

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 14 SEPTEMBER 2022.

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

Apologies – Councillors George Paul and Damian Doran-Timson

Prior to the start of the meeting the Panel observed a two-minute silence in honour of the passing of HM Elizabeth II.

1. DECLARATIONS OF INTEREST

Agenda Item 6 (App No.0520/FUL/22) - Councillor Pauline Clark declared an interest in that the applicant was known to her and she had discussed the application with them. Therefore, she would withdraw from consideration of the application; and

Agenda Item 7 (App No.0596/FUL/22) - Councillor Pauline Stafford declared an interest in that she had a personal connection to the applicant. Therefore, she would withdraw from consideration of the application.

2. ORDER OF BUSINESS

The Committee was advised that in respect of three applications that were expected to return to committee, one application (Ref 0295/FUL/22) had been withdrawn by the applicant and the other applications (Ref 0227/LBC/22 and 0226/A/22) had been appealed to the DPEA for non-determination.

Committee intimated it wished to ask questions on Items 9c, 9d & 9e; and

Committee agreed, in accordance with Standing Order 8(3), that agenda items 8, 9a, 9b, and 9f to 9l were to taken as read and their recommendations noted without further consideration

3. MINUTE

The committee approved the Minute of its meeting held on 17 August subject to the correction in respect of Minute 4 (page 16) in that the decision should reflect that the re-positioning of two car parking spaces related to those in Broomyhill Place and not spaces 13 and 14.

4. APPLICATION NO. 0385/H/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>
0385/H/22	Two storey and single extension to house at 109 South Middleton, Uphall	Grant planning permission subject to conditions

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

#### Decision

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

#### 5. APPLICATION NO. 0520/FUL/22

Councillor Clark having previously declared an interest did not participate 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>
0529/FUL/22	Change of use from general industrial (class 5) to gymnastics club (class 11) at Unit 14f, Blackburn Road, Bathgate	Refuse planning permission

The committee then heard from Neil Robertson, the applicant, speak in support of the application.

#### Decision

To refuse planning permission

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

#### 6. APPLICATION NO. 0596/FUL/22

Councillor Stafford having previously declared an interest did not participate 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>
0596/FUL/22	Planning permission for continued operation of a children's nursery at 9 Riverside Lea, Seafield Road, Blackburn	Grant planning permission subject to conditions

The committee then heard from Barry Simpson, Dennis Uttridge, Catherine Muir, Qudsia Afzal (speaking on behalf of Muhammad Afzal) and Tracy Uttridge (speaking on behalf of Haleh Nather) all speak in support of their objections to the proposal.

The committee then heard Luke Addison (the applicant's son), Dr Lynn McNair and Jim Sorrell all speak in support of the application.

#### Decision

To continue the application for two cycles for the Planning Authority to take the lead on further discussions between the applicant and local residents with regards to seeking a solution to the traffic management issues at the site.

### 7. 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 12 to 26 August 2022 was submitted for the information of committee.

#### Decision

To note the list of delegated decisions.

### 8. APPEALS

The committee noted that the following appeals, which had been submitted to the Scottish Government had been dismissed :-

<u>Application No.</u>	<u>Proposal</u>
ENF/0310/21 (Appeal ENA-400-2049):	The alleged breach of planning control by the unauthorised change of use from open space to private garden ground and erection of

decking at 15 Ballencrieff Mill, Bathgate

0206/P/21

Planning permission in principle for a 108Ha mixed use development including residential development (dwellings and flatted - up to 1800 homes), local centre (including Class 1, Class 2 and Class 3 uses), community facilities (including a primary school), ancillary development, public open space, and associated works and infrastructure at Drumshoreland Garden Community, land north of Old Clapperton Hall Cottages, East Calder

0210/P/21

Planning permission in principle for a 58Ha mixed use development including residential development (dwellings and flatted - up to 400 units), local centre (including Class 1, Class 2 and Class 3 uses), community facilities, public open space, and associated works and infrastructure (EIA development) at Drumshoreland Garden Community

0813/P/21

Planning permission in principle for a 15.76Ha residential Development with associated infrastructure, landscaping and engineering works. capacity for 280+ homes at Upper Bathville, Armadale

1154/FUL/21

Formation of A 50 space park and ride facility with associated works at land north of Station Road, Kirknewton

0259/CLU/22

Certificate of Lawfulness for the continued use of an existing caravan as living accommodation at site to the north of Westfield House, Main Road, Westfield, Bathgate

The committee noted that the following appeals had been submitted to the Scottish Government :-

Application No.

Proposal

0202/LBC/22

Listed Building Consent for the

	Installation of roof mounted solar panels at 5 Bridge Castle House, Westfield
0226/A/22	Advertisement Consent for the display of replacement fascia sign, installation of replacement illuminated and non-illuminated signs at Black Bitch Tavern, 14 West Port, Linlithgow
0227/LBC/22	Listed Building Consent for the display of replacement fascia sign, Installation of replacement illuminated and non-illuminated signs at Black Bitch Tavern, 14 West Port, Linlithgow
0241/P/22	Planning permission in principle for a 12.3 Ha (around 160 homes) residential development with associated infrastructure, landscaping and engineering works at Land At Burnhouse Farm, Burnhouse, Dechmont
0558/TPO/22	Felling of 1 no. sycamore tree at 4 St Ninian's Way, Linlithgow

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

Application No.

Proposal

ENF/0310/21 (Appeal ENA-400-2050):

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