



Montrose House 154 Montrose Crescent Hamilton ML3 6LB Tel: 0303 123 1015 Email: planning@southlanarkshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100189208-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Bare Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ronald	Building Name:	
Last Name: *	Gellan	Building Number:	4
Telephone Number: *		Address 1 (Street): *	Rannoch Avenue
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Hamilton
Fax Number:		Country: *	Scotland
		Postcode: *	ML3 8UD
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Colin"/>	Building Number: <input type="text" value="2"/>
Last Name: *	<input type="text" value="Christison"/>	Address 1 (Street): * <input type="text" value="Howacre"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Lanark"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="ML11 7PL"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

Site Address Details

Planning Authority:	<input type="text" value="South Lanarkshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="2 HOWACRE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="LANARK"/>
Post Code:	<input type="text" value="ML11 7PL"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="644110"/>	Easting	<input type="text" value="287733"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Change of use of open space to form additional garden ground and erection of boundary fence

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer Supporting Documents

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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. You can attach these documents electronically later in the process: * (Max 500 characters)

Location & Site Plan AR19072 (PL) 001A

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

P/19/1545

What date was the application submitted to the planning authority? *

11/10/2019

What date was the decision issued by the planning authority? *

20/12/2019

Review Procedure

The 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 them 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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

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

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. 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 Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. 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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Ronald Gellan

Declaration Date: 03/03/2020



Response to Refusal to Planning Application

Proposal: **Change of use of open space to form additional garden ground and erection of boundary fence**

Site address: **2 Howacre, Lanark, ML11 7PL,**

Application no: **P/19/1545**

Reason(s) for refusal:

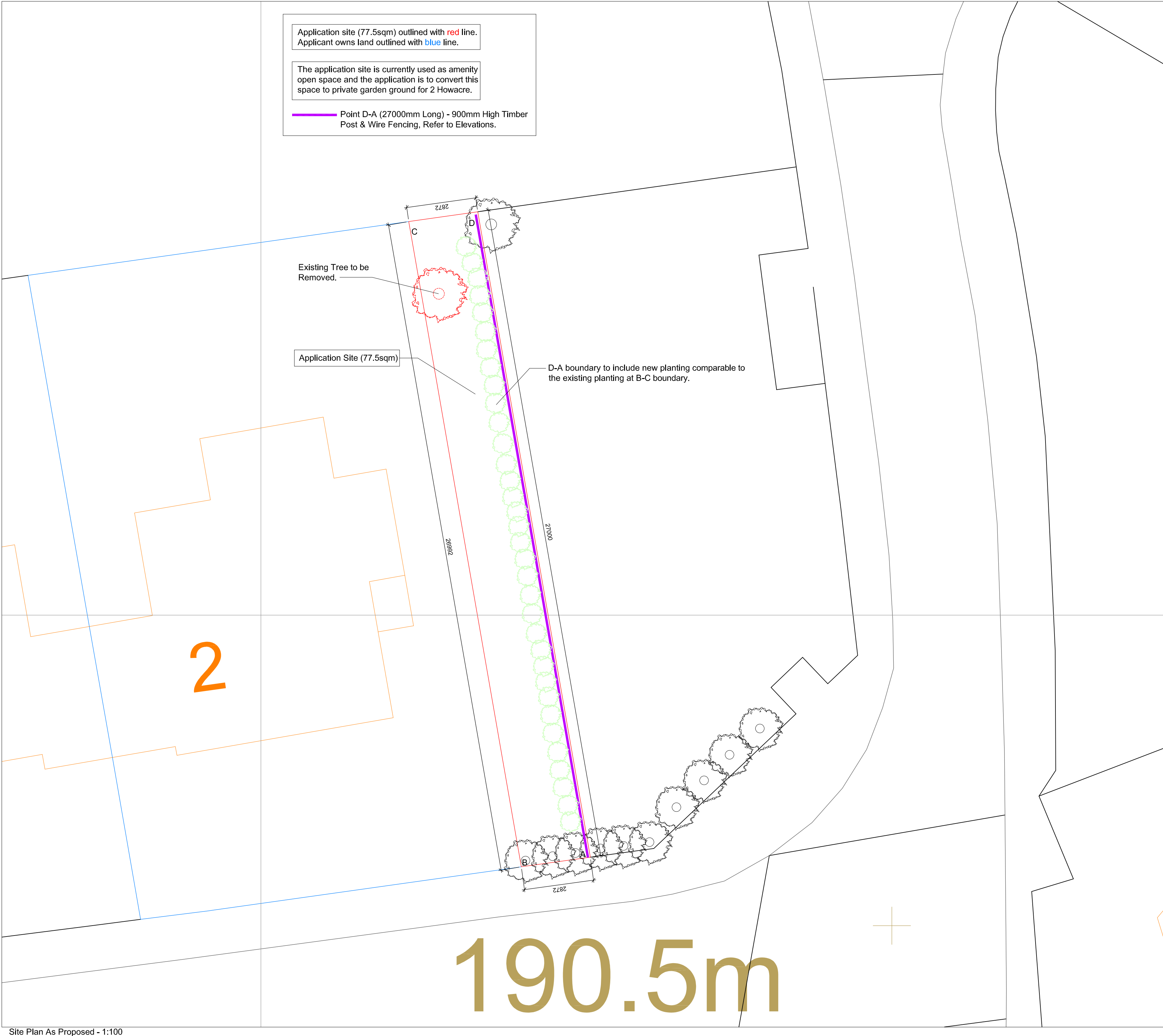
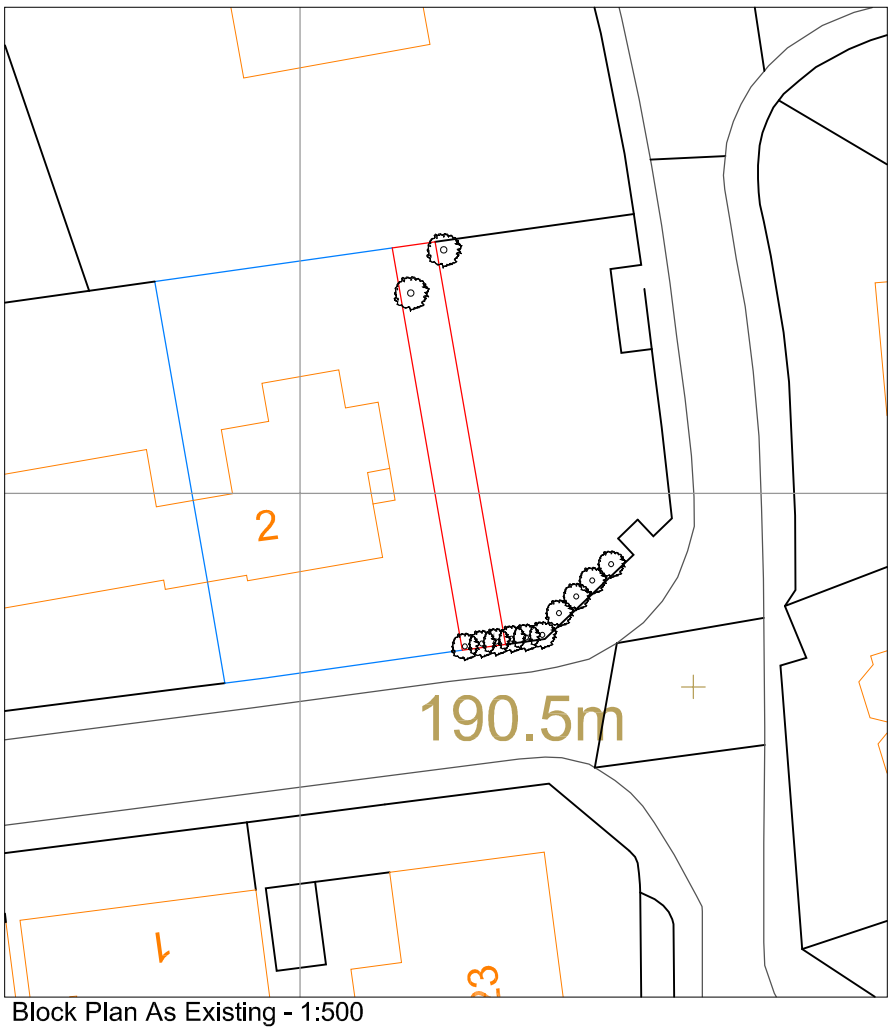
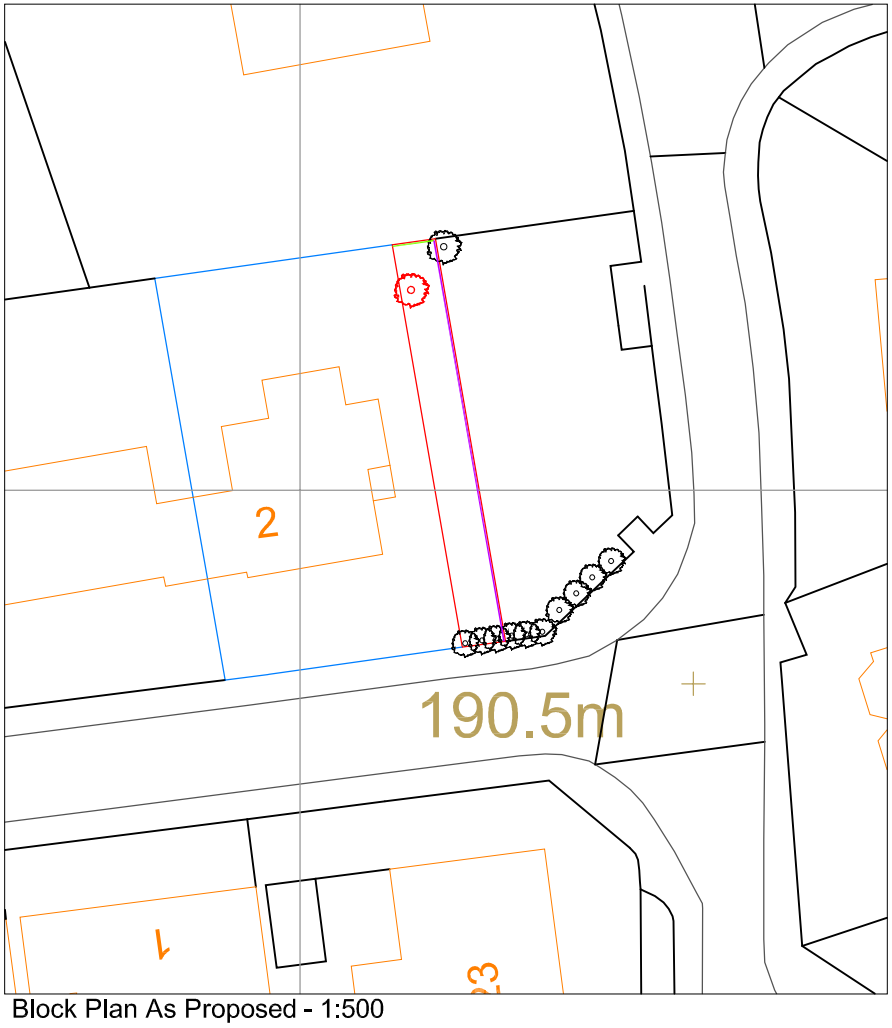
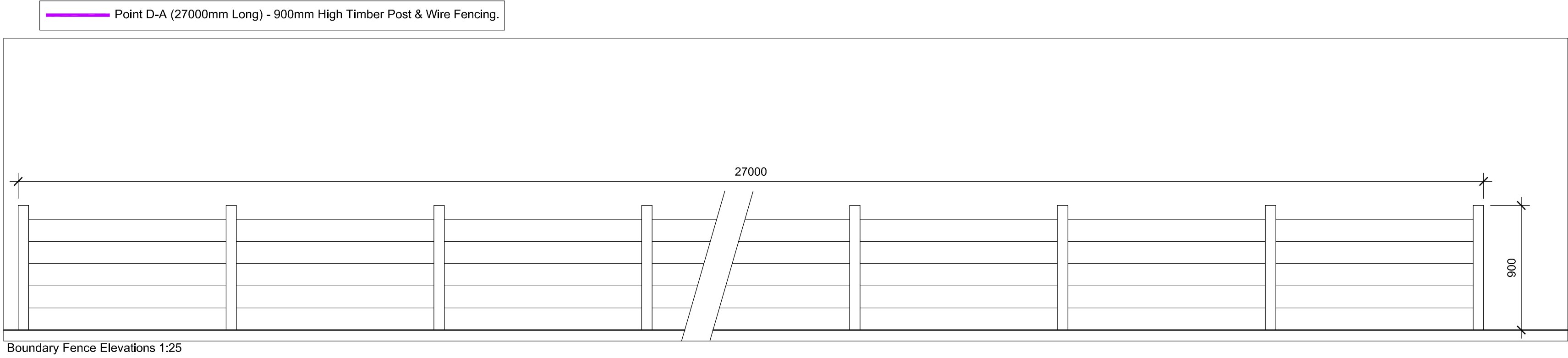
01. The proposal is contrary to Policies 4 and 6 of the South Lanarkshire Local Development Plan in that it will **not safeguard the character and enhance** the amenity enjoyed by the residents of the local area. ----- **the response in the first/original application addressed these concerns and we feel they more than safeguarded the character and enhance the amenity space.**

02. The proposal is contrary to Policy DM 13 of the South Lanarkshire Local Development Plan in that it would result in the **loss of or damage to** valued public open space and local landscape which make a significant contribution to the character or amenity of the area. -

- **We compromised greatly and reduced our original application by 50%.**
- **Without a doubt, the point made in DM 13 policy re. 'loss of public space' (but not enough in our view to change the character) was something that was never mentioned to us throughout the process.**
- **Since my first e-mail discussion with Joseph Lawson/SLC Estates, September 2017 including site visits to measure up the ground by other SLC estate staff through to both planning applications with Jerry Gigya/Linda Dickson, Planning May/ Oct 2019 was it ever mentioned that any DM 13 policy would block this application.**
- **In fact, the point was made that it was only property owners immediately next to adjacent ground that would be in a position to apply, giving me the impression that this is something that happens and had every chance of succeeding.**

Therefore, what I can't understand is, that if a policy exists that bars anybody from 'acquiring public space' why I wasn't informed of this at an early stage, thus avoiding risking losing the time spent in the whole process and expense of hiring a solicitor, planning fees etc.

03. If approved, the proposal would set an undesirable **precedent** which could encourage further similar applications for developments prejudicial to priority green space designations. ----- **It is my understanding, that historically other applications to extend gardens into amenity spaces have been approved.**



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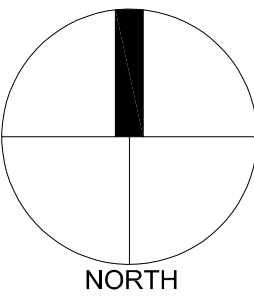
Do not scale dimensions from this drawing all dimensions to be verified on site.

Any discrepancies in printed drawings to be brought to Bare Architecture's attention for clarification.

All variations to construction works carried out on site to be brought to our attention prior to carrying out work.

THIS DRAWING IS SOLELY FOR THE PURPOSES OF OBTAINING PLANNING PERMISSION AND BUILDING WORKS IF APPROVAL. ADDITIONAL INFORMATION MAY BE REQUIRED FOR CONSTRUCTION PURPOSES. NO LIABILITY WILL BE ACCEPTED FOR ANY OMISSION FROM THIS DRAWING SHOULD THE DRAWING BE USED FOR CONSTRUCTION PURPOSES.

The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. Any discrepancies must be brought to the attention of the architect. No dimensions should be scaled from this drawing.



Date	Rev.

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PLANNING

Job Title
Mr & Mrs Christison
2 Howacre
Lanark, ML11 7PL

Drawing Title
Existing & Proposed Drawings

Scale	Sheet size	Drawn by	Date
As Indicated	A1	BMcM	09.10.19

File name
AR19072

Drawing number	Revision
AR19072 (PL) 001	A