



**MINUTES OF THE MEETING OF THE
LOCAL REVIEW BODY**

**THURSDAY 29 FEBRUARY 2024
VIA THE DIGITAL MEETINGS SYSTEM**

Committee Members Present:

Councillor L Allan (lost connection during Item 2 and was unable to re-join)
Councillor D Collins
Councillor A Forrest (Chair)
Councillor N Gilbert

Advisers to the Local Review Body:

Mr C Grilli, Legal Adviser to the LRB
Mr M Mackowiak, Planning Adviser to the LRB

Clerk:

Ms F Currie, Committees Officer

Apologies:

None

Declarations of Interest

None

Introductory Statement by the Legal Adviser

The Legal Adviser outlined the procedure for the Local Review Body to reach a decision on the planning application before it and reminded them that further advice would be provided on procedure, should they conclude they did not have enough information to determine the application today.

The Legal Adviser then invited nominations to chair the meeting. Councillor Gilbert nominated Councillor Forrest, and this was seconded by Councillor Collins. It was agreed that Councillor Forrest would chair the Local Review Body (LRB) on this occasion.

1. PLANNING APPLICATION NO. 23/00471/P: CHANGE OF USE OF FLAT TO SHORT TERM HOLIDAY LET (RETROSPECTIVE), 2A FORTH STREET LANE, NORTH BERWICK EH39 4JB

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser summarised the details of the application which was the subject of the review and provided details of the property, the short term let business and its location within North Berwick town centre and within the North Berwick Conservation Area. He confirmed that no alterations had been undertaken to the flat, either internally or externally, to facilitate the proposed change of use. The case officer had noted a number of points made by the applicant support of her original application and these were also summarised.

The Planning Adviser reminded Members that Section 25 of the Town and Country Planning (Scotland) Act 1997 required that the application be determined in accordance with the development plan unless material considerations indicated otherwise. The development plan was National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (LDP). The relevant policies were: Policies 7 (Historic assets and places) and 30 (Tourism) of NPF4; and Policies RCA1 (Residential Character and Amenity), CH2 (Development Affecting Conservation Areas), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the LDP. Also, Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The Planning Adviser then turned to the case officer's assessment of the application. Four objections had been received in relation to the application and these had been summarised in the case officer's report. The case officer had also noted that some of the objections, such as those relating to alleged non-compliance with building standards regulations, were not material considerations in the determination of the planning application.

The case officer had correctly stated that in the determination of this application it was necessary to assess the impact of the change of use of the application property to a unit of holiday let accommodation upon the amenity of the existing neighbouring residential properties. He had also summarised all comments received from internal and external consultees including the Council's Senior Environmental Health Officer, the Antisocial Behaviour Team, Roads Services, Housing Strategy and Development Service, the Economic Development Service Manager, and Police Scotland.

The case officer had conducted a planning assessment of the proposal and concluded that the use of the application property as a holiday let resulted in a regular turnover of users/occupants of the property. This use changed the nature of comings and goings not only

to the application property itself but also within the communal entrance and hallway of the residential building. The officer concluded that these changes were harmful to the amenity of the occupants of the residential properties within the residential flatted building. The officer concluded that given the specific circumstances and location of the application property within the residential building named, which contains another permanent/long term residences which shares a communal entrance, internal stair and hallway, the proposed change of use was incompatible with and harmful to the amenity of the occupiers of the properties within the said residential building. By having an unacceptable impact on local amenity, the proposal was contrary to part e) of Policy 30 of NPF4 and with Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

The officer had also assessed the impact of the change of use on the loss of residential accommodation where such loss was not outweighed by demonstrable local economic benefits as is stated in part e) of Policy 30 of NPF4. The Council's Housing Strategy & Development Service had objected to the application as the change of use of this property from a long-term residential dwelling to a short term let was considered a significant loss as the property was in North Berwick with a concentrated number of short-term lets. Furthermore, the short term let was not considered long term established and the annual occupancy rate was low. The Council's Economic Development Service Manager had argued that there were demonstrable local economic benefits delivered by all types of short-term holiday lets in East Lothian and that existing provision of this type of accommodation should be retained, protected and supported where there was no demonstrable impact on local amenity, the character of the area or loss of residential accommodation. The case officer concluded that the local economic benefits associated with the use of the property as a short-term holiday let did not outweigh the unacceptable impact on local amenity. Therefore, the change of use was not in accordance with the Development Plan and there were no material planning considerations that outweighed that fact.

The Planning Adviser also summarised the submission provided by the applicant in support of the review. It made a number of points, including that the flat below was not a permanent/long term residence but a second property/holiday home; the owner's permanent address was elsewhere in Scotland; and the owner sometimes spent several weeks at a time away from the property during which time it was either unoccupied or used by their family and friends. As this downstairs flat was regularly used by family and friends of the owner when the owner was not resident, the owner was not in control of security to communal areas such as the gate being left open. Only these two properties shared the common entrance and the use of each was not dissimilar. For these reasons, the applicant had argued that it was not justified to refuse consent in this instance and to determine that the use of the property as a short-term let was incompatible with and harmful to the amenity of the occupants of the other flatted property, and as such contrary to part e) of policy 30 of National Planning Framework and Policy RCA1 of the adopted East Lothian Local Development Plan 2018. The applicant also challenged the Council's Housing Strategy and Development Service statement about the property and its use as a short-term holiday let and contested the statement that the annual occupancy rate was low.

The Planning Adviser provided details of one further representation which was made following notification of the review. This reiterated earlier objections and addressed some of the points made by the applicant in their review statement.

He concluded his presentation to the Members by reminding them that they had the option of seeking further information, if necessary.

The Planning Adviser responded to questions from Councillor Collins on flooring within the flat, and the Legal Adviser confirmed that liability for the shared costs of any repairs would be set out in the title deeds of the property.

The Chair asked his colleagues to confirm that they had attended the site visit and if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their views on the application.

It was noted that Councillor Allan had experienced connection issues which had prevented her hearing the Planning Adviser's statement in full. On the advice of the Legal Adviser, she agreed not to participate in the decision-making on this item.

Councillor Collins acknowledged that this was a difficult case as there was a second home underneath the property whose owners were not present as often permanent residents. She also noted the contribution that short term lets made to the local economy and that this had been running successfully since 2019, with the only objections coming from the owners of the flat below. On balance, she was minded to uphold the appeal.

Councillor Gilbert said that this property, being in a communal stairway, would bring forward a level of disturbance greater than that of permanent residents. He was minded to uphold the decision of the planning case officer.

The Chair said that the key issue for him was amenity of residents and the potential for anti-social behaviour. For these reasons he would be upholding the decision of the case officer.

The Clerk confirmed that the LRB members had agreed, by a majority, to uphold the original decision of the planning case officer to refuse planning permission for the reason set out in the original decision notice.

Decision

The ELLRB agreed, by a majority, to uphold the decision of the planning officer to refuse planning permission for the reason set out in the original decision notice.

2. PLANNING APPLICATION NO. 23/00714/P: CHANGE OF USE OF FLAT TO SHORT TERM HOLIDAY LET (RETROSPECTIVE), 1B SHORTHOPPE STREET, MUSSELBURGH EH21 7DB

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser summarised the details of the application which was the subject of the review and provided details of the property, the short term let business and its location within Musselburgh town centre. He noted that the building was also listed as being of special architectural or historic interest (Category C). He confirmed that no alterations had been undertaken to the flat, either internally or externally, to facilitate the proposed change of use. The case officer had noted a number of points made by the applicant support of their original application and these were also summarised.

The Planning Adviser reminded Members that Section 25 of the Town and Country Planning (Scotland) Act 1997 required that the application be determined in accordance with the development plan unless material considerations indicated otherwise. The development plan was National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (LDP). The relevant policies were Policies 7 (Historic assets and places) and 30 (Tourism) of NPF4. Policies RCA1 (Residential Character and

Amenity), CH1 (Listed Buildings), CH2 (Development Affecting Conservation Areas), CH5 (Battlefields), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the LDP. Also, Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The Planning Adviser then turned to the case officer's assessment of the application. No public letters of objection had been received. The case officer had correctly stated that in the determination of this application it was necessary to assess the impact of the change of use of the application property to a unit of holiday let accommodation upon the amenity of the existing neighbouring residential properties. He had also summarised all comments received from internal and external consultees including the Council's Senior Environmental Health Officer, the Antisocial Behaviour Team, Roads Services, Housing Strategy and Development Service, the Economic Development Service Manager, and Police Scotland.

The case officer had conducted a planning assessment of the proposal and concluded that the use of the application property as a holiday let resulted in a regular turnover of users/occupants of the property. This use changed the nature of comings and goings not only to the application property itself but also within the communal entrance and hallway of the residential building. The officer concluded that these changes were harmful to the amenity of the occupants of the residential properties within the residential flatted building. The officer concluded that given the specific circumstances and location of the application property within the residential building named, which contains another permanent/long term residences which shares a communal entrance, internal stair and hallway, the proposed change of use was incompatible with and harmful to the amenity of the occupiers of the properties within the said residential building. By having an unacceptable impact on local amenity, the proposal was contrary to part e) of Policy 30 of NPF4 and with Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

The officer had also assessed the impact of the change of use on the loss of residential accommodation where such loss was not outweighed by demonstrable local economic benefits as is stated in part e) of Policy 30 of NPF4. The Council's Housing Strategy & Development Service had objected to the application as the change of use of this property from a long-term residential dwelling to a short term let was considered a significant loss as the property was in Musselburgh where a substantial need for long term 1 bed properties existed and the short term let was not considered to be long term established. The application was refused as the proposal was contrary to part e policy 30 of NPF4 and policy RCA1 of the adopted East Lothian LDP.

The Planning Adviser also summarised the submission provided by the applicant in support of their review. It made a number of points, including that the check-in & check out times were within working hours and luggage was generally limited to one bag per person; the residents of the closet neighbouring flat said that they had never heard any commotion or noise with people coming and going; the guests were out most of the time with the same amount of activity a long term resident would make, if not less; before the applicant took ownership the stair and garden were highly unsecure but now a coded gate had been installed to improve security. The applicant disagreed with suggestion that their guests posed any risk, and with the statement included in the officer report which suggested that the actual and perceived level of security changed due to visiting guests who had unfettered access to otherwise secure, shared areas.

The Planning Adviser concluded his presentation to the Members by reminding them that they had the option of seeking further information, if necessary.

In response to questions from Members, the Planning Adviser and Legal Adviser indicated that the Council's Licensing Team were currently working through a number of short term let

licence applications. Applicants were also being referred to the planning service and, to date, 2 applications for planning permission for change of use had been granted.

It was noted that Councillor Allan had again lost connection and now was unable to re-join the meeting.

The Chair asked his colleagues to confirm that they had attended the site visit and if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their views on the application.

Councillor Collins noted that there had been no public objections to the proposed change of use and that the property was directly above a shop. She did not consider that it would pose a problem for other residents of the stair and felt that there would be no loss of amenity. She also pointed to the coded entry system which offered enhanced security. For these reasons, she was minded to support the application.

Councillor Gilbert disagreed with his colleague. He felt that there would be an impact on amenity due to access to the communal areas shared with permanent residents. He also argued that renting out the property on a long-term basis could bring benefits to the local economy. He would be supporting the decision of the planning case officer.

The Chair also considered that this came down to the issue of amenity. He said it would not always be possible to guarantee the timing of arrivals and departures of guests and he felt that the potential impact on amenity was unacceptable. Accordingly, he was minded to support the decision of the planning case officer.

The Clerk confirmed that the LRB members had agreed, by a majority, to uphold the original decision of the planning case officer to refuse planning permission for the reason set out in the original decision notice.

Decision

The ELLRB agreed, by a majority, to uphold the decision of the planning officer to refuse planning permission for the reason set out in the original decision notice.

3. PLANNING APPLICATION NO. 23/00864/P: CHANGE OF USE OF PUBLIC OPEN SPACE TO DOMESTIC GARDEN GROUND (RETROSPECTIVE), 17 AND 29 PITHEAD HEIGHTS, DOLPHINGSTONE, PRESTONPANS EH32 9FW

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser summarised the details of the application which was the subject of the review. It related to 2 small areas of formerly landscaped open space adjacent to the rear gardens of the properties of 17 and 29 Pithead Heights in Prestonpans. They were located within a predominately residential area and the 2 areas of landscaped open space were between the fences enclosing the rear gardens of the houses and the adjacent access road for the development. The two areas were formerly part of the landscaping of part of a wider landscape and drainage area of the whole development site.

The Planning Adviser reminded Members that Section 25 of the Town and Country Planning (Scotland) Act 1997 required that the application be determined in accordance

with the development plan unless material considerations indicated otherwise. The development plan was National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (LDP). The relevant policies were Policy 14 (Design, Quality and Place) of NPF4. Policies OS2 (Change of use to Garden Ground) and DP2 (Design) of the ELLDP.

The Planning Adviser then turned to the case officer's assessment of the application. A single objection had been received, the main grounds of which had been summarised and addressed by the case officer in his report. The case officer had considered Policy OS2 of the LDP. This policy stated that the change of use of open space to garden ground would be supported if it would not result in unacceptable loss of visual or recreational amenity or harm the integrity of a landscaping scheme or set a precedent that if followed would do so. The change of use of the areas of landscaped open space had been to facilitate the formation of hard surfaced bin stores on those areas of land. Whilst the existing timber fence and gate between the areas of landscaped open space and the rear garden of the applicant's house had been retained, those areas were used to store the bins as alternatives to the bins being stored within the rear gardens of the applicants' properties. The landscaped areas of open space were part of the wider landscaping across the development and formed part of the drainage of the wider development site. The change of use of the small areas of open space and the formation of hard surfaced bin stores on them, individually and cumulatively undermined the integrity of the scheme of landscaping implemented within the development and harmed the character and the visual amenity of the larger residential development. The case officer concluded that by being located outwith the gardens of the properties the formation of the bin storage areas and the erection of bin stores on them was inappropriate to their setting. They were therefore harmful to the character and visual amenity of this part of the residential area and would, if approved, set a harmful precedent that would result in visual harm that would further harm the integrity of the landscaped open space. The change of use of the landscaped areas of open space and the retention of the bin stores on them by being harmful to the character and visual amenity of this part of the residential area were contrary to Policy 14 of the NPF4 and Policies OS2 and DP2 of the LDP.

It was noted that there were other areas of landscaped open space that had undergone an unauthorised change of use to facilitate the storage of bins. No planning application for these other areas at Pithead Heights had been received and therefore these remained unauthorised and did not form a precedent or material consideration relevant to the determination of this planning application. The officer report stated that the proposals did not accord with the development plan and there are no material considerations that outweighed their discordance with the development plan. The application was refused as the change of use of the area, bin store and slab base were contrary to Policy 14 of NPF4 and Policies OS2 and DP2 of the adopted East Lothian Local Development Plan 2018.

The Planning Adviser also summarised the submission provided by the applicant and a statement from Goodson Associates in support of the review. The applicant's submission stated that they had asked Barratt Homes for their permission to erect the bin store and that there had been no suggestion that permission would be required from East Lothian Council. The bin store had drainage and planting (green roof) to keep within the surrounding landscape, and almost all neighbours had their bins on slabs on this part of the landscape. Goodson Associates supporting statement included the following points:

- The bin storage areas were formed by the developer and housebuilder Barratt Homes prior to occupation. Applicants were not made aware that planning permission had not been obtained by the developer.
- Planning Advice Note 65 defined open space as "vegetated land or structure" and "other paved or hard landscaped areas with a civic function". The agent argued that the placement of paving spaces and a small timber bin store within the landscape strip

did not constitute a material change of use, in that the finished appearance still falls within the description of open space given in PAN65.

- The landscape strip was used extensively for the storage and placement of bins.
- The minor nature of the paving slabs and timber store was insignificant within the context of the completed housing development.
- Bins for the joint applicants did not obstruct footpaths, as was happening elsewhere.
- The bin structure consisted of a small timber housing sympathetically planted across the top face to create a pleasing finish.

The Planning Adviser also summarised one further representation submitted by a local resident. The representation included several observations around the removal of plants and asked if the applicant had presented any evidence to support the alleged statement from Barratts. This alleged statement appeared to contradict advice the local resident had received from Barratts regarding the removal of plants within their front garden and within their boundary line. They also stated that to increase garden size by adopting additional land for free did not seem fair.

The Planning Adviser concluded his presentation to the Members by reminding them that they had the option of seeking further information, if necessary.

In response to questions from Members, the Planning Adviser confirmed that as part of the original planning application for the housing development submitted by Barratt Homes approval had been given for a landscaping scheme. The land referred to in application 23/00864/P was part of that scheme and there was no record of Barratt Homes seeking subsequent permission to make any change to the landscaping scheme. He also advised that there was no requirement to notify the Factor of the application for a change of use.

The Chair asked his colleagues to confirm that they had attended the site visit and if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their views on the application.

Councillor Gilbert noted that having visited the site it was obvious that this area was supposed to be open space and that plants had been removed to provide bin storage. He said that if all residents were to adopt this approach there would be no standard design, as each property could do things differently, and he would be concerned that an unhelpful precedent would be set. He was minded to support the decision of the planning case officer.

Councillor Collins said it had been helpful to be on the site visits on the day for collecting recycling. She noted that while bins were everywhere, the boxes created by the applicant were quite neat and using the same type of wood as the fencing in that area. She noted that a total of fifteen residents appeared to have laid stone slabs for their bins and she felt this was a good idea. She said, in her opinion, if this was not done the bins could cause an obstruction. She was minded to uphold the appeal on the basis that there could be a standard design adopted across the area.

The Chair commented that there was a plan set out by the developers and approved by planning officers which had set out standards of what was expected within developments. While this arrangement was nicely set out, he was concerned about what other residents may do in other areas of open space. He considered that there was sufficient room in the estate for bins without these additional structures and he did not wish to set a precedent for the use of open space. Accordingly, he was minded to support the planning case officer's decision to refuse planning permission.

The Legal Adviser/Clerk confirmed that the LRB members had decided by a majority to uphold the decision of the planning case officer for the reason set out in the original decision notice.

Decision

The ELLRB agreed, by majority, to uphold the decision of the planning case officer to refuse planning permission for the reasons set out in the original decision notice.

4. PLANNING APPLICATION NO. 23/01173/P: ALTERATIONS TO FLAT, 6A THE VENNEL, DUNBAR EH42 1HF

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser summarised the details of the application which was the subject of the review. The application was granted planning permission with conditions including Condition 2 which stated that: "Planning permission is refused for the double cabrio roof lights proposed to be installed on the south elevation roof slope of the flatted building." The reason for this condition was: "By virtue of their modern form, appearance and opening mechanism, and of their size, scale and positioning the proposed double cabrio roof lights would not be appropriate for this prominent location within the historic core of Dunbar Conservation Area. They would be harmful to the character and appearance of the flatted property, the streetscape of The Vennel and harmful to the character and appearance of this part of the Dunbar Conservation Area contrary to Policy 7 of NPF4 and Policies CH2 and DP5 of the adopted East Lothian Local Development Plan 2018." The review was seeking removal of Condition 2.

The property was a first-floor flat set within a two-storey flatted building located on the north side of The Vennel, Dunbar. It was located within a predominantly residential area as defined by Policy RCA1 of the adopted East Lothian Local Development Plan 2018. It was also located within the Dunbar Conservation Area. The property was bounded to the north by an access road, to the east and west by neighbouring residential properties and to the south by the public road of The Vennel.

The Planning Adviser then turned to the case officer's assessment of the application. Section 25 of the Town and Country Planning (Scotland) Act 1997 required that the application be determined in accordance with the development plan unless material considerations indicated otherwise. The development plan was National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (LDP). The relevant policies were Policy 7 (Historic Assets and Places) of NPF4. Policies CH2 (Development Affecting Conservation Areas) and DP5 (Extensions and Alterations to Existing Buildings) of the LDP. Also, Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The case officer also noted that material to the determination of the application was supplementary Planning Guidance (SPG) on 'Cultural Heritage and the Built Environment' adopted by the Council in 2018. This provides policy guidance on replacement windows in buildings which are in a conservation area. The policy guidance set out in the SPG states that the replacement of a window in a building in a conservation area must preserve or enhance the area's special architectural or historic character. This would normally mean that the proportions of the window opening, the opening method, colour, construction material of frames and glazing pattern should be retained. The only exceptions to this would be: i. Multiple glazing where there is no visible difference between that proposed and the original style of window; ii. If the building itself does not contribute positively to the character of the Conservation Area and where a change in window design would have no impact on the character of the Conservation Area; and iii. If the windows cannot be seen from

a public place. The main reasons for refusal of the double cabrio roof lights were as previously stated.

The case officer's report also confirmed that no public letters of objection had been received in relation to the application.

The Planning Adviser also summarised the submission provided by the applicant's agent in support of the review. It provided additional information clarifying that the proposed Velux Cabrio had an extending balcony and had an upper window which opened in exactly the same way as the conservation windows. The agent also noted that the installation of the proposed windows would not be detrimental to the appearance of the area as the historic character of the locality had changed significantly due to demolition and new build in the recent years. Within the locality there were examples of non-conservation roof lights installed and non-traditional forms of construction including nearby blocks of residential buildings and a nearby new modernistic building. These and other buildings had all but obliterated any previously true portrayal of what the form and function of the original buildings were. The agent also referred to a different approved planning application for alterations to a building located within the Dunbar Conservation Area. The agent included the relevant excerpt from Planner's Report of 12 April 2022 referred to in the approved application for 22/00175/P - 11 Bayswell Park, Dunbar which deemed the roof window as not being detrimental to Dunbar Conservation Area, contrary to Policy 7 of NPF4 and Policies CH2 and DP5 of the LDP. The agent suggested that the approved proposal in Bayswell Park had an identical relationship with adjacent buildings and roof windows and, the approved window was identical to the one refused this application. However, the Planning Adviser informed Members that planning permission was refused, in this case, for the double cabrio roof lights and not a single cabrio rooflight (Velux SK19).

The Planning Adviser concluded his presentation to the Members by reminding them that they had the option of seeking further information, if necessary.

In response to questions from Members, the Planning Adviser and Legal Adviser gave advice on the options open to them. Both indicated that the granting of planning permission for an alternative proposal would be most appropriately sought via a fresh planning application.

The Chair asked his colleagues to confirm that they had attended the site visit and if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their views on the application.

Councillor Gilbert said that the site visit had been useful and that it was obvious that there would be a large glass panel in the centre of the roof. He felt that the proposal was too large and incongruous in that setting. He added that the applicant should consider discussing an alternative single rooflight/window proposals with planning officers. Accordingly, he was minded to dismiss the appeal.

Councillor Collins said she had seen similar windows in nearby properties when traveling to the site and she considered that what was proposed was twice of what was already in place in surrounding properties. She felt that there was merit in the applicant discussing a single rooflight/window solution with the planning authority.

The Chair commented that where it was positioned it would clearly be a large window, in contrast to what was already present in the surrounding area. As such, he was minded to dismiss the appeal and support the original decision of the planning case officer.

The Legal Adviser/Clerk confirmed that the LRB members had decided unanimously to uphold the decision of the planning case officer and to retain Condition 2 of planning permission for the reasons set out in the original decision notice.

Decision

The ELLRB agreed, unanimously, to uphold the decision of the planning case officer and to retain Condition 2 of planning permission for the reasons set out in the original decision notice.

Signed

Councillor Andrew Forrest
Chair of Local Review Body (Planning)