

Appendix 5

Notice of Review (including Statement of Reasons for Requiring the Review) submitted by applicant Mr Whitelaw



5 Cherrybank Walk, Airdrie
North Lanarkshire ML60HZ
Tel: [REDACTED]
Mob: [REDACTED]
Web site: a1archdesign.co.uk

Head of Planning & Building Standards Services
Enterprise Resources
Montrose House
154 Montrose Crescent
Hamilton
ML3 6LB

22nd August 2011

22 AUG 2011

Dear Sir,

**Notice of Review For Planning Application Ref CL/11/0109 At 96 Lawhill Road,
Law ML8 5EZ**

Please find enclosed the following documentation in support of the Notice of Review application at the above property:

- Fully completed and signed Notice of Review form.
- Two copies of the planning application decision.
- Two copies of the pre-planning application drawings.
- Two copies of the planning application drawings.
- Two copies of email correspondence extracts

We trust the above information is satisfactory to allow you to progress this application.

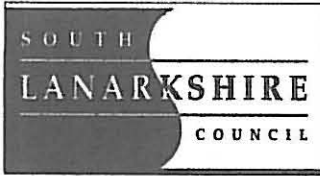
Please contact the undersigned should you require any additional information.

[REDACTED]
Yours Sincerely,

George Clark MCIQB, B-ARCH, MCIAT

For A1 Architectural Design Ltd

ENTERPRISE RESOURCES	
RECEIVED:	
23 AUG 2011	
Allocated to:	508346
File Ref:	



For official use: NOR/ _ _ / _ _ / _ _ _ _
Date received by PLRB: _ _ / _ _ / _ _

Notice of Review

Under Section 43A(8) of The Town and Country Planning (Scotland) Act 1997 (as amended) in respect of decisions on local developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008
The Town and Country Planning (Appeals) (Scotland) Regulations 2008

This notice requires to be served on the Planning Authority within 3 months of the date of the decision notice or from the date of expiry of the period allowed for determining the application which is set as 2 months following the validation date of the application

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your Notice of Review.

Please complete in BLOCK CAPITALS

22 AUG 2011

Applicant(s)	Agent (if any)
Name: Kevan Whitelaw	Name: A1 Architectural Design Ltd
Address: 96 Lawhill Road, Law	Address: 5 Cherrybank Walk Airdrie
Postcode: ML8 5EZ	Postcode: ML60HZ
Contact Telephone 1: [Redacted]	Contact Telephone 1: [Redacted]
Contact Telephone 2: [Redacted]	Contact Telephone 2: [Redacted]
Fax No: [Redacted]	Fax No: [Redacted]
E-mail*: [Redacted]	E-mail*: [Redacted]

Mark this box to confirm that all contact should be through this representative:

* Do you agree to correspondence regarding your review being sent by e-mail? Yes No

Application reference number: C L / 1 1 / 0 1 0 9

Site address: 96 Lawhill Road, Law ML8 5EZ

Description of proposed development: Erection of one and a half storey detached dwelling house

Validation date of application: 15.03.2011 Date of decision (if any): 10.06.2011

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for requesting review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

Review procedure

In cases where the Planning Local Review Body considers that it has sufficient information, including the Notice of Review, the decision notice, report of handling and any further representations from interested parties, it may, under Regulation 12, proceed to determine the review. It is anticipated that the majority of cases the Planning Local Review Body deals with will fall into this category.

The Planning Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable it to determine the review. Further information may be required by one or a combination of procedures, such as written submissions, the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you consider most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

22 AUG 2011

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Planning Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement of reasons for requiring the review

You must state, in full, why you are requesting a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is, therefore, essential that you submit with your Notice of Review all necessary information and evidence that you rely on and wish the Planning Local Review Body to consider as part of the review.

If the Planning Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your Notice of Review and all matters you wish to raise. If necessary, this statement can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

During the first pre-application, concerns were raised by the planning department regarding this development regarding site space available, however the site plan submitted was taken from a previous application. This site plan proved to be inaccurate to scale. Further site measurements taken on site and new pre-application made to show extent of actual site areas. Feedback proved positive from planner who recommended a full planning application. Two design issues were highlighted during the planning process. The only issues raised, referred to access and overlooking issues from one bedroom. These issues were all addressed to the satisfaction of the planner. It was not until the very end of the planning process that the planning officer dealing with this application confirmed that this application was now put in the hands of the council's senior planner, due to certain objections raised by neighbours, which also now involved the councillor for the area. The senior planner came up with new issues stating that this development was now too close to the boundary of the neighbouring properties, also this would impact on the visual impact due to the scale and height of the proposed property. Note the property is a one and a half storey similar to the neighbouring properties that objected. Also the overall height is less due to the footprint size of the property. The proposed house is located at the bottom of the objecting neighbours gardens, which are screened by mature conifers. The proposed property is further setback two metres in distance from the neighbouring properties boundaries. During the pre-application discussion nothing was ever raised or highlighted regarding minimum distances or concerns from boundaries for this application. From the pre-application discussion this would have been an area that should have easily been highlighted and raised at the time, sufficient drawings were made which indicated position and elevations (see attached documents), however no such indication was ever mentioned and positive feedback given. When the senior planner suddenly raised this new concern, we made reference to the existing property at 114 Lawhill Road, note this property is very close to the boundary and fails to meet any criteria now suddenly being imposed on this development. The new planning concern now stated in e-mail correspondence stated, "this development would appear cramped, be very obtrusive and would reduce the amenity of their residents to a significant degree due to the sheer physical presence of the building" As highlighted previously the new property is sufficiently set back from boundaries, has a smaller footprint, smaller in height to objecting neighbours and allows sufficient garden amenity space for both the existing and new property on this site. The property is also sufficiently screened by conifers from objecting neighbours. The property does not have any overlooking issues.

All would have seemed to be in order until certain objections were made and other people became involved, why this application was suddenly taken away from the initial planner for this area and handed to the council's senior planner remains uncertain.

22 AUG 2011

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your Notice of Review and intend to rely on in support of your review.

Two copies planning application decision
 Two copies pre-planning application drawings
 Two copies planning application drawings
 Two copies of email extracts

22 AUG 2011

Note: A copy of the Notice of Review, the review documents and any notice of the procedure of the review will be made available for inspection by prior appointment (Phone: 08457 406080) at the office of Planning and Building Standards Services, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB until such time as the review is determined. It may also be made available on the Council's website.

Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- 2 copies** of all documents, materials and evidence which you intend to rely on (eg planning application form, plans and drawings, decision notice or other documents) which are now the subject of this review.

Note. Where the review relates to a further application, eg renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed:

[Redacted signature]

Date:

22.08.2011

This form and **2 copies** of all supporting documents should be sent to:-

**Head of Planning and Building Standards Services
 Enterprise Resources, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB**

Email: enterprise.hq@southlanarkshire.gov.uk

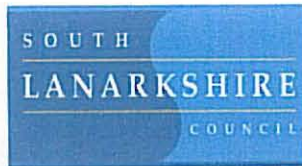
Phone: 08457 406080

For official use

For more information or if you want this information in a different format or language, please phone 01698 455379 or send email to enterprise.hq@southlanarkshire.gov.uk

Date stamp)

22 AUG 2011



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Enterprise Resources
Executive Director **Colin McDowall**
Planning and Building Standards Services – Clydesdale Area

George Clark
A1 Architectural Design Ltd
5 Cherrybank Walk
Airdrie
North Lanarkshire
ML6 0HZ

Our ref: IDH/YG/ML8 5EZ
Your ref:
If calling ask for: Ian Hamilton
Phone: 01555 673186
Date: 24 November 2010

Dear Sir

Proposed Single Storey Detached Dwelling at 96 Lawhill Road, Law

I refer to your letter of 28 October 2010 along with attached plans regarding the above proposal.

In the South Lanarkshire Local Plan (Adopted) the site falls within the settlement boundary of Law and is covered by Policy RES6 'Residential Land Use' which states that proposed development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking, visual intrusion or noise. Of particular relevance to this proposal is Policy DM5 'Sub-Division of Garden Ground'. The Policy has a presumption against the development of a new house within the curtilage of an existing house unless a number of criteria can be met, the most salient of which are as follows:

- a) The proposed house plot and that remaining to the existing house are comparable with those nearby in terms of size, shape and amenity (ie the proposal accords with the established pattern of development in the surrounding area).
- b) The proposed house(s) will have a proper road frontage of comparable size with those of surrounding curtilages.
- c) The garden space allocated to the proposed house and remaining for the existing house should be sufficient for the recreational, amenity and drying needs of the occupants.
- d) The proposed development will not cause an unacceptable reduction in privacy to existing houses and will, itself, enjoy a degree of privacy comparable with surrounding dwellings.
- e) The proposed development will not overshadow adjacent properties to a degree which results in a loss of amenity or itself be adversely affected by overshadowing.

In considering the above I have concerns that this proposal would appear crammed into a tight site and be at odds with the established residential character of the surrounding area in terms of plot size, shape and road frontages. The indicative footprint provided indicates that the elevation of the house would be less than 2m from the boundary with 21 and 23 Swan Way. You refer to a single storey dwelling however the draft drawings provided show a 1½ storey dwelling. The dormers would be orientated towards neighbouring properties and impinge upon privacy. This is contrary to the established street pattern where the front elevations of surrounding dwellings predominantly face onto the street. The northern elevation with windows and door would be in close proximity to

Correspondence address only: Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Council Offices, South Vennel, Lanark, ML11 7JT. Phone: 08457 406080 Fax: 01555 673573
Text Phone: 01698 454039 Email: enterprise.lanark@southlanarkshire.gsx.gov.uk



the elevation of the existing house (no more than 2 metres). Such a situation would not be conducive to ensuring an acceptable level of privacy and amenity for any future occupier of the proposed house or for that of the existing. Furthermore, a sufficient amount of rear garden space could not be provided for recreational and amenity purposes.

For the reasons stated above I am of the opinion that this proposal would contravene Policies 6 and DM5 of the Local Plan. Therefore if you choose to submit a planning application a favourable recommendation would be unlikely.

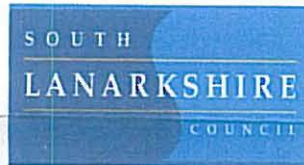
This advice is given without prejudice to the outcome of any future planning submission(s).

Yours faithfully



TF
Tony Finn
Area Manager

22 AUG 2011



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Enterprise Resources
Executive Director **Colin McDowall**
Planning and Building Standards Services – Clydesdale Area

George Clark
A1 Architectural Design Ltd
5 Cherrybank Walk
Airdrie
North Lanarkshire
ML6 0HZ

Our ref: IDH/YG/ML8 5EZ
Your ref:
If calling ask for: Ian Hamilton
Phone: 01555 673186
Date: 7 February 2011

Dear Mr Clark

Proposed house at no 96 Lawhill Road, Law

I refer to letter of 28 January 2011 alongwith attached plans/photographs concerning the above proposal.

In my letter of 24 November 2010 I raised concerns about compliance with Policy DM5 'Sub-Division of Garden Ground'. It would appear that you have responded to most of these issues and as such compatibility with the policy may be possible. Ultimately the only way the matter can be fully and properly assessed is through the submission of a formal planning application.

This advice is given without prejudice to the outcome of any future planning submission.

Yours sincerely



Tony Finn
Area Manager

22 AUG 2011

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Text Phone: 01698 454039 Email: enterprise.lanark@southlanarkshire.gsx.gov.uk



From: "Hamilton, Ian" <Ian.Hamilton@southlanarkshire.gsx.gov.uk>
Subject: FW: cl/11/109 proposed house plot
Date: Thu, May 5, 2011 1:14 pm
To: [REDACTED]

George,
Below are comments from Roads about the access for which they have outlined two options. Can you confirm the preferred course of action?
Regards,
Ian

From: Dickson, Lynda
Sent: 04 May 2011 17:47
To: Hamilton, Ian
Subject: FW: cl/11/109 proposed house plot

Ian - can you pass to agent and ask for a response?

Lynda Dickson
Planning Team Leader
South Lanarkshire Council
South Vennel
Lanark
ML11 7JT

Tel 01555 673185
fax 01555 673573

email
lynda.dickson@southlanarkshire.gov.uk<mailto:lynda.dickson@southlanarkshire.gov.uk>

From: Morton, Susan
Sent: 04 May 2011 16:56
To: Dickson, Lynda
Subject: RE: cl/11/109 proposed house plot

Lynda,

I would have no objection to the proposal of a second access connecting onto Lawhill Road but the applicant would require to meet the cost of relocating the speed table. It would not be possible to simply forge a new access between the bollards. If this remains their intention then the proposal is unacceptable and would be refused. As identified there are two ways of servicing the housing plot, either

- A) Create a shared access with the existing dwelling whereby no further alteration to the existing vehicular crossing would be required
- B) Provide a new access to the plot which requires alterations to the road and footway fronting the site, provision of a new speed table and bollards at a suitable location uphill and reinstatement of the road where the speed table was removed.

I trust this will be of some use.

Regards

Susan Morton

Network Team Leader
Clydesdale Area
Roads & Transportation Services
South Vennel
Lanark ML11 7JT
Phone:01555 673307
Fax: 01555 673573

Email:susan.morton@southlanarkshire.gov.uk<mailto:susan.morton@southlanarkshire.gov.uk>
Council Website: www.southlanarkshire.gov.uk<http://www.southlanarkshire.gov.uk>

From: Dickson, Lynda
Sent: 03 May 2011 12:38
To: Morton, Susan
Cc: Flinn, Tony
Subject: RE: cl/11/109 proposed house plot

Susan - yes, would it be possible to have a response based on what is actually proposed, ie would it be bad enough to refuse? They have already said that they don't want a shared access so would any other access point be feasible?

thanks

Lynda Dickson
Planning Team Leader
South Lanarkshire Council
South Vennel
Lanark
ML11 7JT

22 AUG 2011

Tel 01555 673185
fax 01555 673573

email
lynda.dickson@southlanarkshire.gov.uk<mailto:lynda.dickson@southlanarkshire.gov.uk>

From: Morton, Susan
Sent: 03 May 2011 10:33
To: Dickson, Lynda
Subject: RE: cl/11/109 proposed house plot

The response was emailed on Wed but here is a copy for your information. If you would like further comment I could have a look at the site this week.

Susan Morton

Network Team Leader
Clydesdale Area
Roads & Transportation Services
South Vennel
Lanark ML11 7JT
Phone:01555 673307
Fax: 01555 673573
Email:susan.morton@southlanarkshire.gov.uk<mailto:susan.morton@southlanarkshire.gov.uk>
Council Website: www.southlanarkshire.gov.uk<http://www.southlanarkshire.gov.uk>

From: Dickson, Lynda
Sent: 28 April 2011 16:28
To: Morton, Susan
Subject: cl/11/109 proposed house plot

Susan

I think Ian might have spoken to you about this one. Access is proposed between two bollards across a speed table. The application is contentious for other reasons and there is keen councillor involvement. Tony wants to meet the objectors next week so your views on the access, which is obviously fundamental to the proposal, would be welcomed.

thanks

Lynda Dickson
Planning Team Leader
South Lanarkshire Council
South Vennel
Lanark
ML11 7JT

Tel 01555 673185
fax 01555 673573

email
lynda.dickson@southlanarkshire.gov.uk<mailto:lynda.dickson@southlanarkshire.gov.uk>

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Attachments:

untitled-2	
Size:	32 k
Type:	text/html

22 AUG 2011

From: "Finn, Tony" <Tony.Finn@southlanarkshire.gsx.gov.uk>
Subject: RE: Proposed house at 96 Lawhill Road, Law
Date: Thu, May 26, 2011 3:44 pm
To: [REDACTED]
Cc: "Hamilton, Ian" <Ian.Hamilton@southlanarkshire.gsx.gov.uk>

Thanks for your reply George.

I have spoken to the local member who requested the application be heard at committee and he has confirmed that this is not necessary if the recommendation will be to refuse the application. As such, the application would be dealt with under delegated powers if this were the case.

You did submit amended plans showing a window removed from the rear elevation and changes to the access arrangements. Can you confirm that it is these proposals you wish to be determined.

Look forward to hearing from you.

Tony Finn

Planning and Building Standards Manager

Planning and Building Standards Services

Enterprise Resources

South Lanarkshire Council

Clydesdale Area Office

Council Offices

South Vennel

Lanark ML11 7JT

Tel no 01555 673154

Fax no 01555 673573

tony.finn@southlanarkshire.gov.uk

Council Website: www.southlanarkshire.gov.uk

22 AUG 2011

-----Original Message-----

From: A1 Architectural Design Ltd [REDACTED]
Sent: 26 May 2011 14:04
To: Finn, Tony
Subject: Re: Proposed house at 96 Lawhill Road, Law

Tony

The Client has confirmed that he wishes to run with the current planning application as it stands.

Regards

George

- > Thanks George
- >
- > Achieving a minimum of 2m between the gable wall of the existing and
- > proposed houses and the common boundary ie 4m from gable to gable help
- > would help in the sense of providing an adequate distance between the two
- > properties and therefore a better visual relationship. However the concern
- > about the cramming in of the new property would remain.
- >
- > I have had a look at 114 Lawhill Road and that was formerly a shop that
- > was converted to a house - I've no record of when the building was
- > originally erected but it certainly pre-dates the introduction of detailed
- > guidance on distances to boundaries. The situation is also different in
- > that it is parallel to adjoining houses rather than perpendicular as would
- > be the case of your proposal. The physical impact and effect on amenity of
- > adjoining residents is therefore considerably less.
- >
- > I would say the visual impact on adjoining properties is a key issue due
- > to the height of the house so close to the boundary. I think it unlikely
- > this can be resolved.
- >
- > Look forward to hearing from you once you have spoken to your client.
- >
- >
- >

>
 > Tony Finn
 > Planning and Building Standards Manager
 > Clydesdale Area Office
 > South Lanarkshire Council
 > Council Offices
 > South Vennel
 > Lanark
 > ML11 7JT
 >
 > Tel 01555 673154
 > E-mail tony.finn@southlanarkshire.gov.uk

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 > caused. South Lanarkshire Council may monitor the content of e-mails sent
 > and received via its network for the purpose of ensuring compliance with
 > its policies and procedures.
 > =====

> ----- Original Message -----
 > From: [REDACTED]
 > To: Finn, Tony
 > Cc: [REDACTED]
 > Sent: Wed May 25 15:54:49 2011
 > Subject: Re: Proposed house at 96 Lawhill Road, Law

> Many thanks Tony for your reply.
 >
 > I will forward this on to the Client for his review and comments. I don't
 > see any point to withdrawing the application, if we were to reduce the
 > footprint by 1m to achieve 2m both sides would this still be recommended
 > for refusal? Assuming the layout could be adapted?
 >
 > I also fully understand your comments regarding no decision on planning
 > can be made until a full planning application can be submitted, however I
 > am sure the Client will feel extremely annoyed that this issue regarding
 > 2m minimum requirement each side to the boundary could not have been
 > raised earlier, especially on the second pre-application submission. From
 > a planning requirement this would have been easily obvious to spot and
 > thus comment. It would now seem a bit strange that this issue has now been
 > highlighted so far down this application, especially in light to certain
 > objections been raised by neighbours.
 >
 > I also would like to highlight the property at 114 Lawhill Road as an
 > example, see attached photo image. Looking at this property it would
 > appear that it would not comply? especially your comment regarding
 > development pattern along this street.
 >
 > As mentioned I will pass these comment to the Client for any decision he
 > wishes to make regarding current design or any alterations. Once the
 > Client has come back to me we will confirm which option to proceed.

> Many Regards
 >
 > George Clark

>> Afternoon George,
 >>
 >> As we discussed yesterday I am setting out my concerns about the
 >> proposal
 >> to erect a house in the grounds of 96 Lawhill Road in Law.
 >>
 >> I am aware that there were pre-application discussions on the proposal.
 >> The first scheme was submitted in November last year and you were
 >> advised
 >> at that point that it was unlikely consent would be granted. An amended
 >> proposal was provided earlier this year and the Councils response
 >> advised
 >> that while it appeared to have addressed most of the issues raised
 >> previously the acceptability could only be determined through a planning
 >> application.
 >>

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>> A planning application was subsequently submitted which itself has been
>> subject to changes including the removal of a window on the rear
>> elevation
>> to address potential overlooking issues. In addition, Roads have advised
>> that new alternative access arrangements are acceptable.
>>
>> As I mentioned, I visited the site and adjoining properties last week. I
>> do consider that the house would appear very cramped within the site due
>> to the width of land between the existing house and the boundary to
>> adjoining properties. This is shown by the fact that the proposal does
>> not
>> meet guidelines on new housing requiring a minimum 2m between a gable
>> wall
>> and its nearest boundary. Of equal concern is that it would appear very
>> obtrusive from two adjoining properties which would reduce the amenity
>> of
>> their residents to a significant degree due to the sheer physical
>> presence
>> of the building.
>>
>> In addition, the proposal does not reflect the development pattern on
>> Lawhill Road which is a prominent street in the village. There are
>> examples of houses similarly relating to adjoining properties but in all
>> cases their distance from adjoining boundaries is greater for example
>> the
>> relationship of 2 Manse Court with 55 Lawhill Road and 1 Weir Place with
>> 94 Lawhill Road.
>>
>> The land associated with 96 Lawhill Road is probably capable of
>> accommodating two detached houses but the footprint of the existing
>> house
>> essentially prevents a second house being developed that would be
>> acceptable in planning terms.
>>
>> In view of the above I am not going to be able to recommend approval of
>> the application based on the submitted plans. Its also highly unlikely
>> that further changes could be made to make the proposal acceptable. Ian
>> has already advised that a local member has requested that the
>> application
>> go to the Area committee for decision if the recommendation is to grant
>> consent. The next available meeting is 21 June however if amended plans
>> were submitted neighbour notification would have to be carried out again
>> which would mean that date would not be achievable. Due to the summer
>> recess the next committee is not until the end of August.
>>
>> It may be that if the recommendation is to refuse consent the local
>> member
>> would not request this be dealt with at committee but that the
>> application
>> be determined under delegated powers. If the application was refused
>> under delegation your client would have a right to a review of the
>> decision by the Planning Local Review Board.
>>
>> You also have the option of withdrawing the application.
>>
>> I would be grateful if you could consider the above and let me know how
>> you wish to proceed.
>>
>>
>> Tony Finn
>> Planning and Building Standards Manager
>> Planning and Building Standards Services
>> Enterprise Resources
>> South Lanarkshire Council
>> Clydesdale Area Office
>> Council Offices
>> South Vennel
>> Lanark ML11 7JT
>> Tel no 01555 673154
>> Fax no 01555 673573
>> tony.finn@southlanarkshire.gov.uk<mailto:tony.finn@southlanarkshire.gov.uk>
>> Council Website:
>> www.southlanarkshire.gov.uk<<http://www.southlanarkshire.gov.uk/>>
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22 AUG 2011

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>
 >
 > George Clark
 >
 > A1 Architectural Design Ltd
 > 5 Cherrybank Walk
 > Airdrie ML6 0HZ
 > Tel: [REDACTED]
 > Mob: [REDACTED]
 > Web: www.a1archdesign.co.uk

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Tel: [REDACTED]
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22 AUG 2011

From: "Hamilton, Ian" <Ian.Hamilton@southlanarkshire.gsx.gov.uk>
Subject: RE: 96 Lawhill Road
Date: Wed, May 4, 2011 11:03 am
To: [REDACTED]

George,
Under the terms of the Council's delegation scheme a Councillor has the right to request that an application is determined by the Committee irrespective of the number of objections.
It is likely that the application will either go to the May Committee or June at the latest.
Roads have raised concerns about access being taken direct from the traffic calming table and as such it is possible that the access arrangements will have to be altered. I will advise you on the outcome of discussions with Roads.
Regards,
Ian

-----Original Message-----

From: [REDACTED]
Sent: 29 April 2011 10:04
To: Hamilton, Ian
Cc: [REDACTED]
Subject: RE: 96 Lawhill Road

Hi Ian

Just a question on the application going to committee, is there a particular reason why it is going to committee?, does it have to have a certain number of objections for this?

What will be the timescale?

Many Regards

George Clark

- > George,
- > Councillor Shearer has asked that the application be determined by the Clydesdale Area Committee so it will be important that the concerns of the objectors can be addressed..
- > Due to concerns expressed by the objectors on grounds of overlooking I would ask that the 1st storey rear gable window is removed altogether and replaced by a side velux window on the roof which faces towards the applicants house.
- > To allow a thorough assessment I would also ask that the neighbouring properties are detailed on the 1:200 scale site plan (L(2-) 004).
- > I would be grateful if these plans can be submitted by 3rd May.
- > Thanks,
- > Ian

> -----Original Message-----

> From: [REDACTED]
> Sent: 20 April 2011 12:03
> To: Hamilton, Ian
> Cc: [REDACTED]
> Subject: 96 Lawhill Road

> Ian

- > Further to our telephone conversation regarding the issue of the rear window in relation to the neighbouring boundary, having looked at the drawings again would it be possible to keep the window on the rear elevation but reduce the height to match with the proposed front elevation.

- > If however if you feel this would still pose a potential issue then the client has agreed that velux type windows could be located in the roof as discussed previously.

> George Clark

> A1 Architectural Design Ltd
> 5 Cherrybank Walk
> Airdrie ML6 0HZ
> Tel: [REDACTED]
> Mob: [REDACTED]
> Web: www.a1archdesign.co.uk

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22 AUG 2011

From: "Hamilton, Ian" <Ian.Hamilton@southlanarkshire.gsx.gov.uk>
Subject: FW: Planning Application CL/11/0109 - 96 Lawhill Road, Law
Date: Wed, March 30, 2011 12:59 pm
To: [REDACTED]
Cc: "Dickson, Lynda" <Lynda.Dickson@southlanarkshire.gsx.gov.uk>

Dear Mr Clark,
I have attached an e-mail from The Council Estates Department who claim a triangular piece of ground to the rear of 96 Lawhill Road which falls within the application site boundary is in fact in the Council's ownership. Can you obtain your client's view on this matter?
On an other matter can you amend the 1:200 site plans so that they show neighbouring properties. Notified neighbours believe their properties should have been identified to enable a full assessment of the potential impacts and under planning procedure neighbouring properties should normally be detailed on site/block plans.
If you wish to discuss anything further please do not hesitate in contacting me.
Regards,
Ian

From: Ross, Ian
Sent: 28 March 2011 14:49
To: McParland, Gerry
Cc: Hamilton, Ian
Subject: Planning Application CL/11/0109 - 96 Lawhill Road, Law

Gerry,
The applicant in respect of the above has declared that he owns all of the ground. However, the location plan attached to the above Planning Application would suggest that the proposed erection of a house will encroach upon Council owned (Community account) ground. I attach copies of the location plan, a Council ownership plan and the Land Certificate for 96 Lawhill Road. You may wish to consider this matter further.

Ian Ross
Property Adviser
South Lanarkshire Council
Regeneration Services
Business Support and Property Information
Enterprise Resources
Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Tel: 01698 455162
e-mail: ian.ross@southlanarkshire.gov.uk<<mailto:ian.ross@southlanarkshire.gov.uk>>

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5 Cherrybank Walk, Airdrie
North Lanarkshire ML60HZ
Tel: [REDACTED]
Mob: [REDACTED]
Email: [REDACTED]
Web site: a1archdesign.co.uk

28th January 2011

Ian Hamilton
Planning & Building Standards Office
Council Offices
South Vennel
Lanark
ML11 7JT

Dear Sir,

Proposed Detached House At No 96 Lawhill Road Law

Further to your letter dated 24th November 2011 regarding our proposals we enclose a set of revised proposals and details to reflect your concerns.

As per my telephone call to you we have revised the site area to reflect the true as surveyed site boundary which is larger than the previous version submitted.

We enclose the following information:

Drawing L(2-)001 Rev A Site plan as proposed.

Drawing L(2-)002 Rev A House plan & elevations as proposed.

Set of photograph images.

Response points to your initial concerns

We would be pleased to have any views or comments on this proposal prior to any submission of planning applications.

We trust the above sufficient information meantime.

Please contact the undersigned should you require any additional information.

Yours Sincerely,

George Clark MCIQB, B-ARCH, MCIAT

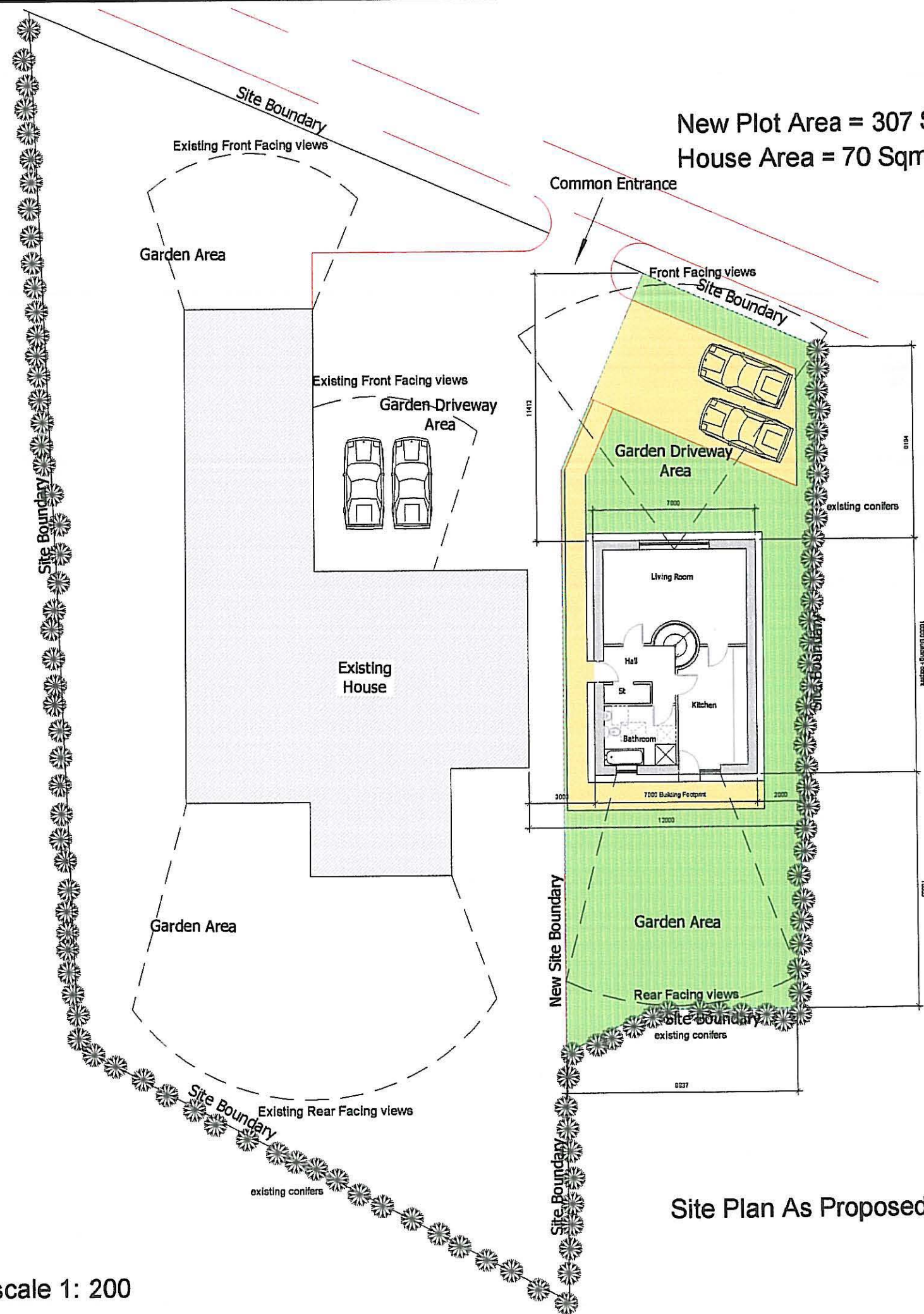
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For A1 Architectural Design Ltd

Important
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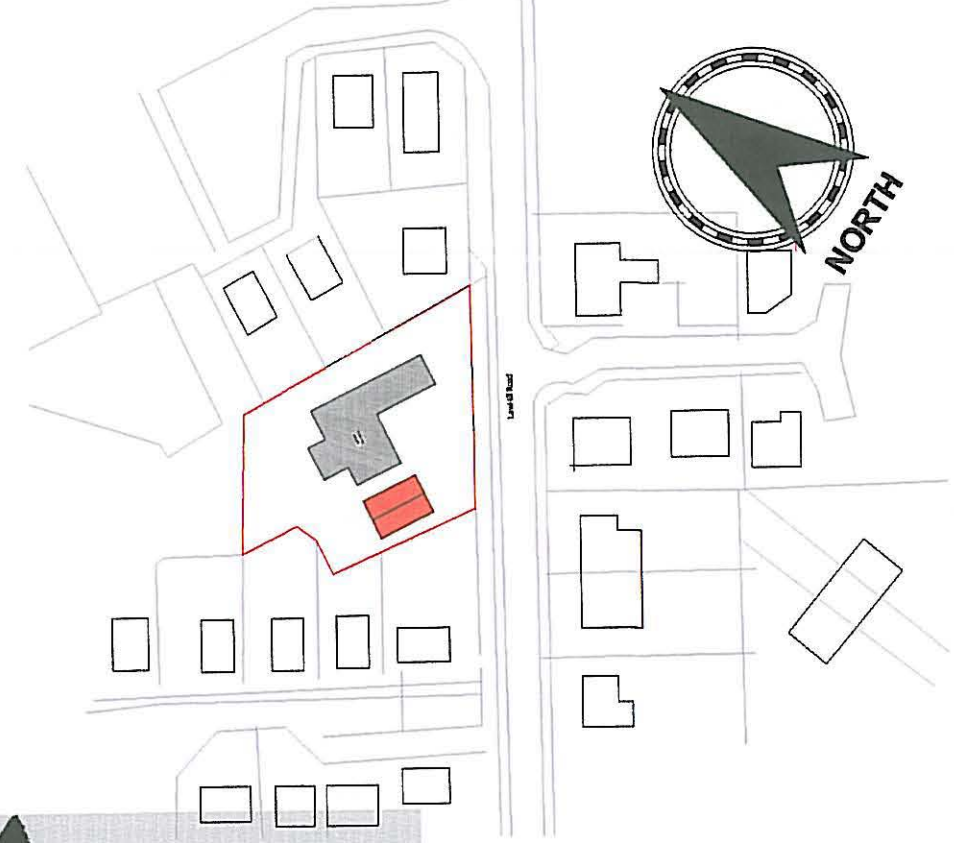
Revision: A House altered to suit revised site plan
 Date: 20/01/11
 By:

New Plot Area = 307 Sqm
House Area = 70 Sqm



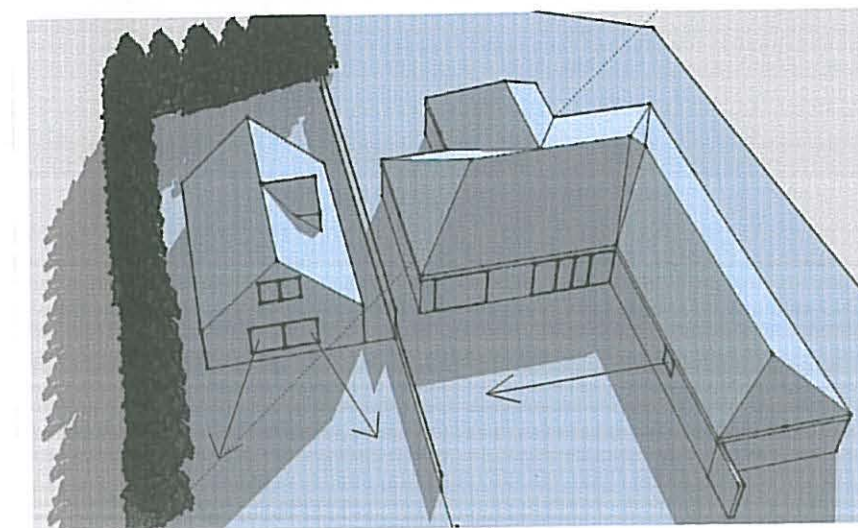
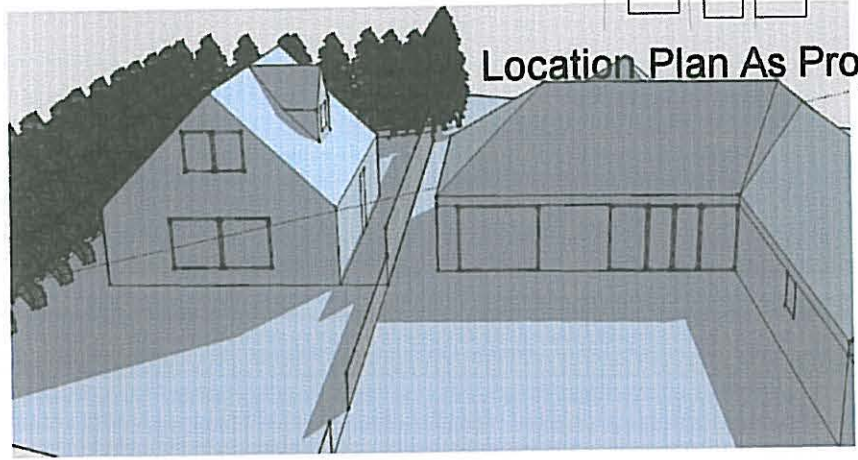
Site Plan As Proposed

scale 1: 200



Location Plan As Proposed

22 AUG 2011



Typical 3D Views

Pre- Planning

Client
 Mr K. Whitelaw

Project Title
 Proposed New Detached House
 At 96 Lawhill Road
 Law
 ML8 5EZ

Drawing Title
 Site Plan As Proposed

A1 Architectural Design Ltd
 Complete Bespoke Architectural Services

5 Cherrybank Walk, Airdrie
 North Lanarkshire ML6 0HZ

Tel: 01238 789579
 Mob: 07770811090
 email: george@a1archdesign.co.uk

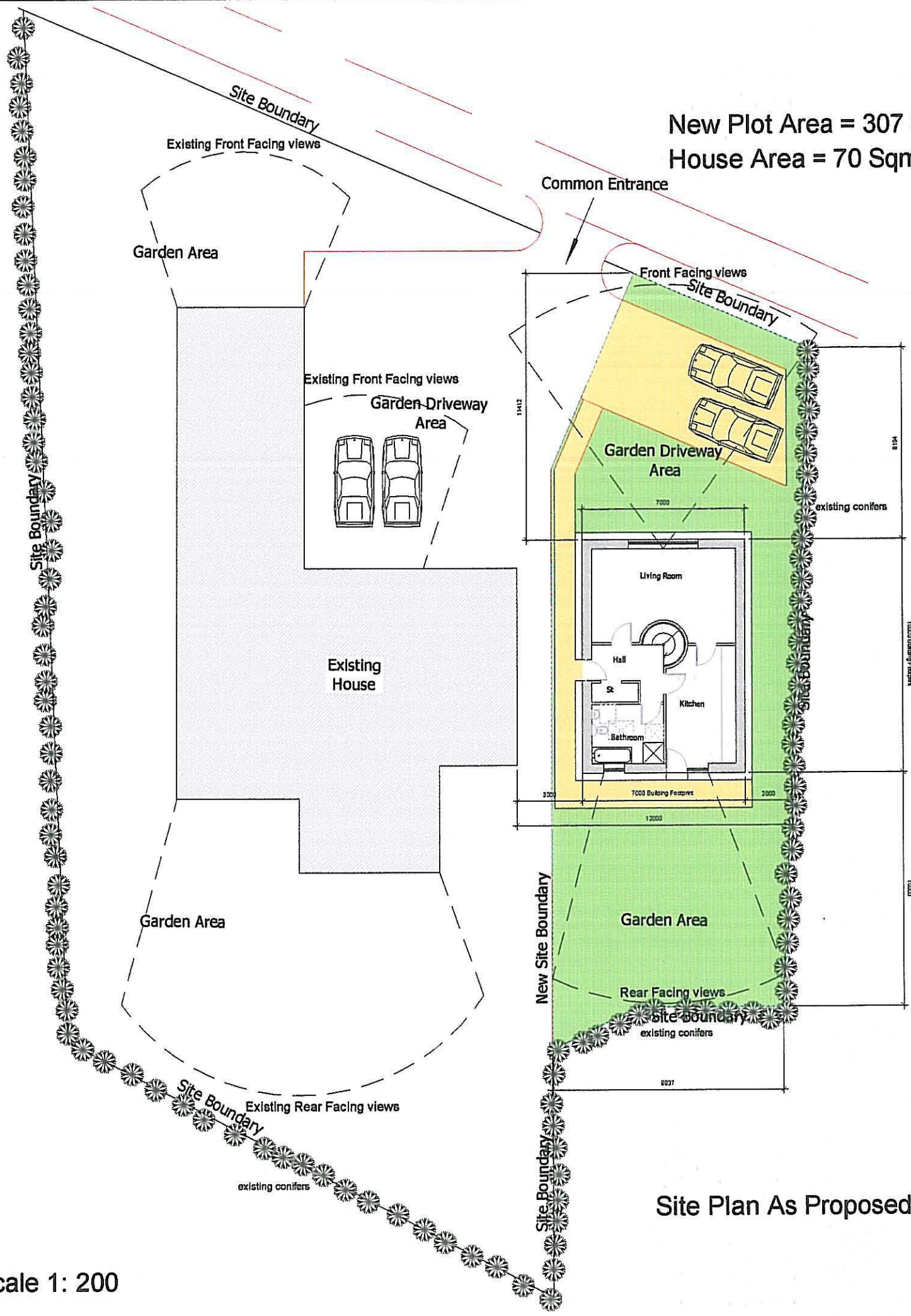
Scale: 1:200
 Date: Jan 11

Job No: A1-041/10
 Drawing No: L (2-) 001
 Rev: A

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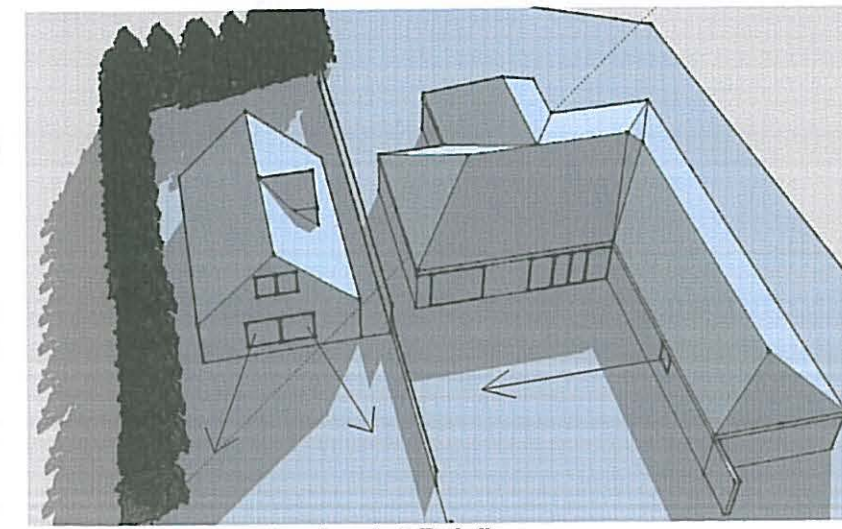
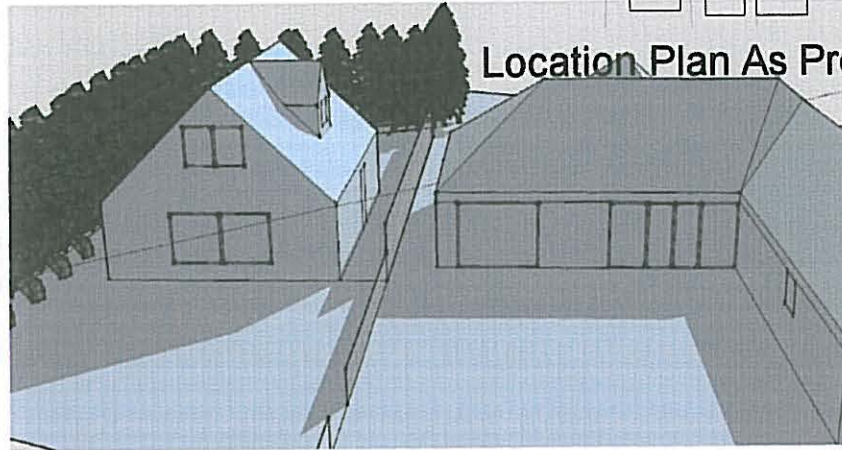
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House Area = 70 Sqm



Site Plan As Proposed



Location Plan As Proposed



Typical 3D Views

Pre- Planning

Client
 Mr K. Whitelaw

Project Title
 Proposed New Detached House
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 Law
 ML8 5EZ

Drawing Title
 Site Plan As Proposed

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 Complete Bespoke Architectural Services

5 Cherrybank Walk, Airdrie
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Tel: 01238 769579
 Mob: 07770811090
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Scale
 1:200

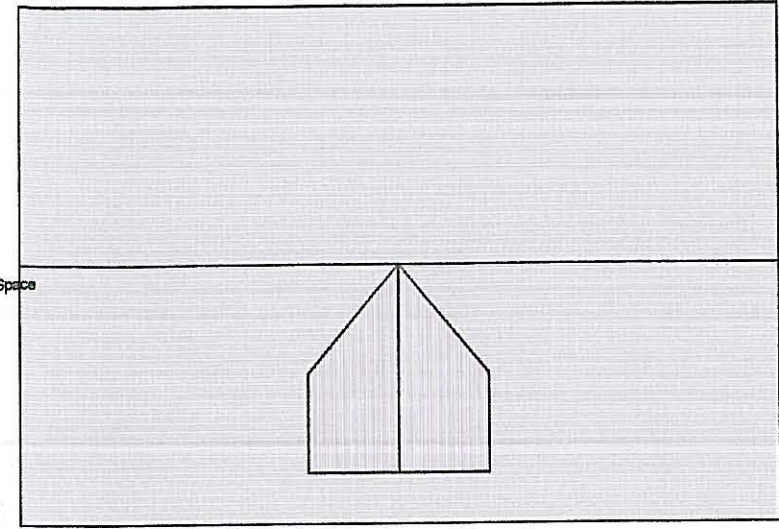
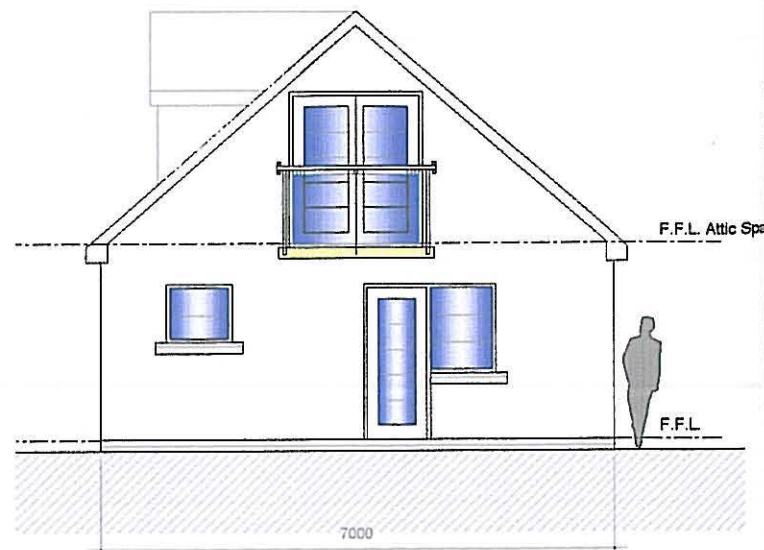
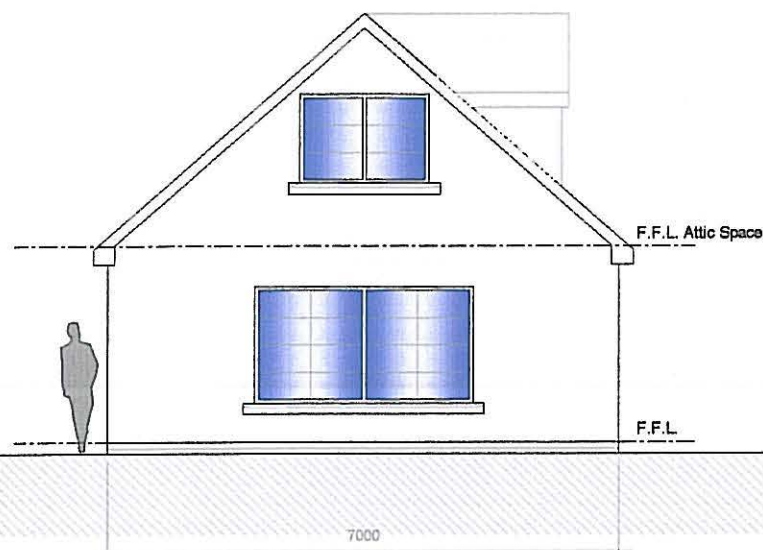
Date
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Job No.
 A1-041/10

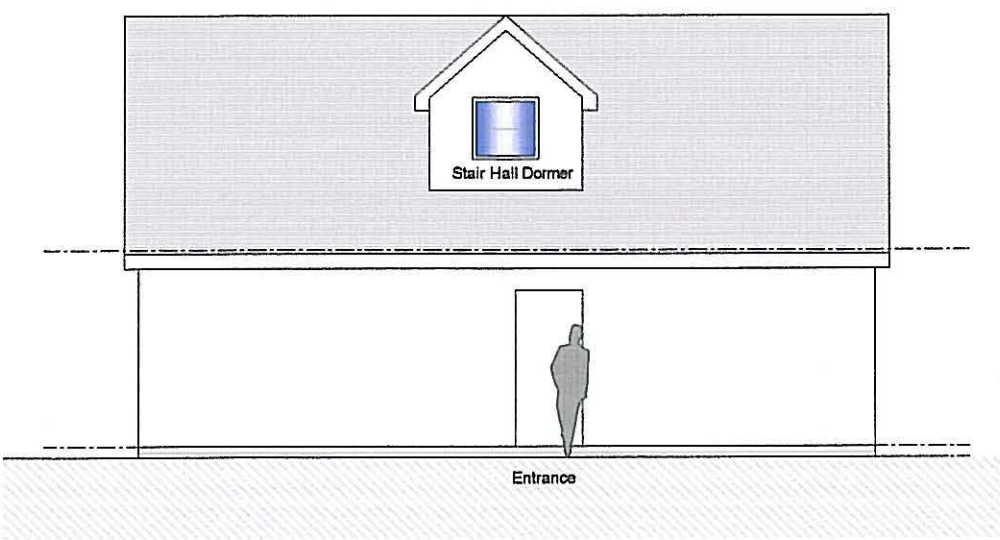
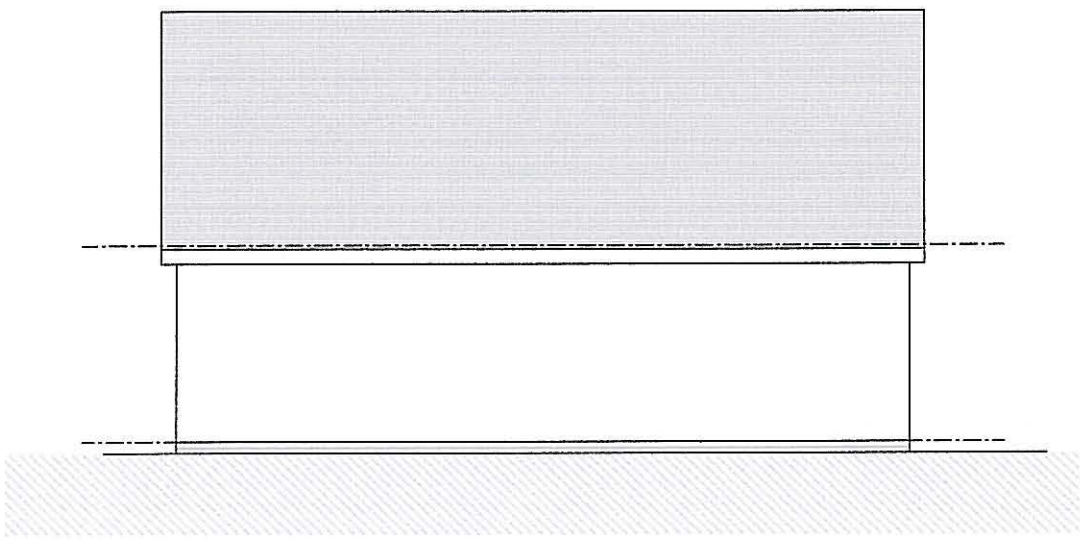
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Rev.
 A

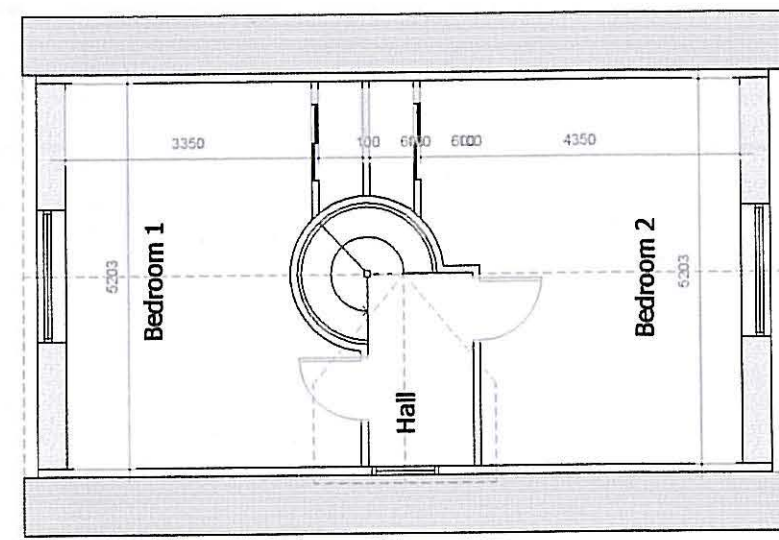
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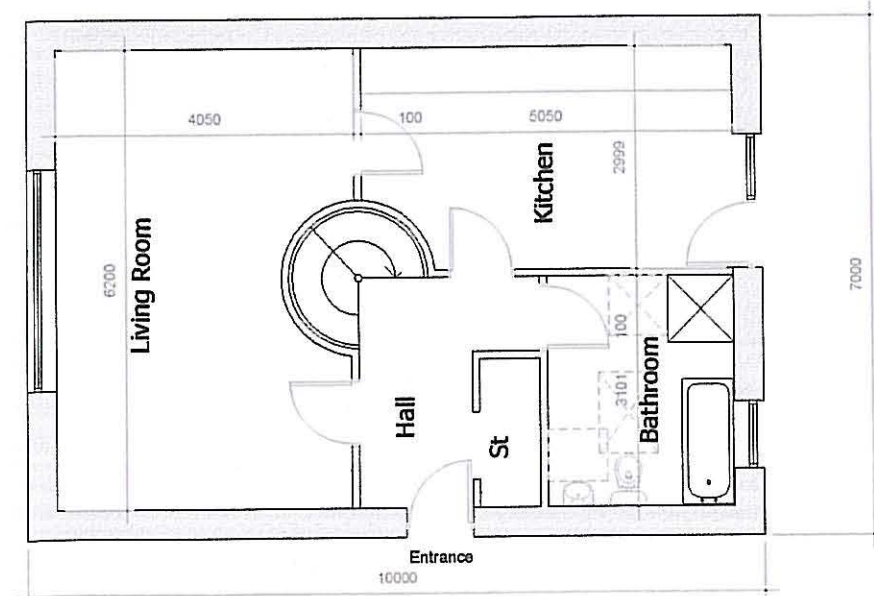
Roof Plan



scale 1: 1250, 1:100



Attic Floor Plan



Ground Floor Plan

Important
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Revision	Date	By
A House altered to suit revised site plan	20/01/11	

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Pre-Planning

Client
 Mr K. Whitelaw

Project Title
 Proposed New Detached House
 At 96 Lawhill Road
 Law
 ML8 5EZ

Drawing Title
 Proposed House Plan & Elevations

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 Complete Bespoke Architectural Services

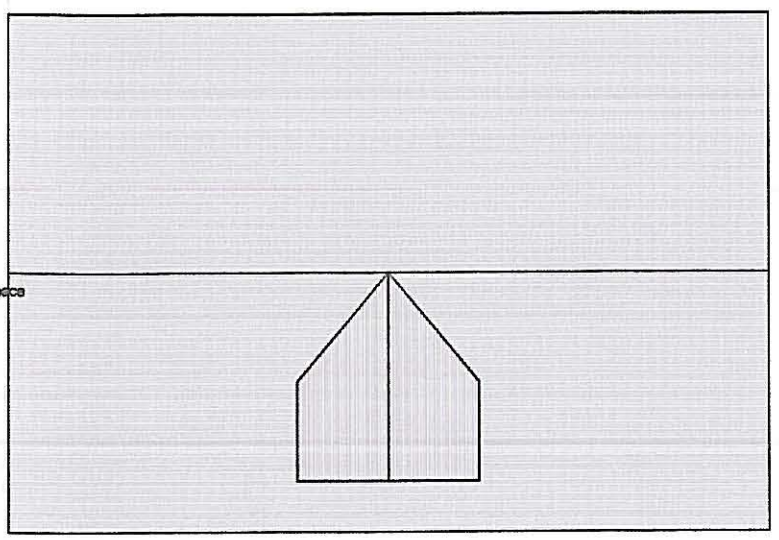
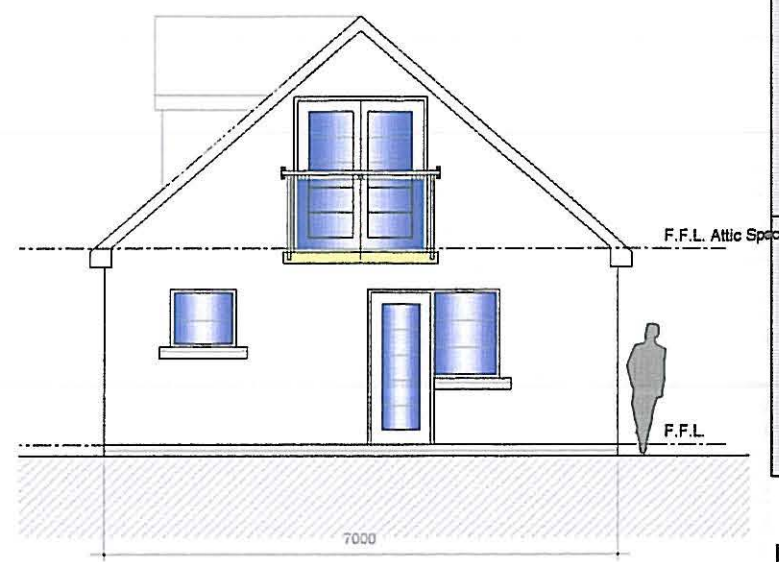
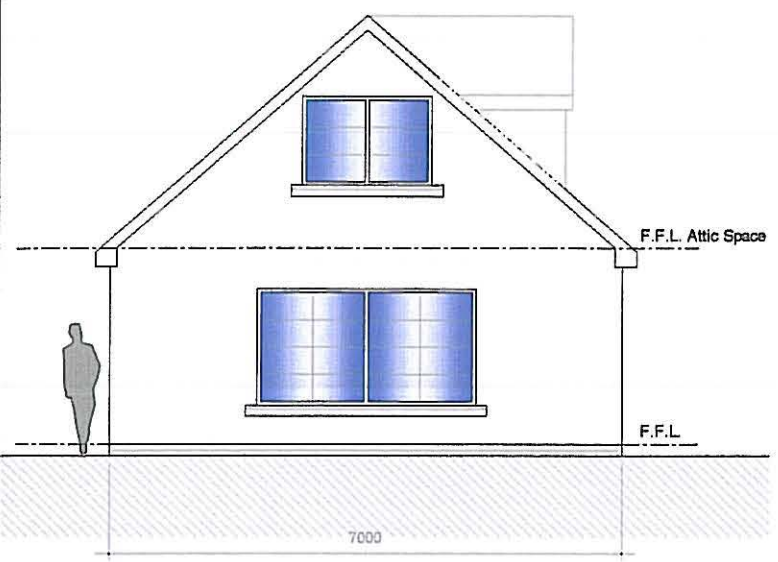
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Tel: 01238 769579
 Mob: 07770611090
 email: george@a1archdesign.co.uk

Scale
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Date
 Jan 11

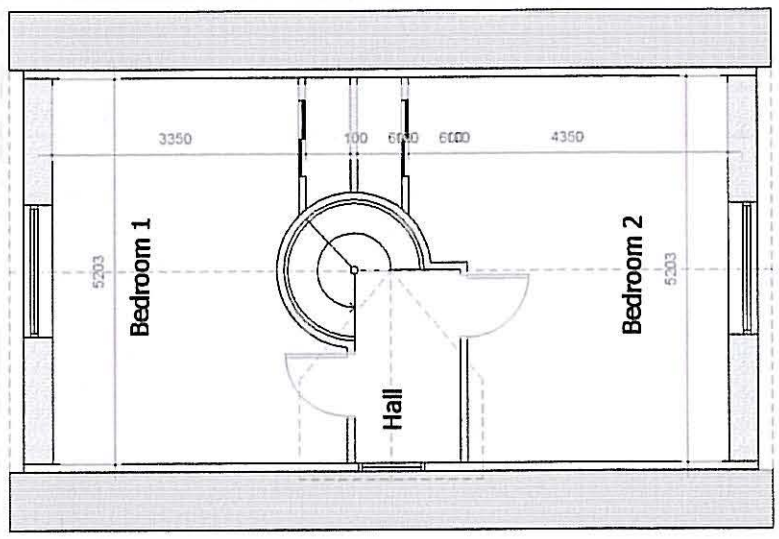
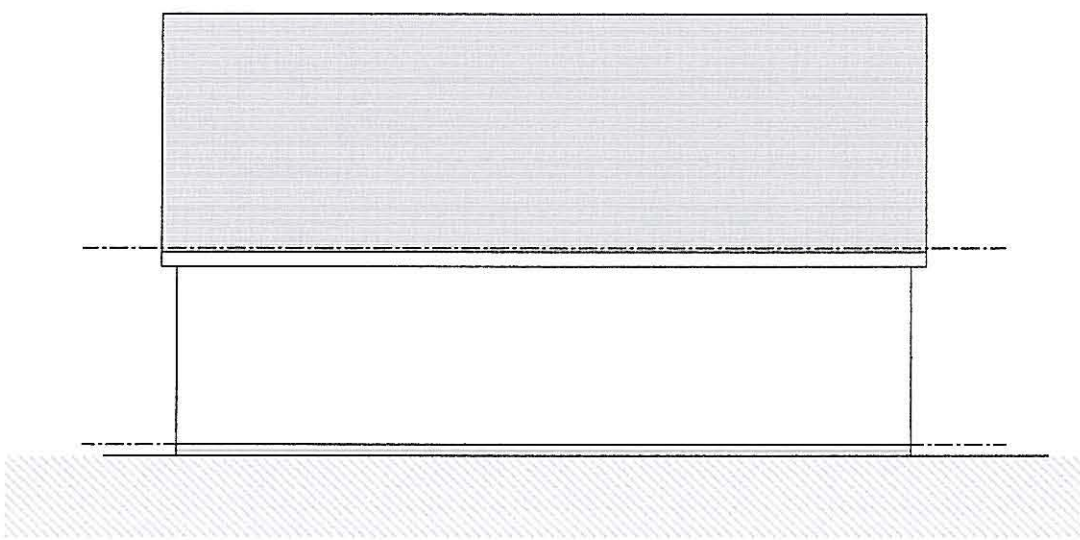
Job No. A1-041/10	Drawing No. L (2-) 002	Rev. A
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Roof Plan

Important
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Revision: A House altered to suit revised site plan
 Date: 20/01/11 By:



Attic Floor Plan

22 AUG 2011

Pre- Planning

Client
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Project Title
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 At 96 Lawhill Road
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Drawing Title
 Proposed House Plan & Elevations

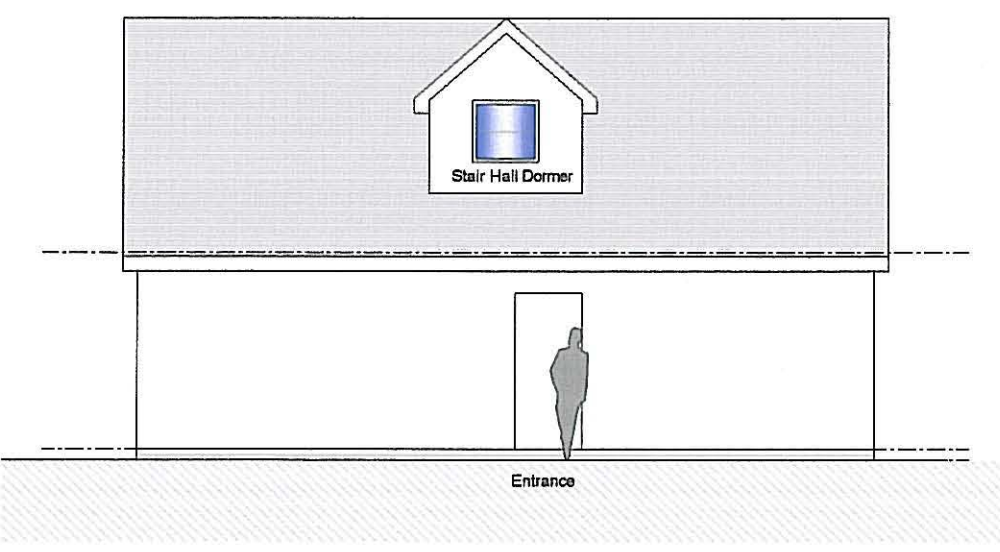
A1 Architectural Design Ltd
 Complete Bespoke Architectural Services

5 Cherrybank Walk, Airdrie
 North Lanarkshire ML8 0HZ

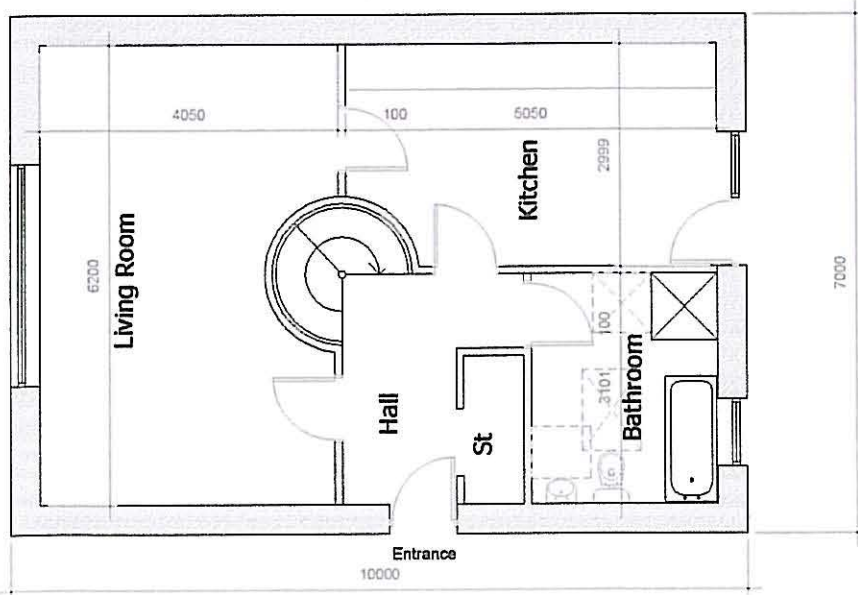
Tel: 01236 769579
 Mob: 07770811090
 email: george@a1archdesign.co.uk

Scale: 1:200
 Date: Jan 11

Job No: A1-041/10
 Drawing No: L (2-) 002
 Rev: A



scale 1: 1250, 1:100



Ground Floor Plan



5 Cherrybank Walk, Airdrie
North Lanarkshire ML60HZ
Tel: [REDACTED]
Mob: [REDACTED]
Email: [REDACTED]
Web site: a1archdesign.co.uk

Area Manager
Tony Finn
Planning & Building Standards Office
Council Offices
South Vennel
Lanark
ML11 7JT

28th October 2010

Dear Sir,

Proposed Single Storey Detached House At No 96 Lawhill Road Law

Further to my telephone call to your duty officer, we enclosed the following set of drawings for a Pre-planning submission / discussion.

- L (2-)001 Site plan existing and proposed
- L (2-)002 Location plan and typical elevations.

We would be pleased to have any views or comments on this proposal prior to any submission of planning applications.

We trust the above sufficient information meantime.

Please contact the undersigned should you require any additional information.

Yours Sincerely,

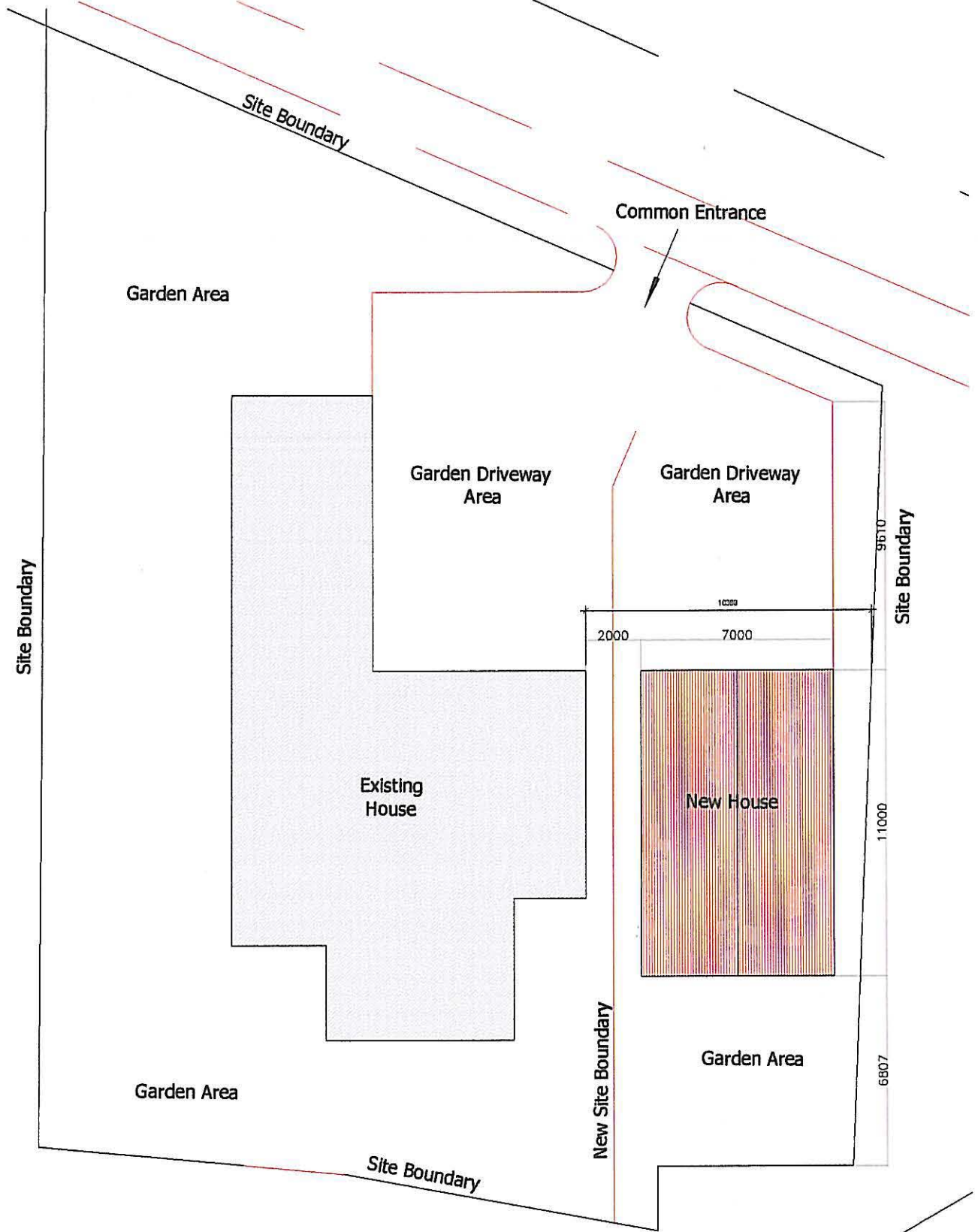
George Clark MCIQB, B-ARCH, MCIAT

For A1 Architectural Design Ltd

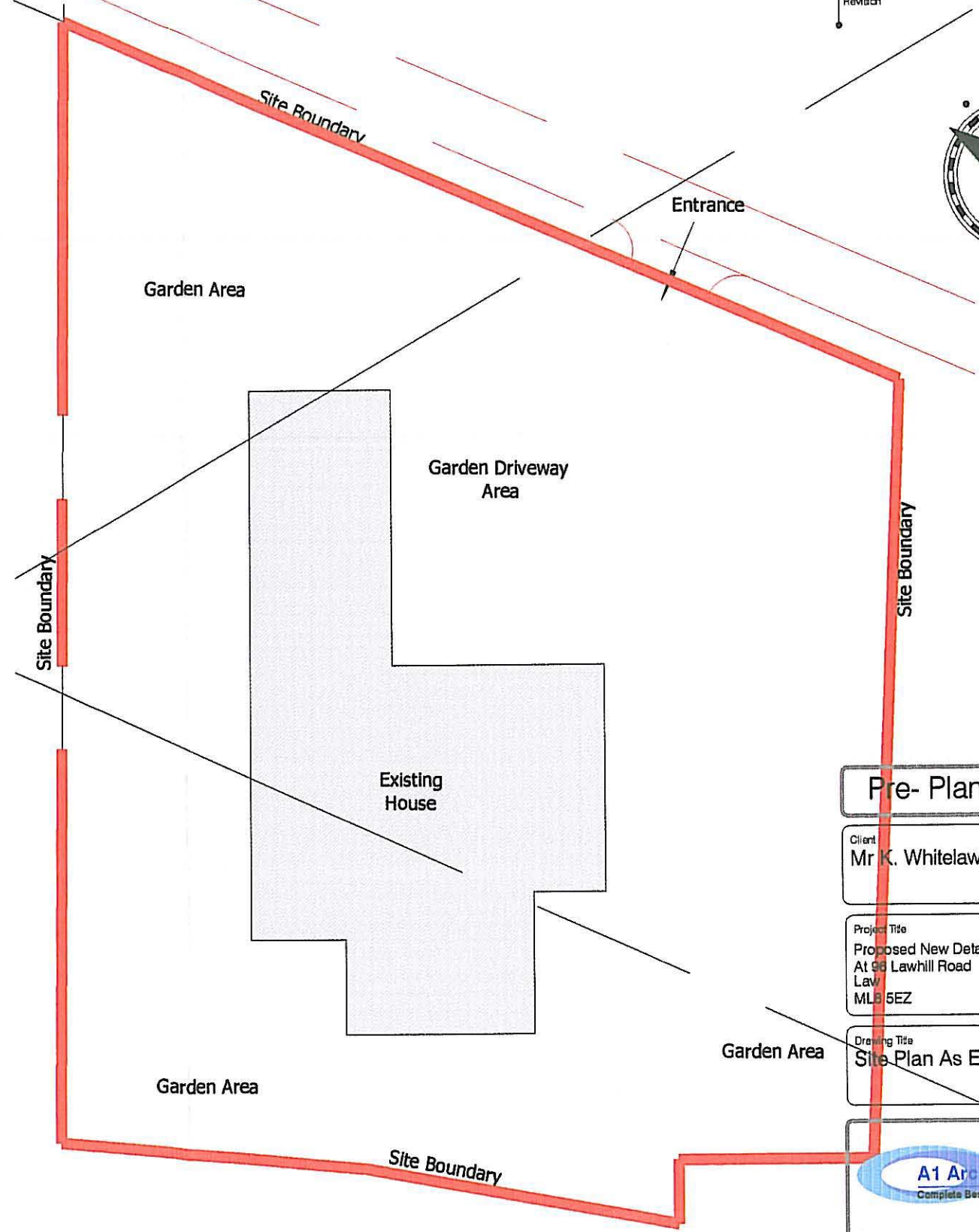
22 AUG 2011

Important
 The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. No assumption should be made without reference to the architect. No dimensions should be scaled from this drawing.

Revision _____ Date _____ By _____



Site Plan As Proposed



Site Plan As Existing

scale 1: 200

2 2 AUG 2011

Pre- Planning

Client
 Mr K. Whitelaw

Project Title
 Proposed New Detached House
 At 66 Lawhill Road
 Law
 ML8 5EZ

Drawing Title
 Site Plan As Existing And Proposed

A1 Architectural Design Ltd
 Complete Bespoke Architectural Services

5 Cherrybank Walk, Alrdie
 North Lanarkshire ML8 0HZ

Tel: 01238 769579
 Mob: 07770811090
 email: george@a1archdesign.co.uk

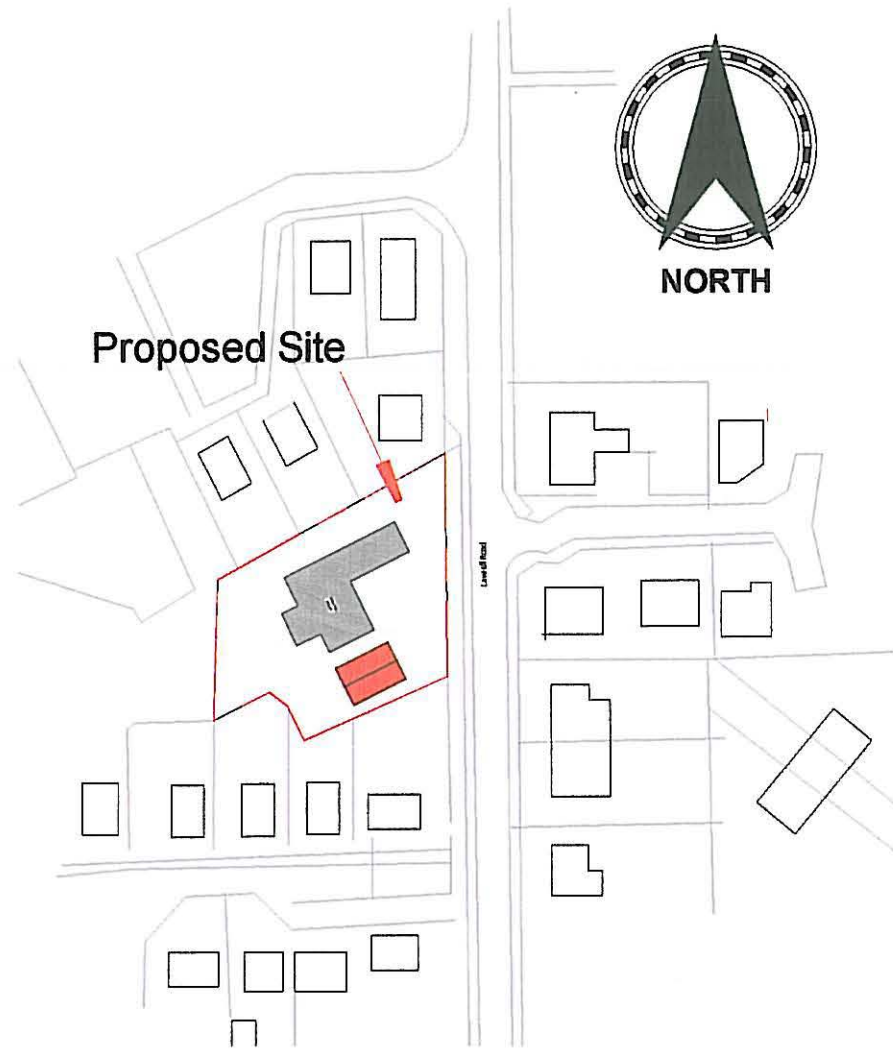
Scale
 1:200

Date
 Oct 10

Job No.
 A1-041/10

Drawing No.
 L (2-) 001

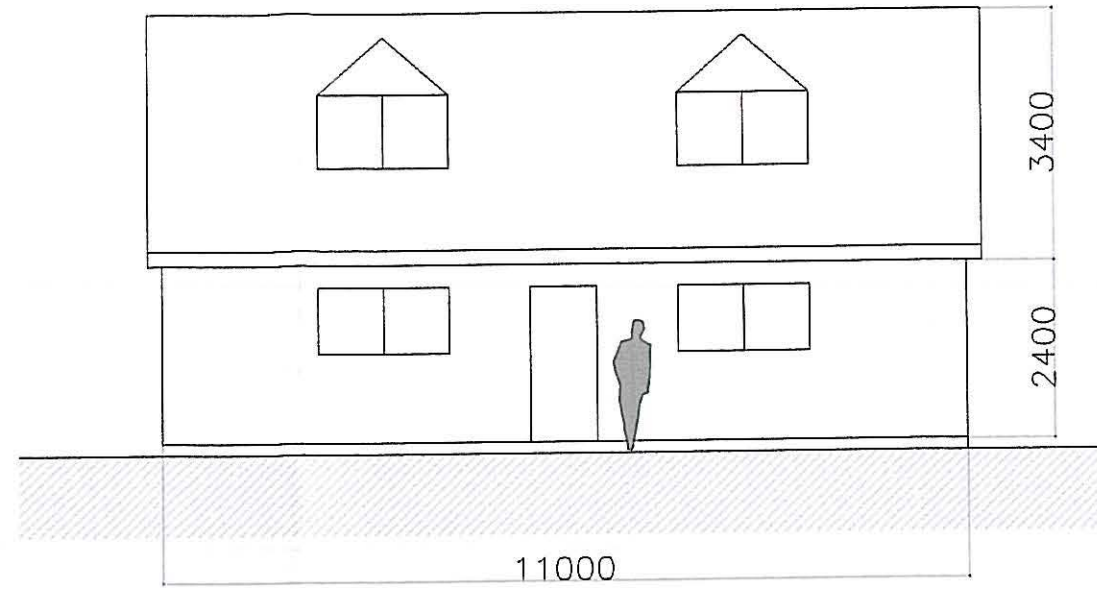
Rev.
 -



Proposed Site

Location Plan 1:1250

scale 1: 1250, 1:100



Typical Elevations

Important
The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. No assumption should be made without reference to the architect. No dimensions should be scaled from this drawing.

Revision	Date	By

22 AUG 2011

Pre- Planning

Client
Mr K. Whitelaw

Project Title
Proposed New Detached House
At 96 Lawhill Road
Law
ML8 5EZ

Drawing Title
Location Plan & Typical Elevations

A1 Architectural Design Ltd
Complete Bespoke Architectural Services

5 Cherrybank Walk, Airdrie
North Lanarkshire ML8 0HZ

Tel: 01236 788579
Mob: 07770611090
email: george@a1archdesign.co.uk

Scale 1:200	Date Oct 10
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Job No. A1-041/10	Drawing No. L (2-) 002	Rev. -
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Enterprise Resources
Executive Director **Colin McDowall**
Planning and Building Standards Services – Clydesdale Area Office

A1 Architectural Design Ltd
5 Cherrybank Walk
Airdrie
ML6 0HZ

Our Ref: CL/11/0109
Your Ref:
If calling ask for: Ian Hamilton
Phone: 01555 673186
Date: 10 June 2011

Dear Sir/Madam

Proposal : **Erection of one and a half storey detached dwellinghouse**
Site Address : **96 Lawhill Road**
Law
ML8 5EZ
Application No : **CL/11/0109**

I would advise you that the above application was refused on 10 June 2011 and I enclose the decision notice which sets out the reasons for refusal.

If you consider that you can overcome the reasons for refusal and that it is not the principle of the development that is unacceptable, you may submit an amended application. If you do amend your proposals and re-apply within one year of this refusal, then you will not have to pay a fee, provided the proposal is of the same character or description as the application which has just been refused.

As your application has been refused, you may appeal against the decision within 3 months of the date of the decision notice. The attached notes explain how you may appeal.

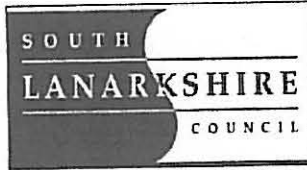
Should you have any enquiries relating to the refusal of your application or a potential amended submission, please contact Ian Hamilton on 01555 673186.

Yours faithfully

22 AUG 2011

Head of Planning and Building Standards





Application No
CL/11/0109

Town and Country Planning (Scotland) Act 1997

To: Kevan Whitelaw
96 Lawhill Road
Law
ML8 5EZ

Per: A1 Architectural Design Ltd
5 Cherrybank Walk
Airdrie
ML6 0HZ

With reference to your application dated 15 March 2011 for Planning Permission under the above mentioned Act :

Description of Proposed Development :
Erection of one and a half storey detached dwellinghouse
Site Location:
96 Lawhill Road
Law
ML8 5EZ

South Lanarkshire Council in exercise of their powers under the above mentioned Act hereby:

REFUSE PLANNING PERMISSSION

for the above development in accordance with the accompanying plan(s) and particulars given in the application, for the reason(s) listed overleaf in the paper apart.

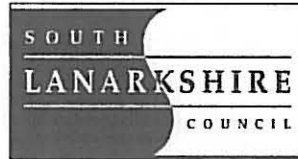
Date: 10/06/11

[Redacted Signature]

Michael McGlynn, Head of Planning and Building Standards Services

This permission does not grant any consent for the development that may be required under other Legislation, e.g. Planning Permission, Building Warrant or Roads Construction Consent.

22 AUG 2011



ENTERPRISE RESOURCES
EXECUTIVE DIRECTOR **Colin McDowall**
Planning and Building Standards Services

Important notes

Town and Country Planning (Scotland) Act 1997

1. Compliance with conditions

Under the provisions of the Town and Country Planning (Scotland) Act 1997 (Section 145), failure to comply with any condition(s) imposed on any planning permission may result in the service by the Council of a "Breach of Condition Notice" requiring compliance with the said condition(s).

There is no right of appeal against such a Notice and failure to comply with the terms of the Notice within the specified time limit will constitute a summary offence, liable on summary conviction to a fine not exceeding £1000.

2. Procedure for appeal to the planning authority

- (a) If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997, within three months from the date of this notice. The notice of review should be addressed to:

Executive Director (Corporate Resources)
Council Headquarters
Almada Street
Hamilton
ML3 0AA

To obtain the appropriate forms:

Administrative Services at the above address.

Telephone: 01698 454108

E-mail: pauline.macrae@southlanarkshire.gov.uk

- (b) If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

22 AUG 2011

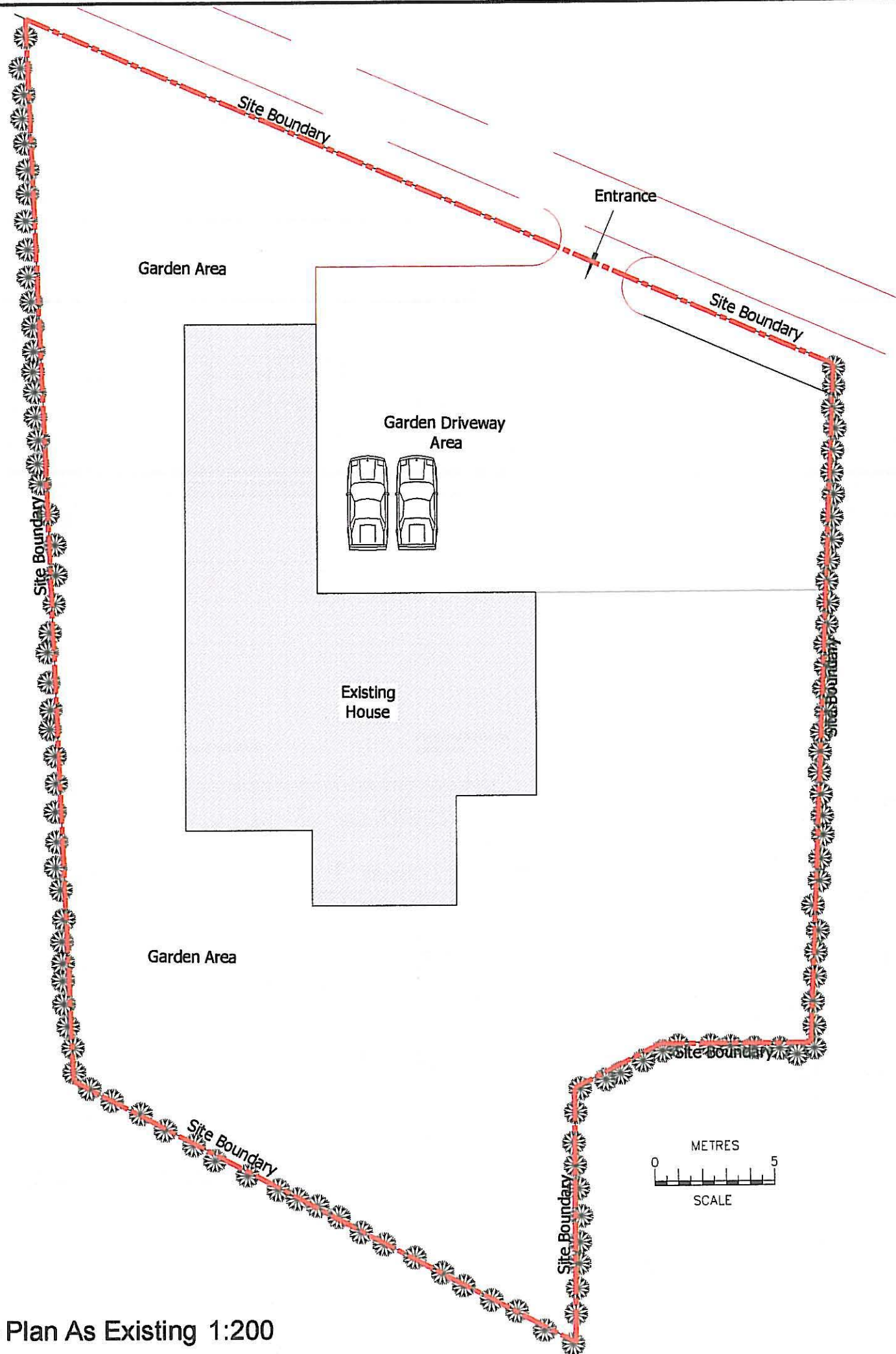
**South Lanarkshire Council
Refuse Planning Permission**

Application Number: CL/11/0109

Reason(s) for Refusal:

- 1 This decision relates to drawing numbers:
L (2-) 001,L (2-) 002 Rev A,L (2-) 003 Rev A,L (2-) 004 Rev C,L (2-) 005 & L (2-) 006 Rev B.
- 2 The proposal is contrary to Policy RES 6 the South Lanarkshire Local Plan in that the close proximity of the proposed dwelling to neighbouring properties and the scale and massing of the proposed development will result in visual intrusion and have an adverse impact upon residential amenity.
- 3 The proposal is contrary to Policy DM5 of the South Lanarkshire Local Plan in that the proposed dwelling by reason of the scale, massing and position relative to adjoining dwellinghouses will appear visually obtrusive in the context of neighbouring properties, to the detriment of the residential amenity of the occupiers of these properties.
- 4 The proposal is contrary to Policy ENV 31 of the South Lanarkshire Local Plan in that the dominating physical presence of the proposed dwelling relative to adjacent properties will have an adverse impact upon residential amenity.

22 AUG 2011



Site Plan As Existing 1:200



Important
 The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. No assumption should be made without reference to the architect. No dimensions should be scaled from this drawing.

Revision	Date	By

External Finishes Specification

- EXTERNAL WALLS TO NEW HOUSE:**
 External white rendered blockwork walls with light brown base course of facing brick.
 Timber stained cladding to front and rear upper gable walls.
- NEW ROOF TO HOUSE**
 Concrete interlocking roof tiles to match neighbouring property on attic type roof trusses.
 Roof Pitch =41°
- NEW WINDOWS / DOORS:**
 Windows to be white upvc double glazed units with juliet style balcony to rear.
- RWP AND GUTTERS:**
 White upvc Rwp's and gutters to be connected into existing drainage system to match existing property
- FASCIA'S:**
 White upvc fascia's and soffit boards

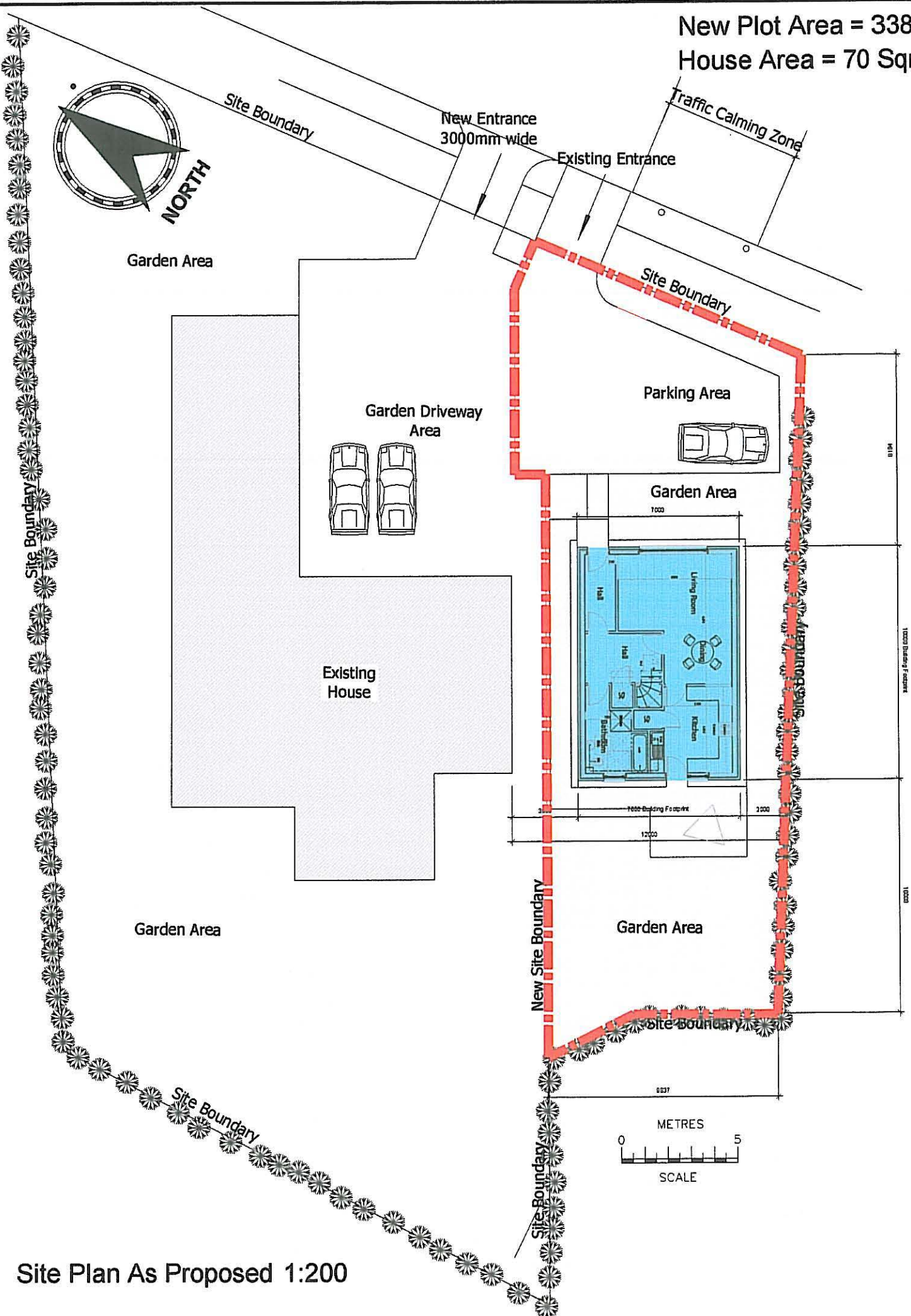
22 AUG 2011

Site Location Plan 1:1250

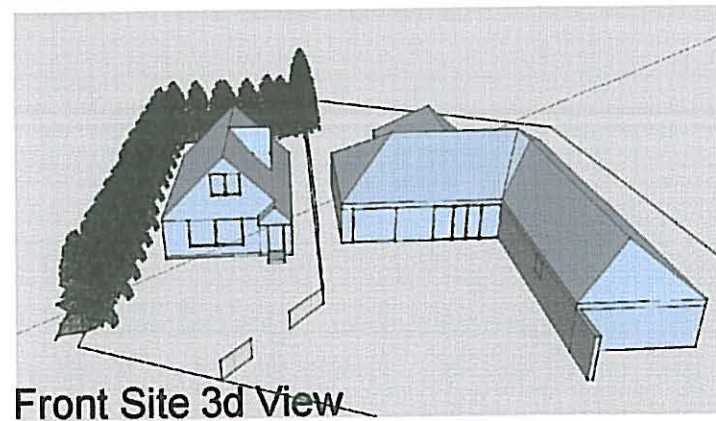


Site Images

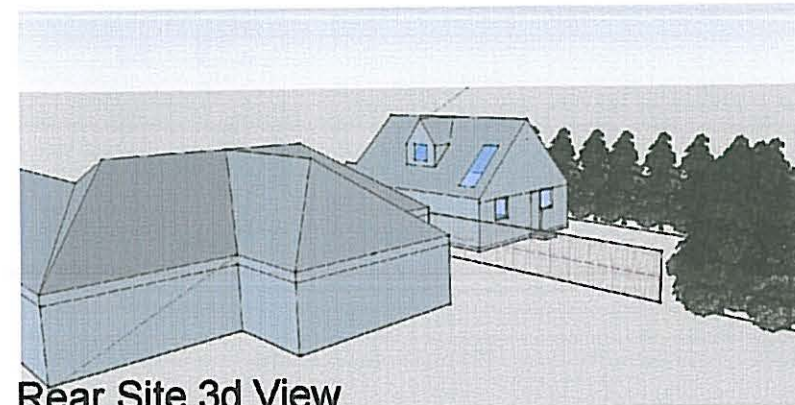
Planning Approval		
Client Mr K. Whitelaw		
Project Title Proposed New Detached House At 96 Lawhill Road Law ML8 5EZ		
Drawing Title Site and Location Plans		
 A1 Architectural Design Ltd <small>Complete Bespoke Architectural Services</small>		
5 Cherrybank Walk, Aldrie North Lanarkshire ML8 0HZ		
Tel: 01236 769579 Mob: 07770811090 email: george@a1archdesign.co.uk		
Scale 1:100	Date Feb 11	
Job No. A1-041/10	Drawing No. L (2-) 001	Rev. -



Site Plan As Proposed 1:200



Front Site 3d View



Rear Site 3d View



Front House 3d View



Side House 3d View

Important

The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. No assumption should be made without reference to the architect. No dimensions should be scaled from this drawing.

Revision	Date	By
A Rear window deleted & replaced with side Velux type rooflight	April 11 GC	
B Entrance altered to new & existing house plots	May 11 GC	
C Boundary colours altered	June 11 GC	

External Finishes Specification

- EXTERNAL WALLS TO NEW HOUSE:**
 External white rendered blockwork walls with light brown base course of facing brick.
 Timber stained cladding to front and rear upper gable walls.
- NEW ROOF TO HOUSE**
 Concrete interlocking roof tiles to match neighbouring property on attic type roof trusses.
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- NEW WINDOWS / DOORS:**
 Windows to be white upvc double glazed units with Juliet style balcony to rear.
- RWP AND GUTTERS:**
 White upvc Rwp's and gutters to be connected into existing drainage system to match existing property
- FASCIA'S:**
 White upvc fascia's and soffit boards

22 AUG 2011

Planning Approval

Client
 Mr K. Whitelaw

Project Title
 Proposed New Detached House
 At 96 Lawhill Road
 Law
 ML8 5EZ

Drawing Title
 Proposed Site Plan

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5 Cherrybank Walk, Airdrie
 North Lanarkshire ML8 0HZ

Tel: 01238 769579
 Mob: 07770611090
 email: george@a1archdesign.co.uk

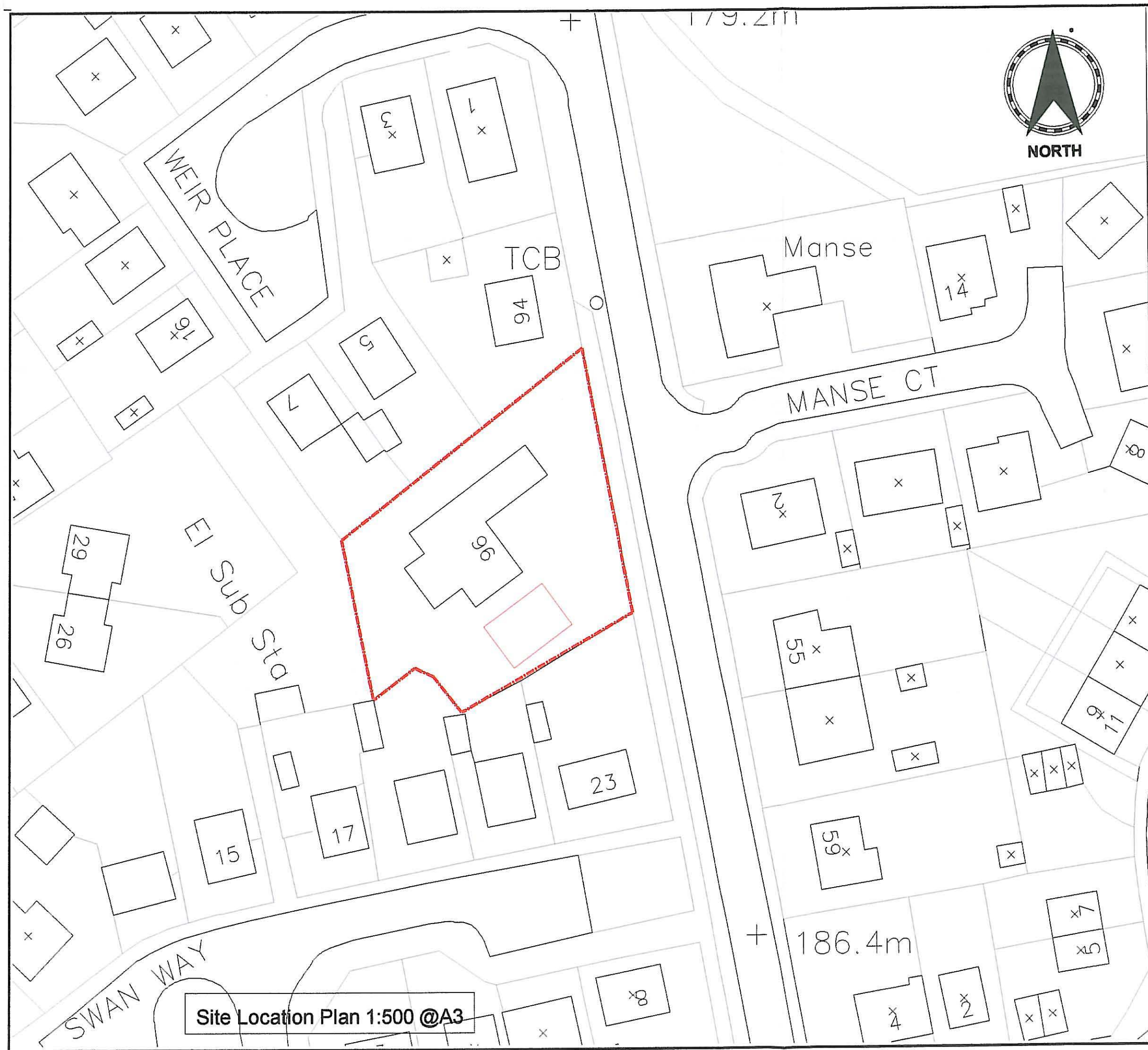
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Date
 Feb 11

Job No.
 A1-041/10

Drawing No.
 L (2-) 004

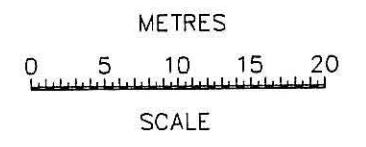
Rev.
 C



Important
 The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. No assumption should be made without reference to the architect. No dimensions should be scaled from this drawing.

Revision	Date	By

**New Plot Area = 307 Sqm
 House Area = 70 Sqm**



22 AUG 2011

Planning Approval

Client
 Mr K. Whitelaw

Project Title
 Proposed New Detached House
 At 96 Lawhill Road
 Law
 ML8 5EZ

Drawing Title
 Site Location Plan 1:500

A1 Architectural Design Ltd
 Complete Bespoke Architectural Services

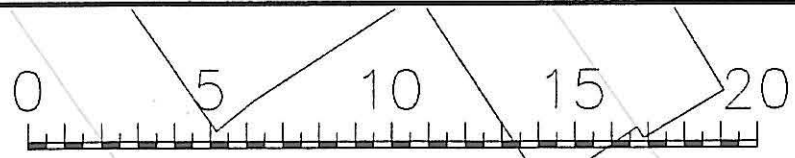
5 Cherrybank Walk, Airdrie
 North Lanarkshire ML8 0HZ

Tel: 01236 769579
 Mob: 07770811090
 email: george@a1archdesign.co.uk

Scale 1:500	Date April 11
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Job No. A1-041/10	Drawing No. L (2-) 005	Rev. -
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Site Location Plan 1:500 @A3



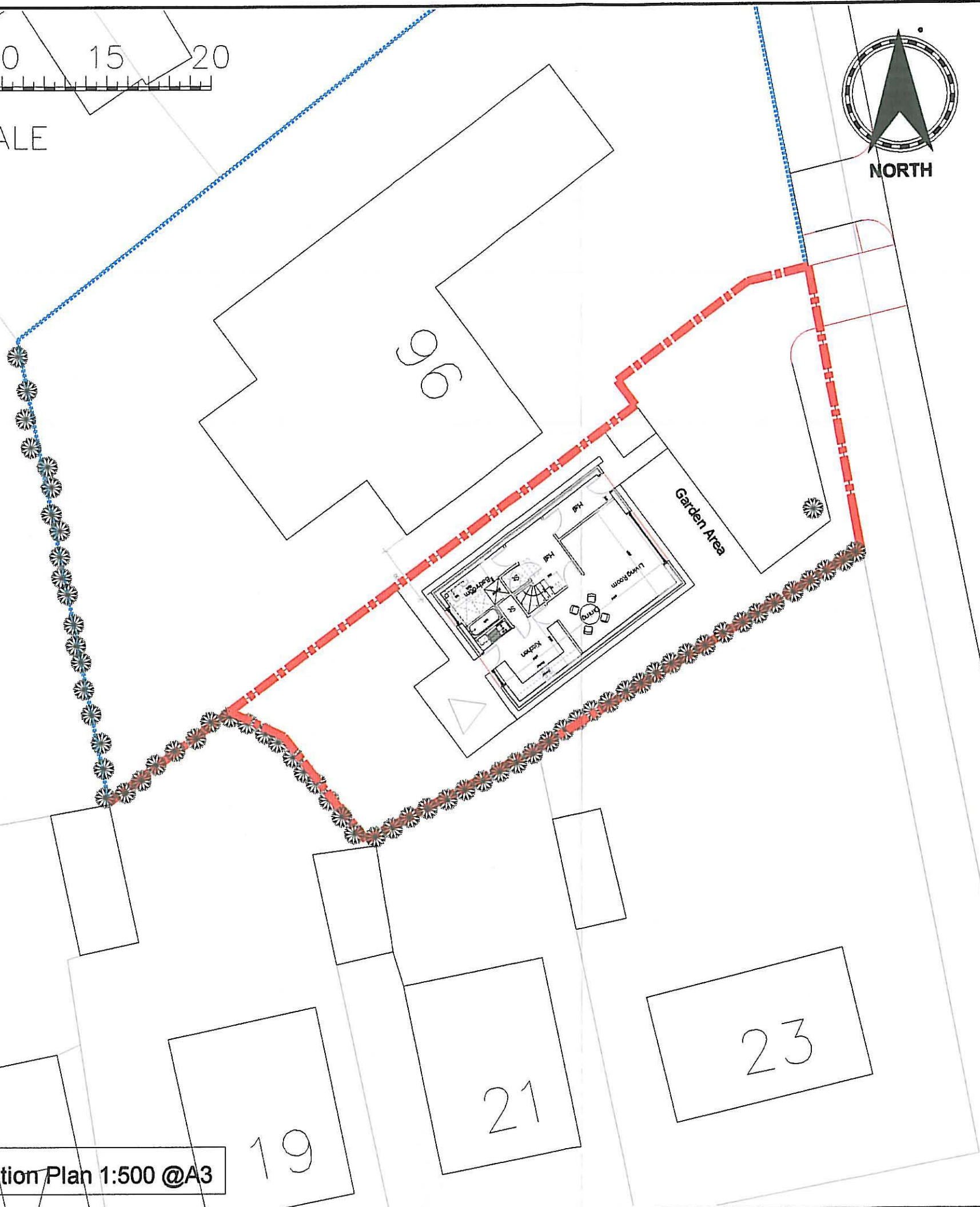
SCALE



Important
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Revision	Date	By
A Entrance altered to new & existing house plots	May 11 GC	
B Boundary colours altered	June 11 GC	

STQ
 19



New Plot Area = 307 Sqm
House Area = 70 Sqm

22 AUG 2011

Planning Approval

Client
Mr K. Whitelaw

Project Title
Proposed New Detached House
 At 96 Lawhill Road
 Law
 ML8 5EZ

Drawing Title
Proposed Site Plan 1:200

A1 Architectural Design Ltd
 Complete Bespoke Architectural Services

5 Cherrybank Walk, Aldrie
 North Lanarkshire ML8 0HZ

Tel: 01236 769579
 Mob: 07770811090
 email: george@a1archdesign.co.uk

Scale 1:500	Date April 11
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Job No. A1-041/10	Drawing No. L (2-) 006	Rev. B
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Site Location Plan 1:500 @A3

19

21

23

96