

Appendix 7

**Applicant's Comments on Further Representations
Submitted by Interested Parties in the Course of the
Notice of Review Consultation Process**

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 CORPORATE RESOURCES
 S.L.C.
 COUNCIL OFFICES
 HAMILTON

31/01/10

DEAR MADAM

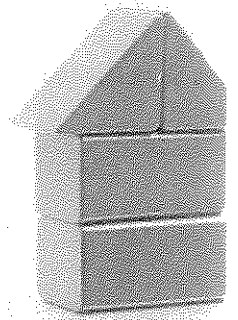
NOTICE OF REVIEW
 PHRB/NOR/CL/09/004
 ERECTION OF A HOUSE
 DONNAWASTAIR ROAD CRAWFORD
 PLANNING APP. CL/09/0238

I REFER TO THE ABOVE AND TO YOUR
 LETTER AND ENCLOSURES OF 20TH JAN. 2010.

I WOULD COMMENT AS FOLLOWS USING
 PARA. NUMBERS AS IN THE STATEMENT:

PARA. 2.3 - POLICY STRAT. 5 - THE LOCAL PLAN
 STRATEGY IS TO "SUPPORT SUSTAINABLE
 COMMUNITIES WITHIN THIS AREA THROUGH MEASURES
 THAT TACKLE EXCLUSION, ISOLATION AND REDRESS
 IMBALANCES OF ECONOMY AND HOUSING TYPE PROVISION"
 - "CONSIDERATION MAY BE GIVEN TO LIMITED
 SETTLEMENT EXPANSION"
 EXACTLY OUR POINT.

PARA 2.5 (b) THE SITE IS AT A RAISED LEVEL BUT
 IT IS NOT INTENDED TO INTRODUCE "SUBSTANTIAL
 RETAINING WALLS". THE SITE WOULD BE
 SYMPHETICALLY "ENGINEERED" TO RETAIN
 THE LANDSCAPE VALUE. THE HOUSE WOULD
 NOT BE PROMINENT AND ADJOINING NEIGHBOURS
 WELCOME THE DEVELOPMENT. THE DESIGN OF
 THE HOUSE WOULD BE COMPATIBLE WITH ADJACENT
 PROPERTIES IN THE USE OF APPROPRIATE MATERIALS.



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PARA 2.7. LAND ENGINEERING AND LANDSCAPING WOULD ENSURE THAT THE GENERAL TOPOGRAPHY WOULD BE RETAINED AND ENHANCED.

PARA 2.8 THE INTEGRITY OF THE PROTECTED RESOURCE WILL NOT BE UNDERMINED, BUT THE AREA WILL BE ENHANCED. THE HOUSE WOULD PROVIDE AN 'END' TO DONASTAIR ROAD, RATHER THAN JUST A FIELD.

OBSERVATIONS ON NOTICE OF REVIEW

- 3.1 (a) IN THEORY THIS IS CORRECT, BUT IN LOCAL AND PRACTICAL TERMS ITS NOT GOING TO HAPPEN DURING THE LIFETIME OF THE PLAN AND MINOR CHANGES SHOULD BE CONSIDERED
- 3.1 (b) ~~GROUNDWORKS~~ ARE NECESSARY BUT ~~GROUND~~ ENGINEERING AND LANDSCAPING WOULD ENSURE THE AMENITY OF THE AREA WOULD NOT BE AFFECTED IN A NEGATIVE WAY. SOME VISION IS REQUIRED TO HOW BEST DESIGN THE SITE. THE HOUSE COULD BE POSITIONED ON THE LOWER AREA OF THE SITE. ELSEWHERE, IN GRAYFORD, THERE IS EVIDENCE OF HOUSES (ON CARNSHE RD.) IN EXTREMELY PROMINENT POSITIONS, WITH EXCEPTIONAL GROUNDWORKS AND RETAINING WALLS AND HAVE ONLY RECENTLY BEEN BUILT. SO IT CAN HAPPEN.
- 3.1 (c) THE OPPORTUNITIES ARE MOST URGENT
- 3.1 (d) AT NO TIME DID PLANNING SERVICES REQUEST INFORMATION ON HOW THE BOWLING CLUB WOULD USE ANY MONIES FROM THE SALE OF THE SITE. THE VILLAGE AND THE CLUB ARE IN DECLINE AND SELLING THE CLUB'S ASSETS IS TO ENSURE SURVIVAL OF THE CLUB.

WE DO NOT UNDERSTAND THE COMMENTS ON THE NEED FOR A SECTION 75 AGREEMENT. THE TRANSACTION TO PURCHASE THE PLOT WOULD BE ON A MARKET VALUE AND PAID TO THE CLUB AS A 'ONE OFF' PAYMENT THE COUNCIL WOULD NOT BE INVOLVED.

IMPROVEMENTS SUCH AS NEW "MOATS" AND BARRIERS, NEW PATHWAYS, NEW PLANT AND MACHINERY, DRAINAGE IMPROVEMENTS ETC ARE ~~ALL~~ ALL NECESSARY BUT WOULD BE FOR THE BOWLING CLUB TO DETERMINE AND MANAGE.

3. 2 IT IS ACKNOWLEDGED THAT IT IS NOT FOR PLANNING SERVICES TO DETERMINE LAND OWNERSHIP. THE SETTLEMENT BOUNDARY FOLLOWS THE FENCE LINE AND INCLUDES AN AREA TO THE NORTH AND EAST OF THE PLOT, TO THE REAR OF PROPERTIES ON GARNSIDE ROAD AND IS ONLY PART OF THE FIELD AND UNDEVELOPED - BUT IT IS FENCED OFF. THE STATEMENTS BY PLANNING SERVICES COULD APPLY TO THIS AREA, WITHIN THE SETTLEMENT BOUNDARY.

WE DISAGREE WITH THE STATEMENT - "AS A RESULT (?) IT (THE SITE) IS NOT CAPABLE OF BEING USED FOR ANY BENEFICIAL PURPOSE WITHOUT CARRYING OUT OF EXTENSIVE EARTHWORKS" (LINE 8 ON) - CONJECTURE THIS CANNOT BE TRUE; IT IS 2010 AND THERE IS A WAY.

THE SETTLEMENT BOUNDARY MAY BE THE SAME AS THAT IN THE UPPER GYPSYDALE PRAU - BUT SURELY WE CAN MOVE FORWARD FROM THE DISTANT PAST THIS IS CRAWFORD, THIS IS SOUTH LANARK SHIRE - IT CAN BE CHANGED

THE BOUNDARY LINE HAS SPLIT THE LAND OWNED BY THE BOWLING CLUBS INTO TWO PARTS. ANY BOUNDARY LINE CAN BE DEFENSIBLE BUT "LOGIC" IS IN THE MIND AND WE BELIEVE THE LOGICAL BOUNDARY WOULD INCLUDE THE LAND BELONGING TO THE BOWLING CLUBS.

4.1 OWNERS OF LANDS, THE PUBLIC ARE UNAWARE AT TIMES OF THE NEED FOR AND THE PURPOSE OF THE LOCAL PLAN AND THE NEED TO ENSURE THEIR INTERESTS ARE PROTECTED.

THIS IS DESPITE THE HARD WORK, THE ADVERTISING THE PUBLIC DISPLAYS AND CONSULTATIONS BY PLANNING STAFF IN SOUTH LAMARK SHIRE. THE OUTCOME CANNOT PLEASE EVERYONE AND IN INSTANCES SUCH AS THIS, THE CLUBS OVER THE YEARS COULD HAVE TRIED TO CLARIFY THE POSITION. IT IS A SMALL PLOT BUT WITH SIGNIFICANCE TO MY CLIENT AND TO THE BOWLING CLUBS' FUTURE.

I APOLOGISE FOR THE LENGTHY RESPONSE AND THANK YOU ON BEHALF OF MYSELF AND MY CLIENT FOR THE OPPORTUNITY TO RESPOND.

YOURS FAITHFULLY

