

MINUTE of MEETING of the LOCAL REVIEW BODY held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, EH54 6FF, on 13 MARCH 2024.

Present – Councillors Danny Logue (Chair), Alison Adamson, Stuart Borrowman, Tony Boyle, William Boyle; and Pauline Clark

Apologies – Councillor Tom Conn

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. MINUTE

The committee confirmed the draft Minute of its meeting held on 28 February 2024 as a correct record. The Minute was thereafter signed by the Chair.

3. NOTICE OF REVIEW APPLICATION NO.0859/FUL/23

The committee considered a report (copies of which had been circulated) by the Chief Solicitor to the Local Review Body regarding an application to review the refusal of planning permission by the Appointed Person for a change of use from open space to private garden ground, 100 Huntly Avenue, Deans, Livingston

Attached to the report were the Notice of Review and other relevant documents. The documents 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 prior to the meeting provided sufficient information to enable the review to be determined without any further procedure.

The committee then determined the review application in terms of the statutory test and to have regards to the development plan unless material consideration indicated otherwise.

The Local Review Body also took account of the views expressed in the Notice of Review documents.

Decision

To uphold the position of the Appointed Person and refuse the review application.

4. NOTICE OF REVIEW APPLICATION NO.1163/FUL/22

The committee considered a report (copies of which had been circulated)

by the Chief Solicitor to the Local Review Body regarding an application to review only Condition 3 attached to the grant of planning permission by the Appointed Person for a change of use from hairdresser (Class 1) to café (Class 3 (sui generis) (in retrospect) at 29 Uphall Station Road, Pumphferston

Attached to the report were the Notice of Review and other relevant documents including letters of representation. The documents 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 prior to the meeting provided sufficient information to enable the review to be determined without any further procedure.

The committee then determined the review application in terms of the statutory test and to have regards to the development plan unless material consideration indicated otherwise.

The Local Review Body also took account of the views expressed in the Notice of Review documents.

Decision

To uphold the decision of the Appointed Person and refuse the review application as to amend Planning Condition 3 to allow the hours of operation to be extended to 11pm on a Friday and a Saturday was not acceptable.