

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 13 NOVEMBER 2019.

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

Apologies – Councillors William Boyle and Harry Cartmill

1. DECLARATIONS OF INTEREST

- 1) Agenda Item 5 (Application No.0927/FUL/18 – Erection of 18 houses at land at south east of Tarbert Drive, Murieston, Livingston) – Councillor Lawrence Fitzpatrick declared a non-financial 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) Agenda Item 5 (Application No.0927/FUL/18 – Erection of 18 houses at land at south east of Tarbert Drive, Murieston, Livingston) – Councillor Stuart Borrowman declared an interest in that he had met with the applicant but as he had not stated a position on the application he would participate in the item of business; and
- 3) Agenda Item 5 (Application No.0927/FUL/18 – Erection of 18 houses at land at south east of Tarbert Drive, Murieston, Livingston) – Councillor David Tait declared an interest in that he had attended a presentation on the application but as he had not stated a position on it he would participate in the item of business.

2. MINUTE

The committee approved the Minute of its meeting held on 16 October 2019. The Minute was thereafter signed by the Chair.

3. APPLICATION NO.0927/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>
0927/FUL/18	Erection of 18 houses with associated infrastructure and landscaping (as amended) at land to	Grant planning permission, subject to conditions and a legal agreement to secure developer

south east of Tarbert contributions.
Drive, Murieston,
Livingston

The committee then heard from local residents Ms Annie Dryden, Ms Clare O'Lone, Ms Gillian de Felice, Mr Calum Whitelaw, Ms Dionne Lemmer, Mr Christopher Dryden (on behalf of Mr Karl Beagley), Mr Davidson McQuarrie (on behalf of Ms Carol Hallesy, Ms Aileen Brown, Mr Stuart Brown and Ms Marie Hudson) and Mr Ian Brown from Murieston Community Council all speak in support of their objections to the application.

The committee also heard from Ms Moira Shemilt, who prior to addressing committee, declared that whilst she was objecting to the application as a private resident she was also an elected member of West Lothian Council.

The committee then heard from Mr Fraser Lynne, the applicant, speak in support of the application. The committee noted that Mr Lynne was accompanied by Mr Jason Steele who did not wish to address committee but was available to answer any questions.

Motion

To refuse planning permission as there would be a loss of woodland that was protected by a Tree Preservation Order, a loss of residential amenity and the weight of concerns from local residents against the development.

- Moved by Councillor Stuart Borrowman and seconded by Councillor Lawrence Fitzpatrick

Amendment

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

- Moved by Councillor Tom Kerr and seconded by Councillor Charles Kennedy

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

Motion

Stuart Borrowman
Pauline Clark
Lawrence Fitzpatrick
George Paul

Amendment

Charles Kennedy
Tom Kerr
David Tait

Decision

Following a vote, the motion was successful by 4 votes to 3 and it was agreed accordingly.

Councillors Stuart Borrowman and George Paul took no further part in the remaining items of business.

4. APPLICATION NO.0864/FUL/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>
0864/FUL/19	Erection of house, garage and associated works at The Paddock, Leyden Road, Kirknewton	Refuse planning permission

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

The committee noted that whilst the applicant, Mr Crombie, was in attendance at the meeting he did not wish to address committee.

Decision

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

5. APPLICATION NO.0918/MSC/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>
0918/MSC/19	Approval of matters specified in conditions of planning permission 0524/P/09 for temporary access road off Clifton Road from Overshiel to Nethersheil (in retrospect) at Calderwood, East Calder	Approve subject to conditions.

The committee then heard the applicant's representative, Mr Ray Kirk, speak in support of the application.

The committee then heard from local resident, Mr Paul Martin, speak in support of his objections to the proposal.

Decision

To continue the application for one cycle so all the members of the committee could participate in a site visit.

6. 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 October to 1 November 2019 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.