

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 19 FEBRUARY 2020.

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

Apologies – Councillors Tom Conn and George Paul

1 DECLARATIONS OF INTEREST

Agenda Item 5 (Application No.0848/FUL/19) – Councillor Stuart Borrowman had not participated in consideration of this item in December 2019 and would therefore not participate in the item of business.

Agenda Item 5 (Application No.0848/FUL/19) – Councillor Pauline Clark declared an interest in that she had attended a meeting of the West Calder and Harburn Community Council when they had discussed the application, but as she did not offer an opinion on the matter, she would participate in the item of business.

Agenda Item 5 (Application No.0848/FUL/19) – Councillor Lawrence Fitzpatrick declared an interest in that he was a council appointee to the West of Scotland Archaeology Service, who were a statutory consultee on the application, but he would participate in the item of business.

2 ORDER OF BUSINESS

The Chair ruled the following in terms of Standing Order 11:

- That agenda item 7 (Application No. 1272/H/19) would be considered before agenda item 6 (Application No. 1150/FUL/19).
- That the following appeal, which officers would present orally, would be added under agenda item 9 (Appeals):

Application No.0538/FUL/18 - Conversion and extension of farm buildings to form 4 houses and erection of 4 houses with associated works at Cairnview Mains Farm, West Calder - Appeal dismissed.

- That Councillor Carl John would be added to the list of speakers for agenda item 6 (Application No. 1150/FUL/19).

3 MINUTE

The committee confirmed the minute of its meeting held on 22 January 2020. The Chair thereafter signed the minute.

4 APPLICATION NO.0848/FUL/19

Councillor Stuart Borrowman took no part in the decision of this application.

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>
0848/FUL/19	Erection of 48 Houses at Hartwood Road, West Calder	Grant planning permission, subject to conditions and a legal agreement to secure the relevant developer obligations

The committee then heard Ms Joan O'Donnell speak on behalf of West Calder and Harburn Community Council in support of their objections to the application.

The committee then heard Mr Ian Simmonds, Ms Lorna McCallum, Mr Kenny Saunders (on behalf of Ms Gail Simmons), Mr John Hastie and Mr Dennis O'Donnell (on behalf of Mr Duncan Collin), local residents, speak in support of their objections to the application.

The committee then heard Mr Gordon Johnson from Persimmon Homes, the applicant, speak in support of the application.

The committee also noted that whilst Mr Neil Parry, the applicant's agent, was in attendance, he did not wish to address committee but was available to answer questions.

The committee then heard Councillors Cathy Muldoon and David Dodds, local ward members, speak in support of their objections to the application.

Motion

To refuse planning permission on the grounds that it would exacerbate the existing unacceptable levels of traffic congestion and danger to pedestrians on Hartwood Road and local streets as they all interact with junction A71, and therefore it does not comply with policies DES1 and HOU1.

- Moved by Councillor Pauline Clark and seconded by Councillor Lawrence Fitzpatrick.

Amendment

To approve the application and grant planning permission subject to conditions and a legal agreement to secure the relevant developer

obligations.

- Moved by Councillor David Tait and seconded by the Chair.

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

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

Decision

Following a vote for which the motion and amendment received three votes each (with three members having given apologies), the Chair used his casting vote in favour of the amendment and it was agreed accordingly.

5 APPLICATION NO.1272/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>
1272/H/19	Single storey extension to the property located at 94 Braeside Park, Mid Calder	Grant planning permission

Decision

To grant planning permission.

6 APPLICATION NO.1150/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>
1150/FUL/19	Erection of two houses and garages (amendment to application 1124/FUL/18) (Partly in	Grant planning permission, subject to conditions

retrospect) at 9
Churchill Way,
Kirknewton

The committee then heard Mr Brian Dewar, on behalf of Mr Gill Greeves, Mr Torhill Dewar, Mr David Dickson and Mr and Mrs Coulter, local residents, speak in support of their objections to the application.

The committee also noted that whilst Mr Kenny Farrell, local resident, had requested to speak, he was not in attendance at the meeting.

The committee then heard Mr Stewart McKenna and Mrs Anne Pinkerton, applicants, speak in support of the application.

The committee then heard Councillor Carl John, a local ward member, speak in respect of the application.

Decision

To grant planning permission, subject to conditions and subject to amending condition 2 to also exclude the garages being used for commercial purposes.

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 actions for the period 17 January to 7 February 2020 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.

8 APPEALS

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

Application No.

Proposal

1175/A/19

Display of three illuminated wall mounted billboard signs at Whitburn Road, Bathgate

0948/A/19

Display of 2 fascia signs, 1 window graphic sign and 1 freestanding sign (in retrospect) at 100 West Main Street, Whitburn

The committee noted that the following appeal had been submitted against enforcement action:

Application No.

Proposal

ENA-400-2040

Alleged unauthorised change of use from public open space to private garden ground at 45 Longpark Place, Livingston

The committee also noted that the following appeal had been dismissed:

Application No.

Proposal

0538/FUL/18

Conversion and extension of farm buildings to form 4 houses and erection of 4 houses with associated works at Cairnview Mains Farm, West Calder