

MINUTE of MEETING of the LOCAL REVIEW BODY of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 17 AUGUST 2016.

Present – Councillors Lawrence Fitzpatrick (Chair), William Boyle, Harry Cartmill, Greg McCarra and David Tait

Apologies – Councillors George Paul, Tony Boyle, Tom Conn and Tom Kerr

1. MINUTE

The committee confirmed the Minute of its meeting held on 22 June 2016. The Minute was thereafter signed by the Chair.

2. NOTICE OF REVIEW - APPLICATION NO.0176/FUL/16

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 a review of condition 1 attached to a grant of planning permission for an area of ground to the north of 2 Stable Lane, Polbeth.

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 a 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.

The Local Review Body also took into account the views expressed in the Notice of Review and comments received from representatives.

Decision

To uphold the review application and remove Condition 1 of the grant of planning permission for 2 Stable Lane, Polbeth as to do so would improve the appearance of the parcel of land to the north of 2 Stable Lane, Polbeth.

3. NOTICE OF REVIEW - APPLICATION NO.0845/P/15

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 a review of refusal of planning permission for the

erection of 6 houses at Raw Holdings, East Calder.

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 a 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.

The Local Review Body also took into account the views expressed in the Notice of Review and comments received from representatives.

Motion

To uphold the decision of the Appointed Person and refuse planning permission.

- Moved by the Chair and seconded by Councillor Cartmill

Amendment

To uphold the review application and grant planning permission subject to conditions and a S75 agreement delegated to the Planning Adviser as the application did conform with policies CDA 9, 5 and 1 and there had been no objections from statutory consultees.

It was agreed that a roll call vote be taken which resulted as follows :-

Motion

Harry Cartmill

Lawrence Fitzpatrick

Amendment

William Boyle

Greg McCarra

David Tait

Decision

Following a vote the amendment was successful by 3 votes to 2 and it was agreed accordingly.