

Appendix 5

Notice of Review (including Statement of Reasons for Requiring the Review) submitted by applicant Mr and Mrs R Thomson



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

Applicant(s)	Agent (if any)
Name: MR + MRS R. THOMPSON	Name: PLAN D
Address: 1 CALEDONIAN AVE. CRAWFORD	Address: 4 WEAVERS YARDS DOUGLAS LANARKS
Postcode: ML12 6TX	Postcode: ML11 0QB
Contact Telephone 1: [REDACTED]	Contact Telephone 1: [REDACTED]
Contact Telephone 2: [REDACTED]	Contact Telephone 2: [REDACTED]
Fax No: [REDACTED]	Fax No: [REDACTED]
E-mail:*	E-mail:*

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

Yes No

* Do you agree to correspondence regarding your review being sent by e-mail?

Application reference number: CL 1 0 9 1 0 2 3 8

Site address: PLOT AT DONALASTAIR ROAD CRAWFORD ML12 6TS

Description of proposed development: ERECTION OF DWELLINGHOUSE (PLANNING PERMISSION IN PRINCIPLE)

Validation date of application: 11/06/09 Date of decision (if any): 5/10/09

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:

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 type="checkbox"/> | <input checked="" 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:

1. SITE CAN BE VIEWED FROM PRIVATE ROAD

2. SITE IS PARTIALLY FENCED WITH GATE.

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.

1. CONTENT OF LETTER DATED 10TH JUNE NOT FULLY CONSIDERED
 2. LETTER DATED 31ST JULY 2009 NOT FULLY CONSIDERED.
- REQUIREMENTS OF INDIVIDUALS NOT MET IN LOCAL PLAN
 - AREAS FOR NEW BUILDS OWNED BY DEVELOPERS AND UNLIKELY TO PROCEED IN NEAR FUTURE
 - NO PROVISION FOR SINGLE STOREY HOUSING
 - NO PROVISION TO PROVIDE SUSTAINABLE COMMUNITY
 - NO DETRIMENT TO LANDSCAPE CHARACTER
 - NO DETRIMENT TO VISUAL AMENITY AS SITE CANNOT BE VIEWED FROM PUBLIC LAND/ROADS.. SITE ADJACENT TO HOUSING AND POSSIBLE LANDSCAPING/PLANTING WOULD SCREEN INDUSTRIAL DEPOT.
 - AMENITY OF AREA WOULD BE IMPROVED BY IMPROVED ACCESS AND SYMPATHETIC DESIGN AND LANDSCAPING
- SEE ADDITIONAL DOCUMENT.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

THE ISSUE OF THE SETTLEMENT BOUNDARY WAS A "NEW THOUGHT" WHEN CONSIDERING THE REASONS FOR REFUSAL AND THE "SHAPE" OR OUTLINE OF THE SETTLEMENT BOUNDARY. THE ISSUE OF SUSTAINABILITY OF THE COMMUNITY HAS BEEN EXPANDED.

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.

1. APPLICATION FORM
2. LETTER DATED 10th JUNE 2009
3. LETTER DATED 31st JULY 2009
4. PLANS
5. DECISION NOTICE AND REASONS (AND PLANS)
6. ADDITIONAL DOCUMENTS WITH FURTHER COMMENTS (2)
7. LETTER FROM APPLICANT
8. SETTLEMENT PLAN

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:



Date:

21 / 12 / 09

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

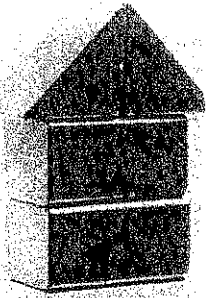
Phone: 08457 406080

For official use
Date stamp)

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

AREA MANAGER
PLANNING & BUILDING STANDARDS
S.H.C.
COUNCIL OFFICES
SOUTH VERNEIL
LANARK

10th June 2009



PLAN'D
PLANNING & BUILDING
CONSULTANTS

4 Weavers Yards,
Douglas,
Lanark ML11 0QB

Tel: 01555 851562
Mob: 07815 322361

Dear Sir,

PLANNING APPLICATION (OUTLINE)
SITE AT DUNALSTAIR ROAD
CRAWFORD

I REFER TO THE ABOVE AND TO RECENT DISCUSSION WITH GAYLE RAE, OF PLANNING SERVICES REGARDING SAME.

THE AREA OF GROUNDS WAS BOUGHT MANY YEARS AGO BY CRAWFORD BOWLING CLUB TO ADD TO THE LEISURE PROVISION BY EXTENSION TO THE BOWLING CLUB AND TO PROVIDE A PUTTING GREEN FOR VILLAGE USE. HOWEVER OVER THE YEARS FINANCES DID NOT ALLOW FOR THE DEVELOPMENT. THE CLUB IS DEFICIENT IN NEED OF FUNDS TO SUSTAIN THE CLUB AND THE SALE OF THE AREA OF GROUNDS WOULD HELP TO PRESERVE THE CLUB AND PRESERVE THIS FACILITY WITHIN THE VILLAGE. THIS MAY NOT BE RELEVANT TO THE PLANNING DECISION, BUT IN MY VIEW THE SUSTAINABILITY OF THE VILLAGE IS DEPENDANT ON FACILITIES SUCH AS A BOWLING CLUB.

WE UNDERSTAND THAT DEVELOPMENT IS PREFERRED WITHIN THE SETTLEMENT BOUNDARY, BUT THE AREAS IN CRAWFORD AVAILABLE FOR HOUSING IS OWNED BY BUILDERS OR DEVELOPERS AND GENERALLY 'NOT FOR SALE'. THE HOUSES PROPOSED ON THESE SITES ARE "TWO STORY OR 1 1/2 STOREY" AND DO NOT PROVIDE A RANGE OF HOUSE TYPES ~~WHICH~~ WHICH ARE SUITABLE FOR OLDER PERSONS

Derek E Hair
MRICS

CRAWFORD VILLAGE HAS AN AGEING POPULATION AND THE MAJORITY OF EXISTING HOUSES AND PROPOSED HOUSES ARE 1½ → 2 STOREY AND NOT SUITABLE.

MY CLIENTS ARE RETIRED AND HAVE GREAT DIFFICULTY WITH INTERNAL STAIRS AND THEREFORE WOULD HOPE TO BUILD A SINGLE STOREY HOUSE SUITABLE FOR THEIR NEEDS AND COMFORT. AGAIN, THERE ARE NO PROPOSALS FOR SINGLE STOREY HOUSING.

THE HOUSING SITES IDENTIFIED DENY THE PUBLIC A CHOICE OF SUITABLE HOUSE TYPE

WE HAVE LOOKED AT POLICIES STRAT 3-6. THE GENERAL FEELING IS THAT THE POLICIES WISH TO BUILD ON THE ECONOMIC POTENTIAL OF THE AREA AND TO DEVELOP THE SETTLEMENTS TO PROVIDE MORE SUSTAINABLE COMMUNITIES. I BELIEVE THE STRATEGIES COULD ALLOW MINIMAL EXPANSION SUCH AS THIS WITH NO DETRIMENT TO THE AREA AND STILL BE WITHIN THE SPIRIT OF THESE IMPORTANT STRATEGIES.

MY CLIENTS HAVE LIVED AND WORKED ALL THEIR LIFE IN CRAWFORD AND ARE ACTIVE IN THE COMMUNITY AND CONTRIBUTE GREATLY TO ITS SUSTAINABILITY. MY CLIENTS HAVE ALSO EXPRESSED THEIR INTENTION TO COMPLY WITH, AND, INDEED WOULD WISH TO CONSTRUCT, IN LINE WITH POLICY ENV.3

WE FEEL THAT, WHILST THE PRODUCTION OF THE SLC LOCAL PLAN IS EXCELLENT, INDIVIDUALS KNOW LITTLE ABOUT THE PROCESS OR THE CONSULTATION PROCESS AND FEEL THE ONLY DEVELOPERS & BUILDERS BENEFIT. THE SETTLEMENT BOUNDARY NEEDS LITTLE ADJUSTMENT TO FACILITATE THIS PROPOSAL, THERE SHOULD BE NO PRECEDENT SET-ROADWAY

IT'S ABOUT MAINTAINING THE VILLAGE, MAINTAINING THE SUSTAINABILITY, THE ENVIRONMENTAL QUALITY, ALLOWING LOCAL PEOPLE TO STAY IN THE VILLAGE IN A HOUSE WHICH SUITS THEIR NEEDS FOR THEIR FUTURE YEARS.

WE LOOK FORWARD TO YOUR DELIBERATIONS AND SERIOUSLY REQUEST A FAVOURABLE RESPONSE.

IF YOU REQUIRE ADDITIONAL INFORMATION PLEASE CONTACT ME

YOURS FAITHFULLY

GRAH RAE
PLANNING SERVICES
S/C
SOUTH VENDOR
LANARK

DEREK HAIR
4 WEAVERS YARD
DUNELAS
LANARK
MK11 0QB
31/07/09

Dear Grah,
APPLICATION NO CH/09/0238
PLOT AT DUNALSTAIR RD, CRAIGFORD
MK12 66T

I REFER TO THE ABOVE AND TO RECENT DISCUSSIONS
ON SAME.

I ENCLOSE HEREBY WITH

- REVISED SITE PLAN
- REVISED BLOCK PLAN
- CONFIRMATION OF SERVICE / RE-SERVICE OF
NEIGHBOUR AND OWNER NOTIFICATIONS


I APOLOGISE FOR THE EARLIER CONFUSION AND
HOPEFULLY THINGS ARE NOW SATISFACTORY.

COMMENTS FROM NEIGHBOURS ARE VERY SATISFACTORY
AND ALL WOULD WELCOME THE DEVELOPMENT,
IF ONLY TO "SCREEN OFF" THE DEPOT FROM THE HOUSE
IN DUNALSTAIR DRIVE / CARNISHE ROAD.

WE LOOK FORWARD TO, HOPEFULLY, A POSITIVE RESPONSE

THANK YOU FOR YOUR ASSISTANCE.

YOURS FAITHFULLY



ITEM 6. ADDITIONAL MATTERS NOT RAISED WITH APPOINTED OFFICER

1. SETTLEMENT BOUNDARY.

THE CRAWFORD BOWING CLUB HAS OWNED THE PIECE OF GROUND FOR APPROX 50 YEARS, AND SHOULD HAVE FENCED OFF THE SITE.

THE SETTLEMENT BOUNDARY FOLLOWS THE LINE OF THE EXISTING FENCE, ERECTED BY THE FARMER.

IT WOULD SEEM PROBABLE TO US, THAT, HAD THE AREA OF GROUNDS BEEN FENCED OFF, THEN THE SITE WOULD HAVE PROBABLY BEEN INCLUDED WITHIN THE SETTLEMENT BOUNDARY, THAT BOUNDARY BEING ~~DRAWN~~ DRAWN ON THE 'FENCE' LINE.

IT WOULD APPEAR THAT THIS WOULD HAVE BEEN THE "LOGICAL" LINE SINCE NO OTHER AREA INSIDE THE FENCE LINE IS EXCLUDED. WE UNDERSTAND THAT IT IS NOT POSSIBLE, TO DETERMINE LAND OWNERSHIP WHEN THE LOCAL PLAN IS CONCEIVED BUT SURELY A MINOR VARIATION IS POSSIBLE IN THE LIGHT OF THE ABOVE, SINCE, IN ALL HONESTY, THE FOLLOWING OF A FENCE LINE MAY BE CONSIDERED SLIGHTLY FLAWED. AGAIN, IF THE BOWING CLUB HAD FENCED OFF THE AREA OF GROUNDS 50 YEARS OR SO AGO, THE SITE WOULD HAVE PROBABLY BEEN INCLUDED ~~BE~~ WITHIN THE SETTLEMENT BOUNDARY. PLEASE CONSIDER:

ANY APPROVAL WOULD ENHANCE THE AREA, WOULD NOT LEAD TO PRECEDENT AND ANY HOUSE PROVIDED WOULD BE SYMPHETICALLY DESIGNED IN ACCORDANCE WITH DEVELOPMENT IN THE RURAL AREA



ITEM 6. ADDITIONAL MATERIAL

2. THE VILLAGE OF CRAWFORD HAS SEVERAL AREAS DETAINED FOR HOUSING. THESE, IN THE MAIN, ARE OWNED BY PRIVATE DEVELOPERS, AND PRESUMABLY HOUSING WILL BE TWO STOREY, WITH NO PROVISION FOR SINGLE STOREY HOUSES.

DUE TO THE CURRENT RECESSION AND THE LACK OF DEMAND IT IS LIKELY THAT THESE DEVELOPMENTS WILL NOT HAPPEN FOR MANY YEARS.

THE VILLAGE IS IN SLOW DECLINE AS THE APPROACH FROM THE WEST SUGGESTS.

TO ENSURE THE SUSTAINABILITY OF THE VILLAGE, LOCAL PEOPLE SHOULD BE ENCOURAGED TO STAY, AND HOUSING SHOULD BE AVAILABLE TO SUIT AN AGEING POPULATION.

TO OUR MINDS, THE SUPPORT FOR LOCAL SERVICES SUCH AS SHOPS, HOTELS, GARAGES, BOWLING CLUBS ETC IS ESSENTIAL TO SUSTAIN THE COMMUNITY, AND SHOULD BE CONSIDERED, IN PLANNING TERMS, AS AN OVERARCH VIEW. THIS CONSIDERATION IS NEEDED NOW

THE BOWLING CLUB HOPE TO SELL THIS SITE AS SOON AS POSSIBLE AND THE INCOME WILL SAVE THE CLUB AND PROVIDE FUNDS FOR MUCH NEEDED IMPROVEMENTS.

THE CLUB IS AN IMPORTANT SPORTS FACILITY AND SOCIAL MEETING PLACE AND IS CONSIDERED ESSENTIAL AS PART OF VILLAGE LIFE.

IT SEEMS A FEW MINOR CHANGE WOULD HAVE MAJOR BENEFITS IN A VILLAGE BADLY IN NEED OF ENCOURAGEMENT, POSITIVE THINKING AND CONSIDERATION FOR THE FUTURE

17/12/09

Mr R Thomson
1 Caledonian Avenue
Crawford
Biggar
South Lanarkshire
ML12 6TX

Dear Sir/Madam,

Application for Planning Permission – Dunalistair Road, Crawford

I am writing to appeal against the decision made to refuse planning permission on the above property.

I was born in the village of Crawford and have resided here all my life and I intend to continue to live here.

My wife and I currently live in a house which was built in 1897. We are finding this more and more difficult to keep warm in the winter months despite being centrally heated and fitted with doubled glazed windows throughout the property.

One of our biggest concerns going forward is the fact that the house bathroom and toilet is located on the ground floor. My wife is unsteady on her feet and this presents problems with the stairs.

We are currently in the process of purchasing a plot of land from the local Bowling Club in the hope that we can build a bungalow. The club has owned this land for over 50 years. However, the ground once never fenced off, if this had been the case I am certain that the boundary would have been contained within this area.

Should permission be granted, it will be beneficial also to the bowling club as this is a privately owned and maintained club and would welcome the financial gain from selling the land to ourselves.

We do not wish to leave the village as there are no available bungalows either for sale or being built in the near future.

We look forward to hearing from you.

Yours faithfully,

R Thomson

