

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within MS TEAMS VIRTUAL MEETING, on 6 JULY 2022.

Present – Councillors Stuart Borrowman (Chair), William Boyle, Tom Conn, Lawrence Fitzpatrick and Pauline Stafford

Apologies – Councillors George Paul, Pauline Clark and Damian Doran-Timson

1. DECLARATIONS OF INTEREST

Agenda Item 7 (App No.0226/A/22 & 0227/LBC/22) - Councillor Stafford stated that she had received an email from the Managing Director of Pub Partners (Greene King) but had not responded to the email.

Agenda Item 5 (App No.1034/P/21) - Councillor Fitzpatrick stated that he was the council appointed member to the West of Scotland Archaeology Service who were a statutory consultee to the application.

Agenda Item 6 (App No.1245/P/21) - Councillor Fitzpatrick declared an interest in that the applicant was personally known to him so he would not take part in the item of business.

Agenda Item 7 (App No.0226/A/22 & 0227/LBC/22) - Councillor Fitzpatrick stated that he had received an email from the Managing Director of Pub Partners (Greene King) but had not responded to the email.

Agenda Item 7 (App No.0226/A/22 & 0227/LBC/22) - Councillor Conn declared an interest in that he had attended a number of meetings and exchanged a number of emails on the subject matter and had also put a Motion to a meeting of West Lothian Council last year on the matter. He would therefore not take part in the item of business.

Agenda item 6 (App No.1245/P/21) - Councillor Conn stated that he knew the applicant.

Agenda Item 6 (App No.1245/P/21) - Councillor Boyle stated that he knew the applicant.

Agenda Item 8 (App No.0240/FUL/22) - Councillor Boyle declared an interest in that the agent was well-known to him so he would not participate in the item of business.

Agenda item 6 (App No.1245/P/21) - Councillor Borrowman stated that he knew the applicant.

Agenda Item 7 (App No.0226/A/22 & 0227/LBC/22) - Councillor Borrowman stated that he had received an email from the Managing Director of Pub Partners (Greene King) but had not responded to them.

2. ORDER OF BUSINESS

Committee intimated it wished to ask questions on agenda items 11b, 11d, 11e and 11f; and

Committee agreed, in accordance with Standing Order 8(3), that agenda items 10, 11a, 11c, 11g, 11h and 12 were to be taken as read and their recommendations noted without further consideration

3. MINUTES

The committee approved the Minute of its meeting held on 8 June 2022.

4. APPLICATION NO.1034/P/21

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>
1034/P/21	Planning permission in principle for the erection of 11,148sqm of business (class 4), general industry (class 5) and storage and distribution (class 6) buildings for use as film studio/stage development, including access, car parking, landscaping and associated works (amended description) at The Pyramids Business Park, Bathgate	Grant planning permission in principle subject to conditions

The committee then heard from Isabel Davis of Screen Scotland speak in support of the application.

The committee then heard from Ms Maria Frankce, the applicant's agent, speak in support of the application. Committee also noted that Alistair Weir and David Hodgkinson were also in attendance and available to answer questions from members.

Decision

To approve the terms of the report and grant planning permission in

principle subject to conditions subject to conditions

5. APPLICATION NO.1245/P/2

Councillor Fitzpatrick having previously declared an interest took no part in the following 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>
P1245/P/21	Planning permission in principle for the erection of 2 houses at land between 27 and 29 Wellview Lane, Murieston, Livingston	Grant planning permission in principle subject to conditions and planning obligations

The committee then heard from Mark Wilson speak in support of his objections to the proposal.

The committee then from Mrs Hazel Wilson speak in support of her objections to the proposal. Mrs Wilson also read a statement out of behalf of Mr and Mrs McDonald who were also objecting to the proposal.

The committee then heard from Steve Wootton, the applicant's agent, who spoke in support of the proposal.

Decision

To approve the terms of the report and grant planning permission in principle subject to conditions and planning obligations towards education and cemetery provision

6. APPLICATION NOS.0226/A/22 AND 0227/LBC/22

Councillor Conn having previously declared an interest took no part in the following 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>
0226/A/22 0227/LBC/22	& Advertisement consent and listed building consent for the display of replacement facia	Grant advertisement consent and listed building consent

sign, installation of
replacement
illuminated and non-
illuminated signs at the
Black Bitch Tavern, 12
West Port, Linlithgow

The committee then heard from Alastair Old speak in support of his objection to the proposal.

The committee then heard a local ward member, Councillor Orr, speak in support of her objections to the proposal.

The committee noted that whilst Sean Frost has requested to speak he was not in attendance at the meeting.

Decision

To continue the application for a minimum of two cycles to allow for further discussion between officer's and Historic Environment Scotland with regards to whether or not the proposed name change was incorporated into the Listed Building Consent.

7. APPLICATION NO.0240/FUL/22

Councillor Boyle having previously declared an interest took no part in the following 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>
0240/FUL/22	Change of use of shop and upper flat with extensions and alterations to building to form 8 flats at 64/66 Charles Crescent, Bathgate	Refuse planning permission

The committee then heard from Nadeem Badar speak in support of proposal.

Decision

To approve the terms of the report and refuse planning permission

8. APPLICATION NO.0320/FUL/22

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>
0320/FUL/22	Erection of a single storey extension at Green Tree Tavern, 45 East Main Street, Broxburn	Refuse planning permission

The committee then heard from Euan Pearson, the applicant's agent, speak in support of the proposal.

Motion

To approve the terms of the report and refuse planning permission

- Moved by the Chair and seconded by Councillor Fitzpatrick

Amendment

To grant planning permission, contrary to the officer's recommendation, as the proposal did conform to policies DES1, TCR3 and EMG5 of the Local Development Plan 2018 as there had been no evidence presented to suggest that there would be adverse impact on residential amenity.

- Moved by Councillor Boyle and seconded by Councillor Stafford

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

<u>Motion</u>	<u>Amendment</u>
Stuart Borrowman	William Boyle
Tom Conn	Pauline Stafford
Lawrence Fitzpatrick	

Decision

Following a vote the motion was successful by 3 votes to 2 and it was agreed accordingly.

9. 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 24 June 2022 was submitted for the information of committee.

Decision

To note the list of delegated decisions.

10. APPEALS

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

<u>Application No.</u>	<u>Proposal</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
1027/P/18	Planning Permission in principle for residential development for 22 units at Site Y4, Mossend, West Calder
0193/FUL/21	Erection Of 21 Maturation Warehouses Totalling 41,175Sqm, Ancillary Buildings, Drainage, Roads, Landscaping, Bridge Across Ncr75 And Gates to Control Vehicular Access Across Ncr75 at Land to South of Glen Turner Distillery, Starlaw Road, Bathgate
0838/PO/21	Modification of planning obligation relating to planning permission 0349/FUL/11 and 0337/P/13 to remove town centre improvements contribution at Site J & Y1, Mossend, West Calder
0839/PO/21	Modification of planning obligation relating to planning permission 0349/FUL/11 and 0337/P/13 to remove town centre improvements contribution at Site Y2a, Y2b & Y3, Mossend, West Calder
1061/PO/21	Modification of planning obligation relating to planning permission 1044/P/08 to remove cemetery contribution at Land at Armadale Station, Southdale

The Head of Planning, Economic Development and Regeneration then proceeded to respond to questions from members in respect of agenda items 11b, d, e and f and in doing so it was agreed that he would provide

committee members with a briefing note on the approach taken by the DPEA in respect of appeals submitted to them following refusal of planning permissions by West Lothian Council

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

Application No.

Proposal

1154/FUL/21

Formation of a 50 Space Park and Ride Facility with associated works at land north of Station Road, Kirknewton

ENF/0310/21

The alleged extension of garden ground, and erection of decking over watercourse at 15 Ballencrieff Mill, Bathgate

Decision

1. To note the list of appeals; and
2. To agree that the Head of Planning, Economic Development and Regeneration provide committee members with a briefing note on the approach taken by the DPEA in respect of appeals submitted to them following refusal of planning permissions by West Lothian Council

11. ACTION TAKEN IN TERMS OF STANDING ORDER 31 (URGENT BUSINESS)

The committee noted the action taken in terms of Standing Order 31 (Urgent Business) to provide approval for the submission of a response to the DPEA in relation to planning appeal PPA-400-2140 for an application at land south of Sibbalds Brae and west of Falside Crescent, Bathgate.