

Addressing the Development Management Committee

NOTES FOR GUIDANCE



Planning Services Development Management

Introduction

This guidance note explains the format of the Development Management Committee. It has been produced to help applicants and objectors prepare and make the most of the opportunity to address the committee.

Who can address the committee?

Applicants, objectors and supporters have the opportunity to address the committee. To be eligible, you must return the form which will be sent to you or telephone or email the planning case officer by 12 noon on the Monday before the committee meeting. If you do not and we have no record of a response, you may lose the opportunity to participate in the meeting.

Where is the meeting held?

The Development Management Committee meets at the West Lothian Civic Centre, Howden South Road, Livingston. A plan providing directions is attached. You will be notified by letter of the details of the meeting which will consider the application in which you have an interest.

It is recommended that you allow sufficient time to travel to the Civic Centre and where necessary, find appropriate parking. There is limited visitor parking available at the Civic Centre. There is public parking available at The Centre, 87 Almondvale South, Livingston.

When you arrive at the reception of the Civic Centre, you will be required to sign a visitors' log and you will be given a visitor's pass.

The meeting takes place in the council chambers in the Civic Centre. You should try to arrive at the chambers not later than 10 minutes prior to the start of the meeting. The agenda and reports are available online at <http://coins.westlothian.gov.uk/coins> prior to the meeting.

Who attends the Development Management Committee?

The committee has nine members and there are representatives from each of the political parties.

The membership of the current sub-committee (July 2009) is:

- Depute Provost Jim Dickson (Chairman)
- Provost Tom Kerr (Vice-Chair)
- Councillor Gordon Beurskens
- Councillor Stuart Borrowman
- Councillor William Boyle
- Councillor Ellen Glass
- Councillor Carl John
- Councillor Greg McCarra
- Councillor John Muir

In addition to the councillors and officials, there are usually representatives from the local press in attendance together with applicants, agents, objectors and other members of the public.

How is the Development Management Committee meeting organised?

The meeting is divided into sections.

- Those planning applications which have attracted speakers are taken first with full presentations and a debate.
- Committee may then adjourn for a short break of approximately 30 minutes.
- All other applications are then considered.

The length of any meeting is difficult to predict. The aim is to finish before noon. However, this is not always feasible. In that event, a 30 minute adjournment will be taken at or about noon.

Other business arising is dealt with at the end of the meeting. This is usually the reporting of appeals and requests for enforcement action. Occasionally there will be some matters which require to be discussed privately and in a closed session.

The meeting is chaired by the Chairman and it is normal practice for the Development Management Manager to introduce the application and give any update to the written report on the agenda. Anyone objecting to the application will be asked to speak first, followed by any supporters and then the applicant or agent. Members of the committee then have an opportunity to ask questions and debate the proposals before the case is put to a vote and a decision taken whether to grant or refuse permission.

When it is time for you to speak, you will be called by the Chairman and asked to take a seat at the committee table. A microphone is provided and you should make use of this. A maximum time of five minutes is permitted for you to put your case, which must be only on valid planning matters. You must not make statements that are personal, defamatory or abusive, nor interrupt another speaker or the committee debate.

You may find it helpful to prepare what you want to say in advance. Remember that you do not need to repeat all the points in any letters sent in, since these will already have been summarised in the committee report and are reproduced in full. You should instead focus on the key points of concern to you.

Please be aware that supporting papers, reports or photographs cannot be circulated to members as part of the presentation. Members may ask you questions and you will be thanked for making your presentation. You are entitled to stay to hear the debate and listen to the decision being made.

The committee may either grant planning permission or refuse it. Occasionally, decisions on applications are continued so that further information can be obtained. In such cases, the application will be considered again at a future meeting.

What happens once the application has been decided?

The applicant/agent and representees will be advised in writing, normally within five working days, of the committee's decision and the reasons for refusing planning permission or the conditions attached to an approval.

In some instances, before a decision notice can be issued, applications require to be notified to the Scottish Government or Historic Scotland or are subject to a legal agreement between the applicant and the council. In such cases, it will not be possible to provide a decision notice or a copy of conditions immediately after the meeting. These will be forwarded as soon as practicable.

If approved, the council monitors the progress of the development to ensure that it complies with the approved plans and the conditions. If the development contravenes the terms of the permission, the council is empowered to take enforcement action to rectify the breach.

Can I appeal against the decision if I disagree with it?

Only the applicant has a right of appeal against a decision of the Development Management Committee on a planning application. If you are an applicant and your application has been refused or if the council has imposed conditions which you find unacceptable, you have three months from the date the decision is issued to lodge an appeal with the Scottish Ministers. You can obtain appeal forms from the **Scottish Government, Directorate of Planning & Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR**. Alternatively, you can telephone **01324 696400** or log onto the website at **<https://eplanning.scotland.gov.uk/WAM/>**. The decision of the Scottish Ministers or a Reporter is final, except on a point of law.

Developers are not entitled, solely by reason of a planning permission, to carry out a proposed development. They may need other approvals, depending on the type of development. Planning permission does not override any civil/property rights which may be in force over the land which is the subject of the planning approval and it is the responsibility of the developer to ensure that he/she has all other necessary consents before starting work.

How do I complain about the way the application was processed?

We distribute questionnaires at committee as part of our ongoing programme of customer feedback. The aim of this is to help us improve our procedures and performance.

If you are particularly unhappy with the way in which the Development Management team dealt with your application or your representations and believe that it failed to follow the correct procedures in processing the application, then you can make a formal complaint. A leaflet explaining the council's complaints procedure is available from any council office or can be requested by telephone. In addition, complaints can be made via the council's website.

If, after having exhausted the council's complaints procedure, you remain unsatisfied, you may then complain to: **The Scottish Public Services Ombudsman, 23 Walker Street, Edinburgh, EH3 7HX, telephone 0970 011 5378.**

Customers with special requirements

Information is available in Braille, tape, large print and community languages. Please contact the interpretation and translation service on 01506 775000

هذه المعلومات متوفرة بلغة بريل وعلى شريط وبخط كبير وبلغات الجالية.
الرجاء الإتصال بخدمة الترجمة على الهاتف 01506 775000

এই তথ্য আপনি ব্রেইল, টেপ, বড় অক্ষরে এবং কমিউনিটির বিভিন্ন ভাষায় পড়তে পারবেন। অনুগ্রহ করে ইন্টারপ্রেটেশন অ্যান্ড ট্রান্সলেশন সার্ভিসের সঙ্গে যোগাযোগ করুন। টেলি: 01506 775000

這份資料是可以凸字、錄音帶、大字印刷及社區語言的式本提供。請聯絡傳譯及翻譯服務部，電話：01506 775000

ਇਹ ਜਾਣਕਾਰੀ (ਬ੍ਰੇਲ) ਨੈਚੂਰੀਨ ਏ ਪੜ੍ਹਣ ਵਾਲੀ ਲਿਖੀ, ਟੇਪ, ਵੱਡੇ ਫਿੰਟ ਅਤੇ ਸਮਾਜ ਦੀਆਂ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ ਉਪਲਬਧ ਹੈ। ਫ਼ੋਨਾ ਵਰਕੇ ਇੰਟਰਪ੍ਰੀਟੇਸ਼ਨ ਅਤੇ ਟਰਾਂਸਲੇਸ਼ਨ ਸਰਵਿਸ ਨੂੰ ਇਸ ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ: 01506 775000

یہ معلومات بریل (اندھوں کے رسم الخط)، ٹیپ، بڑے حروف کی مطبوعات اور کمیونٹی میں ہونے والی زبانوں میں دستیاب ہے۔
براہ مہربانی انٹرنیٹ پر پبلک آئیڈنٹیفیکیشن سروس سے ٹیلیفون نمبر 01506 775000 پر رابطہ قائم کریں۔

Informacje te mogą być przekazane na język Braille'a, dostępne na taśmie magnetofonowej lub wydane dużym drukiem oraz przetłumaczone na języki mniejszości narodowych.
Prosimy o kontakt z Usługami Tłumaczeniowymi pod numerem 01506 775000

Text phones offer the opportunity for people with a hearing impairment to access the council. The text phone number is 18001 01506 464427. A loop system is also available in all offices.

Disabled access: County Buildings is fully accessible to people with mobility difficulties.

Development Management, West Lothian Council,
County Buildings, High Street, Linlithgow, West Lothian EH49 7EZ.

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