38 <u>List of Enclosures – Agenda Item 4</u>

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	- 20		
alkirk Council Abbotsford House Davids Lo	oan Falkirk FK2 7YZ		
Tel: 01324 504748			
Fax: 01324 504747			
Email: planning.applications	@falkirk.gov.uk		
Planning Department			
Applications cannot be valid	ated until all necessary documentation	on has been submitted and the r	equired fee has been paid.
Thank you for completing th	is application form:		
ONLINE REFERENCE	000036875-001		
The online ref number is the when your form is validated.	unique reference for your online for Please quote this reference if you no	າາ only. The Planning Authority ທ eed to contact the Planning Auth	vill allocate an Application Number nority about this application.
Applicant or Ag	ent Details		
	agent? * (An agent is an architect, co connection with this application)	nsultant or someone else acting	Applicant Agent
Agent Details			
Please enter Agent details			
Company/Organisation:	Hardie Associates	You must enter a Building both:*	Name or Number, or
Ref. Number:		Building Name:	
First Name: *	Colin	Building Number:	78
Last Name: *	Hardie	Address 1 (Street): *	Hopetoun Street
Telephone Number: *		Address 2:	
Extension Number:		Town/City: *	Bathgate
Mobile Number:		Country: *	UK
Fax Number:		Postcode: *	EH48 4PD
Email Address: *	chardie@hardie- associates.co.uk		
Is the applicant an individua	l or an organisation/corporate entity?) *	
Individual Organ	ication/Corporate entity		

Applicant De	etails		
Please enter Applican	t details		
Title: *	Мг	You must enter a Bui	ilding Name or Number, or
Other Title:		Building Name:	c/o
First Name: *		Building Number:	78
Last Name: *	Robertson	Address 1 (Street): *	Hopetoun Street
Company/Organisatio	n:	Address 2:	
Telephone Number:		Town/City; *	Bathgate
Extension Number:		Country: *	West Lothian
Mobile Number:		Postcode: *	EH48 4pd
Fax Number:			
Email Address:			
Site Address	Details	***	
Full postal address of	the site (including postcode where	available):	
Address 1:		Address 5:	
Address 2:		Town/City/Settlemer	nt:
Address 3:		Post Code:	
Address 4:			
Please identify/descril	pe the location of the site or sites.		
	100		
Northing	675513	Easting	290584
Description	of the Proposal		
Please provide a desc application form, or as (Max 500 characters)	ription of the proposal to which you amended with the agreement of th	r review relates. The description she planning authority: *	nould be the same as given in the
This is a request for a	review of the planning application I	REF - P/11/0706/FUL	

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) – 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 of 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.
Please see the attached appeal statement
Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *
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)
1. LRB Statement 2. Appendix 1 to the statement
Application Details
Please provide details of the application and decision.
What is the application reference number? * P/11/0706/FUL
What date was the application submitted to the planning authority? * 02/11/11
Has a decision been made by the planning authority? *
What date was the decision issued by the planning authority? * 16/12/11

Review Procedure						
process require that further inform	le on the procedure to be used to determine your review and may nation or representations be made to enable them to determine the ion of procedures, such as: written submissions; the holding of one ubject of the review case.	ie review.	Further in	formatic	n may	
Can this review continue to a conc parties only, without any further pr	clusion, in your opinion, based on a review of the relevant informa rocedures? For example, written submission, hearing session, site	ation provi e inspecti	ided by you on. *	ırself an	nd other	
✓ Yes ☐ No						
In the event that the Local Review	Body appointed to consider your application decides to inspect the	he site, in	your opini	on:		
Can the site be clearly seen from	a road or public land? *	Ye	es 🔽 No			
Is it possible for the site to be according	essed safely and without barriers to entry? *	✓ Ye	s 🗌 No			
If there are reasons why you think explain here. (Max 500 characters	the Local Review Body would be unable to undertake an unacco s)	mpanied	site inspec	tion, ple	ase	
	ition for Notice of Review					
Please complete the following che Failure to submit all this information	cklist to make sure you have provided all the necessary information may result in your appeal being deemed invalid.	on in sup	port of you	r appeal	1.	
Have you provided the name and	address of the applicant? *		✓ Yes	☐ No	5	
Have you provided the date and re	eference number of the application which is the subject of this revi	iew? *	✓ Yes	☐ No	5	
If you are the agent, acting on beh address and indicated whether any should be sent to you or the applic	nalf of the applicant, have you provided details of your name and y notice or correspondence required in connection with the review ant? *	v				
			✓ Yes	☐ No	ο 🔲 N	I/A
Have you provided a statement se (or combination of procedures) you	etting out your reasons for requiring a review and by what procedu u wish the review to be conducted? *	ıre	✓ Yes	☐ No	5	
require to be taken into account in at a later date. It is therefore esse	you are seeking a review on your application. Your statement mu determining your review. You may not have a further opportunity ential that you submit with your notice of review, all necessary infor by to consider as part of your review.	v to add to	o vour state	ement of	f review	
Please attach a copy of all docume drawings) which are now the subje	ents, material and evidence which you intend to rely on (e.g. plansect of this review *	s and	✓ Yes	☐ No)	
planning condition or where it relat	a further application e.g. renewal of planning permission or modifites to an application for approval of matters specified in conditions roved plans and decision notice (if any) from the earlier consent.	ication, va s, it is adv	ariation or r risable to p	removal rovide ti	of a he	
Declare - Notice of	Review					
I/We the applicant/agent certify that	at this is an application for review on the grounds stated.					
Declaration Name:	Colin Hardie					
Declaration Date:	15/03/2012					
Submission Date:	15/03/2012					

LOCAL REVIEW STATEMENT FOR REFUSED PLANNING APPLICATION AT LAND ADJACENT TO WOODGROVE, BLACKBRAES, CALIFORNIA

Hardie Associates Ltd

78 Hopetoun Street

Bathgate

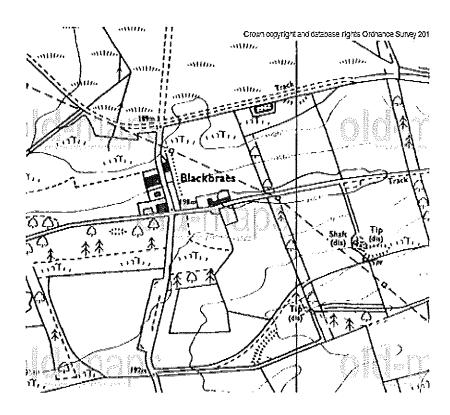
EH48 4PD

March 2012

SITE HISTORY

The site is currently a yard space with two permanent buildings on site. The yard has been in use a transmitter station since 1972

Prior to that, it was a builder's yard with workshop from 1965 to 1972. The workshop was been replaced by a house in 1976.



This historical map shows the extent of the development area, which is not part of the countryside and obviously inside the development envelope of Blackbraes.

RECENT PLANNING APPLICATION

The recent planning application P/11/0706/FUL was for the erection of a single dwellinghouse.

Appendix 1 shows the proposed plans and supporting statement submitted with the application, which was refused under delegated powers.

REASONS FOR REFUSAL

- The proposal does not accord with the Policy EQ19- Countryside and Policy SC3-Housing Development in the Countryside. It has not been demonstrated that the proposed dwelling would require a countryside location or that the site would constitute an appropriate infill development.
- 2. The access to the site from the B8028 Blackbraes Road is not suitable to serve any additional dwellings due to the layout and lack of visibility. Additional vehicular and pedestrian traffic would be detrimental to road safety.

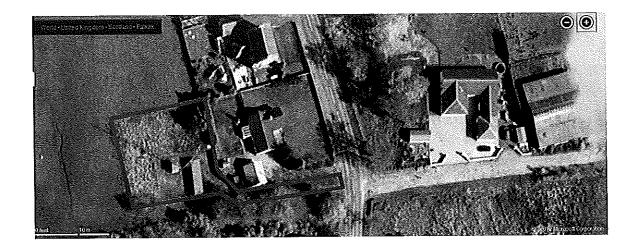
HANDLING REPORT AND LOCAL PLAN POLICIES

The key local plan policies here are SC2, SC8 and EQ8m, which the case officer ought to have applied as the basis for assessment.

This derelict industrial site can be defined as 'brownfield' and as such, the Local Plan states that 'development involving the rehabilitation and re-use of derelict land will be encouraged'.

The case officer has over simplified the assessment of this application, not taking into account it's brownfield status, or it's inclusion within the settlement envelope of Blackbraes.

The decision notice also states that this does not constitute an appropriate infill development. In context, this site mirrors the development pattern directly across the road. The orientation of the house matches that to the East and as already stated, is within the settlement envelope of Blackbraes.



The second reason for refusal is the site access. We must emphasise that this is an existing access which has served the site for over 40 years. There is adequate parking and turning within the curtilage to ensure a vehicle may enter and leave the site in a forward gear and the appropriate sight lines are also achievable.

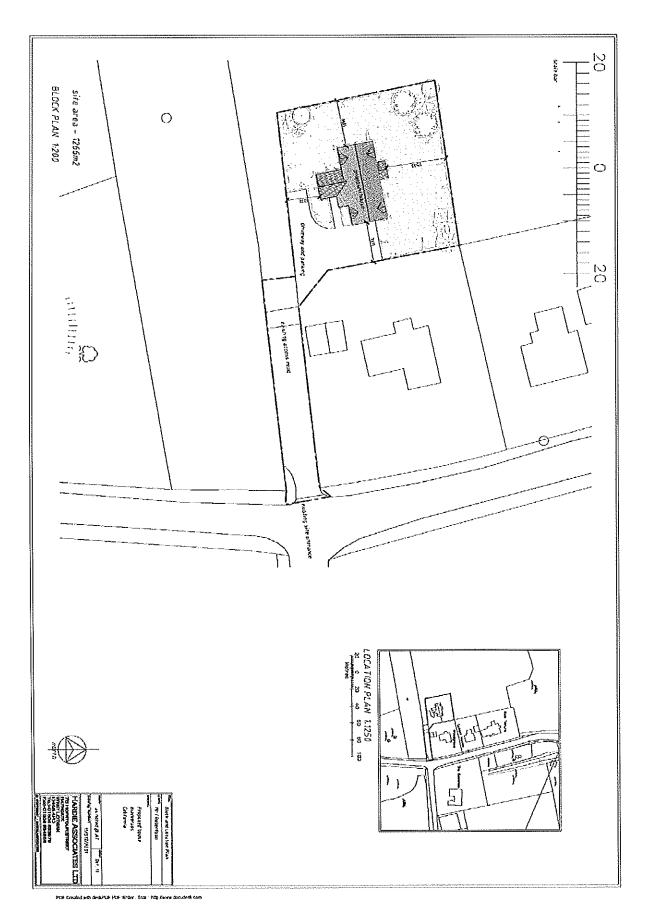
SUMMARY

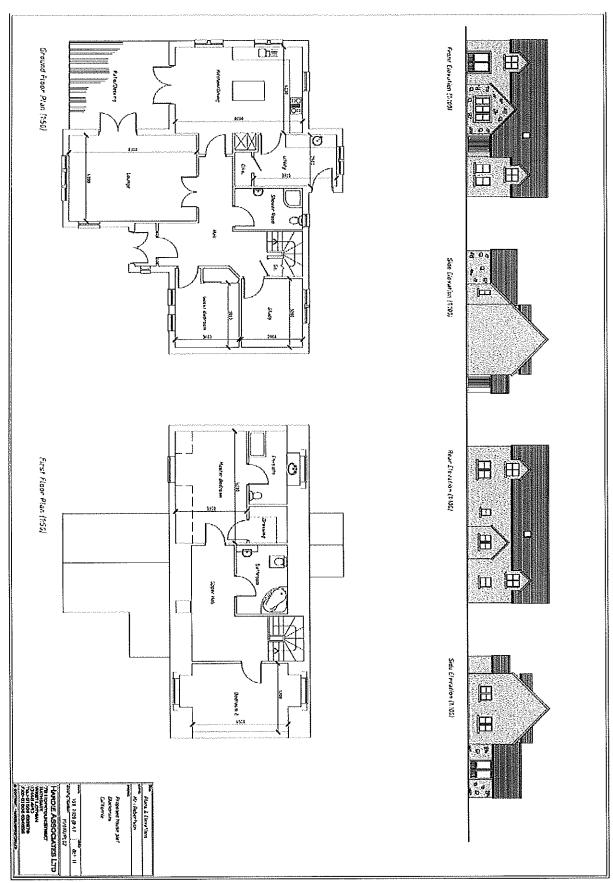
In summarising, we are of the opinion that this site has been prematurely defined and dismissed simply as new housing in countryside.

What is most important here is the current status of the land, it's relation to the other buildings around it and the fact that Falkirk Council openly promote the rehabilitation of this type of land.

This is an excellent and straightforward opportunity to remedy some of the industrial scarring in the Braes area.

APPENDIX 1





PCF Oresist win deal/PCF FOF Birlies - Trust ; http://www.docutesla.com

SUPPORTING STATEMENT

FOR

PROPOSED HOUSE

BLACKBRAES

CALIFORNIA

Introduction

This document accompanies the Planning Application for a house at the existing yard and transmitter station at Blackbraes, by California.

Proposal

The proposal is for a 1½ storey dwellinghouse on a site of 1266m². It utilises the existing access and is the redevelopment of an existing yard. The site is immediately adjacent to other residential properties.

Site History

The site is currently a yard space with two permanent buildings on site. The yard has been in use a transmitter station since 1972

Prior to that, it was a builder's yard with workshop from 1965 to 1972. The workshop was been replaced by a house in 1976.

Planning Policy

The site is a brownfield site due to its current and previous uses, so there are various policies which apply to it.

Falkirk Council Local Plan Policy EQ- 8 is applicable here:

EQ8 VACANT, DERELICT AND

CONTAMINATED LAND

The Council will seek to reduce the incidence of vacant, derelict and contaminated land, particularly within the priority areas for enhancement set out in Policy EQ7. Subject to compliance with other local plan policies, development involving the rehabilitation and re-use of derelict land will be encouraged.

3.22 The rehabilitation and bringing back into use of vacant and derelict land is integral to national planning policy and is supported by Structure Plan Policy ENV.16. As well as contributing to enhancement of the area, it can reduce the need for release of greenfield sites. The Scottish Derelict and Vacant Land Survey records some 137 hectares (2009 Survey) within the Council area, less than 1% of the total land area.

Falkirk Council actively promote the rehabilitation and re-use of "brownfield" sites and therefore this site complies in terms of policy.

<u>Design</u>

The proposed design embraces the simple principles of rural design. It is a simple 1½ storey in the rural vernacular. It incorporates traditionally styled gablet dormers and windows with a vertical emphasis. The finishes are also traditional.

Its orientation to the South allows the house to be viewed with an appropriate frontage from the South very much like "The Beeches" opposite. It also ensures the privacy of the immediately adjacent house. The plot ratio is extremely generous and allows for substantial planting.

Conclusion

This development, whilst a new house in the countryside, provides an excellent opportunity to rehabilitate an existing brownfield site with absolutely minimal impact. It sits well within an existing building grouping and embraces the good practices in design of houses in the countryside. We hope Falkirk Council can support this.

Hardie Associates

27/10/11

Falkirk Council
Abbotsford House Davids Loan Falkirk FK2 7YZ
Tel: 01324 504748
Fax: 01324 504747
Email: planning.applications@falkirk.gov.uk
Planning Department
Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.
Thank you for completing this application form:
ONLINE REFERENCE 000030395-001
The online ref number 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.
Type of Application
What is this application for? Please select one of the following: *
We strongly recommend that you refer to the help text before you complete this section.
Application for Planning Permission (including changes of use and surface mineral working)
Application for Planning Permission in Principle
Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
Application for Approval of Matters specified in conditions
Description of Proposal
Please describe the proposal including any change of use: * (Max 500 characters)
Erection of a House
Is this a temporary permission? *
If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * Yes No
Have the works already been started or completed? *
✓ No ☐ Yes - Started ☐ Yes - Completed
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:	Hardie Associates	You must enter a Building both:*	Name or Number, or
Ref. Number:		Building Name:	
Fírst Name: *	Colin	Building Number:	78
Last Name: *	Hardie	Address 1 (Street): *	Hopetoun Street
Telephone Number: *		Address 2:	
Extension Number:		Town/City: *	Bathgate
Mobile Number:		Country: *	UK
Fax Number:		Postcode: *	EH48 4PD
Email Address: *	chardie@hardie- associates.co.uk		
Is the applicant an individual	or an organisation/corporate entity	?*	
☐ Individual ☑ Organis	sation/Corporate entity		
Applicant Detail	s		
Please enter Applicant details	S		
Title:	Мг	You must enter a Building both:*	Name or Number, or
Other Title:		Building Name:	c/o
First Name:	I	Building Number:	78
Last Name:	Robertson	Address 1 (Street): *	Hopetoun Street
Company/Organisation: *		Address 2:	
Telephone Number:		Town/City: *	Bathgate
Extension Number:		Country: *	West Lothian
Mobile Number:		Postcode: *	EH48 4pd
Fax Number:			
Email Address:			

Site Address [Details		
Full postal address of the	site (including postcode where available	e):	
Address 1:	- Address	Address 5:	
Address 2:		Town/City/Settlemen	nt:
Address 3:		Post Code:	
Address 4:			
Please identify/describe t	he location of the site or sites.		
			·
Northing 67	5524	Easting	290634
Pre-Application In what format was the ference of t	elephone Letter Z Email	If the name of the officer whicussing a processing agree is application more efficient on the counrtyside were gove	
Title: First Name:	Mr Stephen	Other title:	McLure
Correspondence Referen Number:	nce	Date (dd/mm/yyyy):	
Note 1. A processing aginformation is required ar Site Area Please state the site area	nd from whom and setting timescales to	or the delivery of various sta	g a planning application, identifying what iges of the process.
Please state the measur	ement type used:	Hectares (ha) 🔽 Square	Metres (sq.m)

Existing Use	
Please describe the current or most recent use: (Max 500 characters)	
The current use is a Radio Mast Transmitter station with and existing mast and ancilliary buildings.	
Access and Parking	
Are you proposing a new or altered vehicle access to or from a public road? *	Yes 🛭 No
If Yes please describe and show on your drawings the position of any existing, altered or new access po you propose to make. You should also show existing footpaths and note if there will be any impact on the	oints, highlighting the changes ese.
Are you proposing any changes to public paths, public rights of way or affecting any public rights of acce	ess?* Yes 🗸 No
If Yes please show on your drawings the position of any affected areas highlighting the changes you pro arrangements for continuing or alternative public access.	pose to make, including
How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *	0
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *	4
Please show on your drawings the position of existing and proposed parking spaces and identify if these types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).	are for the use of particular
Water Supply and Drainage Arrangements	
Will your proposal require new or altered water supply or drainage arrangements? *	✓ Yes ☐ No
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
Yes – connecting to public drainage network	
No – proposing to make private drainage arrangements	
Not Applicable – only arrangements for water supply required	
What private arrangements are you proposing?*	
New/Altered septic tank.	
☐ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage to	reatment such as a reed bed).
Other private drainage arrangement (such as chemical toilets or composting toilets).	
Please explain your private drainage arrangements briefly here and show more details on your plans an 500 characters)	d supporting information: * (Max
The proposal is for a new treatment plant to serve the house connecting into the existing discharge.	
Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *	☐ Yes ☑ No
Note: -	
Please include details of SUDS arrangements on your plans	
Selecting 'No' to the above question means that you could be in breach of Environmental legislation.	

Are you proposing to connect to the public water supply network? *
Yes
No, using a private water supply
✓ No connection required
If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).
Assessment of Flood Risk
Is the site within an area of known risk of flooding? *
If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.
Do you think your proposal may increase the flood risk elsewhere? * Yes 📝 No 🗌 Don't Know
Trees
Are there any trees on or adjacent to the application site? *
If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.
Waste Storage and Collection
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No
If Yes or No, please provide further details:(Max 500 characters)
Hardstanding for the range of bins available to be provided.
Residential Units Including Conversion
Does your proposal include new or additional houses and/or flats? *
How many units do you propose in total? *
Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.
All Types of Non Housing Development - Proposed New Floorspace
Does your proposal alter or create non-residential floorspace? * Yes V No
Schedule 3 Development
Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2008 *
If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.
If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Servi	ice Employee/Elected Member Interest	
Is the applicant, or the app elected member of the pla	olicant's spouse/partner, either a member of staff within the planning service or an nning authority? *	Yes 🔽 No
Certificates an	d Notices	
Certificate and Notice undo Order 1992 (GDPO 1992)	er regulation 15 8 – Town and Country planning (General Development Management Proc Regulations 2008	cedure) (Scotland)
One Certificate must be co Certificate Form B or Certi	ompleted and submitted along with this application form. This is most usually Certificate A filter c, but if this is a Minerals application, you will need Certificate Form D.	Form 1 or
Are you/the applicant the s	sole owner of ALL the land ? *	✓ Yes ☐ No
Is any of the land part of a	n agricultural holding? *	☐ Yes ☑ No
Certificate Req	juired	
The following Land Owner	ship Certificate is required to complete this section of the proposal:	
Certificate A		
Land Ownersh	ip Certificate	
Certificate and Notice unde Regulations 2008	er Regulation 15 of the Town and Country Planning (Development Management Procedur	e) (Scotfand)
Certificate A		
I hereby certify that		
lessee under a lease there	myself/the applicant was an owner (Any person who, in respect of any part of the land, is so of of which not less than 7 years remain unexpired.) of any part of the land to which the a lod of 21 days ending with the date of the accompanying application.	the owner or is the pplication relates
(2) - None of the land to wi	hich the application relates constitutes or forms part of an agricultural holding.	
Signed: Coli	n Hardie	
On behalf of:		
Date: 01/1	11/2011	
\square	Please tick here to certify this Certificate. *	
Checklist - App	olication for Planning Permission	
Town and County Planning	g (Scotland) Act 1997	
The Town and Country Pla	anning (Development Management Procedure) (Scotland) Regulations 2008	
in support of your applicati	ts to complete the following checklist in order to ensure that you have provided all the nec ion. Failure to submit sufficient information with your application may result in your applica ority will not start processing your application until it is valid.	essary information tion being deemed
a) If this is a further applicate to that effect? *	ation where there is a variation of conditions attached to a previous consent, have you pro	vided a statement
Yes No V N	Not applicable to this application	
	for planning permission, planning permission in principle or a further application and the ap the categories of national or major developments, have you provided a Pre-Application C	
Yes No V	Not applicable to this application	

Town and County Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008
c) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, have you provided a Design and Access Statement?*
Yes No Not applicable to this application
d) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2008) have you provided a Design Statement? *
Yes No V Not applicable to this application
e) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *
Yes No V Not applicable to this application
f) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in
conditions or an application for mineral development, have you provided any other plans or drawings as necessary:
conditions or an application for mineral development, have you provided any other plans or drawings as necessary: Site Layout Plan or Block plan.
Site Layout Plan or Block plan.
✓ Site Layout Plan or Block plan. ✓ Elevations.
✓ Site Layout Plan or Block plan. ✓ Elevations. □ Floor plans.
 ✓ Site Layout Plan or Block plan. ✓ Elevations. ─ Floor plans. ─ Cross sections.
 ✓ Site Layout Plan or Block plan. ✓ Elevations. ☐ Floor plans. ☐ Cross sections. ☐ Roof plan.
 ✓ Site Layout Plan or Block plan. ✓ Elevations. ─ Floor plans. ─ Cross sections. ─ Roof plan. ─ Master Plan/Framework Plan.

Provide copies of the following documents if applicable:		
A copy of an Environmental Statement. *		☐ Yes ☑ N/A
A Design Statement or Design and Access Statement. *		✓ Yes ☐ N/A
A Flood Risk Assessment. *		☐ Yes ✓ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *		☐ Yes 🗸 N/A
Drainage/SUDS layout. *		☐ Yes ✓ N/A
A Transport Assessment or Travel Plan. *		Yes N/A
Contaminated Land Assessment. *		Yes N/A
Habitat Survey. *		☐ Yes ☑ N/A
A Processing Agreement *		☐ Yes 🗸 N/A
Other Statements (please specify). (Max 500 characters)		
Declare - For Application to Planning Authority		
I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .		
Declaration Name:	Colin Hardie	
Declaration Date:	01/11/2011	
Submission Date:	01/11/2011	
Payment Details		
Cheque: Mrs Sheila Robertson & Ian J Robertson, 00742880		
Created: 01/11/2011 09:37		