

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within WEBEX VIRTUAL MEETING, on 14 JULY 2021.

Present – Councillors Charles Kennedy (Chair), Tom Kerr, Stuart Borrowman, William Boyle, Tom Conn and Lawrence Fitzpatrick

Apologies – Councillors Pauline Clark, George Paul and David Tait

1. DECLARATIONS OF INTEREST

Agenda Item 5 (Application No.0277/H/21) - Councillor Willie Boyle declared a non-financial interest that as the item had been continued from the May meeting which he had not attended he would not take part in the remaining discussion on the matter;

Agenda Items 7 (Application No.1200/FUL/20) & 9 (Application No.0384/FUL/21) - Councillor Willie Boyle declared a non-financial interest in that he currently had separate business dealings with the architects firm involved in the planning application so would not participate in the item of business;

Agenda Item 7 (Application No.1200/FUL/20) - Councillor Stuart Borrowman declared an interest in that he had been approached by the applicant/agent about the application and had referred the matter to committee but as he had not made an opinion on the application he would participate in the item of business;

Agenda Item 8 (Application No.0172/EXC/21) - Councillor Lawrence Fitzpatrick declared an interest in that he was a member of RSPB and a council appointed member of the West of Scotland Archaeology Services therefore would not participate in the item of business due to his membership of the RSBP;

Agenda Item 10 (Application No.0501/FUL/21) - Councillor Lawrence Fitzpatrick declared an interest in that he knew the objector personally therefore would not take part in the item of business;

Agenda Item 9 (Application No.0384/FUL/21) - Councillor Charles Kennedy declared an interest in that he was very familiar with the application and could be affected by the proposal therefore would not participate in the item of business and would vacate the chair for this one item.

2. ORDER OF BUSINESS

The Chair ruled in terms of Standing Order 11 that the agenda would be dealt with in the following order :- Agenda Item 5, 6, 7, 9, 10 and 8.

Committee agreed to ask questions on Agenda Items 12a and 12b which were marked for information only. They also agreed that in accordance with Standing Order 8(3) that all the remaining items marked for information were to be taken as read with their recommendations noted without any further consideration.

3. MINUTE

The committee approved the minute of its meeting held on 9 June 2021 as a correct record.

4. APPLICATION NO.0277/H/21

Councillor Willie Boyle, having 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>
0277/H/21	Increase in height of existing fence and installation of a CCTV camera (in retrospect), Winnock, Burnside, Bathgate	Refuse the submitted plans and seek approval for an amended proposal.

The committee heard from Mr Mark Flockhart, the neighbour, who spoke in support of his objections to the application.

The committee then heard from Mr Stephen Anderson and Dr Jana Anderson, the applicant's, both speak in support of the application.

Decision

Minded to grant the amended proposal outlined in the report (with updated plans to be submitted by the applicant) with conditions and the issuing of planning permission delegated to the Development Management Manager. In addition, the trellis fence along the driveway was to be removed within 1 week (from date of committee).

5. APPLICATION NO.0633/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>
0633/FUL/20	Erection of a single domestic garage and reposition front boundary line in connection with planning permission 0622/FUL/18 at land at 8 East Main Street, Uphall	

The committee noted that Mr Bruce Fairbairn, the applicant's agent, was available to answer question.

Decision

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

6. APPLICATION NO.1200/FUL/20

Councillor Willie Boyle, having 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>
1200/FUL/20	Erection of a house and garage on land to north east of 4 South Couston Crofts, Armadale	Refuse planning permission

The committee heard from the applicant's agent, Mr Colin Hardie, speak in support of the application.

Decision

To grant planning permission with conditions delegated to the Development Management Manager as it was considered that he proposal was an acceptable departure from policy

7. APPLICATION NO.0384/FUL/21

Councillors Willie Boyle and Charles Kennedy having previously declared an interest took no part in the following item of business. Councillor Tom Kerr took the Chair.

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>
0384/FUL/21	Erection of house at land at Ballencrieff Mill, Bathgate	Refuse planning permission

The committee heard from Mr Colin Hardie, the applicant, speak in support of the application.

Decision

To approve the terms of the report and refuse planning permission

8. APPLICATION NO.0501/FUL/21

Councillor Lawrence Fitzpatrick having previously declared declarations of interest took no further part in the remaining items 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>
0501/FUL/21	Application under Section 42 without complying with condition 10 of planning permission 0848/FUL/19 for the erection of 48 houses to allow change to construction working and delivery hours to 0800-1800 Mondays to Fridays and 0800-1300 Saturdays and at land west of Hartwood Road, West Calder	Grant planning permission subject to conditions

The committee heard from Mr Allan MacLaughlan, West Calder and Harburn Community Council speak in support of the community council's objections to the application.

The committee then heard from Mr Danny McLean, the applicant, speak in support of the application.

Decision

To refuse the application due to the impact upon residential amenity and pedestrian safety.

9. APPLICATION NO.0172/EXC/21

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>
0172/EXC/21	Consultation application on under	Raise no objection subject to appropriate

Section 36 of the conditions to regulate Electricity Act 1989 for development consent to construct and operate a wind farm with a generating capacity in excess of 50mw, comprising of up to 14 wind turbines and associated infrastructure at heathland approximately 1.5km east of Forth, West Lothian & South Lanarkshire

Decision

To approve the terms of the report and raise no objection subject to appropriate conditions to regulate development.

10. 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 4 June to 2 July 2021 was submitted for the information of committee.

Decision

To note the list of delegated decisions.

11. APPEALS :-

The committee noted that the following appeals, which had been submitted to the Scottish Government following refusal of planning permission had been dismissed :-

Application No.

Proposal

0370/LBC/20

Application No.0370/LBC/20:
Listed Building Consent for demolition of former nursery building at former nursery, Academy Street, Armadale, EH48 3JD

Committee noted the question raised by Councillor Stuart Borrowman in

relation to above mentioned appeal and the answers provided by the Head of Planning, Economic Development and Regeneration

The committee noted that the following appeals, which had been submitted to the Scottish Government following refusal of planning permission had been allowed :-

<u>Application No.</u>	<u>Proposal</u>
1188/PO/20	Application No.1188/PO/20: Modification of planning obligation relating to planning permission 1044/P/08 to remove town centre improvements contribution at land at Armadale Station (Southdale), Station Way, Armadale

Committee noted the question raised by Councillor Stuart Borrowman in relation to above mentioned appeal and the answers provided by the Head of Planning, Economic Development and Regeneration

The committee noted that the following appeals, which had been submitted to the Scottish Government following refusal of planning permission had been submitted :-

<u>Application No.</u>	<u>Proposal</u>
0219/FUL/20	Erection of 104 houses, formation of access roads, open space and associated engineering operations at site at Hens Nest Road, East Whitburn
1182/P/20	Planning Permission in principle for a mixed-use development including residential, commercial, park and ride site, solar voltaic array and associated works at site at Uphall, Broxburn
0161/FUL/21	Erection of a garage with upper floor hobby accommodation at Turner House, Gowanbank, Westfield,

Decision

1. To note the list of appeals; and
2. To agree that in relation to the appeal for Application No.0370/LBC/20 the Head of Planning, Economic Development and Regeneration keep the Chair and Councillor Stuart Borrowman apprised of the situation as it progressed.

