

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 16 OCTOBER 2019.

Present – Councillors Charles Kennedy (Chair), Tom Kerr, Stuart Borrowman, William Boyle, Harry Cartmill, Pauline Clark, Lawrence Fitzpatrick, George Paul and David Tait

1. DECLARATIONS OF INTEREST

Agenda item 6 – Application No.0512/P/19 - Councillor Lawrence Fitzpatrick declared an interest in that he was a council appointed member of the West of Scotland Archaeology Service, who were a statutory consultee on the application, but would participate in the item of business.

Agenda item 5 – Application No.0955/FUL/18 - Councillor Lawrence Fitzpatrick declared an interest in that he was ex adverso to the service lane serving the hotel. Therefore, he would not participate in the item of business but would address committee as a local ward member.

Agenda item 10 – Application 0831/FUL/19 - Councillor Tom Kerr declared an interest in that the applicant had visited his surgery about the application but as he had made no comment on it he would participate in the item of business.

Agenda item 8 – Application No.0639/FUL/19 - Councillor Stuart Borrowman declared an interest in that two of the objectors were known to him and that he had attended a presentation by the developer at a recent meeting of the Blackridge Community Council, but as he had made no comment on the application he would participate in the item of business.

Agenda item 10 – Application No.0831/FUL/19 - Councillor Stewart Borrowman declared an interest in that one of the objectors to the application had contacted him but as he had not discussed the merits of the application with them, he would participate in the item of business.

Agenda item 6 – Application No.0512/P/19 - Councillor Pauline Clark declared an interest in that an objector had contacted her about the application but as she had not discussed the merits of the application with them, she would participate in the item of business.

Agenda item 10 – Application No.0831/FUL/19 - Councillor Pauline Clark declared an interest in that the applicant had visited her surgery but as she had not discussed the merits of the application with them, she would participate in the item of business.

Agenda item 10 – Application No.0831/FUL/19 - Councillor George Paul declared an interest in that the applicant was known to him but would participate in the item of business.

Agenda item 10 – Application No.0831/FUL/19 - Councillor David Tait

declared an interest in that the applicant was known to him but would participate in the item of business.

Agenda item 10 – Application No.0831/FUL/19 - Councillor Willie Boyle declared an interest in that the applicant was known to him but would participate in the item of business.

Agenda item 10 – Application No.0831/FUL/19 - Councillor Charles Kennedy declared an interest in that the applicant was known to him but would participate in the item of business.

## 2. ORDER OF BUSINESS

The Chair ruled that the business of the meeting would be taken in the following order :- Agenda Items 5, 8, 7,9. 10 and 6.

It was noted that there were speakers against all agenda items except for agenda item 6.

## 3. MINUTE

The committee approved the Minute of its meeting held on 25 September 2019 as a correct record, but subject to the following amendments :-

1. Page 152 (Minute Item 2) and 154 (Minute Item 5) to reflect Application No.0512/P/19; and
2. Minute Item 2 (Declarations of Interest) – Councillor Lawrence Fitzpatrick, in declaring an interest, also advised that he would be addressing committee as a local ward member.

## 4. APPLICATION NO.0955/FUL/18

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>
0955/FUL/18	Erection of a 12 unit hotel lodge complex and 4 bedroom annex, with associated landscaping and paths (as amended) at Bankton House Hotel, Bankton Wood, Murieston, Livingston	Grant planning permission subject to conditions.

The committee then heard from Mr Robert Stevenson, Mr Davidson

McQuarrie, Mr Gordon Sloan, Ms Liz Robertson and Mr Iain Brown (Murieston Community Council) all speak in support of their objections to the application. It was also noted that Mr Davidson McQuarrie also spoke on behalf of Mr Adam Weir and Ms Christina Rocea with regards to their objections to the proposal.

The committee then heard from Ms Natalie Conduoso, the applicant and from Mr Dan Henderson, her agent, both speak in support of the application.

The committee then heard from Councillor Lawrence Fitzpatrick, a local ward member, who spoke in support of his objections to the proposal.

The committee then heard from Councillor Peter Johnston, a local ward member, who spoke in support of the proposal.

### Decision

To approve the terms of the report subject to the conditions outlined in the report and was to include the following additional conditions :-

- A 2 metre high fence was to be constructed at the boundary with 6 Bankton Glade prior to the construction of the lodges;
- Planting and screening proposals were to be implemented prior to the lodges being brought into use and to be at least extra heavy standard;
- BBQ's to be only allowed at the "barbeque pit" area at the south of the site; and
- No generators to be audible within residential properties between 8pm and 8am

### 5. APPLICATION NO.0639/FUL/19

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</u>	<u>Proposal</u>	<u>Recommendation</u>
0639/FUL/19	Erection of nursery building, external play space, MUGA and car parking at Blackridge Primary School, 56 Main Street, Blackridge	Grant planning permission subject to conditions

The committee then heard from Mr Jim Cameron, the applicant, speak in support of the application.

The committee also noted that whilst the applicant's agent, Ms Lise Wisen was in attendance she did not wish to address committee but was available to answer questions.

Decision

To approve the terms of the report

6. APPLICATION NO.0636/FUL/19

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>
0636/FUL/19	Erection of 27 retirement lodges (caravan site in terms of the Caravan Sites and Control of Development Act), communal building, access roads, car parking, lighting, boundary treatment and drainage infrastructure at 11B Humber Holdings, Kirknewton	Grant planning permission, subject to condition

The committee then heard from Mr John Sives and Mr Vic Garrad (Kirknewton Community Council) both speak in support of their objections to the application.

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

The committee then heard from Councillor Carl John, a local ward member, speak in support of his objections to the application.

Decision

To grant planning permission subject to conditions.

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

7. APPLICATION NO.0705/FUL/19

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>
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0705/FUL/19 Infrastructure and Grant planning enabling works permission subject to including formation of condition roundabouts, access works, cycleway, footpaths, engineering works, car parking and landscaping at former Bangour Village Hospital, Dechmont

The committee then heard from Mr Robert Evan, the applicant's agent and Mr Gordon Coster, the applicant, both speak in support of the application.

The committee also noted that Mr John Ross was in attendance but did not wish to address committee but was available to answer questions.

#### Decision

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

#### 8. APPLICATION NO.0831/FUL/19

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</u>	<u>Proposal</u>	<u>Recommendation</u>
0831/FUL/19	Erection of 3 houses at Kenbog, Lower Bathville, Armadale	Refuse planning permission

The committee then heard from Mr John Sibbald, the applicant, speak in support of the application.

#### Motion

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

- Moved by the Chair and seconded by Councillor Lawrence Fitzpatrick

#### Amendment

To grant planning permission, with conditions and a legal agreement delegated to the Development Management Manger, as the proposal would address an area that had lain derelict for many years and was the development of a brownfield site.

- Moved by Councillor Stuart Borrowman and seconded by Councillor Willie Boyle

A roll call vote was taken. The result was as follows :-

<u>Motion</u>	<u>Amendment</u>
Lawrence Fitzpatrick	Stuart Borrowman
Charles Kennedy	Willie Boyle
George Paul	Pauline Clark
	Tom Kerr
	David Tait

#### Decision

Following a vote, the amendment was successful by 5 votes to 3 and was agreed accordingly

#### 9. APPLICATION NO.0512/P/19

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</u>	<u>Proposal</u>	<u>Recommendation</u>
0512/P/19	Planning permission in principle for residential development (to replace lapsed permission 0337/P/13) at Site Y1, Mossend, West Calder	Grant planning permission in principle subject to conditions and securing of developer contributions

#### Decision

To approve the terms of the report and grant planning permission in principle subject to conditions and the securing of developer contributions

#### 10. 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 and enforcement action for the period 20 September to 4 October 2019 was submitted for the information of the committee.

#### Decision

To note the list of delegated decisions

11. APPEALS:-

The committee noted that the following appeals, which had been submitted following refusal of planning permission, had been dismissed :-

<u>Application No.</u>	<u>Proposal</u>
0275/FUL/19	Formation of car wash facility including storage containers (in part retrospect) on land at Breich Inns, Breich
0524/P/09	Park & ride facility, Kirknewton Station, 7 Station Road, Kirknewton

The committee noted that the following appeal, which had been submitted following refusal of planning permission had been allowed :-

<u>Application No.</u>	<u>Proposal</u>
0584/P/14	Planning permission in principle for a 6.5ha residential development at land at Main Street, Dechmont