

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, CIVIC CENTRE, on 6 APRIL 2011.

Present – Councillors Jim Dickson (Chair), Stuart Borrowman, William Boyle, Robert De Bold, Ellen Glass, Carl John and Greg McCarra

Apologies – Councillors Tom Kerr and John Muir

1. ORDER OF BUSINESS

- (a) The Development Management Manager advised the committee that the following application had been withdrawn by the applicant prior to the meeting commencing:-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0812/FUL/10	Use of land as road construction depot and the erection of a shed with ancillary office accommodation at 11 Humbie Holdings, Kirknewton.	Grant conditional permission.

Decision

To note that the application had been withdrawn by the applicant.

- (b) 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>
0779/FUL/10	Installation of a 15m high telecommunications mast at Ladywell East Road, Livingston.	Grant planning permission.

The committee then heard a suggestion by the Development Management Manger that the application be continued to a future meeting of the Committee.

Decision

Agreed to continue the item of business to a future meeting of the committee.

- (c) 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>
0827/FUL/10	Installation of a 15m high telecommunications mast as Alderstone Road, Livingston.	Grant planning permission.

The committee then heard a suggestion by the Development Management Manger that the application be continued to a future meeting of the Committee.

Decision

Agreed to continue the item of business to a future meeting of the committee.

2. DECLARATIONS OF INTEREST

- (a) Agenda Item 11 (0720/FUL/10 – Kirknewton Level Crossing) – Councillor McCarra declared a non-financial interest in that was Chair of SESTran who as an organisation had commissioned report in relation to the level crossing at Kirknewton, however he would participate in the item of business.
- (b) Agenda Item 14 (0782/FUL/10 – Erection of 3 houses at Ferrier Crescent & Marches Drive, Armadale) - Councillor Borrowman declared a non-financial interest in that he had previously spoken in opposition to the application and therefore would address committee as a local member.

3. MINUTE

The committee confirmed the minute of its meeting held on 9th March 2011. The minute was thereafter signed by the Chair.

4. APPLICATION NO.0819/A/10

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>
0819/A/10	Display of illuminated freestanding sign on land to the north east of Uphall Railway Station and south of	Grant advertisement consent with conditions.

the M8, Livingston.

The committee then heard Mr John Strachan speak in support of his objections to the proposal.

The committee then heard Councillor Dave King speak in support of his objections to the proposal.

Motion

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

- Moved by the Chair and seconded by Councillor Boyle.

Amendment

To refuse the application due to its impact on the local amenity, visual intrusion, the distortion of commercial viability for other West Lothian communities and that there could a proliferation of other signage on the M8

- Moved by Councillor Borrowman and seconded by Councillor John

Decision

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

5. APPLICATION NO.0048/LBC/11 & 0049/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>
0048/LBC/11 0049/FUL/11	& Erection of a 658m2 extension to Binny House, Binny, Ecclesmachan.	Grant planning permission and refer listed building consent to Scottish Ministers for approval.

The committee then heard Miss Tweedie and Mr McIntosh speak in support of their objections to the application. The committee also heard Miss Tweedie read out a letter of objection of behalf of Douglas Greenhalgh.

The committee then heard Mr Ashbury speak in support of the application.

Decision

Approved the terms of the report and granted planning permission subject to conditions and agreed that the listed building consent was to be

referred to Scottish Ministers. Additional conditions as delegated to the Development Management Manager in consultation with the Chair were to include :-

- For the applicant to improve the direction signs for Binny House at the junction with the public road;
- For the applicant to install signage to differentiate between the development site and the objector's properties;
- For the applicant to carry out a survey before and after construction works and make good at its own expense any damage caused to the shared access road during construction works; and
- For the applicant to provide appropriate passing places on the shared access road in consultation with the council's Transportation Service.

6. APPLICATION NO.0053/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>
0053/FUL/11	Application under S42 to vary condition a (timescales) of outline planning permission for four houses at Whit-a-Vue, Bridgecastle Road, Armadale.	Refuse to vary the condition.

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

The committee also noted that whilst the applicant, Mr Slattery, had requested to speak he was not in attendance at the committee

Decision

Agreed to extend the planning permission for a further 18 months commencing from 6th April 2011 due to the personal circumstances of the applicant and the economic climate.

7. APPLICATION NO.0099/MSC/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>
0099/MSC/11	Erection of a house at plot 10 West Mains Farm, West Calder.	Refuse planning permission.

The committee then heard Mr Colin Hardie speak in support of the application.

Decision

Agreed to continue the application to a future meeting of the committee so details of the previously agreed design details and the proposed design details could be compared and that the proposed design could be assessed in the context of the existing neighbouring properties.

8. APPLICATION NO.0720/FUL/10

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>
0720/FUL/10	Application for planning permission for the construction of approximately 466m of roadway, an underbridge and pedestrian subway on land to west of Kirknewton Railway Station to facilitate the closure of the existing level crossing.	Grant planning permission subject to conditions.

The committee then heard Michael Greig, David Hastings and Pat Hastings all speak in support of their objections to the application.

The committee then heard Councillor Dave King, a local member, speak in support of his objections to the application.

The committee then heard Carol Deveney and Andrew Roberts of Network Rail speak in support of the application.

Decision

Approved the terms of the report and granted planning permission subject to conditions, delegated to the Development Management Manager in consultation with the Chair and ward members and to include the additional condition that Network Rail were to form a Community Liaison

Group to facilitate and continue discussion with the local community as the project developed.

Councillor McCarra left the meeting due to a prior engagement and therefore did not participate in any of the remaining items of business.

9. APPLICATION NO.0778/FUL/10

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>
0078/FUL/10	Erection of 32 flats and 13 houses with associated car parking, roads, footpaths and landscaping at land adjacent to Alderstone Road, Livingston.	Grant planning permission, subject to appropriate conditions.

The committee then heard Eileen Halliday, Brian Johnstone, Alan Nicholson and Gerry Shapiro all speak in support of their objections to the application

The committee then heard Councillor Fitzpatrick, a local member, speak in support of his objections to the application.

Decision

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

10. APPLICATION NO.0782/FUL/10

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>
0782/FUL/10	Erection of 3 houses and 16 flats with associated works at Ferrier Crescent and Marches Drive, Armadale.	Grant planning permission subject to conditions and developer contributions.

The committee then heard Alan Noble, of Marches Drive Tenants and Residents Association, speak in support of his objections to the application.

The committee then heard Councillor Borrowman, a local member, speak in support of his objections to the application.

Decision

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

11. APPLICATION NO.0835/FUL/10

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>
0835/FUL/10	Erection of 42 houses and 48 flats with roads, footpaths and associated works on land adjacent to Oldwood Place, Eliburn, Livingston.	Grant planning permission subject to conditions.

The committee then heard Mr Herve Venries, Mr Ian McDermid and Mr Kenny Fisher all speak in support of their objections to the application. The committee also noted that whilst Ms Susan Kerr and Ms Jessica Chen-Burger had requested to speak they were not in attendance at the meeting.

Motion

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

- Moved by the Chair and seconded by Councillor Boyle

Amendment

To refuse planning permission due to a loss of open space, biodiversity of the area and education capacity of local schools.

Decision

Following a vote the motion was successful by 4 votes to 2 and it was agreed accordingly.

12. APPLICATION NO.0085/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>
0085/FUL/11	Siting of mobile snack bar (in retrospect) at Oakbank Park Road, Livingston.	Grant temporary planning permission.

Decision

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

13. APPLICATION NO.0091/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>
0091/FUL/11	Change of use from library (class 10) to shop (class 1) at Nethermuir, Near Bathgate.	Grant conditional planning permission.

Decision

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

14. APPLICATION NO.0131/LBC/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>
0131/LBC/11	Conservation area consent for the demolition of hutted storage accommodation at Low Port Education Centre, Low Port, Linlithgow.	Refer conservation area consent to Scottish Ministers for approval.

Decision

To approve the terms of the report and agreed to refer conservation consent to Scottish Ministers for approval.

15. 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 11th March to 25th March 2011 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.

16. APPEALS

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

Application No.

Proposal

0653/FUL/10

Extension to hot food takeaway and formation of managers flat above 102 West Main Street, Whitburn