

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within WEBEX VIRTUAL MEETING ROOM, on 16 SEPTEMBER 2020.

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

Apologies – Councillor Pauline Clark

1. DECLARATIONS OF INTEREST

Agenda Item 6 (App No.0205/MS/20) - Councillors Tom Kerr, Stuart Borrowman, George Paul and Willie Boyle all declared an interest in that they knew one of the speakers in his capacity as a former councillor in West Lothian, but would take part in the item of business;

Agenda Item 11 (App No.0424/H/20) - Councillor Stuart Borrowman declared an interest in that he had been approached by the applicant and the objector but as he did not comment on the merits of the application he would participate in the item of business;

Agenda Items 7 (App No.0252/P/20), 9 (App No.0375/P/20) & 11 (App No.0424/H/20) – 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 applications but would take part in the two items of business;

Agenda Item 7 (App No.0252/P/20) - Councillor Lawrence Fitzpatrick declared an interest in that he knew one of the speakers to the application, in a personal capacity, so would not take part in the application; and

Agenda Item 13 (App No.0430/H/20) - Councillor Lawrence Fitzpatrick declared an interest in that he had referred the item of business to committee but would take part in the item of business.

2. ORDER OF BUSINESS.

The Chair ruled in terms of Standing Order 11 that Agenda Item 5 (Application No.0434/FUL/20) would be moved to the end of the agenda as it had no speakers associated with it.

3. MINUTE

The committee approved the Minute of its meeting held on 12 August 2020. The Minute was thereafter signed by the Chair.

4. APPLICATION NO.0205/MS/20

Councillor Lawrence Fitzpatrick having previously advised that he would be late in attending committee due to a prior commitment 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>
0205/MS/20	Approval of matters specified in conditions for the erection of 52 houses on land north of Fauldhouse Road (B7010), Longridge	Grant approval of matters specified in conditions subject to conditions

The committee then heard from Mr Gordon Beurskens, Dr Stig Walsh and Mr Andrew Lindsay who all spoke in support of their objections to the proposal. Committee also noted that whilst Mrs Brenda Bardie had requested to speak she was not connected to the virtual meeting.

The committee then heard from Ms Sarah Lapsley, the applicant's agent, speak in support of the application.

Motion

To approve the terms of the report and approve matters specified in conditions subject to conditions.

- Moved by the Chair and seconded by Councillor George Paul

Amendment

To refuse the application for matters specified in conditions due to concerns with density, the impact on the local amenity, concerns with ongoing water supply in the area and a lack of playing facilities.

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

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

Motion

Stuart Borrowman
Tom Conn
Tom Kerr
George Paul

Amendment

Willie Boyle
David Tait

Decision

Following a vote, the motion was successful by 4 votes to 2 and it was agreed accordingly.

5. APPLICATION NO.0252/P/20

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>
0252/P/20	Planning permission in principle for a 7ha residential development with associated access, servicing and landscaping at Land at Appleton Parkway Roundabout, School House Road, Eliburn, Livingston.	Grant planning permission subject to conditions and section 75

The committee then heard from Mr Steven Eagan, Eilburn Community Council, speak in support of their objections to the application.

Decision

To approve the terms of the report and grant planning permission in principle subject to conditions and a section 75 and was to include a condition restricting hours of operation of the construction site, which would be the standard hours including Saturday morning.

6. APPLICATION NO.0347/FUL/20 -

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning the following application :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0347/FUL/20	Application for a part change of use from agricultural shed to dog training facility with associated works (in retrospect) at Site West of Linburn Road, Kirknewton, West Lothian.	Grant planning permission subject to conditions

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

The committee then heard Mr John Sives, Kirknewton Community

Council, speak in support of their objections to the application.

Decision

To approve the terms of the report and grant planning permission subject to conditions.

Councillor Willie Boyle having moved an alternative position which not attract a seconder had his dissent to the decision recorded.

7. APPLICATION NO.0375/P/20

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>
0375/P/20	Application under Section 42 to develop land without complying with condition 2b (approval of details of means of access to all buildings) and condition 2h (approval of a design statement) of planning permission 0689/P/17 for class 4 business use, class 5 general industrial use and class 6 storage/distribution use at Five Sisters Business Park West Calder, West Lothian.	Refuse

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

Decision

To approve the terms of the report and refuse the section 42 application.

Councillor Willie Boyle having moved an alternative position which did not receive a seconder had his dissent to the decision recorded.

8. APPLICATION NO.0413/H/20

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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0423/H/20	Erection of a shed and decking (in retrospect) at 53 Eliburn South Road, Eliburn.	Refuse permission	planning
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The committee then heard from Ms Megan Archibald, the applicant's daughter, speak in support of the application.

Motion

To continue the application for one cycle to allow for further dialogue between the Planning Authority and the applicant to reduce height and impact of the visual amenity and to address the over-looking issues

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Tom Conn

Amendment

To grant planning permission with conditions delegated back to the Development Management Manager as the development did not impact on the overall residential amenity.

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

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

<u>Motion</u>	<u>Proposal</u>
Stuart Borrowman	Willie Boyle
Tom Conn	David Tait
Lawrence Fitzpatrick	
Tom Kerr	
George Paul	

Decision

Following a vote, the motion was successful by 5 votes to 2 and it was agreed accordingly.

9. APPLICATION NO.0424/H/20

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>
0424/H/20	Extensions to house and construction of raised decking at Glencroft, Woodend	Grant permission planning

The committee then heard from Mrs Lynsey Hardie, the applicant, speak in support of the application.

Decision

To approve the terms of the report and grant planning permission subject to conditions

10. APPLICATION NO.0425/H/20

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follow :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0425/H/20	Formation of a dormer window at 3 Newpark Mews, Bellsquarry.	Refuse planning permission

The committee then heard from Mr Dan Henderson, the applicant's agent, speak in support of the application. Mr Henderson then read out a statement on behalf of the applicant Mr David Cowan, who had intended to be at the meeting but had been called away on other pressing business at the last minute.

Motion

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

- Moved by the Chair and seconded by Councillor Stuart Borrowman

Amendment

To grant planning permission, with conditions delegated back to the Development Management Manager, as the application did comply with DES1 of the Local Development Plan and was in keeping with the overall visual amenity

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

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

Motion

Stuart Borrowman
Tom Conn
Lawrence Fitzpatrick
Tom Kerr
George Paul

Amendment

Willie Boyle
David Tait

Decision

Following a vote, the motion was successful by 5 votes to 2 and it was agreed accordingly.

11. APPLICATION NO.0430/H/20

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>
0430/H/20	Two storey extension to house and erection of a porch at 1 Bankton Drive, Murieston.	Refuse planning permission

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

Decision

To approve the terms of the report and refuse planning permission

12. APPLICATION NO.0434/FUL/20

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>
0434/FUL/20	Alterations to raise filling station canopy from 3.8 m to 4.8 m high (underside of canopy) at Newton Filling Station, 3 Main Street, Newton	Grant planning permission

Decision

To grant planning permission

Councillor Willie Boyle having moved an alternative position which did not receive a seconder had his dissent to the decision recorded.

13. 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 7 August to 4 September 2020 was submitted for the information of the committee.

Decision

To note the list of delegated decisions and enforcement action.

14. APPEALS -

The committee noted that the following appeals had been submitted to Scottish Ministers :-

<u>Application No</u>	<u>Proposal</u>
0025/H/20	Raising of Roof to Form First Floor Accommodation at 50 Kirk Road, Bathgate
0340/P/19	Planning permission in principle for a residential development (with Environmental Impact Assessment) at Land at Wilcoxholm Farm, Linlithgow

The committee noted that the following appeals had been dismissed :-

<u>Application No.</u>	<u>Proposal</u>
1240/FUL/19	Erection of A Multi-Arts Workshop/Rehearsal Centre Including Accommodation and Associated Works at Colzium Cottage, Kirknewton
ENF/0226/19	The Alleged Erection of An Outbuilding and The Operation of a Manufacturing Business from The Outbuilding at 3 Strathlogie, Westfield, Bathgate

The committee noted that the following appeal had been allowed :-

<u>Application No.</u>	<u>Proposal</u>
1175/A/19	Display Of 3 Illuminated Wall Mounted Billboard Signs at Whitburn Road, Bathgate