



LOCAL REVIEW BODY

APPLICATION NO. 0710/H/18 – ERECTION OF DETACHED GARAGE WITH LOFT STORAGE AT 41 PUMPHERSTON ROAD, UPHALL STATION, LIVINGSTON, WEST LOTHIAN, EH54 5PL.

REPORT BY CLERK AND LEGAL ADVISER TO THE LOCAL REVIEW BODY

A PURPOSE OF REPORT

This covering report describes the documents and other matters relevant to the consideration by the Local Review Body of this application for review of a decision by the council's Appointed Person. The application is to review the refusal of planning permission for the erection of detached garage with loft storage at 41 Pumpherston Road, Uphall Station, Livingston, West Lothian, EH54 5PL.

B REVIEW DOCUMENTS

The following documents form the Review Documents for consideration by the Local Review Body and are circulated to members with this report:-

1. The Notice of Review, dated 22 October 2018. This also included the following documents:-
 - Refusal of Planning Permission Notice dated 11 October 2018
 - Approval of Planning Permission Notice dated 11 April 2013
 - Handling Report for approved planning permission dated 11 April 2013
 - Current Handling Report for Refused Planning; and
 - Drawings FS/13/573.1.2.& 3.
2. A further copy of the Handling Report, dated 1 October 2018
3. A further copy of the Decision Notice dated 11 October 2018

One representation was received in relation to the planning application; this was from Mr Alan Pike of 33 Pumpherston Road, Uphall Station, who objected to the application. Mr Pike was contacted to advise that the Notice of Review application had been received and if he wished to make further comment they were to be made within 14 days. No further comments were received from Mr Pike.

The applicant has stated in the review application that they consider that the Local Review Body could decide the review case by conducting a site visit and

assessment of review documents only, with no further procedure.

C DEVELOPMENT PLAN POLICIES AND PLANNING GUIDANCE

Planning permission was refused by the Appointed Person as they considered that the proposed development, by virtue of its scale and location within the plot, was inappropriate for an ancillary building and would give rise to a loss of amenity for the neighbouring property. The application was therefore contrary to policy DES1 (Design) in the adopted West Lothian Local Development Plan and the council's House Extension and Alteration Design Guide..

D PLANNING CONDITIONS, LEGAL AGREEMENTS AND GOOD NEIGHBOUR AGREEMENTS

Without prejudice to the outcome of this review, to assist the Local Review Body in its deliberations and to assist the applicant and interested persons in securing a prompt resolution of the review, the Planning Adviser has drafted planning conditions which the Local Review Body may wish to consider imposing should it be minded to grant planning permission. A copy is circulated with this report.

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Date: 12 December 2018