

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within WEBEX VIRTUAL MEETING ROOM, on 12 AUGUST 2020.

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

Apologies – Councillor Pauline Clark

1. DECLARATIONS OF INTEREST

Agenda Items 7 (App No.0333/FUL/20) and 9 (App No.0370/LBC/20) – Councillor Stuart Borrowman declared an interest in that the applicant(s) for the applications has asked him to refer the applications to committee, which he agreed to do but as he had not commented on the merits of either application he would participate in the items of business; and

Agenda Items 5 (App No.1026/FUL/18) and 6 (App No.1027/P/18) - 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.

2. ORDER OF BUSINESS

The Chair, having inviting members to identify any reports marked “Public Items for Information” that they required further detail on, Councillor Stuart Borrowman advised committee that he had questions in relation to Agenda Item 12(c).

3. MINUTE

The committee approved the minute of its meeting held on 8 July 2020. The minute was thereafter signed by the Chair.

4. APPLICATION NO.1027/P/18

Councillor Wille Boyle took no part in the consideration of the following item of business as he was late getting connected to the virtual meeting and therefore had not heard all the merits of the application.

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

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
1027/P/18	Planning permission in principle for residential development at Site	Refuse planning permission

Y4, Mossend, West  
Calder

The committee then heard Mr Graeme Patrick, of the Walker Group, speak in support of the application.

Decision

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

5. APPLICATION NO.1026/FUL/18

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

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
1026/FUL/18	Erection of 65 houses (as varied from 67 houses) with associated access, SUDS, open space and landscaping at Site K, Mossend, West Calder	Refuse planning permission

The committee then heard Mr Graeme Patrick, of the Walker Group, speak in support of the application.

Decision

To approve the terms of the report and refuse planning permission

6. APPLICATION NO.0333/FUL/20

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>
0333/FUL/20	Change of use from public open space to private garden ground and extension to house at 8 Leishmann Court, Blackridge	Refuse planning permission

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

Motion

To grant planning permission, with conditions delegated to the Development Management Manager, as the loss of amenity was marginal

- Moved by Councillor Stuart Borrowman and seconded by Councillor David Tait

Amendment

To approve the terms of the report and refuse planning permission

- Moved by the Chair and seconded by Councillor Lawrence Fitzpatrick

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

Motion

Stuart Borrowman  
David Tait

Amendment

Willie Boyle  
Tom Conn  
Lawrence Fitzpatrick  
Charles Kennedy  
Tom Kerr  
George Paul

Decision

Following a vote, the amendment was successful by 6 votes to 2 (with 1 member absent) and was agreed accordingly.

7. APPLICATION NO.0346/H/20

Councillor George Paul took no further part in the meeting from this item of business onwards.

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>
0346/H/20	Extension to house at 8 Etna Court, Armadale	Refuse planning permission

The committee then heard Mr Dan Henderson, the applicant's agent and Mrs Margaret Eveleigh, on behalf of the applicant, both speak in support of the application.

Decision

To continue the application for two cycles (October meeting) to allow for further dialogue on design matters between the applicant and the planning authority.

8. APPLICATION NO.0370/LBC/20

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>
0370/LBC/20	Listed Building Consent for demolition of former nursery building at Academy street, Armadale	Refuse Listed Building Consent

The committee then heard from Mr Stuart Amos, the applicant's agent, speak in support of the application

Decision

To continue the application in order to allow the applicant to consult an independent conservation accredited engineer, known to be acceptable to Historic Environment Scotland, to assess the building and produce a condition survey which was to be returned to the council by the end of the year.

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

9. APPLICATION NO,0473/P/20

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>
0473/P/20	Planning permission in principle for the erection of a house at 88 Pumpherston Road, Uphall Station	Refuse planning permission in principle

The committee then heard from Mr Grahame Heatlie, the applicant and Mr Euan Robertson, the applicant's agent.

Decision

To approve the terms of the report and refuse planning permission

#### 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 3 to 31 July 2020 was submitted for the information of the committee.

##### Decision

To note the list of delegated decisions and enforcement action.

#### 11. APPEALS

The committee noted that the following appeal, submitted to Scottish Ministers had been dismissed :-

##### Ref No.

##### Proposal

ENF/0223/19

Removal of all alleged imported garden waster from the site; removal of all alleged imported branches from the site; carry out a vegetation cut back to the satisfaction of the planning authority at land at Nevis Drive, Murieston

The committee noted the following appeal, submitted to Scottish Ministers, had been withdrawn

##### Ref no.

##### Proposal

ENF/0003/20

Alleged unauthorised erection of a post and wire fence enclosing an area of open space into the adjacent agricultural field at land at Cathlaw House, Torphichen.

The committee noted that the following appeal, submitted to Scottish Ministers, had been allowed :-

##### Application no.

##### Proposal

0821/PO/19

Modification of planning obligation relating to planning permission 1044/P/08 to remove A801 dualling contributions at land at Armadale

Station, Station Way, Armadale

Councillor Stuart Borrowman as previously advised took the opportunity to seek clarity on the financial implications of the appeal having been allowed for Application No.0821/PO/19 and what would happen next

The Head of Planning, Economic Development and Regeneration undertook to provide all members of the committee with an update on the matter in due course.

#### Decision

1. To note the list of appeals; and
2. To agree that the Head of Planning, Economic Development and Regeneration provide all the members of the committee with further information relating the appeal being allowed for Application No.0821/PO/19