

MINUTE of MEETING of the DEVELOPMENT MANAGEMENT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 16 NOVEMBER 2022.

Present – Councillors Stuart Borrowman (Chair), George Paul, William Boyle, Pauline Clark, Damian Doran-Timson, Lawrence Fitzpatrick and Pauline Stafford

Apologies – Councillor Tom Conn

1. DECLARATIONS OF INTEREST

Agenda Item 8 (App No.0792/P/22) - Councillor Lawrence Fitzpatrick stated a connection in that he was a council appointed member of West of Scotland Archaeology Service who were a statutory consultee on the application;

Agenda Item 7 (App No.0596/FUL/22) - Councillor George Paul stated that as the application had been continued from the September meeting which he had not attended he had not heard all the merits of the case and therefore would not participate in the item of business;

Agenda Item 7 (App No.0596/FUL/22) - Councillor Damian Doran-Timson stated that as the application had been continued from the September meeting which he had not attended he had not heard all the merits of the case and therefore would not participate in the item of business;

Agenda Item 7 (App No.0596/FUL/22) - Councillor Pauline Stafford declared an interest in that she had a personal connection to the applicant. Therefore, she would withdraw from consideration of the application.

2. ORDER OF BUSINESS

Committee were advised that Agenda Item 8 (App No.0792/P/22) had been withdrawn by the applicant after the agenda had been published.

Committee were advised that two applications that had been continued (App No.0898/FUL/21 & App No.0604/FUL/22) and were due to return to the November meeting had been further delayed due to ongoing discussions between the applicant and the Planning Authority.

Committee intimated it wished to ask questions on Item 11c.

Committee agreed, in accordance with Standing Order 8(3), that agenda items 10, 11(a), 11(b) and 11(d) to 11(k) were to taken as read and their recommendations noted without further consideration.

3. MINUTE

The committee approved the Minute of its meeting held on 19 October 2022. There Minute was thereafter signed by the Chair.

4. APPLICATION NO.0583/P/22

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>
0583/P/22	Planning permission in principle for the erection of 6 houses, 16 Raw Holdings East, East Calder	Refuse planning permission in principle

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

Decision

To refuse planning permission

5. APPLICATION NO.0657/FUL/22

he 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>
0657/FUL/22	Erection of 56sqm two storey extension to industrial unit at Scotlens, Mill Road Industrial Estate, Linlithgow	Grant planning permission subject to conditions

The committee then heard from Rhodri Williams, the applicant's agent, speak in support of the application.

Decision

To grant planning permission subject to the draft conditions annexed to the committee report and to add two further conditions to be drafted by the Development Manager:- 1) the standard construction restriction condition that will, amongst other things, put a restriction on construction noise; and 2) a condition which will require the screen mesh fence to be constructed before construction on the extension commences, and once, constructed, maintained to a satisfactory standard as agreed in writing with the Planning Authority.

6. APPLICATION NO.0872/A/22 & 0873/LBC/22

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>
0872/A/22 0873/LBC/22	& Listed Building Consent and permission for the display of 1 free standing backlit sign and 1 wall mounted backlit sign, 4 Court Square, Linlithgow	Approve Listed Building Consent and Advertisement Consent subject to conditions.

Decision

To grant Listed Building Consent and Advertising Consent.

7. APPLICATION NO.0596/FUL/ 22

Councillor Stafford having previously declared an interest did not participate in the following item of business.

Councillor Paul and Damian Doran-Timson having previously declared that they had not heard all the merits of the case did not participate 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>
0596/FUL/22	Continued operation of children's nursery, 9 Riverside Lea, Seafield Road, Blackburn	Grant planning permission subject to conditions

The committee then heard from Barry Simpson, Dennis Uttridge, Catherine Muir, Qudsia Afzal (speaking on behalf of Muhammad Afzal) and Tracy Uttridge (speaking on behalf of Haleh Nather) all speak in support of their objections to the proposal.

The committee then heard Luke Addison (the applicant's son), Dr Lynn McNair and Jim Sorrell all speak in support of the application.

Decision

To grant temporary planning permission for a period of 1 year subject to

the draft conditions annexed to the committee report with Condition 3 being amended to provide that an updated Traffic Management Plan that includes progress on the proposed mitigation measures within the Traffic Management Plan to be submitted to the Planning Authority within three months of the date of the consent as opposed to within six months of the date of the consent.

8. 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 October to 4 November 2022 was submitted for the information of committee.

Decision

To note the list of delegated decisions.

9. APPEALS

Committee noted that the following enforcement appeals had been allowed in part :-

<u>Ref Number</u>	<u>Proposal</u>
ENF/0146/19	Change of use from open space to private garden ground to the west of property and the erection of a new boundary fence and outbuilding at 120 Spottiswoode Gardens, Mid Calder, Livingston
ENF/0246/21	Unauthorised change of use from agriculture to bus/HGV repairs, salvage, breaking, reclamation and storage of vehicles at Northfield Farm, Fauldhouse, Bathgate

Committee note that the following appeal had been dismissed :-

<u>Application No.</u>	<u>Proposal</u>
0558/TPO/22	Felling of 1 no. sycamore tree at 4 St Ninian's Way, Linlithgow

Committee noted that the following appeals had been submitted :-

<u>Application No.</u>	<u>Proposal</u>
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0854/A/22	Display of 6 illuminated and non-illuminated signs and floodlights (in retrospect) at The Old Market Inn, 28 West Main Street, Whitburn
0566/FUL/22	Demolition of an existing two storey outbuilding and erection of two one-bedroom studio flats at 14 Market Street, Mid Calder, Livingston
0240/FUL/22	Change of use of shop and upper flat with extensions and alterations to building to form 8 flats at 64-66 Charles Crescent, Bathgate
ENF/0253/22	Change of use from public open space to private garden ground and erection of a 1.8M high fence
0584/FUL/21	Change of use from open space to private garden ground and erection of decking across watercourse (in retrospect) at 15 Ballencrieff Mill, Bathgate

Committee noted that the following appeal had been allowed :-

Application No.

Proposal

0497/P/21

Application under Section 42 to develop land to modify Condition 4 of planning permission in principle 0020/P/16 for a 19-hectare residential development with associated works to allow a maximum of 375 residential units to be constructed on the north side of the A89 (increase from 300 To 375) at Standhill North/South West Main Street, Armadale

Committee then took the opportunity to ask questions of the Head of Planning, Economic Development and Regeneration in respect of the Application No.0497/P/21 and its implications for local communities.

Committee noted that the following appeals were to be re-determined following appeal decisions being quashed by the Court of Session :-

Application No.

Proposal

0210/P/21

Planning Permission in principle for A 58Ha mixed use development including residential development

(dwellings and flatted - up to 400 units), local Centre (including Class 1, Class 2 And Class 3 Uses), community facilities, public open space, and associated works and infrastructure (EIA Development) at Drumshoreland Garden community land North of Old Clapperton Hall Cottages , East Calder

0206/P/21

Planning permission in principle for a 108Ha mixed use development including residential development (dwellings and flatted - up to 1800 homes), local centre (including Class 1, Class 2 And Class 3 Uses), community facilities (including a primary school), ancillary development, public open space, and associated works and infrastructure at Drumshoreland Garden community land North of Old Clapperton Hall Cottages , East Calder