

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 14 DECEMBER 2011.

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

1. DECLARATIONS OF INTEREST

Agenda Item 6 (Application No.0524/P/09, Calderwood, East Calder) – Councillor Muir declared a non-financial interest in that in a previous capacity as a Community Councillor for the East Calder area, he had objected to development of the area in question and therefore would not participate in the item of business.

2. MINUTE

The committee confirmed the Minute of its meeting held on 16th November 2011 as a correct. The Minute was thereafter signed by the Chair.

3. APPLICATION NO.0488/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>
0488/P/09	Planning permission in principle for a 23ha development for the reuse/redevelopment of existing vacant shopping/leisure centre for uses comprising of children's indoor play area, dance studio, café, heritage centre, office/conference centre, retail, cookery school, garden centre and 30 houses at Freeport Leisure Village, West Calder.	Grant planning permission in principle.

The committee then heard Robert Evans, the applicant's agent, speak in support of the application. It was also noted that whilst Caroline Slorach and Gary Bryce were detailed on the list of speakers they did not wish to present to committee but were available to answer any questions from the

members.

Motion

Approve the terms of the report and minded to grant planning permission in principle subject to conditions and a legal agreement which was to be substantially concluded within 6 months of the committee meeting date.

- Moved by the Chair and seconded by Councillor McCarra

Amendment

Approve the terms of the report and minded to grant planning permission in principle subject to conditions and a legal agreement which was to be substantially concluded within 6 months of the committee meeting. However a minimum of 50% of the internal tradable space was to be occupied for at least 12 months before more than 15 houses were constructed.

- Moved by Councillor Borrowman and seconded by Councillor Kerr

Decision

Following a vote the motion was approved by 5 votes to 3, with 1 abstention, and it was agreed accordingly.

4. 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 residential, commercial, industrial, recreation, retail use, community facilities, landscape, open space, primary and secondary education schools and toad and service infrastructure (as amended to 2300 residential units) at Calderwood, East Calder.	Grant planning permission in principle subject to conditions and a legal agreement.

The committee then heard Alan Wright, Chair of East Calder and

Wilkieston Community Council and Councillor Dave King, a local ward member, both speak in support of their objections to the application.

The committee then heard Peter Stirling speak in support of the application. It was also noted that Eve McCurrich had attended the meeting in support of Peter Stirling and was available to answer any questions from the members.

Decision

Approved the terms of the report and minded to grant planning permission in principle subject to conditions and a legal agreement which was to be substantially concluded within 6 months of the committee meeting date. Additionally the Development Management Committee was to be provided with an interim report, at the appropriate time and prior to sign off, summarising the terms of the legal agreement as it progressed.

5. APPLICATION NO.0682/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>
0682/FUL/11	Change of use from Class 4 (business) to Class 11 (dance studio) at Unit 2, St Andrews Ways, Deans, Livingston.	Grant conditional planning permission.

The committee then heard Mr Javed of Sarajia Islamic Centre, Tony Dhillon and Derek Condon, all speak in support of their objections to the application.

Motion

To approve the terms of the report subject to conditions, including the additional condition that the waste generated from the business was to be collected on a daily basis.

- Moved by the Chair and seconded by Councillor McCarra.

Amendment

Refuse planning permission due to a loss of vibrancy and vitality to the Bathgate town centre and the detrimental effect on the local amenity.

- Moved by Councillor Boyle and seconded by Councillor De Bold

Decision

Following a vote for which the motion and the amendment received 4 votes each the Chair used his casting vote in favour of the motion and it was agreed accordingly.

6. APPLICATION NO.0684/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>
0684/FUL/11	Formation of car park at 220 East Main Street, Broxburn.	Grant conditional planning permission

The committee then heard David Tibbs and Kevin Pfeffer speak in support of the application.

Decision

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

7. APPLICATION NO.0686/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>
0686/FUL/11	Change of use from general industrial use (class 5) to gymnasium (class 11) at Unit 7, 26 Brewster Square, Brucefield Industrial Estate, Livingston	Grant conditional planning permission

The committee then heard Caroline Gourley and Fiona Fyfe speak in support of the application.

Decision

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

8. APPLICATION NO.0683/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>
0683/FUI/11	Change of Use from Business (Class 4) to form a dance studio (Class 11) at Unit 2, St Andrews Way, Deans, Livingston.	Grant planning permission subject to conditions.

Decision

To approve the terms of the report.

9. APPLICATION NO.1012/P/05

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 for a 352ha development including residential, commercial, industrial, recreation & retail uses, community facilities, landscaping & open space, road & rail infrastructure, including M9 junction, train station, park & ride, primary & secondary schools at land around Winchburgh.	To note the progress made in drafting the legal agreement, note that the proposed legal agreement and conditions continued to provide some flexibility in establishing and delivering the planned education provision for the settlement expansion, note a proposed change to the Heads of Term as set out in the Development Management Committee report in June 2010 with respect to the likely location of the first new primary school to be delivered and delegates the Development Management Manager to finalise the Section

75 agreement and planning conditions.

The committee then heard Peter Allen, the applicant's agent and Jim McMahon, the applicant, both speak in support of the application.

Decision

To approve the terms of the report.

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 to use from office (class 2) to personal training studio (class 11) at 1 North Street, Armadale.	Refuse planning permission.

The committee then heard Michael Smith, the applicant, speak in support of the application.

Decision

To grant temporary planning permission for a period of 1 year, with conditions delegated to the Development Management Manager as the committee considered that the application was not against the accepted use of a high street shop unit and the use of the premises was not incompatible with neighbouring properties.

11. APPLICATION NO.0573/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>
0573/FUL/11	Application under Section 42 to vary conditions 3 (111) and 4 of planning permission 0116/05 in relation to heavy good vehicles traffic on a	Grant conditional planning permission.

Sunday and the height of material to be stored on site at Unit 33B 2/8 Westerton Road, Broxburn.

Decision

To approve the terms of the report.

12. APPLICATION NO.0666/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>
0666/FUL/11	Construction of a cycle path/footpath at Todd Square, industrial Estate, Livingston.	Grant conditional planning permission.

Decision

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

13. APPLICATION NO.0674/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>
0674/FUL/11	Siting of mobile snack bar at Livingston South Railway Station, Murieston, Livingston,	Grant Temporary Permission.

Decision

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

14. APPLICATION NO.0676/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>
0676/FUL/11	Alterations to telecommunications mast and replacement of equipment cabinet at Almondview, Livingston.	Grant conditional planning permission.

Decision

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

15. APPLICATION NO.0705/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>
0705/FUL/11	Erection of a 793sqm extension to skate park at Skate Park Facility at Almondvale, Livingston.	Grant conditional planning permission.

Decision

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

16. APPLICATION NO.0720/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>
0720/FUL/11	Change of use from open space to form a horticultural nursery, erection of 3 greenhouses and a 2.4m high boundary fence at land adjacent to Strathbrock Partnership Centre,	Grant conditional planning permission.

189a West Main
Street, Broxburn.

Decision

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

17. 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 November to 2nd December 2011 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.