

5. APPLICATION NO.0151/P/22

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

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0151/P/22	Planning permission in principle for a mixed use development for business (class 4), industrial (class 5) and storage & distribution (class 6) with associated engineering, landscaping and drainage, land to north and south of A705, Cousland Farm, Livingston	To grant planning permission in principle subject to conditions

The committee then heard from Damian Byrne and Stephen Egan (Eilburn Community Council) both speak in support of their objections to the proposal

The committee then heard from Gillian Smith, the applicant, and Michael Westwater, the applicant's agent, both speak in support of the application.

Motion

To approve the recommendation of the report and grant planning permission in principle subject to conditions

- Moved by the Chair and seconded by Councillor Conn

Amendment

To refuse planning permission in principle as the proposal did not conform with policies ENV1, ENV4, ENV9, ENV20, DES1 and EMG5 of the West Lothian Local Development Plan for the following reasons :-

- 1) ENV1 - Character and Special Landscape Areas – the proposal does not comply with this policy simply by virtue of the allocation of the site for employment development within the LDP. The principle function of the LDP is to create coherence of development across the wider plan area. It is no longer appropriate to consider the proposal as a standalone development due to its relationship with the allocated Gavieside Development. Coherence would not be achieved between the proposal and the allocated Gavieside development. The proposal does not conform with ENV1 as the

allocation of the site for employment development no longer conforms to the original intention of LDP. The proposal will affect the special character of the surrounding local landscape.

- 2) ENV4 – Loss of Prime Agricultural Land - as the proposal will result in the loss of prime agricultural land which is not justified as the proposal no longer conforms with the intended spatial strategy set out in the LDP, and as such the proposal does not form a key component of the spatial strategy set out in the LDP.
- 3) ENV9 - Woodland, Forestry, Trees and Hedgerows – as the proposal will adversely affect trees for which there is no justification when the proposal is considered against the provision of the wider LDP strategy in respect of the risk to trees
- 4) ENV20 - Species Protection and Enhancement – as the species protection report does not consider all species that may be affected by the proposal, or provide any information regarding species enhancement.
- 5) EMG5 – Noise – as until it is known what will occupy the buildings it cannot be known what noise will be generated
- 6) DES 1 – as the development will appear as a standalone industrial area visually separated from Livingston and Seafield and will have significant adverse effects on the amenity of the residents of Eliburn and Seafield

- Moved by Councillor Boyle and seconded by Councillor Clark

An electronic vote was conducted. The result was as follows :-

Motion

Stuart Borrowman  
Tom Conn

Amendment

William Boyle  
Pauline Clark  
Lawrence Fitzpatrick  
George Paul  
Pauline Stafford

Decision

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