

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

Present – Councillors Stuart Borrowman (Chair), George Paul, William Boyle, Pauline Clark, Damian Doran-Timson, Lawrence Fitzpatrick and Pauline Stafford

Apologies – Councillor Tom Conn

1. DECLARATIONS OF INTEREST

Agenda Item 6 (App No.0972/A/22) - Councillor Stuart Borrowman stated a connection in that he was known to the business as a customer and knew the applicant indirectly as a result of being a customer.

Agenda Item 7 (App No.0604/FUL/22) - Councillor Stuart Borrowman stated a connection in that as a member of the council's Local Review Body he had considered a similar application in November 2021 but since that time it had change sufficiently to allow him to take part in the item of business.

Agenda Item 7 (App No.0604/FUL/22) - Councillor Pauline Clark declared that as she had not attended the meeting of the committee when it first considered the merits of the application she would not participate in the item of business.

Agenda Item 7 (App No.0604/FUL/22) - Councillor Willie Boyle declared that as he had not attended the meeting of the committee when it first considered the merits of the application she would not participate in the item of business

Agenda Item 7 (App No.0604/FUL/22) - Councillor Lawrence Fitzpatrick stated a connection in that as a member of the council's Local Review Body he had considered a similar application in November 2021 but since that time it had changed sufficiently to allow him to take part in the item of business.

Agenda Item 7 (App No.0604/FUL/22) - Councillor George Paul stated a connection in that as a member of the council's Local Review Body he had considered a similar application in November 2021 but since that time it had changed sufficiently to allow him to take part in the item of business.

2. ORDER OF BUSINESS

Committee noted that application 0898/FUL/21 was due to return to this meeting but had been delayed at the request of the applicant to allow for more time to discuss those changes requested by committee.

Committee requested that with respect to agenda items 9(a) through to 9(h) that the Development Management Manager provides details of the

status of each of the appeals detailed and to provide answers to any questions members may have.

Committee agreed, in accordance with Standing Order 8(3), that agenda 8 was to taken as read without any further consideration.

3. MINUTE

The committee approved the Minute of its meeting held on 16 November 2022. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.0934/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>
0934/H/22	Erection of front boundary railings with vehicular and pedestrian access, Williamsraig House, Linlithgow	Refuse planning permission

The committee heard from David Johnson, the applicant's architect, speak in support of the application.

The committee then heard from local ward member, Councillor Pattle, speak in support of the application

Decision

To grant planning permission contrary to the report recommendations subject to the standard conditions only, as committee determined that the proposal did accord with policies DES1, ENV28 and ENV1 of the WL Local Development Plan in that the style and height of the wall and railing was of a suitable design for the character of the building and would not detract from the setting of the B listed building. Additionally, in terms of policy DES1 of the WLDLDP the proposal was justified on the grounds of privacy and road safety.

5. APPLICATION NO.0972/A/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>
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0972/A/22	Display of 1 illuminated and 2 non-illuminated wall mounted signed (in retrospect), 67A Whitburn Road, Bathgate	Refuse consent	advertising
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Decision

To grant planning permission contrary to the report recommendations subject to the standard conditions for advertisement consents, as committee felt that proposal did accord with policy DES1 of the WL Local Development Plan in that it would have no impact on the visual amenity of the building and wider area.

9. APPLICATION NO.0604/FUL/22

Councillors Willie Boyle and Pauline Clark having declared at the beginning of the meeting that they had not heard all the merits of the case 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>
0604/FUL/22	Erection of a 298sqm restaurant/bar & café/hot food takeaway (class 3 and sui generis) with balcony terrace, staircase and extension to car park, land at Bankton Centre, Murieston, Livingston	Refuse planning permission

The committee heard from Nigel Moore, the applicant's agent, speak in support of the application.

The committee then heard from Asghar Ali, the applicant, speak in support of the application

Decision

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

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 11 November to 2 December 2022 was submitted for the information of committee.

Decision

To note the list of delegated decisions.

8. APPEALS

The Development Management Manager provided the committee with a summary of the status of each of the appeals listed on the agenda as follows :-

Committee noted that the following appeals had been dismissed: -

<u>Application No.</u>	<u>Proposal</u>
0202/LBC/22	Listed Building Consent for the installation of roof mounted solar panels at 5 Bridge Castle House, Westfield
0244/FUL/22	Erection of a house with associated works at Dechmont House, Woodlands Park, Deans, Livingston

Committee noted that the appeals had been allowed :-

<u>Application No.</u>	<u>Proposal</u>
0216/A/22	The display of 2 illuminated fascia signs and 1 illuminated free standing pylon sign at 21 Inchmuir Road, Blackburn, Bathgate
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

Committee noted that the following appeals had been submitted :-

<u>Application No.</u>	<u>Proposal</u>
0151/P/22	Planning permission in principle for a mixed-use development for business (Class 4), industrial (Class 5) and storage & distribution (Class 6) with associated engineering, landscaping and drainage works at land to north and south Of A705, Cousland Farm, Livingston
0470/FUL/22	Change of use from open space to private garden ground and erection of decking across watercourse (in retrospect) at 15 Ballencrieff Mill, Bathgate
0845/A/22	Display Of 6 illuminated and non-illuminated signs and floodlights (in retrospect) at The Old Market Inn, 28 West Main Street, Whitburn

The Development Management Manager then responded to a number of questions from committee noting that with respect to all appeals both to the DPEA and the council's Local Review Body officers were always looking to review their decisions and subsequent outcomes.

Decision

To note the list of appeals