



LOCAL REVIEW BODY

APPLICATION NO.0694/P/17 – PLANNING PERMISSION IN PRINCIPLE FOR THE FORMATION OF A PARK AND RIDE CAR PARK INCLUDING ACCESS ROAD AND PEDESTRIAN LINK AT CHOTTA GHAR, STATION ROAD, UPHALL STATION

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 formation of a park and ride car park including access road and pedestrian link at Chotta Char, Station Road, Uphall Station

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 (submitted by the Applicant/Agent), dated 18 December 2018. This also includes the following documents:-
 - Supporting statement
 - Series of photographs of the site
 - Location plan
2. The Handling Report, prepared by the Planning Case Officer, dated 21 September 2018
3. The Decision Notice, issued by the Appointed Person, dated 21 September 2018

An objection has been received from the council's Transportation Service; copy enclosed.

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 a hearing.

Members of the Local Review Body first considered the merits of the review at a meeting on 6 February 2019, however it was noted that in conducting the site visit before committee, the incorrect application site had been visited by committee members. Therefore the Local Review Body agreed to continue the review application for one cycle to allow for the correct site to be visited.

C DEVELOPMENT PLAN POLICIES AND PLANNING GUIDANCE

Planning permission was refused by the Appointed Person as they considered that the proposal was unacceptable as the site was situated outwith the settlement envelopes of Uphall and Uphall Station/Livingston and within the designated Livingston Countryside belt, as identified in the WLLDP 2018. Additionally the WLLDP had not identified a need for a park and ride facility at this location.

Therefore the proposal was contrary to the provisions of both the strategic and local countryside and transportation policies of the development plan as set out below :-

- i. Policy 1B (Development Principles) of the Strategic Development Plan for Edinburgh and South East Scotland 2013 (SESPlan)
- ii. Policy 8 (Transportation) of SESPlan
- iii. Policy ENV1 (Landscape Character) of the West Lothian Local Development Plan 2018
- iv. Policy ENV3 (Development in the Countryside) of the West Lothian Local Development Plan 2018
- v. Policy ENV7 (Countryside Belts); and
- vi. Policy TRAN1 (Transport Infrastructure)

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: 6 March 2019