

MINUTE of MEETING of the LOCAL REVIEW BODY held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 6 FEBRUARY 2019.

Present – Councillors George Paul (Chair), Lawrence Fitzpatrick, Stuart Borrowman, William Boyle, Pauline Clark, Charles Kennedy, Tom Kerr and David Tait

Apologies – Councillor David Dodds

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. ORDER OF BUSINESS

The Chair ruled in terms of Standing Order 7 that he would consider Agenda Item 6 following approval of Minute to facilitate officer attendance. Agenda Item 5 would follow thereafter.

3. MINUTE

The committee approved the Minute of its meeting held on 9 January 2019. The minute was thereafter signed by the Chair.

4. NOTICE OF REVIEW APPLICATION NO.0694/P/17 - PLANNING PERMISSION IN PRINCIPLE FOR THE FORMATION OF A PARK AND RIDE CAR PARK INCLUDING ACCESS ROAD AT LAND 250 METRES SOUTHEAST OF CHOTTA GHAR, STATION ROAD, UPHALL

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 following refusal of planning permission for the formation of a park and ride facility at Chotta Ghar, Station Road, Uphall.

The committee then heard the Planning Adviser explain to committee that following a site visit conducted earlier that day by the committee members it had been ascertained that the wrong application site had been visited. Therefore the suggestion was that the application be continued for one cycle to allow for the correct site to be visited.

Decision

To agree to continue the application for one cycle to allow committee members to visit the correct application site.

5. NOTICE OF REVIEW APPLICATION NO.0281/FUL/18 - CHANGE OF USE FROM INDUSTRIAL UNIT (CLASS 5) TO SHOP (CLASS 1) (IN RETROSPECT) AT DONNY'S CARPETS, WHITBURN ROAD, 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 following refusal of planning permission for the change of use from industrial unit to retail at Donny's Carpets, Whitburn Road, Bathgate.

Attached to the report were the Notice of Review and other relevant documents. The report identified the policies in the development plan and relevant 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 regards 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 account of the views expressed in the Notice of Review documents.

Decision

To uphold the review and grant planning permission subject to conditions as committee considered that the proposal complied sufficiently with policies TCR2 and EMP1 of the West Lothian Local Development Plan in that the proposal was providing employment and the specific nature of the business was suited to an industrial setting. Furthermore the imposition of the conditions would address concerns about the appropriateness of any potential future uses that could be made of the premises and help safeguard the industrial land supply in the longer term.

The Chair having moved an alternative position had his dissent to the decision recorded.