



Development Management Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

11 September 2024

A hybrid meeting of the **Development Management Committee** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston, EH54 6FF** on **Wednesday 18 September 2024** 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 21 August 2024 (herewith)

Public Items for Decision

5. Application No.0501/FUL/24 - Change of use from agricultural land to dog exercise field (in retrospect), Murieston Castle Farm, Murieston, Livingston (herewith)

Public Items for Information

DATA LABEL: Public

6. Consider list of delegated decisions on planning applications and enforcement actions for the period 16 August to 6 September 2024 (herewith).
7. Appeals :-
 - (a) Application 0064/A/24, Display of 1 illuminated totem sign (in retrospect), Units 5 & 6 Stockbridge Retail Park, Falkirk Road, Linlithgow - Appeal allowed

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email va.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
- Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, carol.johnston@westlothian.gov.uk
- Committee Services Team, 01506 281604, 01506 281621
committee.services@westlothian.gov.uk

January 2022

PLEASE DO NOT REMOVE THIS LEAFLET



Welcome to the Development Management Committee

Councillor Stuart Borrowman, the Chair of the Committee, will chair the meeting. The committee will be conducted in accordance with the following procedure:

- Officers from the planning team will report on each application followed by officers from other services where appropriate, e.g. Education, Transportation etc;
- Objectors to a planning application will then be invited to speak for up to five minutes (or ten minutes in total if speaking on behalf of others);
- The Chair may also request that supporters or objectors with a common interest agree to appoint a Spokesperson to speak on their behalf. The Chair may also take steps to avoid undue repetition;
- Local councillors will be invited to speak at this stage if objecting to the application;
- Applicants or agents will be invited to speak for up to five minutes (or ten minutes in total if speaking on behalf of others);;
- Finally, local councillors who wish to support the application may speak.

Anything that objectors or applicants wish to say to the committee must be said to the whole committee and not to an individual member of it. No information should be passed to individual councillors.

Before making your presentation please press the red button on the microphone box in front of you to ensure you are heard clearly.

- Questions may be put by the committee to officers, objectors and applicants;
- Members of the committee will then debate the application;
- Some members will then ask for the application to be granted, refused or continued for further consideration, other members may ask for a different decision. The committee will then vote on these alternatives;
- The committee will take its decision and it will be announced by the convenor.

Councillor Stuart Borrowman
Chair of the Development Management Committee
May 2022

PLEASE DO NOT REMOVE THIS LEAFLET

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, EH54 6FF, on 21 AUGUST 2024.

Present – Councillors George Paul, Pauline Clark, Tom Conn, Damian Doran-Timson, Lawrence Fitzpatrick; and Pauline Stafford

Apologies – Councillor William Boyle

1. DECLARATIONS OF INTEREST

Agenda Item 5 (App No.0177/P/23) and Agenda Item 6 (App No.0142/FUL/24) - Councillor Damian Doran-Timson declared an interest in that as the two applications had been continued from earlier meetings which he had not attended he had not heard all the merits of the applications so would not participate in the items of business.

Agenda Item 5 (App No.0177/P/23) - Councillor Stafford stated a connection in that the objector was known to her but not relating to the planning application. She would take part in the item of business.

2. ORDER OF BUSINESS

Committee agreed, in accordance with Standing Order 8(3), that agenda items 8, 9(a)-(d) and 10 were to taken as read and their recommendations noted without further consideration.

The Development Management Manager advised committee that with respect to Agenda Item 10 there was an error in Section E (Conclusion) of the report in that it should read "Simpson Avenue/Leyland Road" and not "Napier Avenue".

3. MINUTE

The committee approved the Minute of its meeting held on 10 July 2024. The minute was thereafter signed by the Chair.

4. APPLICATION NO.0177/P/23

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>
0177/P/23	Planning permission in principle for residential development including replacement	Grant planning permission in principle subject to conditions and the applicant

farmhouse and entering into a conversion of existing planning obligation steading buildings and two new dwellings, Broompark Farm, Broompark, Torphichen

The committee then heard from David Graham, addressing committee on behalf of his wife Jill Brownell, speak in support of her objections to the proposal.

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

Decision

To unanimously agree the recommendation of the report and grant planning permission in principle subject to conditions and a legal agreement and to also update condition 2(H) to include updated surveys and pre-work surveys if required.

5. APPLICATION NO.0142/FUL/24

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>
0142/FUL/24	Formation of green waste composting area, additional horticultural production areas, erection of office/equipment storage building, vehicle/equipment storage building, yard and fencing, land to northwest of Auchenhard Farm, Stoneyburn	Grant planning permission subject to conditions, but provided the outstanding matters relating to drainage and contaminated land are satisfactorily resolved

The committee then heard from Colin Hardie, the applicant's agent, speak in support of the application. The committee also noted that Mr Walker, the applicant, was available to answer any questions.

Decision

Minded to grant planning permission with conditions delegated to the Development Management Manager and subject to outstanding matters

relating to drainage and contaminated land being satisfactorily resolved.

6. APPLICATION NO.0408/FUL/24

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>
0408/FUL24	Erection of a 420sqm storage building for hire of plant and machinery for forestry and associated purposes, 6 Dunnet Way, Broxburn	Refuse planning permission

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

Decision

To agree the recommendation of the report and refuse planning permission

7. LIST OF DELEGATED DECISIONS

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

A list (copies of which had been circulated) of delegated and enforcement action for the period 5 July to 9 August 2024 was submitted for the information of committee.

Decision

To note the list of delegated decisions.

8. APPEALS

The committee noted that the following appeals had been submitted to Scottish Ministers : -

<u>Application No.</u>	<u>Proposal</u>
0393/FUL/23	Erection of 1 retail unit (class 1A), 4 commercial units (class 1A shops, financial, professional & other

services, class 3 food & drink, class 10 non-residential institutions and hot food takeaway), 70 houses and 15 flats with associated works (as varied from 73 houses) at Land at Simpson Avenue / Leyland Road Wester Inch, Bathgate

1196/MS/22

Approval of matters specified in conditions of planning permission 0101/P/17 for the erection of 1 house and detached garage (as varied from 2 houses), Land to South East of Oaklands, Bridgehouse, Westfield

0064/A/24

Display of 1 illuminated totem sign (in retrospect), Units 5 & 6 Stockbridge Retail Park, Falkirk Road, Linlithgow

The committee noted that the following appeals which had been submitted to Scottish Ministers had been withdrawn : -

Application No.

Proposal

0210/P/21

Planning permission in principle for a 58ha mixed use development including residential development (dwellings and flatted), local centre (including Class 1, Class 2 and Class 3 uses), community facilities, public open space, and associated works and infrastructure (EIA development), Drumshoreland Garden Community, Land North of Old Clapperton Hall, East Calder

The committee noted that the following appeal which had been submitted to Scottish Ministers, the order had been confirmed without modification :-

Application No.

Proposal

0609/FUL/15 and 0198/FUL/15

Main Street and Langton Road, East Calder

9. ACTION TAKEN IN TERMS OF STANDING ORDER 31 (URGENT BUSINESS)

The committee noted the action taken in terms of Standing Order 31 (Urgent Business) to provide approval for the submission of a response to the Department of Planning and Environmental Appeals (DPEA) in

relation to planning appeal PPA-400-2167 for an application for planning permission for a mixed-use development, land at Simpson Avenue/Leyland Road, Bathgate.



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Change of use from agricultural land to dog exercise field (in retrospect) at Murieston Castle Farm, Livingston, West Lothian,

2 DETAILS

Reference no.	0501/FUL/24	Owner of site	H&J Russell Murieston Castle Farm
Applicant	H&J Russell Murieston Castle Farm	Ward & local members	Livingston South Councillor Peter Heggie Councillor Moira Shemitt Councillor Lawrence Fitzpatrick Councillor Maria MacAulay
Case officer	Lucy Hoad	Contact details	01506 282558 lucy.hoad@westlothian.gov.uk

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

3 RECOMMENDATION

3.1 Grant planning permission subject to conditions.

4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 The application seeks planning consent for the change of use of part of an agricultural field to provide a dog exercise area at Murieston Castle Farm. The application site comprises agricultural land belonging to Murieston Castle Farm located outside the settlement boundary of Livingston as defined in the West Lothian Local Development Plan.
- 4.2 The dog exercise area is situated in a valley adjacent to the Murieston Water (west bank) which is lined by a mature woodland strip (Ancient Woodland). The site lies at a distance of 160m north of the main farmhouse and Murieston Castle ruins, from which it derives its name. The nearest residential properties lie to the east over 100m away on higher ground (Skivo Wynd).

History

- 4.3 0445/FUL/23 - application for a change of use of the field to form a dog park at Murieston Castle Farm was withdrawn in December 2003, as the applicant sought time to prepare and submit a noise assessment report in support of the development.

EIA Development

- 4.4 The nature and scale of the proposal is such that it is not EIA development.

Equalities Impact

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

5. REPRESENTATIONS

- 5.1 There have been 7 representations received, comprising one letter of support and 6 objections. This is a summary of the comments which are attached to the report.

Support comment	Response
Supportive of the development. Provides a valuable community amenity. The site is well set up and secure as well as being accessible. Site reduced in size dramatically.	The proposal provides a countryside recreational activity for the benefit of the local community and reducing car travel.
Objection comments	
Proximity to housing and noise impacting amenity and health	The application site has been reduced in size from the previous 2023 application and has been drawn back from residential dwellings. The scale of the operation has decreased with fewer dogs allowed to visit the site at any one time. There is a plan in place to deal with any noise complaints that may arise.
Lack of noise management or complaint management plans	The applicant has undertaken a noise assessment and submitted a noise management plan to include a process for handling of complaints. This has been accepted by WLC Environmental Health.

Number of dogs Times and days of operation	The application site has been reduced in size and the number of dogs reduced making total number of dogs that could be present at one time not more than 3.
Management of waste	The applicant advises that a contractor will be engaged to remove waste if planning consent is secured.

6. CONSULTATIONS

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

Consultee	Objection?	Comments	Planning Response
Edinburgh Airport	No	The proposed development has been fully examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria	Noted
WLC Roads & Transportation	No	No objection.	Noted. There is an existing access and parking provision adjacent to the site.
WLC Flood Risk Management	No	<p>Flood Risk The dog field is a water compatible use for this site, therefore, the surrounding surface water and river flood risk is not affected by the development. The flood maps are picking out relatively low pockets of land across the site, the development of the site should ensure that the site is graded with a fall.</p> <p>Drainage A Drainage Assessment is not required for this proposal.</p>	Noted. The use is water compatible and the land generally slopes down from the farm to the access road and riverbank.

<p>WLC Environmental Health</p>	<p>No</p>	<p>No objections, subject to conditions as follows: Control of noise during construction. Control of noise during operation to include site boundary being maintained as per noise assessment report 40dB contour line. A noise management plan to include complaints log. Limit to opening hours and number of dogs.</p>	<p>Noted. The use of appropriately worded conditions can control the potential nuisance effects stemming from the development.</p>
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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 National Planning Framework 4 (NPF4) and the West Lothian Local Development Plan, 2018 (LDP).
- 7.3 It is important to bear in mind that NPF4 must be read and applied as a whole. The intent of each of the 33 policies is set out in NPF4 and should be used to guide decision-making and Scottish Ministers indicated that conflicts between policies are to be expected. Factors for and against development will therefore require to be weighed up in the balance of planning judgement
- 7.4 Relevant development plan policies are listed below.

Plan and Policy	Policy Summary	Assessment	Conform?
<p>National Planning Framework (NPF) 4 Policy 1 (Tackling climate change and the nature Crisis)</p>	<p>This policy states that significant weight is to be given to the global climate and nature crises in assessing proposals.</p>	<p>Whilst within a rural location the site lies adjacent to the settlement boundary. It will provide additional facilities for residents, which will be of benefit to the local community. The proximity to the settlement reduces the need for car travel.</p>	<p>Yes</p>

<p>NPF 4</p> <p>Policy 2 (Climate mitigation and adaptation)</p>	<p>This policy requires development to be sited and designed to minimise greenhouse gas emissions and adapt to risk from climate change.</p>	<p>Whilst within a rural location the site lies adjacent to the settlement boundary. It will provide additional facilities for residents which will be of benefit to the local community. The proximity to the settlement reduces the need for car travel.</p>	<p>Yes</p>
<p>NPF 4</p> <p>Policy 3 (Biodiversity)</p>	<p>This policy requires development proposals to conserve, restore and enhance biodiversity</p>	<p>The existing site is an agricultural field suitable for sheep grazing. The condition of the land will not be adversely affected by the proposed use. The applicant will provide facilities for disposal and uplift of dog waste. Biodiversity enhancements can be secured by condition.</p>	<p>Yes</p>
<p>NPF4 Policy 14 (Design quality and place)</p>	<p>Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals will be supported where they are consistent with the six qualities of successful places.</p>	<p>The site lies on the edge of the settlement boundary. It will provide additional facilities for residents to the benefit of the community. The proximity to the settlement reduces the need for car travel.</p>	<p>Yes</p>
<p>NPF4 Policy 23 (Health and safety)</p>	<p>The aim of the policy is to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.</p>	<p>The use will provide a countryside recreation activity for the benefit of the residents of Murieston. The site and scale of operations has been reduced in size from the previous application, in order to draw the development away from residential dwellings .</p>	<p>Yes</p>

<p>NPF4 Policy 29 (Rural Development)</p>	<p>The aim of the policy is to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.</p>	<p>The change of use of the land is compatible with the existing farm business providing an alternative income stream. The development will not adversely impact on the rural landscape character of the area.</p>	<p>Yes</p>
<p>West Lothian Local Development Plan, 2018 (WLLDP) Policy DES1 (Design Principles)</p>	<p>All development proposals will require to take account of and be integrated with the local context and built form’.</p>	<p>The scale and design of the proposed structures will not adversely impact on the landscape character and amenity of the area.</p>	<p>Yes</p>
<p>WLLDP Policy ENV3 (Other Development in the Countryside)</p>	<p>Policy requires a specific locational justification for the development for agricultural, forestry, countryside recreation or tourism or rural business use. Proposals should make the best use of resources and integrate with services and facilities whilst design and environmental quality should protect and enhance the landscape character.</p>	<p>The area is currently grazing land suitable for sheep. The development is countryside recreation and will provide additional facilities to serve the local area. The scale and design of the proposed structures will not adversely impact on the rural landscape character of the area.</p>	<p>Yes</p>

WLLDP Policy EMG5 (Noise)	The policy seeks to guide development to the right locations to avoid or minimise problems associated with noise arising from developments.	The site lies within a rural location adjacent to the settlement boundary of the town. The applicant has submitted a noise assessment to include a procedure for dealing with any noise complaints that may arise.	Yes
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8. ASSESSMENT

- 8.1 The determining issues in respect of this application are the impact of the development on the amenity and appearance of the surrounding area.
- 8.2 NPF4 Policy 29 (Rural Development) seeks to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced. NPF4 Policy 14 (Design quality and place) requires that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals will be supported where they are consistent with the six qualities of successful places.
- 8.3 Policy DES1 (Design Principles) of the LDP states that all development proposals will require to take account of and be integrated with the local context and built form. There should be no significant adverse impact on residential amenity. Policy ENV3 (Other Development in the Countryside) requires that development be justified for agricultural, horticultural, forestry, countryside recreation or tourism or other rural business use. Policy EMG5 (Noise) of the LDP seeks to guide development to the right locations to avoid or minimise problems associated with noise arising from developments.
- 8.4 The application seeks consent for a change of use of an area of land from agricultural use to a dog exercise area. The dog park had been in operation for a period of time but latterly the field has been used for the grazing of sheep. The revised application is accompanied by a statement stating the nature and operation of the business and includes a noise management plan. Following concerns raised by the residents of neighbouring properties, the size of the site has been reduced from 1.88 to 0.62 hectares by the removal of a section of field nearest to the houses in Skivo Wynd.

Layout and design

- 8.5 The site comprises a single area (maximum of 3 dogs at any one time) enclosed by post and wire fencing and provides timber field shelters for inclement weather. The proposed hours of operation are Monday to Sunday 8am to 8pm during the months of April to September, and from 8am to 4pm from October to March. Each session can be booked online and lasts 30 mins. Four parking spaces are provided opposite the gated field entrance. The waste from site is to be collected on site and uplifted by a contractor.

Visual impact on the landscape setting

- 8.6 The site is screened from Murieston Road and may be visible to public view from the Murieston Trail footpath on the east bank of the river, during the winter months. Given the lack of physical structures on site, except for the small timber shelters, there is no adverse visual impact on the lands rural landscape setting stemming from the development.

Access and Parking

- 8.7 Access to the site is taken from the existing farm access track off Murieston Road. There is a small parking area located opposite the entrance gate to the fields. WLC Roads and Transportation has no objections to the development. Transportation is content that the parking area provided is sufficient for the scale and operation of the business.

Residential amenity

- 8.8 One letter of support and several letters of objection have been received with regard to the development. The supporting comment considered that the development provides a suitable space for the exercising of dogs that can service the Murieston area. Concerns raised by objectors included the siting of the development, the noise stemming from the dog park, and the adverse impact on residential amenity and health and wellbeing.
- 8.9 The applicant has submitted a noise assessment report for the wider field and seeks consent for a proportion of the original site, which will align with the noise levels limit at 40db which is acceptable to WLC Environmental Health. With removal of an upper section of the dog park the development has been pulled back from the nearest residential housing. There is a riparian woodland strip and public path separating the field from the housing scheme. The applicant has submitted a noise management plan, which is to include a complaint log procedure. Environmental Health has reviewed this and is content with the development subject to conditions in respect of noise and operation of the business.

9. CONCLUSIONS AND RECOMMENDATIONS

- 9.1 In summary, the applicant has tried to alleviate the concerns raised by the residents by reducing the size of the site and scale of the operations. Environmental Health is content with the proposal. The proposed use would be regarded as diversification of the farm business to include service provision of a countryside recreation activity.
- 9.2 The proposal complies with policies 29 (Rural Development), 23 (Health and Safety) and 14 (Design, Quality and Place) of NPF4 as well as policies DES1 (Design Principles) and EMG5 (Noise) of the West Lothian Local Development Plan 2018 as countryside recreation facilities of this nature with careful management are compatible with the current surrounding land uses and will not result in an adverse impact on the residential and environmental amenity of the area.
- 9.3 It is therefore recommended that planning permission is granted, subject to conditions.

10. BACKGROUND REFERENCES & ATTACHMENTS

- Draft Conditions
- Location Plan
- Site plan
- Representations

Plans and photographs are available in the accompanying presentation pack.

Craig McCorrison

Head of Planning, Economic Development and Regeneration **Date: 18 September 2024**

- 1 This planning permission will lapse on the expiration of 3 years from the date of this decision notice, unless the development has been commenced before that date.
Reason: This is the standard three-year period stipulated by the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 There shall be no more than 3 dogs on site at any one time. Operating hours shall be restricted to Monday to Sunday 8am to 8pm during the months of April to September, and from 8am to 4pm from October to March. The business shall be operated in accordance with the noise management plan submitted with the application.
Reason: In the interests of amenity.
- 3 Should the use of the land as a dog exercise area cease and the land is no longer required for that purpose, within 2 months of the date the use stops, all structures shall be removed and the land shall be restored to agricultural use, to the satisfaction of the planning authority.
Reason To ensure the land can be re-used for agricultural purposes and in the interest of visual amenity.
- 4 No development shall commence until a Biodiversity Enhancement Plan has been submitted and approved in writing by the Planning Authority. The enhancement plan shall set out measures to demonstrate a net gain in the biodiversity value of the site. The enhancement plan shall be implemented in accordance with the approved details.
Reason: To enhance the biodiversity value of the site.

Drain

MURIELSTON ROAD

SKVO WYND

185m

- Dog Park
- Car Parking
- Other adjoining Land Owned

Site Plan

Murieston Castle Dog Fields
Murieston
Livingston
EH54 9AL

April 2024

Scale 1:2500

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Comments for Planning Application 0501/FUL/24

Application Summary

Application Number: 0501/FUL/24

Address: Murieston Castle Farm Murieston Livingston West Lothian EH54 9AL

Proposal: Change of use from agricultural land to dog exercise field (in retrospect)

Case Officer: Lucy Hoad

Customer Details

Name: Mr Scott Smith

Address: 72 Tantallon Gardens Bellsquarry Livingston West Lothian EH54 9AT

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As an amenity this dog park is incredibly valuable to me (and many others) as a local dog owner and as such I fully support it remaining in place. The current configuration is well set up, secured and accessible.

It would be incredibly disappointing if this was to be removed, and as it is I'm disappointed enough in that the drawn plans seem to reduce the size of the site dramatically.

Noise from happy, playful dogs will always be a problem anywhere in the world. I'm concerned that in this case, not all of this is the fault of the dog park - are there other dogs living nearby that bark for example. Or what about the path down near the river? I take my dog down there regularly and he loves the sound of his own voice when excited and running about. That's not the fault of the dog park and so I hope that has been taken into account in the various enforcements or tests that have been conducted.

Comments for Planning Application 0501/FUL/24

Application Summary

Application Number: 0501/FUL/24

Address: Murieston Castle Farm Murieston Livingston West Lothian EH54 9AL

Proposal: Change of use from agricultural land to dog exercise field (in retrospect)

Case Officer: Lucy Hoad

Customer Details

Name: Mr John Flannelly

Address: 7 Skivo Wynd Murieston Livingston EH549GY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The peace since the dog exercise field has closed has been wonderful and highlights to us one of the reasons why we moved to Skivo Wynd in the first place - a tranquil semi-rural location.

I work away from Livingston so it is just weekends and occasional working from home days that I am affected by the noise from the dogs at Murieston Castle. On weekend mornings the barking of dogs is incessant. One dog in particular sounds as if it is being attacked such is the distressed noise it makes (I'm quite sure that the dog in question is actually content....but the noise it makes is quite disturbing and really sets my own dog on edge).

If the dog park is re-introduced it would significantly impact our quiet enjoyment of our home.

From: [REDACTED]
To: [Planning](#)
Cc: [Hoad, Lucy](#)
Subject: Objection - 0501/FUL/24 Change of use from agricultural land to dog exercise field (in retrospect)
Date: 02 August 2024 14:44:15

Dear Lucy

Reconfirmed Objection

Murieston Castle Farm Murieston Livingston West Lothian EH54 9AL

0501/FUL/24 Change of use from agricultural land to dog exercise field (in retrospect)

0445/FUL/23 Change of use from agricultural land to dog exercise field (in retrospect)

Please note this formal objection to the “new” planning application 0501/FUL/24 on the basis of concerns on noise from dog barking and impact this has on amenity of our homes.

This is viewed as being fundamentally the same proposal as the revised application 0445/FUL/23 which was withdrawn (same area, proposed use etc).

I’d like to reconfirm my objections as submitted for 0445/FUL/23 including the revised plan that was withdrawn.

The noise assessment findings confirms noise from the park as being above threshold levels. You’ll recall I completed a noise diary and sent several videos to evidence the extent & nature of the noise from within my house, garage and garden (please reference these again when considering this application). The fact that a simple smart phone can pick up such noise from the park location surely says something in itself.

The noise modelling that suggests use of a certain area of the land may fall below threshold levels is theoretical only and I have concerns that this is unlikely to be the case in practice (lots of variables to be considered) given this already forms part of the site that we know to be an issue.

Even then, the noise assessment lists a number of recommendations if the area of land was to be used as a dog recreation area that I’m not sure have or can be satisfactorily addressed. Comments from environmental health officers in their 2 responses to the applications under 0445/FUL/23 continue to appear pertinent:

- 14 September 23 – recommendation of refusal – “...noise from barking is likely to be sporadic and unpredictable...” & “The location of the site, in close proximity to residential receptors, is likely to cause complaints of annoyance from regular dog barking”.
- 4 December 23 (revised plan) – “it is the location that is the problem and if you have 3 dogs per session, any noise is still likely to lead to complaints”

It’s noted the site is proposed to operate with no staff on site (unmanned). I don’t know how noise could be monitored and so complaints investigated. As noted previously, we complained prior to planning being required for the site and the offered resolution was effectively to be referred to the terms of use where users were asked to avoid excessive barking from their dogs this proved impractical and not enforced or monitored.

What the noise assessment doesn’t reference is how the nature of dog-barking is quite different


to other background “white noise” like traffic, wildlife etc in that it causes much more stress, anxiety and impacted on mental wellbeing during the period the park was in operation – to the extent I was unable to work from home (hybrid working permitted), dreaded leaving and arriving at my home and was unable to work in or enjoy my garden or garage.

In summary, the operation of the dog park has meant that we have been unable to enjoy our family home and as such we have real concerns about the proposal as we see nothing that provides reassurance it could operate without this reoccurring aside from a theoretical noise projection which we do not believe will reflect the reality. The past few months where the park hasn't been operating has been very peaceful and reminded us of how much we enjoy living in the area.

I have no doubt it is a great facility for those wishing to exercise their dogs but in the same respect there are ample facilities in the area for walks and also land further away from residential properties where this would be more suitable. Users of the park have the ability to chose when they take their dogs and when to leave but as a nearby resident I have no choice in the matter and have to contend with the noise of barking which can be excessive, intermittent and very unpredictable.

Very happy to discuss any aspect of the above.

Best Regards,
Stuart


2 Skivo Wynd
Livingston
EH54 9GY

Lucy Hoad

Planning Officer

Planning Services

West Lothian Council

West Lothian Civic Centre

Howden South Road

Livingston

EH54 6FF

9 Skivo Wynd

Murieston

Livingston

West Lothian

29th July 2024

For the attention of Lucy Hoad

Ref: RE: 0445/FUL/23 Dog Park, Murieston

OBJECTION to CHANGE of USE from FARM land to a DOG PARK

Dear Lucy,

I would like to formally raise an objection to the requested planning permission for the change of use of Agricultural land to a dog park at the suggested location within Murieston Castle Farm.

Within the projected noise assessment there were specific recommendations on

- 1 A means of responding to any complaints
- 2 A noise management plan was to be provided
- 3 A list of potential actions they can take to dynamically mitigate repeated concerns
- 4 A complaints agreement being in place with the Local Authority

None of the above are contained within the planning application or business support statement, with the respective documents from the same source contradicting each other:

The planning application has 6 car parking spaces, the business statement has 4

The planning application says contractors are being sought to remove waste, the business case says the waste will be incorporated within the farm waste.

Furthermore this is a revision of a previous application that was withdrawn and not a new application as is suggested.

In summary, the revised application accepts in full there was a noise issue, while nothing in the revised application answers any of the recommendations within their own report, other than moving the boundary back to the minimum perceived distance from Skivo Wynd.

If the noise survey is the foundation of the revised planning application, then all of the recommendations within the survey must be accepted, managed and be part of the revised submission.

My objection is therefore on the basis of concerns around noise, noting that the planning application does not answer or support the majority of the recommendations (specifically points 1-4 as above) within the noise report.

Yours sincerely

Gordon Connell

Comments for Planning Application 0501/FUL/24

Application Summary

Application Number: 0501/FUL/24

Address: Murieston Castle Farm Murieston Livingston West Lothian EH54 9AL

Proposal: Change of use from agricultural land to dog exercise field (in retrospect)

Case Officer: Lucy Hoad

Customer Details

Name: Mrs Diana Waddell

Address: 10 Skivo Wynd Murieston Livingston EH54 9GY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My house is nearest to the Dog Park and I wish to object to the permission again for exactly the same reasons as my previous objection.

The park offers two fields which can take multiple dogs each so potentially there can be multiple dogs barking simultaneously. It operates 7 days a week from morning through to evening.

Previously when the park was operating, with all my double glazed windows closed I could clearly hear dogs barking when I was inside my home.

My enjoyment of my garden was also spoiled as the noise of barking is even louder here.

Cundall's conducted a noise survey and recording equipment stationed in my garden picked up barking sounds from the dog park.

The park has been operating for several years without the relevant permissions therefore local residents were not consulted or given an opportunity to voice their concerns about the facilities.

I feel the intrusive and irritating nature of the constant barking has had a detrimental effect on my well being and health. When I bought a home in the country I thought I would enjoy peace and tranquillity but

unfortunately the barking dogs from the park have prevented this. I note the council have a policy on "nuisance barking" and this is what I consider this invasive noise to be.

While the park has not been operating I have been able to enjoy my home and garden again. The thought of having to hear the constant barking again is very distressing to me.

Comments for Planning Application 0501/FUL/24

Application Summary

Application Number: 0501/FUL/24

Address: Murieston Castle Farm Murieston Livingston West Lothian EH54 9AL

Proposal: Change of use from agricultural land to dog exercise field (in retrospect)

Case Officer: Lucy Hoad

Customer Details

Name: Mrs Diana Waddell

Address: 10 Skivo Wynd Murieston Livingston EH54 8GY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The park offers two fields so multiple dogs can be there at the same time and this has historically led to a lot of barking. And the noise levels generated by this barking have been high enough to constitute a "nuisance level" to the neighbouring houses.

Previously, with all my double glazed windows closed, I could still hear dogs barking when I was inside

my home. Cundall's conducted a survey and monitoring equipment was set up in my garden and it clearly recorded dog barking noise coming from the park.

My enjoyment of my garden had also been spoiled as the noise of barking from the park was even louder there.

The park has formerly operating for several years without the relevant permissions therefore local residents were not consulted or given an opportunity to voice their concerns about the facilities at the onset.

The intrusive and irritating nature of the constant barking when the park was in operation had a detrimental effect on my

well being. When I bought a home in the country I thought I would enjoy peace and tranquillity but unfortunately the barking dogs from the park have prevented this.

The barking noise is extremely vexatious and invasive and I feel that the prolonged stress of it has impacted on my mental and physical wellbeing.

I objected to the park previously and I object again now for exactly the same reasons as the potential for the nuisance barking remains the same.

Comments for Planning Application 0501/FUL/24

Application Summary

Application Number: 0501/FUL/24

Address: Murieston Castle Farm Murieston Livingston West Lothian EH54 9AL

Proposal: Change of use from agricultural land to dog exercise field (in retrospect)

Case Officer: Lucy Hoad

Customer Details

Name: Mr Van McKellar

Address: 8 Skivo Wynd Livingston EH54 9GY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The report from Cundalls confirms that the dog park creates a noise nuisance for neighbouring properties and so substantiates the prior complaints. The resubmitted application does not appear to have been reviewed by Cundalls and it is not clear that what is proposed as (a) a revised plan (b) 3 dogs and (c) the complaints procedure potentially addresses Cundalls' stated concerns. I suggest that the revised application should therefore be refused but if any consideration is to be given to approving same, that points (a) to (c) need to be considered and, additionally, any consent should involve restricted hours

Comments for Planning Application 0501/FUL/24

Application Summary

Application Number: 0501/FUL/24

Address: Murieston Castle Farm Murieston Livingston West Lothian EH54 9AL

Proposal: Change of use from agricultural land to dog exercise field (in retrospect)

Case Officer: Lucy Hoad

Customer Details

Name: Mr Mark & Michelle Henderson

Address: 5 Skivo Wynd Murieston Livingston EH54 9GY

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuous traveling noise of dogs barking , and you don't expect to spend all that money on a family home to have to listen to that barking every day .



Development Management

WEEKLY LIST OF APPLICATIONS RECEIVED

☒ LOCAL MEMBER REQUEST FORM ☒

Weekly List for the week commencing

15th July 2024

Members wishing further information on any of the applications in the attached Weekly List of Planning Applications or wishing any application to be referred for determination to the Development Management Committee are asked to complete and return this form to Wendy McCorriston, Development Management Manager, as soon as possible and no later than:

5th August 2024

PLEASE NOTE:

In accordance with standing orders any request for an application to be referred to Development Management Committee has to be from a member of the ward in which the application site is located or Chair of the Development Management Committee.

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/>

<p>Action Required (please tick ✓)</p> <p><input type="checkbox"/> Contact me to discuss these proposals</p> <p><input checked="" type="checkbox"/> Refer this application to the Development Management Committee</p> <p><input type="checkbox"/> Other (please specify)</p>	<p>Application Number</p> <p>.....0501/FUL/24.....</p> <p>Member</p> <p>.....Cllr Peter Heggie.....</p> <p>Signed</p> <div style="background-color: black; width: 100px; height: 40px; margin: 10px auto;"></div> <p>Dated</p> <p>.....5 August 2024.....</p>
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My reasons for this action are: Constituent Request

Development Management Committee

18 September 2024

Application : 0501/FUL/24

Change of use from agricultural land to dog exercise field (in retrospect)

Murieston Castle Farm - Livingston



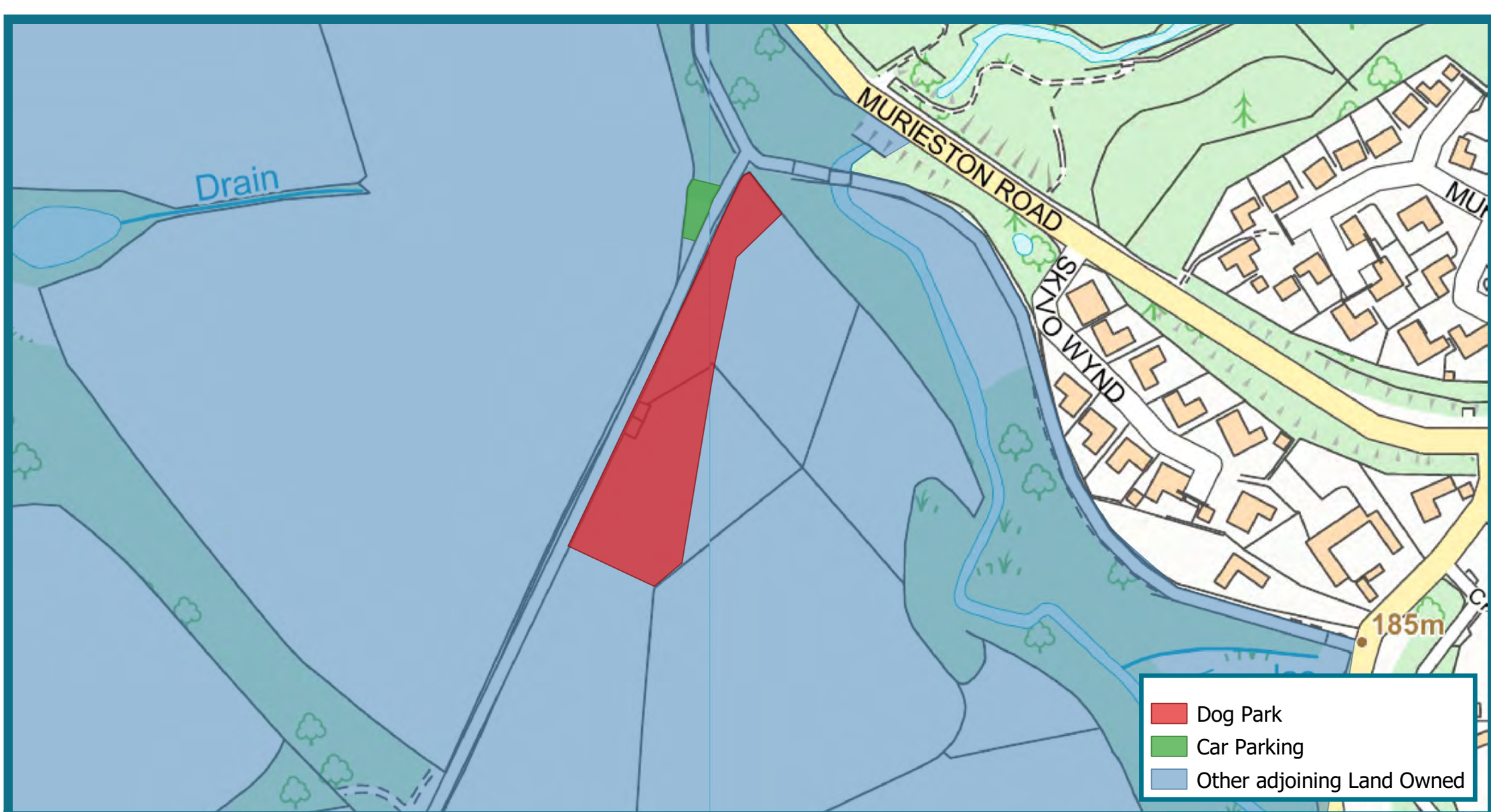





0501/FUL/24 - Murieston Castle Farm / EH54 9AL

Development Management - West Lothian Civic Centre - EH54 6FF
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0 100 m





	Dog Park
	Car Parking
	Other adjoining Land Owned

Site Plan

Murieston Castle Dog Fields
Murieston
Livingston
EH54 9AL

April 2024

Scale 1:2500

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationary Office. © Crown Copyright











Development Management

List of Delegated Decisions - 16th August 2024

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

Ref. No.:	0034/FUL/24	Recommendation:	Refuse Permission
Proposal:	Change of use from open space to private garden ground		
Address:	South Lodge, Oakbank Road, East Calder, West Lothian, EH53 0JP (Grid Ref: 308307,667142)		
Applicant:	Ms Mairi McCormack	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Melissa Bell
<u>Summary of Representations</u>			
None received.			
<u>Officers report</u>			
This application seeks planning consent for the change of use from public open space to private garden ground at South Lodge, East Calder.			
This proposal involves the change of use of part of the open space, measuring 6.1m x 15.0m, to form an extension to the garden ground of South Lodge. No details of the proposed boundary treatments have been provided within the application.			
The area in question is part of a large area of attractive and well-maintained public open space extending along the south-west side of Broompark View and sloping down to the burn that runs along the west. A row of trees run along the road edge at the top of the slope, with areas of grass behind and vegetation along the burn edge. As existing, the garden ground of South Lodge is configured in an L-shape, enclosed by fencing and a stone wall around the section close to the burn. Approximately 162sqm of the open space, to the north of South Lodge, was previously converted into private garden ground under previous planning consent LIVE/0747/FUL/07. This application proposes to extend the section of garden along the burn, by an additional 91.5sqm.			
Policy DES 1 (Design Principles) and ENV 21 (Protection of Formal and Informal Open Space) of the LDP, requires developments to integrate with its local context and built form, and states that proposals which result in the loss of open space will not be supported			

unless it can be demonstrated that there would be no significant adverse effect on the recreational amenity of the local area, or there is a specific locational justification for the development which outweighs the need to retain the open space.

The open space is cohesive along Broompark View, with significant visual and recreational amenity. The area directly to the north of South Lodge is one of the largest sections of open space along the burn, with a clearing in the trees and large area of grass. The proposal lacks a locational justification and the loss of open space will have a significant adverse effect on the overall visual and recreational amenity of the area. The proposed change of use is therefore not acceptable and the open space in this area should be retained.

The proposal is, therefore, contrary to Policy 14 (Design, Quality and Place) of National Planning Framework 4, Policies DES 1 (Design Principles) and ENV 21 (Protection of Formal and Informal Open Space) of West Lothian Council's Local Development Plan 2018.

It is recommended that this application is refused planning permission.

Ref. No.:	0519/FUL/24	Recommendation:	Refuse Permission
Proposal:	Change of use of land to form dog exercise field including parking, siting of storage containers and fencing		
Address:	Land To South East Of M8 J4 (East Of A801), East Whitburn, West Lothian, EH47 0JY (Grid Ref: 296875,665495)		
Applicant:	Mr Jody Hicks	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Robert Croydon
<u>Summary of Representations</u>			
Neighbour notification was not required due to the nature of the site.			
<u>Officers report</u>			
<p>This application seeks planning permission for the change of use of an open plot of land to form secure dog run/agility fields, with associated fencing, storage containers, gates, access and parking. The site is located approx. 68 metres to the north east of the A801, near to Junction 4 of the M8, at Redmill. The application site is part of a Local Biodiversity Site and is within the Countryside Belt as defined in the LDP.</p> <p>The application site is an irregular shaped plot (approx. 0.5ha) within a larger plot as defined by the red and blue lines on the site location plan. The main vehicular access is off the southern carriageway of the A801, which consists of a gravelled surfaced bay, with two metal field gates leading off it to the north and the east. The north field gate leads north to the site, via a partially gravelled track. On either side of this track are numerous mature trees and shrubs, beyond these trees lies an opening, which consists of tall grass, which is in turn surrounding by more trees and an embankment which follows the line of the M8 to the north.</p> <p>There are no residential buildings on the site, however, the council's archaeologist (WoSAS) advise that the site falls within an archaeological trigger area and it is possible that there may be ruined structures below the surface, however, this has never been investigated and the proposal, due to minor ground disturbance, would not require archaeological surveys. It is noted that if more intrusive works are proposed in future then archaeological surveys may be required.</p> <p>WLC Ecology & Biodiversity has recommended refusal, as the site is within a Local Biodiversity Site - the core of the emerging West Lothian Nature Network - and is a remnant lowland raised bog habitat, and is highly significant for biodiversity - both animals and plants, and the proposal thus conflicts with NPF4 Policy 3 (Biodiversity).</p>			

WLC Roads & Transportation has no objection but required that the first 6m of the access should be re-surfaced in a bituminous material to remove loose surface stones. However, the parking area would adversely compact the soils and the ground and it has not been made clear with the submission what the surface of the parking area would consist of.

The site is ecologically sensitive due to the raised bog and dry dwarf shrub heath habitat areas within the site and, therefore, the proposal to develop the land, change the use to a dog run facility, and to segregate it from the surrounding grassland and wooded landscape, would be detrimental to the landscape, habitats, species, and geology contained within the site.

The proposed development does not appropriately respond to the ecologically sensitive nature of this Local Biodiversity Site and would degrade the viability of this established green network. There is a presumption against development affecting local natural heritage and it has not been clearly shown that the objectives and integrity of the area will not be compromised or that the social or economic benefits to be gained from the development outweigh the nature conservation interest of the site.

Further, there is no specific locational need for the proposal to be at this particular site within the countryside belt.

To conclude, the proposal does not comply with policies 3 (Biodiversity), 4 (Natural Places), 5 (Soils) and 20 (Blue and Green Infrastructure) of National Planning Framework 4. The proposal also does not comply with policies ENV 6 (Peatland and Carbon Rich Soils), ENV 7 (Countryside Belts and Settlement Setting), ENV 19 (Protection of Local Biodiversity Sites and Geodiversity Sites) and ENV 20 (Species Protection and Enhancement) of the West Lothian Local Development Plan 2018.

It is therefore recommended that planning permission is refused.



Development Management

List of Delegated Decisions - 23rd August 2024

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

Ref. No.:	0059/FUL/24	Recommendation:	Refuse Permission
Proposal:	Erection of 9 business / storage units (Classes 4 & 6) with access and associated works		
Address:	Land South Of Avonmill, Avonmill Industrial Estate, Linlithgow Bridge, Linlithgow, West Lothian (Grid Ref: 298464,677685)		
Applicant:	SRA Ventures Ltd	Type:	Local Application
Ward:	Linlithgow	Case Officer:	Lucy Hoad

Summary of Representations

Officers report

The application site (0.15 ha), the yard of a plant hire firm, forms part of a larger complex located at Avonmill Industrial Estate in Linlithgow. The land is designated as being Employment Land within the Local Development Plan.

The application seeks consent for the erection of 9 business units (Class 4/6 use) with access and associated works.

There is one letter of support.

Visual appearance

Given that this is an existing business site, the character and appearance of the development would not look out of place in this setting and the development raises no concerns with regard to design or visual impact. The development will provide accommodation for the operation of business at this location. The design and use does not conflict with the range of uses currently operating within the business area as identified in the local development plan.

Contaminated Land

Policy EMG6 (Vacant, Derelict and Contaminated Land) requires developers to undertake a site investigation. Where contamination is found, a programme of remedial works is to be agreed. A Phase II site investigation report has not been submitted and thus, the presence of any potential contaminants is unknown nor the requirement for any appropriate remediation strategy if required, all which are necessary in the interest of protecting human health.

In terms of the layout and design, the proposal does not raise any issues of visual amenity. However the proposal is contrary to National Planning Framework 4 Policies 9 (Brownfield, vacant and derelict land and empty buildings) and EMG6 (Vacant, Derelict and Contaminated land) in that the applicant has not adequately demonstrated that the site is suitable for development works to be undertaken without an understanding of potential contamination on site or whether remediation works are required.

It is therefore recommended that planning permission be refused.

Other matters

An archaeological WSI is required due to the potential for buried archaeology being present to include cist burials.

Access and Parking

The WLC Roads Officer has no objections to the application.

Drainage

The WLC Flood officer advises that the surface water treatment is sufficient and is content with the discharge rate.

Biodiversity

The WLC Ecologist is content with the Biodiversity Enhancement Scheme for this development

Ref. No.:	0453/FUL/24	Recommendation:	Refuse Permission	Agenda Item 6
Proposal:	Erection of 2.4m high security fencing			
Address:	2 Appleton Place, Eliburn, Livingston, West Lothian, EH54 7EZ (Grid Ref: 302606,667322)			
Applicant:	Mr Richard Homer Atos Origin	Type:		
Ward:	Livingston North	Case Officer:	Ms Alicja Czarnomska	

Summary of Representations

None.

Officers report

This application seeks full planning permission for erection of 2.4m high security fence at 2 Appleton Place in Livingston.

It is proposed to secure the existing business unit and its surroundings with a fence that will run along north, east and south part of application site. The palisade fence is to enclose the building, parking bays and join existing fence at the neighbouring property. Three pedestrian gates and one vehicle gate are also proposed as part of this application.

The proposed 2.4m high security fence within the prominent position along the path walk and car park, visible from the main road would in effect have a detrimental impact on the amenity of well-established landscape area. There are no existing fences that enclose the frontage of the units within this business centre. An implementation of a fence of this height, material and scale would be a discordant addition to the local landscape and result in unsightly addition in the wider context of the area.

The proposal fails to integrate with its context and would be detrimental to the character and amenity of the area and is therefore contrary to National Planning Framework 4 Policy 14 (Design, Quality and Place) as well as Policy DES 1 (Design Principles) and Policy EMP1 (Safeguarding and Developing Existing Employment Land) of West Lothian Council's Local Development Plan 2018.

It is therefore recommended planning permission is refused.

Ref. No.:	0485/H/24	Recommendation:	Grant Planning Permission Agenda Item 6
Proposal:	Erection of fence (in retrospect)		
Address:	5 Park Lane, Whitburn, West Lothian, EH47 8NH, (Grid Ref: 294872,664927)		
Applicant:	Miss Elizabeth Ann Galligan	Type:	Local Application
Ward:	Whitburn & Blackburn	Case Officer:	Melissa Bell

Summary of Representations

Two objection comments have been received.

- Fence was erected without relevant permissions
- Fence is higher than permitted 1.0m height
- Fence blocks view
- Fence blocks light
- Overall look of the fence

Officers report

This application seeks planning consent for the retrospective erection of a 1.8m high fence at 5 Park Lane in Whitburn. The property is a semi-detached 1.5 storey dwelling with off street parking, and in close proximity to Whitburn Juniors Football Club grounds.

A fence measuring 1.8m in height has been erected around the perimeter of the properties front garden. The erected fencing is of traditional design, with timber posts and vertical slats, with posts on the inside.

WLC Roads and Transportation have been consulted on the application, and have recommended that the sections of fence that are within 1m of the footway along Brucefield Drive, are to be a maximum of 1m in height. This is in the interests of road safety, to allow pedestrians sufficient visibility of any moving vehicles from the driveway before crossing.

The application site is north facing, and as a result, the properties overshadow the front garden grounds, as existing. It is noted that for periods in the mornings, the fence along the west boundary, creates some overshadowing to the garden of the neighbouring property. However, in the afternoons, any overshadowing from the fence falls on the applicant's garden ground and footway. The Building Research Establishment Guide recommends that at least half of the garden or open space, receives at least two hours of sunlight on March 21st. As the fence only overshadows the neighbouring garden ground in the morning, it complies with the BRE guidelines and is considered acceptable.

In regards to any loss of light, the fence sits inline with the base of the neighbouring bathroom window. Historically, along the western boundary, an established high hedge of greater height to the erected fence was present. Considering this and the site orientation, the fence is unlikely to result in significant overshadowing or a loss of light to neighbouring properties.

In terms of design, throughout the surrounding residential areas, fences of similar scales and designs can be seen. The fence is of traditional design,

and is not detrimental to the visual amenity of the property, or overall street scene of the area.

In summary, the development is considered to be modest in scale and visually acceptable. The scale, massing and material of the development is subsidiary in appearance to the main house and does not detract from the appearance of the dwelling or surroundings. The proposal does not have an unfavourable impact on the visual amenity of the area, or the residential amenity of the neighbouring properties.

The development adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy, National Planning Framework 4 Policies 1 (Tackling the climate and nature crises), 2 (Climate mitigation and adaptation), and 16 (Quality Homes), 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 conditions.

Ref. No.:	0493/H/24	Recommendation:	Grant Planning Permission Agenda Item 6
Proposal:	Installation of a dormer window with balcony		
Address:	30 Eastcroft Court, Kirkton, Livingston, West Lothian, EH54 7ET (Grid Ref: 302889,667049)		
Applicant:	Mrs Caroline Sharkey	Type:	Local Application
Ward:	Livingston North	Case Officer:	Melissa Bell

Summary of Representations

One objection was received.

- Impact on privacy
- Balcony would result in overlooking neighbouring garden ground

Officers report

This application seeks planning consent for the installation of a dormer window with balcony to 30 Eastcroft Court in Livingston.

It is proposed to convert the attic of the existing single garage into habitable space, and install a dormer extension to the rear elevation. The ground floor of the garage is to be split into two, with the rear section housing a spiral staircase that will provide access to the upper floor, where a home office is proposed.

The proposed dormer, is to measure 1.9m in width, and is to project 3.52m from the roof edge. The dormer is to feature a pitched roof with matching clay roof tiles, measuring 6.09m in overall height, from ground level. The dormer is to be finished in grey Cedral rain screen cladding, and a small inset balcony with glass balustrade is proposed.

The proposed dormer is small in scale, and will not dominate the roof plane or add any height to the existing original pitch. Other small-scale dormer windows can be seen throughout the surrounding residential area. The addition will therefore blend in with the surrounding street scene, and will not be detrimental to the appearance of the property or the overall visual amenity of the area.

Concerns were raised over the proposals impact on neighbouring privacy and potential for overlooking. The proposed balcony is an inset balcony, recessed into the dormer and fully enclosed. Unlike a traditional balcony that projects out with 180-degree views, the cheeks of this dormer are fully enclosed which results in restricted views to the sides. The proposed dormer does not project out further than the existing rear build line of the property, and the balcony would sit in line with the first-floor windows of the main house. The mature landscaping along the western site boundary, would also act as screening and would further reduce visibility and the impact on neighbouring privacy. As a result, it is unlikely that the inset balcony and dormer, would result in a significant loss of privacy, or a significant amount of overlooking to neighbouring properties.

In summary, the proposed development is considered to be of any acceptable scale and visually acceptable. There are no implications in terms of access to light or privacy stemming from the proposal and the addition will not have an unfavourable effect in relation to amenity of the existing dwelling or neighbouring properties.

The proposal adheres to West Lothian Local Development Plan's DES 1 (Design Principles) Policy, National Planning Framework 4 Policies 1 (Tackling the climate and nature crises), 2 (Climate mitigation and adaptation), and 16 (Quality Homes), and follows the appropriate guidance given in the House Extension and Alteration Design Guide 2020.

It is recommended that this application is granted planning permission.

Ref. No.:	0522/LBC/24	Recommendation:	Refuse Listed Building Consent Agenda Item 6
Proposal:	Listed building consent to demolish former nursery		
Address:	Former Nursery ,Academy Street, Armadale, West Lothian, EH48 3JD (Grid Ref: 293604,668360)		
Applicant:	Lucas Land Purchases Ltd	Type:	Other
Ward:	Armadale & Blackridge	Case Officer:	Robert Croydon

Summary of Representations

No representations have been received.

Officers report

This application proposes the demolition of the former nursery building on Academy Street, Armadale. This Category C listed building is described in the listing as: "Former Armadale Public Schools consisting of 3 school buildings built 1878-1911 on large site at corner of Academy Street and High Academy Street. Free-standing 1878 former infant school located to SE of site (abandoned since 1999)"

The building is an important historic asset at a local level.

It is noted that Listed Building Consent to demolish this building was submitted previously (0370/LBC/20), which was refused in 2020, then later dismissed at appeal (LBA-400-2009). The Reporter concluded:

- The former nursery continues to meet the criteria for it's listed designation and that it remains of special interest.
- The building is capable of meaningful repair.
- Repairs to the building would negate the current risks to the public arising from the buildings derelict state.
- It was not demonstrated the pro-active marketing of the building has taken place and the terms of the HES guidance have not been met.
- The proposed demolition of the listed building does not preserve or enhance the character of the listed building or any features of special architectural or historic interest which it possesses.

Whilst it is noted that the building is currently in a state of disrepair, it has not been satisfactorily demonstrated that the building is beyond repair. In fact, the agent has re-summitted the same report (Conservation Engineering Report, from: Will Rudd Davidson, dated: 16th October 2020) which was submitted with the previously refused application, which concluded:

"that the building is currently in good condition in terms of overall structural stability, although a significant collection of individual and serious defects requiring attention are noted. We consider that the property can be restored in technical terms."

Historic Environment Scotland (HES) has provided significant comment in its consultation response and has again objected to the proposed demolition. HES also note that the same engineering report (dated: 16th October 2020) has been submitted again for this new application as the only justification to demolish this listed building and therefore it does not consider the demolition of the building to be justified.

HES recommend the following;

"However, we understand the building is in poor condition and we would not expect a pure conservation-centred scheme for the remaining fabric. We consider there may be scope to remove portions of the former nursery, retaining enough of the core form so that its historic function can still be understood. A façade retention scheme may also be acceptable, particularly as the building makes a positive contribution to the streetscape. Such an approach would help maintain the listed building's character and appearance which has led to the building being listed."

It is further noted that a planning permission in principle application has also been submitted in tandem with this application for the formation of five residential plots with new road access (0527/P/24).

It is considered that the proposed total loss of this listed building is unjustified and is thus contrary to Policy 7 (Historic Assets and Places) of NPF4, policy ENV28 (Listed Buildings) and policy ENV29 (Unoccupied and Threatened Listed Buildings) of the West Lothian Local Development Plan 2018.

It is therefore recommended that Listed Building Consent for the demolition of this building be refused.

Ref. No.:	0527/P/24	Recommendation:	Refuse Planning Permission in Principle <small>Agenda Item 6</small>
Proposal:	Planning permission in principle for the formation of 5 residential plots with new road access		
Address:	Former Nursery ,Academy Street, Armadale, West Lothian, EH48 3JD (Grid Ref: 293604,668360)		
Applicant:	Lucas Land Purchases Ltd	Type:	Local Application
Ward:	Armadale & Blackridge	Case Officer:	Robert Croydon

Summary of Representations

No representations have been received.

Officers report

This planning permission in principle proposal is for the formation of five residential plots and new vehicular access on a corner site off Academy Street, Armadale. The site currently consists of an empty Category C Listed former school building, built c.1878, which is detached and constructed in blonde sandstone. There are several trees on site and the surrounding ground consists of tarmacadam and grass.

Application for Listed Building Consent to demolish this former school building has also been submitted (0522/LBC/24) in tandem with this planning application.

The site is surrounded by traditional dormer cottages to the east and south of the site and to the north lies two other school buildings, which are both Category C listed buildings and were built between 1878-1911. Armadale town centre lies a short distance to the north, on lower ground.

The site is allocated as a housing site (H-AM4 - High Academy Street (former nursery) in the LDP with a potential capacity of 6 units.

NPF4 Policy 7 (Historic assets and places) establishes that the historic environment and historic assets are valued, protected and enhanced. Consideration is also given to the Listed Building Consent application, as evidently, the listed former school house on site would have to be demolished to make way for any redevelopment of the land. In this case, as the Listed Building Consent to demolish the former school house has previously been refused and no further new justification has been supplied with the new Listed Building Consent application (0522/LBC/24), this replacement new build proposal is not compatible with retention of the listed building.

Further analysis of the impacts to the surrounding listed buildings and, to a lesser extent, the surrounding traditional cottages, is required. The demolishing of the former school building would adversely conflict with this policy and in that context replacement new build would harm the setting of the listed buildings.

NPF4 Policy 14 (Design, Quality and Place) and Policy 16 (Quality Homes) both establish that the built form of a proposal should be well-designed and should improve the residential amenity of the surrounding area. The conversion of the existing building in to residential units, retaining the existing facades, features and scales, is appropriate. However, creating five new build individual plots/units would conflict with the established architectural character of the surrounding area.

The plot is highly visible due to the corner location and therefore any detailed design of the proposed buildings would have to be attractive, using materials which harmonise well with the surrounding built form, including the creation of gardens and natural spaces. The existing local architectural styles would also have to be considered, to help reinforce this identity, especially the dormer cottages to the south and east of the site.

LDP Policy DES1 (Design Principles) and Policy HOU 3 (Infill and Windfall Housing within Settlements) both ascertain that the impacts to adjacent buildings in terms of layout, scale, massing and design or amenity are material considerations. The creation of 5 separate plots/units on this site would not harmonise with the surrounding dormer cottages, which are all terraced and low-rise. A detailed planning application would have to ensure that any building on site would align with the surrounding built form.

Policy 6 (Forestry, Woodland and Trees) of NPF 4 and policy ENV 9 (Woodlands, Forestry, Trees and Hedgerows) of the LDP are relevant for this site due to the trees which are located along the eastern site boundary. The indicative site plan shows that these trees would be removed and this would conflict with these policies which aim to protect trees. Appropriate biodiversity enhancements would also be required at this site which should conform to Policy 3 (Biodiversity) of NPF 4.

The Coal Authority advise it has no objection providing that no above ground development would take place, including demolition of existing buildings until a scheme of intrusive investigations have been carried out to establish the risks from past shallow coal mining activity, including any remediation/mitigation works. Confirmation that the site has been made safe and stable, would also be required.

WLC Flood Risk Management advise there is no flood risk on the site, however the submitted drainage strategy would be accepted.

WLC Environmental Health has no objection, however appropriately worded conditions are recommended to limit and control dust, noise, waste, vehicles both during and after construction, due to potential impacts to the surrounding area (residents and school users).

WLC Contaminated Land Officer advises the desk study is approved, and further ground investigations would be required. This could be achieved via appropriately worded conditions.

WLC Education Planning has no objection subject to payment of the following developer contributions:

ND Primary - Armadale wide £6,374 unindexed i.e. Eastertoun, Armadale, Southdale
Denominational Primary - St Anthony's (Armadale) £1,187 unindexed
ND Secondary - Armadale Academy - £2,064 unindexed
Denominational Secondary - West Lothian Wide £2,510 unindexed.

WLC Roads & Transportation has no objection, however advise that an amended parking plan would be required to re-arrange the off-road parking for Plot 1, and the creation of a bin storage area near to the road access. It also advises that the access would not be adopted.

Although the land is allocated for housing, the impacts to the listed building are a material consideration, and therefore the demolition of the former school house would not be appropriate. That being the case, five separate residential plots would not be a suitable option for this site. However, the conversion of the existing building to form individual residential units (conserving the existing facades, roof design, scale and materials) may be accepted

if a future detailed application appropriately addressed these policy requirements, especially NPF4 Policy 7 (Historic assets and places) and policy ENV 29 (Unoccupied and Threatened Listed Buildings) of the LDP. Agenda Item 6

These policies are in place to ensure redundant or neglected historical buildings are brought back into sustainable and productive use. Therefore, this proposal for five residential plots and vehicular access would not be supported as the demolition of the listed former school building is not justified.

It is concluded the proposal is not appropriate, especially in terms of adverse impacts to the established architectural character and design and layout of the surrounding residential dwellings, and is contrary to Policy 7 (Historic Assets and Places), Policy 14 (Design, Quality and Place), Policy 16 (Quality Homes) and Policy 6 (Forestry, Woodland and Trees) of NPF4. The proposal is also contrary to Policies ENV 28 (Listed Buildings), ENV 29 (Unoccupied and threatened listed buildings), DES 1 (Design Principles), ENV 9 (Woodlands, forestry, trees and hedgerows) of the West Lothian Local Development Plan 2018.

It is thus recommended to refuse planning permission.

Ref. No.:	0555/A/24	Recommendation:	Refuse Advertisement Consent Agenda Item 6
Proposal:	Display of 1 illuminated totem sign		
Address:	Mosshall Service Station, 55 West Main Street, Blackburn, Bathgate, West Lothian (Grid Ref: 297618,665345)		
Applicant:	Motor Fuel Group Limited	Type:	Other
Ward:	Whitburn & Blackburn	Case Officer:	Ms Alicja Czarnomska

Summary of Representations

Not applicable.

Officers report

The application seeks permission for display of 1 illuminated totem sign at Mosshall Service Station, Blackburn.

There is consent (0472/FUL/22) for demolition of car wash, erection of a shop unit (class 1) with parking, installation of additional jet wash bay and relocation of bin store. The proposed sign is for Greggs who will occupy the shop.

The Town and Country (Control of Advertisements) (Scotland) Regulations 1984 (as amended) requires applications for advertisement consent to be assessed in terms of the impacts on amenity and public safety.

Policy DES1 (Design Principles) of the LDP states that all development proposals will require to take account of and be integrated with the local context and built form.

Roads & Transportation has no objections.

The totem sign is 7m high and would be installed along the road frontage of the service station. There are existing totem signs at either end of the road frontage that advertise the facilities of the service station. This sign would be a third totem and be positioned at the middle of the road frontage.

The sign does not raise concerns in respect of road safety.

In terms of amenity, the service station sits within the countryside and the position, height and design of the sign results in it being highly visible from the A705. The service station already has significant signage, including two totem signs. The introduction of a large third totem along the road frontage would detract from the rural character of locality. It would constitute unnecessary visual clutter along the rural road edge and appear dominant and visually intrusive.

It is considered that a sign for the Greggs shop could be accommodated on the existing totem signs.

The proposal would thus have an unacceptable adverse impact on visual amenity and is deemed to be contrary to The Town and Country (Control of

It is recommended advertisement consent be refused.



Development Management

List of Delegated Decisions - 30th August 2024

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

Ref. No.:	0518/H/24	Recommendation:	Refuse Permission
Proposal:	Erection of a summerhouse (in retrospect)		
Address:	11 Main Street,Livingston Village, Livingston, West Lothian, EH54 7AF (Grid Ref: 303835,666892)		
Applicant:	Mr Steven Moir	Type:	Local Application
Ward:	Livingston North	Case Officer:	Melissa Bell
<u>Summary of Representations</u>			
<p>Three objection comments were received:</p> <ul style="list-style-type: none"> - Design has not changed from previous application 0272/H/24 - Proposed hedging to front will not sufficiently screen the structure - Concerns over the use of the structure as a business - Changes to the proposal do not rectify the issues identified in the previous application - Concerns over the noise from structure while in use - Structure is overbearing and dominant - Overshadowing due to site topography - Design, mass and scale are still visually unacceptable - Impact on conservation area - The proposed planting to the rear will impact on natural light to neighbouring properties - The structure would still appear dominant while the proposed trees reached maturity - Submitted drawings do not accurately reflect what has been built on site <p>Two neutral comments were received:</p> <ul style="list-style-type: none"> - Thorn hedge should be replaced with something evergreen and in keeping with conservation area, perhaps beech, yew or privet - No impact as trees screen building <p>One comment of support was received:</p> <ul style="list-style-type: none"> - Understanding that there has previously been planning permission to erect a dwelling house on the same piece of land as the structure 			

This application seeks retrospective planning consent for the erection of a summer house in the rear garden of 11 Main Street, Livingston. The property is a traditional two storey dwelling, located within the Livingston Village Conservation Area and is Category C-Listed (LB7407).

Consent was refused for a previous planning application, 0272/H/24 for the erection of a summer house (in retrospect), at the Development Management Committee in May 2024. This application is a resubmission of the previous application, and proposes the following changes; painting the exterior of the structure anthracite grey, removal of the proposed decking to the front, planting two Lawson Cypress trees to the rear, and the installation of a 1.8m high fence and Hawthorn hedge to the front of the structure. The overall scale, form and siting of the structure has not changed.

The summer house measures approximately 7.74m in length and 4.69m in width, with a pitched roof that measures 4.267m in overall height, from lowest ground level. The structure is located in the rear garden of the property, approximately 1.5m from the western site boundary. It is noted that there are some discrepancies within the submitted plans, on the true location of the summer house that has been erected on site. At the time of this report, no revised plans had been submitted showing an accurate representation of the development.

In principle, the erection of a summer house is acceptable, as there are other smaller scale timber structures and outbuildings within the immediate locality, including an existing summer house within the application site. Proposals should however, be appropriate to the character, appearance and setting of the listed building and conservation area, and should be integrated with the local context and built form.

Compared to the existing garden room within the site, with previous planning consent 1004/H/18, this new summer house is more than twice the footprint, at approximately 29.88 sqm compared to the existing 11.75 sqm. The new summer house is also of a greater height, measuring 4.26m in overall height, compared to the 3.02m total height of the existing garden room. The property benefits from a large garden to the rear, however the scale and form of the summer house compared to the existing garden room, results in the works appearing dominant, overbearing, and out of context within the site.

Despite the structure being located to the rear of the property, it is still visible from the main road through the opening between no. 11 and 9 Main Street. The structure can also be seen from the public tennis courts and Shale Trail located to the rear of the site. The rear of the garden slopes down toward the public car park, and the neighbouring properties to the West are situated at a lower ground level. Due to this topography, the structure is highly visible, and appears overbearing and dominating in its setting.

In an attempt to screen the summer house from view, planting of 2 no. Lawson Cypress trees are proposed to the rear of the garden, and a 1.8m high fence with Hawthorn hedge is proposed to the front. At the time of this report, no details of the proposed fence have been provided. The introduction of a 1.8m high fence to the front of the property would partially screen the development from view of the road. However, due to the size and pitched roof design of the summer house, approximately 1.78m of the structure would remain visible above the fencing.

The scale, form and siting of this structure, and its overall impact on the visual amenity of the conservation area and listed building, is still unacceptable. Despite the proposed changes to the development, the works are still large and overbearing within the site. Mitigation measures have been proposed to screen the proposal from view, however the works would still remain partially visible, and would have an impact on the visual amenity of the surrounding context, conservation area and listed building.

The proposal is contrary to Policies DES 1 (Design Principles), ENV 24 (Conservation Areas) and ENV 28 (Listed Buildings) of the West Lothian Local

Development Plan 2018 and the terms of Policies 7 (Historic Assets and Places) and 16 (Quality Homes) of National Planning Framework 4, and the council's House Extension and Alteration Design Guide 2020. Agenda Item 6

It is recommended that this application is refused planning permission.



Development Management

List of Delegated Decisions - 6th September 2024

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

Ref. No.:	0558/FUL/24	Recommendation:	Grant Planning Permission
Proposal:	Siting of temporary sales cabin for Area ALb with associated parking		
Address:	Area VCa, Calderwood, East Calder, West Lothian, EH53 0GU (Grid Ref: 309671,668899)		
Applicant:	Mr Craig Hislop Robertson Homes	Type:	Local Application
Ward:	East Livingston & East Calder	Case Officer:	Ms Alicja Czarnomska

Summary of Representations

One objecting comment was received in regards to the retail facilities within the Calderwood estate and increased traffic.

Officers report

This application is for siting of temporary sales cabin at Aea VCa at Calderwood.

There is already planning permisison (0950/FUL/23) for a sale cabin on Area VCa, however the applicant now seeks to alter the postion of the sales cabin by locating it further north.

The applicant has started construction of housing on nearby Area ALb and there are ongoing infrastructure works around this site, The sales cabin is required until the applicant's show homes on Area ALb are completed.

There is no objection from WLC Roads & Transportation.

One objection comment was received in regards to the retail facilities within the Calderwood Estate and increased traffic.

There are no adverse implications in relation to road or safety issues. Based on layout and design, the development is considered to be visually acceptable in relation to the surroundings and is not considered to have an adverse impact on the visual amenity of the locality.

The proposal is appropriate and compatible within the context of existing land use and therefore complies with LDP Policy DES1 (Design Principles) and NPF4 Policy 14 (Design, quality & place).

It is thus recommended that planning permission be granted.

Ref. No.:	0584/A/24	Recommendation:	Refuse Advertisement Consent Agenda Item 6
Proposal:	Display of 2 illuminated wall mounted billboards and 1 illuminated totem sign		
Address:	1 Almond Road, Craigshill, Livingston, West Lothian, EH54 5ND (Grid Ref: 306152,667558)		
Applicant:	Lidl Great Britain Limited	Type:	Other
Ward:	East Livingston & East Calder	Case Officer:	Ms Alicja Czarnomska

Summary of Representations

None.

Officers report

The application seeks permission for display of 2 illuminated wall mounted billboards and 1 illuminated totem sign at 1 Almond Road in Livingston.

The applicant has consent (0593/FUL/23) for demolition of car showroom and erection of a 2,027sqm store with canopy amended access, car parking, landscaping and other associated works. The applicant also has consent (0371/A/24) for display of 2 illuminated canopy signs and 3 non-illuminated signs comprising 1 poster board, 1 poster display unit and 1 directional sign.

The Town and Country (Control of Advertisements) (Scotland) Regulations 1984 (as amended) requires applications for advertisement consent to be assessed in terms of the impacts on amenity and public safety.

Policy DES1 (Design Principles) of the LDP states that all development proposals will require to take account of and be integrated with the local context and built form.

WLC Roads & Transportation has no objection.

The 6m high illuminated totem sign is to be installed at the far south west of the site with 2 illuminated billboard signs to be mounted onto the wall of the store, facing south toward Almond Road.

This soon to be developed store has a prominent position along Almond Road and is highly visible from the A899. The totem sign is remote from the vehicular access to the site, where you may expect to see such a sign, and would detract from the landscape buffer between the site and the A899. The proposed wall mounted signs would detract from the simple but visually pleasing form and appearance of the walls that extend away from the main entrance to the building.

By virtue of position and design of the proposed signs, they would contribute to unnecessary visual clutter within the streetscape and have an adverse impact on the visual amenity of the locality,

The proposal would thus have an unacceptable adverse impact on visual amenity and is deemed to be contrary to The Town and Country (Control of

It is recommended advertisement consent be refused.