

MINUTE of MEETING of the LOCAL REVIEW BODY of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 25 NOVEMBER 2015.

Present – Councillors George Paul (Chair), Lawrence Fitzpatrick, William Boyle, Tom Kerr, Greg McCarra and John Muir

Apologies – Councillor Harry Cartmill and Tom Conn

Absent – Councillor Angela Moohan

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. MINUTE

The committee confirmed the Minute of its meeting held on 28 October 2015. The Minute was thereafter signed by the Chair.

3. NOTICE OF REVIEW - APPLICATION NO.0566/FUL/15 - CHANGE OF USE OF EXISTING CAFE (CLASS 3) TO HOT FOOD TAKEAWAY AT 61 MARGARET AVENUE, BATHGATE

The committee considered a report (copies of which had been circulated) by the Clerk and Legal Adviser to the Local Review Body which related to a Notice of Review for the conditions attached to a grant of planning permission for a change of use of existing café to hot food takeaway at 61 Margaret Avenue, Bathgate.

Attached to the report were the Notice of Review and other relevant documents and the report identified the policies in the development plan and relevant planning guidance that had been referred to in the review documents. The committee decided that the review documents in conjunction with the site visit conducted before the meeting provided sufficient information to enable the review to be determined without any further procedure.

The committee considered the review application in terms of the statutory test, to have regard to the development plan and to make its decision in accordance with the development plan unless material considerations indicated otherwise.

Motion

To continue the application to allow for further information to be provided in relation to the operating hours which had applied to the premises during their previous use and to the nearby business which had lodged an objection to the planning application.

- Moved by Councillor Boyle and seconded by Councillor McCarra

Amendment

To uphold the review application and delete the restriction of hours from the grant of planning permission.

- Moved by Councillor Muir and seconded by Councillor Fitzpatrick

Decision

Following a vote for which the motion and amendment received three votes each, the Chair used his casting vote in favour of the motion and it was agreed accordingly.