

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 16 NOVEMBER 2011.

Present – Councillors Jim Dickson (Chair), Tom Kerr, Stuart Borrowman, William Boyle, Robert De Bold, Carl John, Greg McCarra, John Muir

Apologies – Councillor Ellen Glass

1. ORDER 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> |
|------------------------|---|---|
| 1012/P/05 | Outline planning permission for a 352ha development including residential, commercial, industrial, recreational and retail uses, community facilities, landscaping and open space, road and rail infrastructure including M9 junction, train station, park & ride, primary and secondary schools at land around Winchburgh. | Grant planning permission in principle. |

The Development Management Manager suggested that the application be withdrawn to allow further discussions to take place in relation to the terms of the section 75 agreement and planning conditions, with a view to it being returned to the committee at its December meeting if required.

Decision

Agreed to withdraw the application to be returned to the committee at its December meeting if required.

2. DECLARATIONS OF INTEREST

- (a) Agenda Item 8 (Application No. 0500/FUL/11) – Installation of 3 no. flues at Inveralmond Community High School, Willowbank, Ladywell, Livingston – Councillor Stuart Borrowman declared a non-financial interest in that a family member was employed at Inveralmond CHS and therefore he would not take part in the item of business.
- (b) Agenda Item 10 (Application No. 0524/P/09) – planning permission for a 210ha mixed use development at Calderwood, East Calder – Councillor John Muir declared a non-financial

interest in that he had previously stated his views on the proposed development in public and therefore he would not take part in the item of business.

3. MINUTE

The committee confirmed the Minute of its meeting held on 12th October 2011 as a correct record. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.0468/FUL/11

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> |
|------------------------|--|-----------------------------|
| 0468/FUL/11 | Restoration and extension of outbuilding to form a house at 265 High Street, Linlithgow. | Refuse planning permission. |

The committee then heard Mr Alastair Bell, the applicant's agent, speak in support of the application.

Decision

To grant planning permission, subject to conditions delegated to the Development Management Manager in consultation with the Chair and a Section 75 Agreement which was to be substantially agreed within 6 months of the date of the committee meeting, for the following reasons:

1. There were precedents close to the development site for development of the riggs in Linlithgow;
2. The development would ensure the preservation of the existing building; and
3. The development would ensure repair and improvement of a dilapidated property.

5. APPLICATION NO.0484/P/11

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> |
|------------------------|----------------------------------|-----------------------|
| 0484/P/11 | Planning permission in principle | Grant planning |

for the erection of a house at 15 permission in
Humbie Holdings, Kirknewton principle.

The committee were advised that the applicant was in attendance to answer any questions if required.

Decision

To approve the terms of the report and grant planning permission in principle subject to conditions and a Section 75 Agreement which was to be substantially agreed within 6 months of the date of the committee meeting.

6. APPLICATION NO.0510/FUL/11

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> |
|------------------------|--|-----------------------------|
| 0510/FUL/11 | Erection of a 34.2 high "to blade tip" wind turbine at Kipps Farm, Linlithgow. | Refuse planning permission. |

The committee then heard Ms Hazel Sears and Mr Zeno Kerr, the applicant's agents, both speak in support of the application.

Decision

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

7. APPLICATION NO.0524/P/09

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> |
|------------------------|---|--|
| 0524/P/09 | Planning permission in principle for a 210ha mixed use development comprising of residential, commercial, industrial, recreation, retail use, community facilities, landscape, open space, primary and secondary education schools and road and service infrastructure (as amended to | Grant subject to a Section 75 Agreement. |

2300 residential units) at
Calderwood, East Calder.

The committee heard Mr Alan Wright, East Calder Community Council representative, speak in support of objections and concerns raised by members of the community.

The committee then heard Mr Ian Drummond, the applicant's agent, speak in support of the application.

Decision

Agreed to continue the application to a future meeting of the Committee to allow Officers to provide full details of proposed planning conditions and heads of terms of any Section 75 Agreement, in particular in relation to the timing and delivery of additional education capacity.

8. APPLICATION NO.0574/FUL/11

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> |
|------------------------|---|--|
| 0574/FUL/11 | Variation of condition (1) of planning permission 0763/FUL/10 to allow opening hours to increase from 08.00-20.00 to 06.30-20.00 hours at The Gothenburg, Main Street, East Whitburn. | Grant conditional planning permission. |

The committee then heard Mrs Elaine McLay speak in support of her objections to the proposed 6.30 a.m. opening hours.

The committee noted that the applicant was on the list of speakers to support his application, however, he did not attend the meeting.

Decision

To approve the terms of the report and grant planning permission subject to conditions as outlined in the report with the additional condition that the planning permission granted was for a temporary period of 2 years.

9. APPLICATION NO.0584/H/11

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> |
|------------------------|--|-----------------------------|
| 0584/H/11 | Two-storey extension to house at 21 Braehead Park, Linlithgow. | Refuse planning permission. |

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

Decision

To grant planning permission, subject to conditions delegated to the Development Management Manager in consultation with the chair for the following reasons:

1. The extension would not over-dominate the existing buildings; and
2. In terms of its appearance it would confirm to the council's Design Guide for Household Extensions.

10. APPLICATION NO.0599/FUL/11

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> |
|------------------------|--|-----------------------------|
| 0599/FUL/11 | Retrospective application for part change of use from office (class 2) to personal training studio (class 11) at 1 North Street, Armadale. | Refuse planning permission. |

The committee then heard Mr Michael Smith speak in support of his application.

Decision

The committee agreed to continue the item of business to a future meeting of the Development Management Committee to allow further discussions to be carried out in an attempt to reach a viable resolution to enable planning permission to be granted.

11. APPLICATION NO.0132/FUL/08

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> |
|------------------------|-----------------|-----------------------|
|------------------------|-----------------|-----------------------|

0132/FUL/08 Erection of a 288sqm maintenance shed with associated parking and landscaping at Elmbank, Wilkieston, Kirknewton Grant conditional planning permission.

Decision

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

12. APPLICATION NO.0500/FUL/11

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> |
|------------------------|--|--|
| 0500/FUL/11 | Installation of a 3 no. flues (in retrospect) at Inveralmond Community High School Willowbank Ladywell Livingston. | Grant conditional planning permission. |

Decision

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

13. APPLICATION NO.0588/FUL/11

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> |
|------------------------|---|--|
| 0588/FUL/11 | Creation of a yard area with surrounding 2.4m high fence, erection of a 140m ² sqm steel building and conversion of building to form office and store at Polkemmet Country Park, Polkemmet Road, Whitburn. | Grant conditional planning permission. |

Decision

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

14. APPLICATION NO.0618/FUL/11

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> |
|------------------------|---|---------------------------------------|
| <u>0618/FUL/11</u> | Proposed improvements to footpath/cycle path at Bellsburn path adjacent to West Lothian Country Cricket Club, Linlithgow. | Grant conditional planning permission |

Decision

To approve the terms of the report and granted planning permission subject to conditions delegated to the Development Management Manager in consultation with the Chair.

15. APPLICATION NO.0620/FUL/11

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> |
|------------------------|--|---------------------------|
| <u>0620/FUL/11</u> | Siting of 2 portacabins at Ferguson Way, Knightsridge, Livingston. | Grant temporary position. |

Decision

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

16. APPLICATION NO.0638/FUL/11

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> |
|------------------------|---|--|
| <u>0638/FUL/11</u> | Erection of a 135sqm retail unit at Fernbank, Ladywell, Livingston. | Grant conditional planning permission. |

Decision

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

17. APPLICATION NO.0645/FUL/11

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> |
|------------------------|--|--|
| 0645/FUL/11 | Change of use from offices to public library, café and crèche and external alterations at 1 Shiel House, Shiel Walk, Craigshill, Livingston. | Grant conditional planning permission. |

Decision

To approve the terms of the report and granted planning permission subject to conditions delegated to the Development Management Manager in consultation with the Chair.

18. APPLICATION NO.0662/FUL/11

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> |
|------------------------|--|--|
| 0662/FUL/11 | Erection of a 33sqm extension, installation of new windows and rendering of external walls at Murraysgate Hall, Murraysgate Industrial Estate, Whitburn. | Grant conditional planning permission. |

Decision

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

19. 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 for the

period 7th October to 4th November 2011 was submitted for the information of the Committee.

Decision

To note the list of delegated decisions.

20. APPEAL

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

Application No.

Proposal

0766/FUL/10

Additional storage of unprocessed and processed material on site of 50,000 tonnes to take capacity up to 75,000 tonnes at 15 Youngs Road, East Mains Industrial Estate, Broxburn