

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 23 NOVEMBER 2017.

Present – Councillors Charles Kennedy (Chair), Stuart Borrowman, William Boyle, Harry Cartmill, Pauline Clark and David Tait

Apologies – Councillors Tom Kerr and Lawrence Fitzpatrick

Absent – Councillor Dom McGuire

# 1. DECLARATIONS OF INTEREST

Agenda Items 6, 7 & 8 (App Nos 0536/FUL/17, 0592/P/17 & 0593/P/17) – Councillor Charles Kennedy declared a non-financial in all three applications and would therefore not take part in them and would vacate the Chair; and

Agenda Items 6 (App No.0536/ FUL/17) – Councillor Pauline Clark declared a non-financial interest in that as she had only recently been appointed to the committee she had not been part of the discussion on agenda item 6 which had been continued and therefore she would not take part in the item of business. However she would participate in Agenda Items 7 & 8 (Apps Nos 0592/P/17 & 0593/P/17) as whilst these applications had also been continued the hearing on these had not begun.

# 2. MINUTE

The committee confirmed the Minute of its meeting held on 25 October 2017. The Minute was thereafter signed by the Chair.

# 3. APPLICATION NO.0418/MSc/17

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>
0418/MSc/17	Application for approval of reserved matters specified in conditions of planning permission 0050/P/08 for the development of 248 houses and 18 flats, landscaping and accesses, formation of ecological habitat and land for 20 affordable	Grant matters specified by condition subject to conditions

homes at  
Drumshoreland Road,  
Pumpherston

The committee then heard from the applicant's agent Mike Andrews speak in support of the application.

#### Decision

To approve the reserved matters in conditions of planning permission 005/P/08 subject to conditions.

#### 4. APPLICATION NO.0536/FUL/17

Councillor Charles Kennedy and Councillor Pauline Clark having previously declared a non-financial interest in the following item of business took no part in the discussion or voting on the item.

The committee then unanimously agreed that Councillor Stuart Borrowman take the Chair for the following three item of business.

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>
0536/FUL/17	Change of use from a nursery (class 10) to a house (class 9) at Pardovan Holdings, Linlithgow.	Refuse planning permission

The committee then heard from Mrs Lesley Nock, the applicant and her agent, Mr Gareth Jones.

Due to the nature of the discussion surrounding the applicant and the proposal the committee resolved under Section 50(A) (4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 6 Part 1 of Schedule 7A of the Act.

#### Decision

To grant planning permission, subject to conditions delegated to the Development Management Manager and the payment of developer contributions as the proposal did conform to policy ENV31 (Section 5) as it was considered infill development and it also conformed to policy ENV2 (Section 2) as it would restore a brownfield site and there was no opportunity to return the land to agriculture use.

5. APPLICATION NO.0592/P/17

Councillor Charles Kennedy having previously declared a non-financial interest took no part in the discussion or voting on the following item of business.

Councillor Pauline Clark re-joined the meeting for all the remaining items of business

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0592/P/17	Planning permission in principle for the erection of a house at 5 Pardovan Holding, Philipstoun	Refuse the application for planning permission in principle

The committee then heard from Mrs Lesley Nock, the applicant and her agent, Mr Gareth Jones.

Decision

To grant planning permission, subject to conditions delegated to the Development Management Manager and the payment of developer contributions as the proposal did conform to policy ENV31 (Section 5) as it was considered infill development and it also conformed to policy ENV2 (Section 2) as it would restore a brownfield site and there was no opportunity to return the land to agriculture use.

Councillor Stuart Borrowman having moved an alternative position which did not receive a seconder had his dissent to the decision recorded.

6. APPLICATION NO.0593/P/17

Councillor Charles Kennedy having previously declared a non-financial interest took no part in the discussion or voting on the following item of business.

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0592/P/17	Planning permission in principle for the erection of a house at 5 Pardovan Holding, Philipstoun	Refuse the application for planning permission in principle

The committee then heard from Mrs Lesley Nock, the applicant and her agent, Mr Gareth Jones.

Decision

To grant planning permission, subject to conditions delegated to the

Development Management Manager and the payment of developer contributions as the proposal did conform to policy ENV31 (Section 5) as it was considered infill development and it also conformed to policy ENV2 (Section 2) as it would restore a brownfield site and there was no opportunity to return the land to agriculture use.

Councillor Stuart Borrowman having moved an alternative position which did not receive a seconder had his dissent to the decision recorded.

## 7. LIST OF DELEGATED DECISIONS

Councillor Charles Kennedy returned to the meeting and chaired the remaining items of business

The Head of Planning, Economic Development and Regeneration 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 27 October to 10 November 2017 was submitted for the information of the committee.

### Decision

To note the list of delegated decisions

## 7. APPEALS

- 7a The committee noted that the following appeals had been submitted to Scottish Ministers following refusal of planning permission :-

### Application No.

### Proposal

0377/PO/17

7 Pardovan Holdings, Philipstoun – discharge of planning obligation for the sale of land and occupation restriction.

0378/PO/17

7 Pardovan Holdings, Philipstoun – discharge of planning obligation for the sale of land and occupation restriction.

- 7b The committee noted that the following appeal which had been submitted to Scottish Ministers following refusal of planning permission had been dismissed :-

### Application No.

### Proposal

0381/H/17

6a Back Station Road, Linlithgow – extension to dwelling house

- 7c The committee noted that the following appeal which had been submitted to Scottish Ministers following refusal of planning permission had been upheld :-

Application No.

Proposal

0691/P/14

Land at Station mews, Kirknewton –  
erection of 35 retirement homes

- 7d The committee noted that the following appeal which had been submitted to Scottish Ministers following refusal of planning permission had been issued with a notice of intent to grant planning permission :-

Application No.

Proposal

0918/P/15

Land at Wellhead Farm, Murieston,  
Livingston