

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 13 DECEMBER 2017.

Present – Councillors Tom Kerr (Chair), Stuart Borrowman, William Boyle, Harry Cartmill, Pauline Clark, Dom McGuire and David Tait

Apologies – Councillor Charles Kennedy

Absent – Councillor Lawrence Fitzpatrick

1. DECLARATIONS OF INTEREST

Agenda Item 6 (App No.0626/P/17) – Councillor Stuart Borrowman declared a non-financial interest in that he had attended community council meetings at which the application was discussed, he had been approached by both the objectors and the applicant on the application; and the agent for the applicant had also contacted him advising that as he lived in the ward and had referred the application to committee he was compromised and should not participate in the item of business. However Councillor Borrowman decided that as he had not expressed an opinion on the merits of the application he would participate in the item of business;

Agenda Item 6 (App No.0626/P/17) – Councillor Willie Boyle declared a non-financial interest in that he had been approached by the applicant and objectors on the application but as he had not expressed an opinion on the merits of the application he would participate in the item of business; and

Agenda Item 5 (App No.0235/FUL/17) – Councillor Tom Kerr declared a non-financial interest in that he had been approached by the applicant and objectors on the application but as he had not expressed an opinion on the merits of the application he would participate in the item of business.

2. ORDER OF BUSINESS

The Head of Planning, Economic Development and Regeneration advised the committee that the Reporter had issued to the council the Report on the Examination of the West Lothian Local Development Plan. He continued to explain that whilst the report had some bearing on the reports before committee it would not change the recommendations contained within the officer's report.

3. MINUTE

The committee confirmed the Minute of its meeting held on 23 November 2017. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.0235/FUL/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>
0235/FUL/17	Formation of a wind farm consisting of 12 turbines with maximum height to blade tip of 125m and maximum operating capacity of 48MW, crane hardstandings, access tracks, underground cables, construction of compound/storage area, substation control building and borrow pits at Fauch Hill, West Colzium and Crosswoodburn, West Calder	Refuse planning permission

The committee then heard Mr Greg McCarra, of West Calder and Harburn Community Council, Mrs Geraldine Hamilton, a local resident and Mrs R Kew of Kirknewton Community Development all speak in support of their objections to the proposal.

The committee noted that whilst Mr David Rice had also asked to address committee in support of his objections to the application he was not in attendance at the meeting.

The committee then heard Mr Bill Straker-Nesbit, the applicant, Mr Stewart McKenna of Kirknewton Community Development Trust and Mr Hugh Hunter-Gordon, Chair of Kirknewton Community Council all speak in support of the application.

Decision

To approve the terms of the report and refuse planning permission

5. APPLICATION NO.0626/P/17

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

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
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0626/P/17

Planning permission in principle for residential development at Cathlaw Lane, Torphichen

Refuse planning permission in principle

The committee then heard Ms Chris Haywood, of Torphichen Community and Mr David Samper, a local resident both speak in support of their objections to the application.

The committee then heard Ms Jessie Johnston, the applicant; Mr Alan Johnston, the applicant's son and Mr Rick Finc, the agent, all speak in support of the application.

### Motion

To refuse the application in accordance with the reasons outlined in the officer's report

- Moved by the Chair and seconded by Councillor Borrowman

### Amendment

To grant planning permission in principle with conditions and developer contributions delegated to the Head of Planning, Economic Development and Regeneration as the proposal did conform to ENV31 and ENV32 of the WLLP and that the proposal was effectively the development of an existing farm steading. Additionally the site was restricted in terms of its development potential due to the steep rise to the north of the site which was susceptible to flooding.

- Moved by Councillor Willie Boyle and seconded by Councillor Harry Cartmill

A Roll Call Vote was taken which resulted as follows :-

### Motion

Stuart Borrowman

Tom Kerr

Dom McGuire

### Amendment

Willie Boyle

Harry Cartmill

Pauline Clark

David Tait

### Decision

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

## 6. LIST OF DELEGATED DECISIONS

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 17 November to 1 December 2017 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.

## 7. APPEALS

The committee noted that the following appeals which had been submitted to the Scottish Government following refusal of planning permission had been refused :-

<u>Application No.</u>	<u>Proposal</u>
0145/H/17	Two storey extension to house and formation of patio at 30 Laverock Park, Linlithgow
0260/FUL/17	Erection of five houses at land beside Oakwell, Philipstoun, Linlithgow