

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 20 MARCH 2019.

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

Absent – Councillor Harry Cartmill

1. DECLARATIONS OF INTEREST

Agenda Item 8 (Application No.1221/FUL/18) – Councillor Tom Kerr declared an interest in that he was a trustee of the Lady Park Trust so would not participate in the item of business; and

Agenda Item 8 (Application No.1221/FUL/18) – Councillor Lawrence Fitzpatrick declared an interest in that he was a council appointed member of the West of Scotland Archaeology Service who had commented on the application but would participate in the item of business.

2. ORDER OF BUSINESS

The committee were advised that Application No.0897/FUL/18 (erection of 2 houses at Longridge Road, Whitburn) had been expected to return to this meeting of the Development Management Committee but the applicant had requested more time to deal with some technical matters concerning the application.

3. MINUTE

The committee confirmed the Minute of its meeting held on 20 February 2019. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.0009/H/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>
0009/H/19	Conversion of garage to form ancillary residential accommodation at Burnside Cottage, Burnside Road, Bathgate	Refuse planning permission

The committee then heard Mr Flockhard, the applicant, speak in support of the application.

The committee then heard Mr Steven Anderson, a neighbour, speak in support of his objections to the application.

The committee also noted that whilst Mr Andrew Brown had requested to speak he was not in attendance at the meeting.

Motion

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

- Moved by the Chair and seconded by Councillor Lawrence Fitzpatrick

Amendment

To continue the application for two cycles to allow for further discussion with the applicant on the layout of the proposed extension.

- Moved by Councillor Willie Boyle and seconded by Councillor Pauline Clark

A roll call vote was taken which resulted as follows :-

Motion

Amendment

Stuart Borrowman

Willie Boyle

Lawrence Fitzpatrick

Pauline Clark

Charles Kennedy

Tom Kerr

George Paul

David Tait

Decision

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

5. APPLICATION NO.1186/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 :-

Application No.

Proposal

Recommendation

1186/FU/18	Erection of house on land adjacent to United Reform Church, 48 Majoribanks Street, Bathgate	Refuse permission	planning
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The committee then heard Mr Dan Henderson, the applicant's agent; Mr Bill Collins and Mrs Brenda Collings, the applicant's; Ms Eilidh Young, President of the United Reform Church; and Councillor John McGinty, a local ward member, all speak in support of the application.

Decision

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

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

6. APPLICATION NO.1197/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>
1197/FUL/18	Erection of three houses at Wester Woodside Farm, Torphichen	Refuse planning permission

The committee then heard Mr Dan Henderson, the applicant's agent, and Mr William Russell, the applicant, both 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 Tom Kerr

Amendment

To grant planning permission as the principle of development on the site had already been established; there was no realistic prospect of the site being return to agriculture use particularly in light of changing practices in the agriculture industry; and there was a desire to see development of the whole site to achieve a coherent development, rather than in two separate phases.

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

A roll vote was taken which resulted as follows :-

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

Decision

The motion and amendment having received 4 votes each (with 1 member absent), the Chair used his casting vote in favour of the motion and it was agreed accordingly.

7. APPLICATION NO.1221/FUL/18

Councillor Tom Kerr, 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>
1221/FUL/18	Construction of a re-aligned footpath and erection of a stock proof fence with associated engineering and landscape works at land at Lady Park, Linlithgow	Grant planning permission subject to conditions

The committee then heard Mr Tom Costley, Mrs Mary Easson and Mr Jamie Smart, all speak in support of their objections to the application.

Decision

To continue the application for two cycles to allow for further consultation with the local community to take place and to ensure attendance at the committee by an officer from Nets, Land and Countryside Service to deal with all technical aspects of the proposal.

8. 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 15 February to 8 March 2019 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.

9. APPEALS :-

- 9.1 The committee noted that the following appeal against enforcement action had been dismissed :-

Reference No.

Location

ENF/0125/18

53 Lyarthall, Broxburn

- 9.2 The committee noted that the following appeal against refusal of planning permission had been dismissed :-

Application No.

Location

0888/H/18

96a Lower Bathville, Armadale

- 9.3 The committee noted that the following appeal following refusal of planning permission had been submitted to Scottish Ministers :-

Application No.

Location

0636/P/18

Land south of Sibbalds Brae and west of Falside Crescent, Bathgate