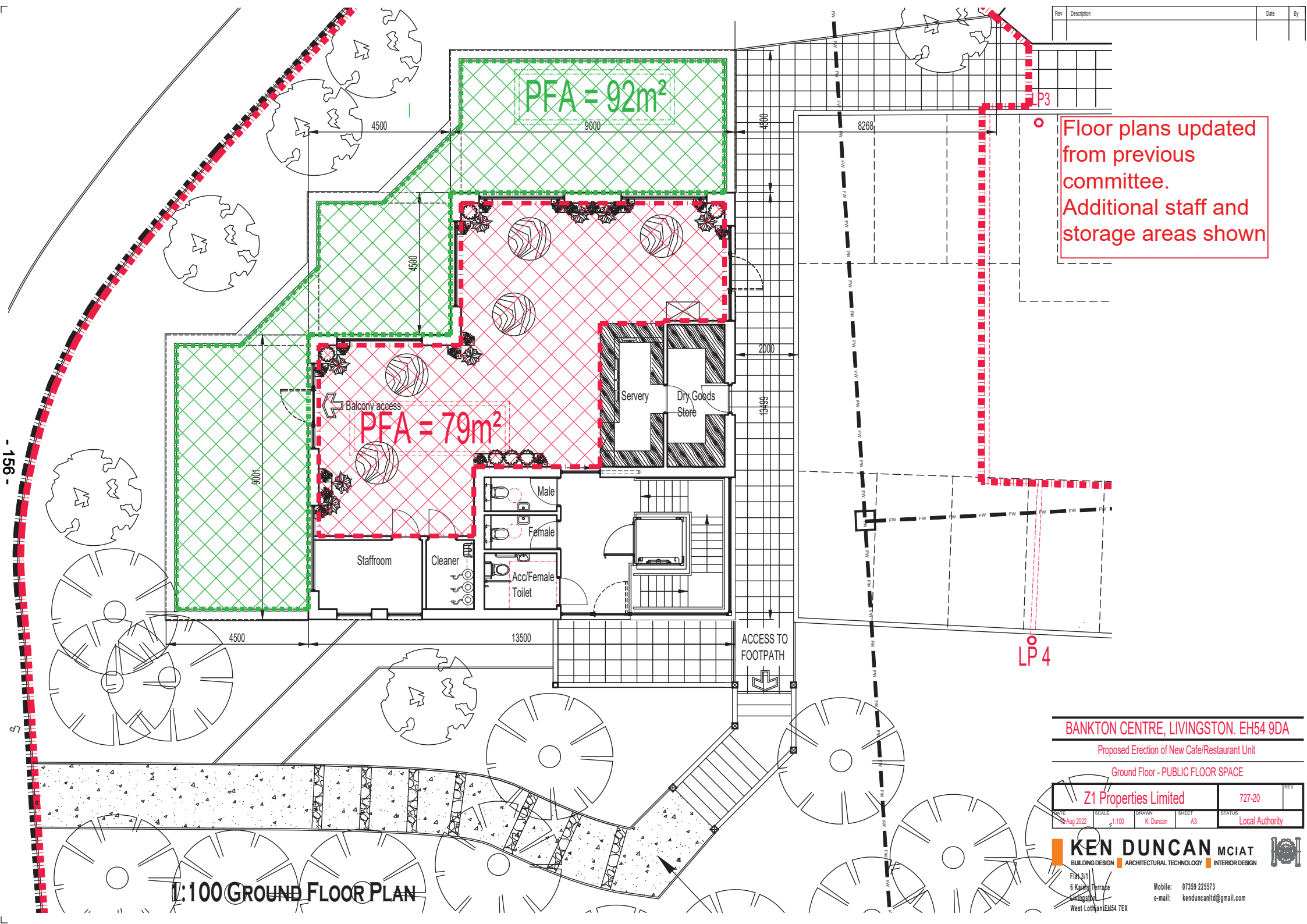
Flat 3/1

6 Kaims Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 225573  
e-mail: kenduncanltd@gmail.com

1:200 SITE LAYOUT PLAN





Floor plans updated from previous committee. Additional staff and storage areas shown

**BANKTON CENTRE, LIVINGSTON. EH54 9DA**  
Proposed Erection of New Cafe/Restaurant Unit  
Ground Floor - PUBLIC FLOOR SPACE

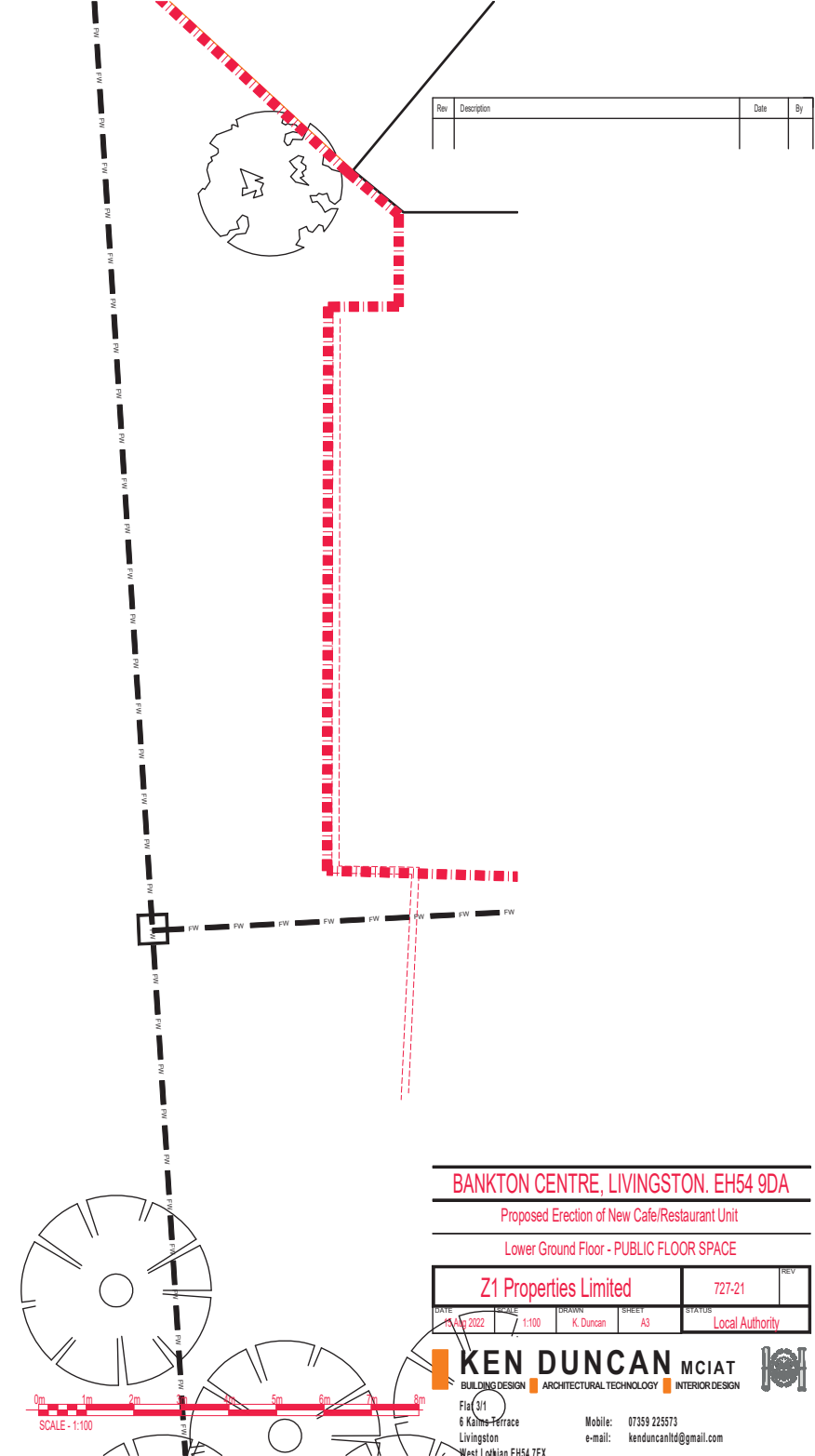
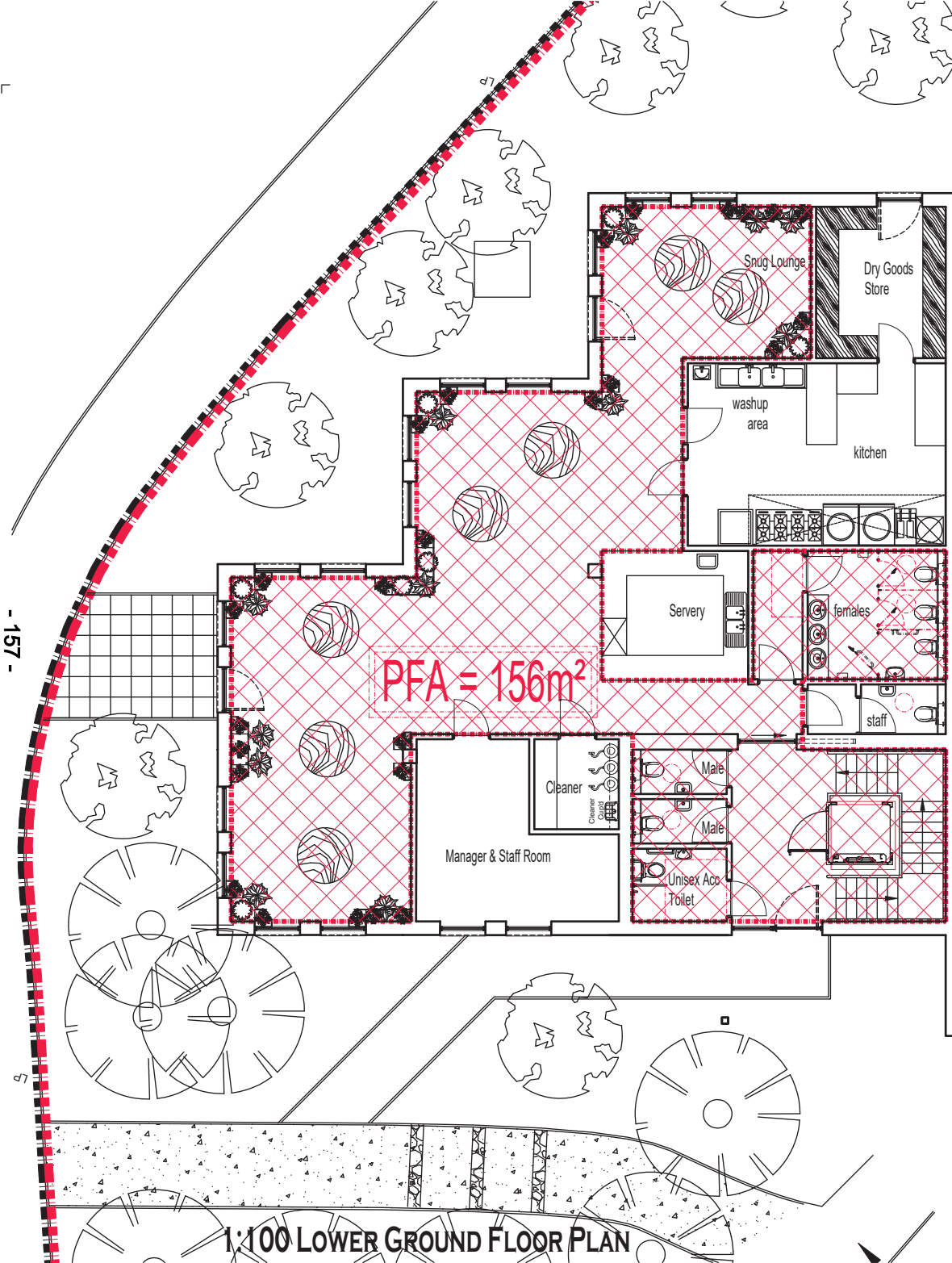
Z1 Properties Limited		727-20	
DATE 15 Aug 2022	SCALE 1:100	DRAWN BY K. Duncan	SHEET A3
		STATUS Local Authority	

**KEN DUNCAN** MCIAT  
BUILDING DESIGN | ARCHITECTURAL TECHNOLOGY | INTERIOR DESIGN

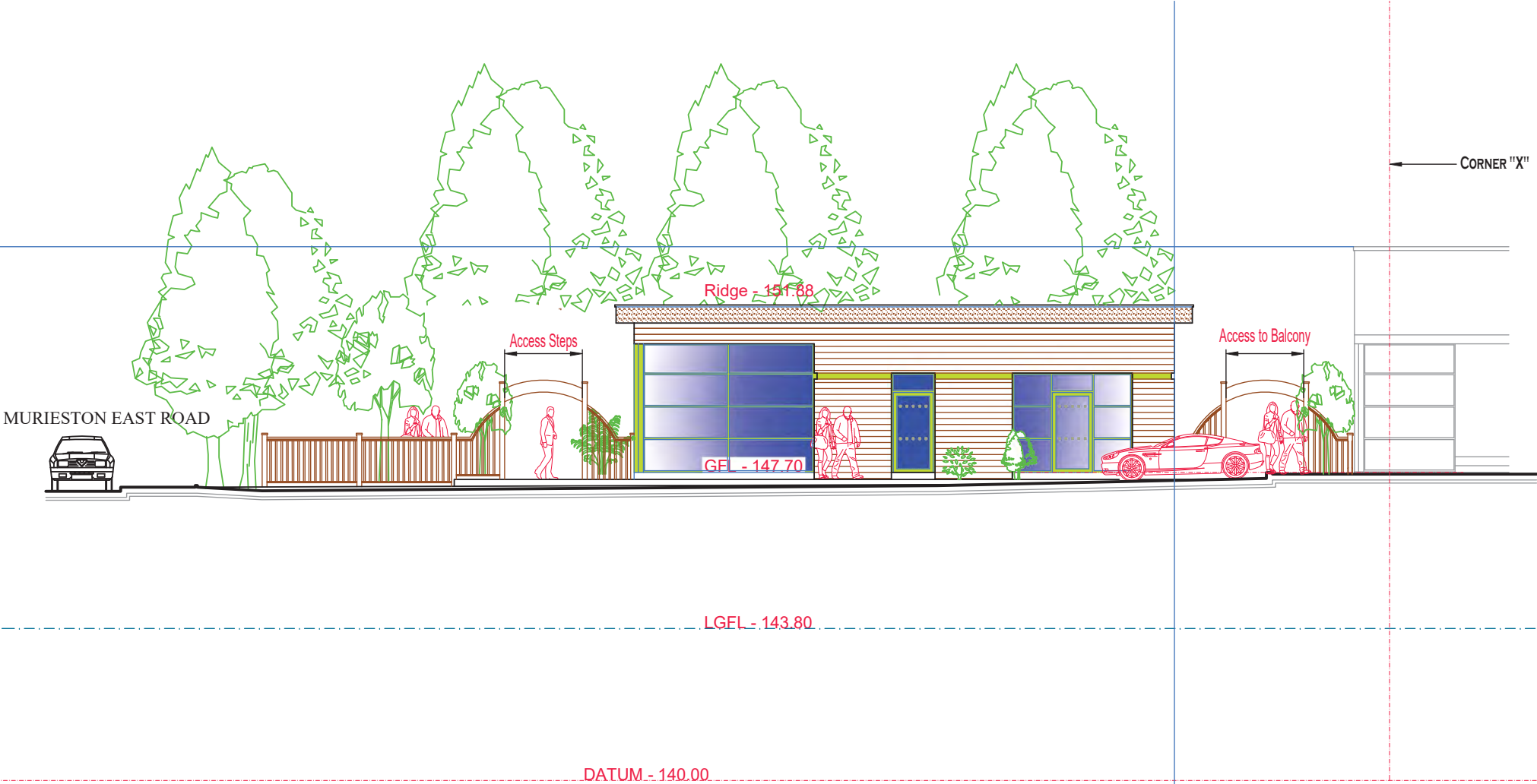
Flat 2/1  
6 Kaine Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 225573  
e-mail: kenduncan1td@gmail.com

1:100 GROUND FLOOR PLAN



Rev	Description	Date	By



**BANKTON CENTRE, LIVINGSTON. EH54 9DA**

Proposed Erection of New Cafe/Restaurant Unit

West Elevation

Z1 Properties Limited				727-13	REV
DATE 21 June 2022	SCALE 1:100	DRAWN K. Duncan	SHEET A3	STATUS Local Authority	

**KEN DUNCAN**

MCIAT

BUILDING DESIGN

ARCHITECTURAL TECHNOLOGY

INTERIOR DESIGN

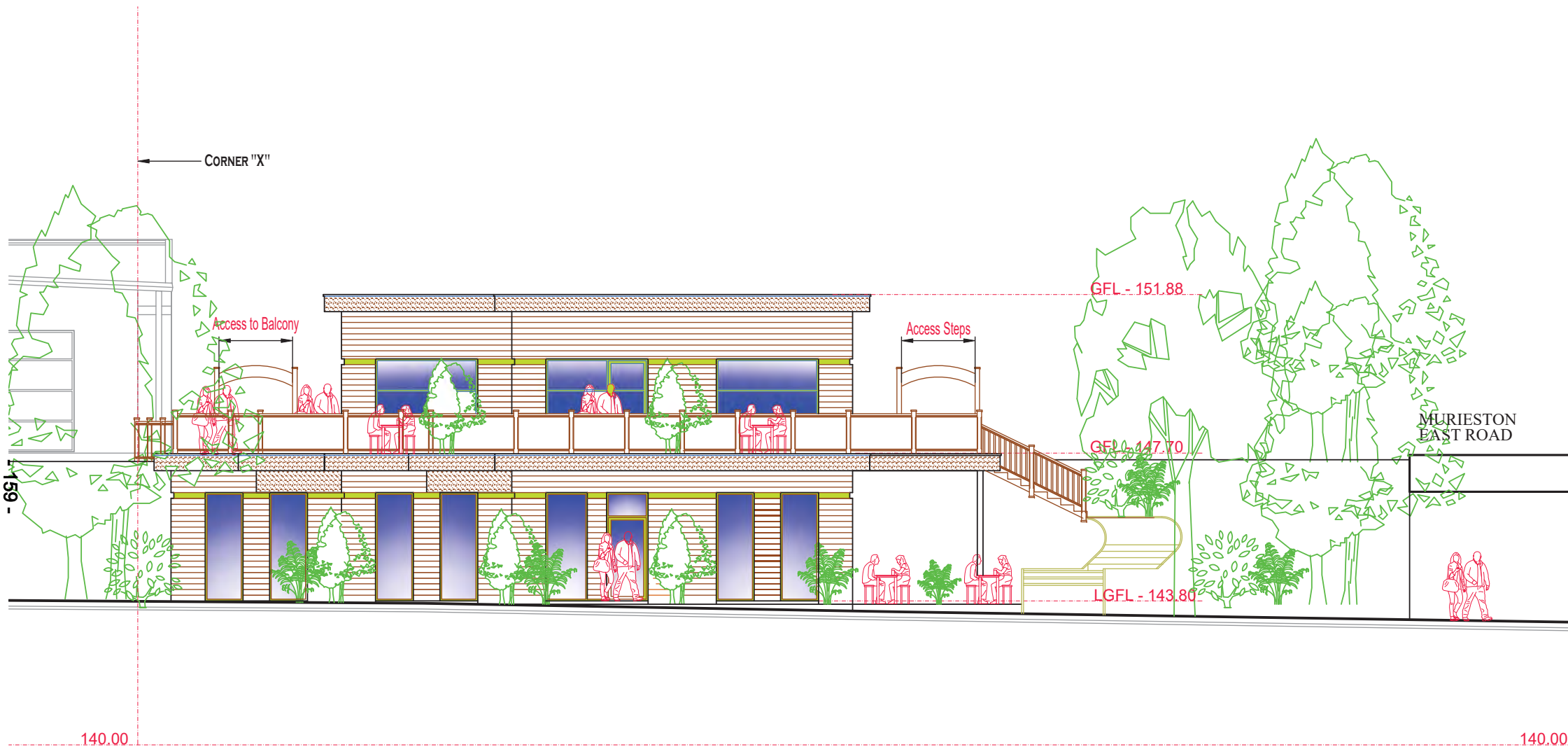
Flat 3/1  
6 Kaime Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 225573  
e-mail: kenduncanltd@gmail.com

1:100 WEST ELEVATION



Rev	Description	Date	By



1:100 EAST ELEVATION D-D



**BANKTON CENTRE, LIVINGSTON. EH54 9DA**

Proposed Erection of New Cafe/Restaurant Unit

East Elevation D-D

Z1 Properties Limited		727-16	REV
DATE	SCALE	DRAWN	SHEET
21 June 2022	1:100	K. Duncan	A3
STATUS		Local Authority	

**KEN DUNCAN** MCIAT  
BUILDING DESIGN ARCHITECTURAL TECHNOLOGY INTERIOR DESIGN

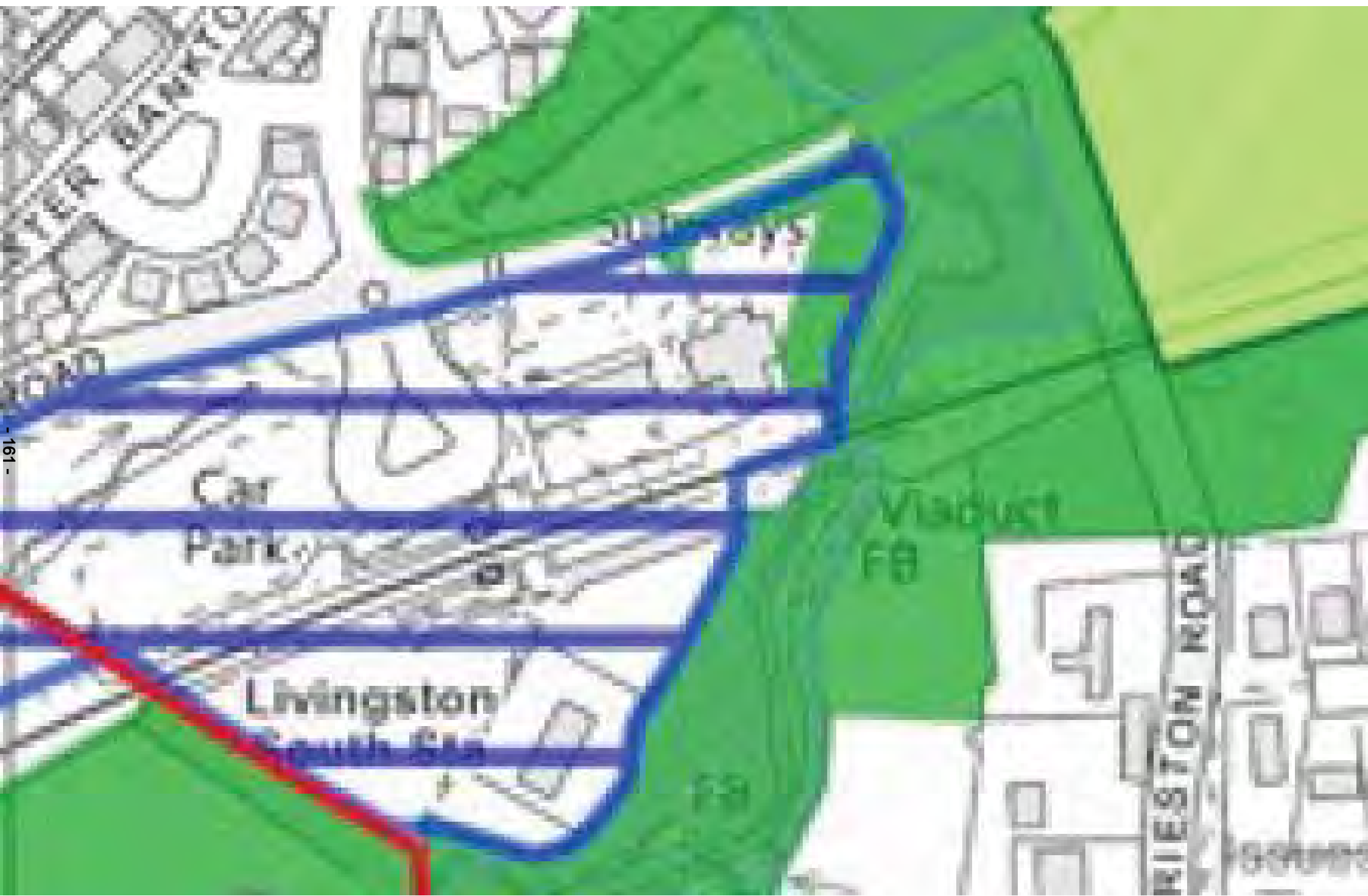
Flat 3/1  
6 Kaime Terrace  
Livingston  
West Lothian EH54 7EX

Mobile: 07359 225573  
e-mail: kenduncanltd@gmail.com



Atmospheric Concept by Violette Chumbe

**Proposed**  
**New Cafe and Restaurant**  
Bankton Centre, Livingston







Approximate area  
of development



View down to  
Murieston Water  
path



View into site from  
Bankton Centre  
car park



View looking north  
along Murieston  
Water path. Site  
lies on left of path



View looking south  
along Murieston  
Water path. Site  
lies on right of path



General view across  
development area

# Development Management

List of Delegated Decisions - 11th November 2022

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to [planning@westlothian.gov.uk](mailto:planning@westlothian.gov.uk) no later than 12 Noon, 7 days from the date of this list.

<b>Ref. No.:</b>	0755/P/22	<b>Recommendation:</b>	Refuse Planning Permission in Principle
<b>Proposal:</b>	Planning permission in principle for conversion of retail unit to 2 houses, demolition of outbuildings to rear and residential development		
<b>Address:</b>	87 South Street, Armadale, West Lothian, EH48 3EU, (Grid Ref: 293792,668342)		
<b>Applicant:</b>	Mr A Hopper	<b>Type:</b>	Local Application
<b>Ward:</b>	Armadale & Blackridge	<b>Case Officer:</b>	Kirsty Hope

## **Summary of Representations**

No representations were received.

## **Officers report**

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

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

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

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

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

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

The proposal is therefore recommended for refusal.

Agenda Item 8

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

### **Summary of Representations**

No representations have been received for this application.

### **Officers report**

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

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

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

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

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

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

### **Summary of Representations**

N/A

### **Officers report**

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

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

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

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

It is recommended that advertisement consent be refused.

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

### **Summary of Representations**

1 objection comment received -

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

Planning response -

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

### **Officers report**

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

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

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

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

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles), ENV 24 (Conservation Areas) and ENV28 (Listed Buildings) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted planning permission.

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

### **Summary of Representations**

1 objection comment recieved -

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

Planning response -

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

### **Officers report**

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

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

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

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

This proposal adheres to West Lothian Council's Local Development Plan's DES 1 (Design Principles), ENV 24 (Conservation Areas) and ENV28 (Listed Buildings) Policies and follows the appropriate planning guidance given in the House Extension and Alteration Design Guide 2020. It is recommended that this application is granted listed building consent.





# Development Management

## List of Delegated Decisions - 18th November 2022

DATA LABEL: OFFICIAL

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to [planning@westlothian.gov.uk](mailto:planning@westlothian.gov.uk) no later than 12 Noon, 7 days from the date of this list.

<b>Ref. No.:</b>	0741/A/22	<b>Recommendation:</b>	Refuse Advertisement Consent
<b>Proposal:</b>	Display of 3 non-illuminated building mounted signs (in retrospect)		
<b>Address:</b>	Former Room at The Top, Menzies Road, Bathgate, EH48 1TQ, (Grid Ref: 305280,667171)		
<b>Applicant:</b>	The Hub (Bathgate) Ltd	<b>Type:</b>	Other
<b>Ward:</b>	Bathgate	<b>Case Officer:</b>	Lucy Hoad
<b><u>Summary of Representations</u></b>			
N/A			
<b><u>Officers report</u></b>			
<p>The application seeks advertisement consent for the display of 3 non-illuminated vinyl signs at Menzies Road Bathgate (formerly Room at the Top). The business is a soft play/adventure play arena. The works have been undertaken and the application is retrospective.</p> <p>The signage comprises:</p> <p>Front elevation A sign above main entrance door way (4000 x 900mm) stating Laser Tag Arena. A larger square sign (4000 x 4000mm) above the smaller signage stating name Yoyo and details of services. A third sign is to the side elevation of the unit. That sign (1220 x 2440mm) states Lazer Tag Arena with phone number and details of services.</p> <p>Under the terms of the Advertisement Regulations the considerations that are to be taken into account are the potential impact on the amenity, of the building and wider area, and public safety.</p>			

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

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

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

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

It is recommended that the application be refused.

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

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

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

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

It is recommended that this application is refused.

<b>Ref. No.:</b>	0915/LBC/22	<b>Recommendation:</b>	Grant Listed Building Consent
<b>Proposal:</b>	External and internal alterations to house. (Amendment to 0514/LBC/21)		
<b>Address:</b>	Hillhouse, 8 High Brae, Torphichen, West Lothian, EH48 4LX (Grid Ref: 296744,672300)		
<b>Applicant:</b>	Ms Hanna Didcock	<b>Type:</b>	Local Application
<b>Ward:</b>	Armada & Blackridge	<b>Case Officer:</b>	Rachael Lyall
<b><u>Summary of Representations</u></b>  1 objection comment received - - Insufficient information regarding the staircase and fireplace, - Blocking of fireplace, - Details of new staircases, - Insufficient information regarding new window opening to rear.			
<b><u>Officers report</u></b>  This application proposes internal alterations to the property located at 8 High Brae, Torphichen.  The works are an amendment to a previous application (0514/LBC/21) which was granted planning permission for the removal of cement render, replacement coal bunker, replacement slate roof and windows and installation of roof lights.  The proposal looks to install a log burning stove within the living room, remove an internal staircase, install a window opening to the rear, and internally altering the ground and first floor bathrooms.  There is sufficient submitted information to determine that the amended proposals remain acceptable and will not be detrimental to the character of the listed building.  The proposals comply with Policy DES 1 (Design Principles) and Policy ENV28 (Listed Buildings) of the West Lothian Local Development Plan and the listed building guidance and legislation.  It is recommended that LBC is granted.			

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

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

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

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

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

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

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

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

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

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

It is recommended this application is approved

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

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

It is recommended that this application is refused.

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

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

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

It is recommended that the application be refused.

# Development Management

List of Delegated Decisions - 25th November 2022

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to [planning@westlothian.gov.uk](mailto:planning@westlothian.gov.uk) no later than 12 Noon, 7 days from the date of this list.

<b>Ref. No.:</b>	0801/FUL/22	<b>Recommendation:</b>	Grant Planning Permission
<b>Proposal:</b>	Installation of 468 sqm non-trading mezzanine within existing retail unit		
<b>Address:</b>	Unit 5 And 6, Falkirk Road, Linlithgow, West Lothian (Grid Ref: 299497,677044)		
<b>Applicant:</b>	Marks & Spencer plc	<b>Type:</b>	Local Application
<b>Ward:</b>	Linlithgow	<b>Case Officer:</b>	Alexander Calderwood

## Summary of Representations

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

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

## Officers report

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

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

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

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

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

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

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

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

It is recommended that planning permission be granted.

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

### **Summary of Representations**

One objection relating to:

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

### **Officers report**

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

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

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

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

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

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

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

### **Summary of Representations**

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

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

### **Officers report**

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

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

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

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

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

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

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

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

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

# Development Management

List of Delegated Decisions - 2nd December 2022

The following decisions will be issued under delegated powers unless any Member representing the ward in which the application is located requests that an application is reported to the Development Management Committee for determination. Such requests must be made on the attached form, which should be completed and sent for the attention of the Development Management Manager to [planning@westlothian.gov.uk](mailto:planning@westlothian.gov.uk) no later than 12 Noon, 7 days from the date of this list.

<b>Ref. No.:</b>	0361/FUL/22	<b>Recommendation:</b>	Refuse Permission
<b>Proposal:</b>	Application under section 42 to vary to planning permission 1227/FUL/07 to alter the approved house types and remove the acoustic fence		
<b>Address:</b>	174 Uphall Station Road, Pumpherston, West Lothian, EH53 0PD, (Grid Ref: 306561,669619)		
<b>Applicant:</b>	Mr W Ness	<b>Type:</b>	Local Application
<b>Ward:</b>	East Livingston & East Calder	<b>Case Officer:</b>	Alexander Calderwood

## Summary of Representations

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

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

## Officers report

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

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

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

It is therefore recommended permission be refused.

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

### **Summary of Representations**

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

One letter of support received:-

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

### **Officers report**

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

footpath as well as post and wire fencing. The right of way is located within the countryside. Amended plans were submitted to remove a section of 6ft timber screen fencing along the boundary with neighbouring house. Agenda Item 8

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

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

It is therefore recommended to grant planning permission.

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

### **Summary of Representations**

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

### **Officers report**

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

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

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

The proposal is therefore contrary to policy ENV2.

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

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

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

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

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

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

### **Summary of Representations**

1 objection has been received for this application:

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

### **Officers report**

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

West Lothian Local Development Plan 2018 (Relevant Policy)

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

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

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

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

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

It is therefore recommended permission be granted.

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

### **Summary of Representations**

One letter of objection was received:

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

### **Officers report**

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

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

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

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

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

No boundary details have been provided.

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

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

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

surrounding area.

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

It is therefore recommended that this application is refused.

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

### **Summary of Representations**

No representations were received in relation to this application.

### **Officers report**

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

West Lothian Local Development Plan 2018 (Relevant Policy)

Policy DES 1 (Design Principles)

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

The Supplementary Guidance 'Residential Development Guide' states that:

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

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

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

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

Agenda Item 8  
Additionally, the house will have no private garden ground and limited space in and around the proposed curtilage, meaning that the residential environment will be particularly poor. The area of the unit to be converted is suitable as a store room but not for residential use. The proposal does not comply with policies DES 1, HOU3 or the Residential Development Guide.

It is therefore recommended permission be refused.

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

#### **Summary of Representations**

No representations received.

#### **Officers report**

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

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

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

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

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