

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 11 MARCH 2020.

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

1. DECLARATIONS OF INTEREST

Agenda Item 6 (App No.1230/FUL/19) – Councillor Lawrence Fitzpatrick declared an interest in that he knew the objector to the application therefore would not participate in item of business.

Agenda Item 7 (Ap No.1240/FUL/19) – Councillor Lawrence Fitzpatrick declared an 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.

Agenda Item 5 (App No.1230/FUL/19) – Councillor Stuart Borrowman declared an interest in that he had been approached by both the applicant and the objector but as he had not offered an opinion on the application would participate in the item of business.

2. MINUTE

The committee confirmed the Minute of its meeting held on 19 February 2020. The Minute was thereafter signed by the Chair.

3. APPLICATION NO.1230/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>
1230/FUL/19	Erection of 2 houses with associated works at land to the south of 14 Craigs Court, Torphichen	Refuse planning permission

In outlining the terms of the application, the Development Management Manager advised that if committee was minded to refuse the application then there was a set of draft reasons for refusal attached to the report. However, it was noted this should also include policy HOU3 of the West Lothian Local Development Plan at point 2.

The committee then heard from local resident Mrs Geraldine Malcolm who spoke in support of her objection to the proposal.

Decision

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

4. APPLICATION NO.1231/H/19

Having previously declared an interest in the following application Councillor Lawrence Fitzpatrick took no part in the decision.

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>
1231/H/19	Erection of garage with ancillary accommodate at Sandygait Cottage, Murieston Road, Murieston, Livingston	Grant planning permission

The committee then heard from Mr Euan Roy, who was speaking on behalf of Mr Gerry Bann, a local neighbour, in support of Mr Bann's objection to the application.

Prior to hearing from the applicant, the Chair ruled in terms of Standing Order 11 that new information from the objector's representative was not to form part of the hearing as this had not previously been shared with all the relevant parties including the planning authority.

The committee then heard from Mr Kris Harran, the applicant, speak in support of the application.

Motion

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

- Moved by the Chair and seconded by Councillor Willie Boyle

Amendment

To continue for one cycle to allow for additional information from the objector to be shared with all relevant parties including the planning authority.

- Moved by Councillor David Tait and seconded by Councillor George Paul.

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

MotionAmendment

Stuart Borrowman
 Willie Boyle
 Pauline Clark
 Tom Conn
 Charles Kennedy
 Tom Kerr

George Paul
 David Tait

Decision

Following a roll call vote the motion was successful by 6 votes to 2, with 1 member having declared an interest, and it was agreed accordingly.

5. APPLICATION NO.1240/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</u>	<u>Proposal</u>	<u>Recommendation</u>
1240/FUL/19	Erection of a multi-arts workshop/rehearsal centre including accommodation and associated works at land to the north of Colzium Cottage, Kirknewton	Refuse planning permission

The committee then heard from Mr Rob Thorburn, the applicant, 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 Lawrence Fitzpatrick

Amendment

To grant planning permission as the proposal did accord with policies DES1, EMP3, ENV1, ENV3 and NRG1 of the West Lothian Local Development Plan in that it would be constructed using material in keeping with local environment, would create employment for a rural community and had been designed in such a way to be sympathetic to the topography of the landscape so would not have an adverse impact on the character of the designated Special Landscape Area.

- Moved by Councillor David Tait and seconded by Councillor Willie Boyle.

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

Motion

Stuart Borrowman
Tom Conn
Lawrence Fitzpatrick
Charles Kennedy
Tom Kerr
George Paul

Amendment

Willie Boyle
Pauline Clark
David Tait

Decision

Following a roll call vote the motion was successful by 6 votes to 3 and it was agreed accordingly.

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 14 to 28 February 2020 was submitted for the information of the committee.

Decision

To note the list of delegated decisions.

7. APPEALS

The committee noted that the following appeals submitted to Scottish Ministers following refusal of planning permission 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.

04122/FUL/19

Display of cars and vans for sale (continuation of use granted under 0786/FUL/15) at 35-37 Main Street, Winchburgh.

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

Application No.Proposal

0636/P/18

Planning permission in principle for

residential development with access, landscaping, SUDS and associated infrastructure at land south of Sibbalds Brae and west of Falside Crescent, Bathgate

The committee noted that the following appeal submitted to Scottish following refusal of planning permission was out of time :-

Application No.

Proposal

0864/FUL/19

Erection of house, garage and associated works at The Paddocks, Kirknewton

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

Application No.

Proposal

ENF/0290/17

Alleged display of one unauthorised freestanding sign at 10 Caputhall Road, Deans Industrial Estate, Livingston