

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 3 AUGUST 2016.

Present – Councillors Alexander Davidson (Chair), Tom Kerr, Stuart Borrowman, William Boyle, Lawrence Fitzpatrick, Greg McCarra and David Tait

Apologies – Councillors Harry Cartmill and Barry Robertson

1. ORDER OF BUSINESS

The Chair ruled in terms of Standing Order 11 that the items of business would be taken in the following order :- Agenda Items 5, 7, 9, 10, 11, 6, 12 and 8.

2. DECLARATIONS OF INTEREST

- 1) Application No.0940/FUL/15 (Agenda Item 12) – Councillor Borrowman declared a non-financial interest in that his cousin was one of the objectors and therefore would not participate in the item business; and
- 2) The committee noted that whilst Councillor Carl John was on the list of speakers he would be addressing committee as a private resident and not as a local ward member.

3. MINUTE

The committee confirmed the Minute of its meeting held on 15 June 2015. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.0010/FUL/16

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0010/FUL/16	Construction of 3 houses adjacent to 10 Winchburgh Road, Newton	Grant planning permission subject to conditions and developer contributions

The committee then heard from Mr Scott McAllister, the applicant, speak in support of the application.

Motion

To approve the terms of the report and grant planning permission subject

to conditions and the payment of developer contributions including the additional condition that a landscaping design plan was to be submitted for approval of the planning authority.

- Moved by the Chair and seconded by Councillor McCarra

Amendment

To refuse planning permission as the proposal would cause the site to be over-crowded therefore did not comply with policy HOU6.

- Moved by Councillor Kerr and seconded by Councillor Fitzpatrick

Decision

Following a vote the motion was successful by 5 votes to 2 and it was agreed accordingly.

5. APPLICATION NO.0323/FUL/16

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0323/FUL/16	Change of use from hairdresser (class 1) to car hire office and formation of rear car compound and construction of a car wash bay at 1a Follyburn Place, Eilburn, Livingston	Refuse planning permission

The committee then heard Dan Newton and Peter Wall, from Enterprise Car Hire, speak in support of the application.

The committee also noted that whilst local ward member Councillor Angela Moohan had requested to address committee she had been unable to attend the meeting.

The committee also noted the statement by the Development Management Manager in that if committee were minded to approve the recommendations of the report and refuse planning permission then he, alongside his colleagues in Economic Development, would work closely with the applicant to assist them in finding a suitable alternative location.

Decision

To approve the terms of the report and refuse planning permission.

6. APPLICATION NO.0391/FUL/16

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0391/FUL/16	Application under Section 42 to vary condition 3b of planning permission 0861/P/15 for the erection of a restaurant with ancillary office and residential accommodation at Fairways Business Park, Deer Park Road, Knightsridge, Livingston	Grant planning permission to vary condition 3b which currently limits the development to single storey.

The committee noted that whilst Mr Alan Farningham, the applicant's agent was in attendance, he did not wish to address committee but was available to answer any questions.

Decision

To approve the terms of the report and granted planning permission to vary condition 3b of permission 0861/P/15.

7. APPLICATION NO.0422/H/16

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0422/H/16	Installation of dormer windows and alterations to house at 13b Holmes Holdings, Broxburn	Grant planning permission unconditionally

The committee then heard Ms Christine Sharp and Mr John Sandison both speak in support of their objections to the application.

The committee then heard Mr George Patterson and Mrs Barbara Patterson the applicant's speak in support of the application.

Decision

To approve the terms of the report and grant planning permission unconditionally.

8. APPLICATION NO.0609/FUL/15

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0609/FUL/15	Erection of 237 houses and 16 flats (revised from 258 total units) with associated works including bus turning facility, land for school extension and land for park extension at Raw Holdings, East Calder	Grant planning permission subject to conditions to be delegated to the Development Management Manager and the securing of developer contributions in accordance with council policies.

The committee then heard from Alan Wright of East Calder and District Community Council, local residents Isobel Brydie, Ann Sim, Carl John and Kenny Ireland and also from local ward member Councillor Dave King who all spoke in support of their objection to the application.

The committee then heard from Mr Bruce Walker, Persimmon Homes, speak in support of the application.

Motion

To approve the terms of the report and grant planning permission subject to conditions and a legal agreement and to include the formal constitution of a Community Liaison Group managed by Development Management and to delegate to the Development Management Manager to secure a solution with the applicant in relation to the house type design to the east and south boundary of 21 Main Street.

- Moved by the Councillor Borrowman and seconded by Councillor Kerr

Amendment

To continue the application for two cycles to allow for further discussion between the developer and the community council to try and make the proposal more acceptable to residents and was to include discussions in relation to density issues and to also report back on a suitable solution for the occupier of 21 Main Street.

- Moved by Councillor McCarra and seconded by Councillor W Boyle

Decision

Following a vote the motion was approved by 4 votes to 3 and it was agreed accordingly.

9. APPLICATION NO.0198/FUL/15

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0198/FUL/15	Erection of 272 houses and 28 flats with associated works as Raw Holdings, East Calder	Grant planning permission subject to conditions to be delegated to the Development Management Manager and the securing of developer contributions in accordance with council policies.

The committee then heard from Alan Wright of East Calder and District Community Council, local residents Isobel Brydie, Stephen Hunter and Carl John and also from local ward member Councillor Dave King who all spoke in support of their objection to the application.

The committee then heard from Mr Craig Lynes, Cala Homes, speak in support of the application.

Motion

To approve the terms of the report and grant planning permission subject to conditions and a legal agreement and to include that a detailed bird survey of the site was carried out to inform the landscaping plan before any development began and appropriate number of affordable houses was to come forward early on in the development.

- Moved by the Chair and seconded by Councillor Fitzpatrick

Amendment

To continue the application for six cycles.

- Moved by Councillor Boyle and seconded by Councillor Tait

Motion

Following a vote the motion was approved by 4 votes to 2 with 1 abstention and was agreed accordingly.

10. APPLICATION NO.0940/FUL/15

Councillor Borrowman having earlier declared a non-financial interest took no part in the following item of business or the remaining items of business :-

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0940/FUL/15	Erection of 18 flats and associated car parking and landscaping at Bloomfield Park, Bathgate	Refuse planning permission

The committee then heard the applicant, Mr Adrian Lorimar and the applicant's agent, Kate Donald, speak in support of the application.

Decision

To agree to continue the application for two cycles to allow for further discussion between Development Management and the applicant in relation to the number of units on the site.

11. APPLICATION NO.0324/FUL/16

The committee considered a report (copies of which had been circulated) by the Development Management Manager concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0324/FUL/16	Part change use from domestic garage to form a class 2 nail bar (in retrospect) at 15 Marjory Place, Wester Inch, Bathgate	Grant planning permission subject to conditions.

Motion

To approve the terms of the report and grant planning permission subject to conditions.

- Moved by the Chair and seconded by Councillor Fitzpatrick

Amendment

To grant planning permission subject to conditions for a period of three

years so the impact upon the residential area of Wester Inch and the future plans for retail in the area could be assessed.

- Moved by Councillor Kerr and seconded by Councillor Boyle

Decision

Following a vote the amendment was successful 4 votes to 3 and it was agreed accordingly.

12. LIST OF DELEGATED DECISIONS

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

A list (copies of which had been circulated) of delegated decisions and enforcement action for the period 10 June to 15 July 2016 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.

13. APPEAL

The committee noted that the following appeal which has been submitted to Scottish Ministers had been upheld :-

Application No.

0820/FUL/15

Proposal

Application under Section 42 for the variation of condition 3 of planning permission 0519/FUL/12 to allow for an EWT direct wind 52 turbine to be constructed in place of the approved Enercon E33 turbine at Ormiston Farm, Kirknewton.