

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE: 28 NOVEMBER 2006

**06/0462/OL: PROPOSED HOSPITAL EXTENSION
LAND ADJACENT TO WOODLEA COURT NORTH WEST OF
CROSSHOUSE HOSPITAL, KILMARNOCK
BY NHS AYRSHIRE & ARRAN**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Outline planning permission is sought for a hospital extension to Crosshouse Hospital. No details of the layout, design and height of any proposed buildings or the specific hospital use have been provided at this outline stage. These details would be submitted at the detailed stage. The applicant has intimated that they are not in a position to be definitive on the specific end use of the site but state that there is no intention to develop the site as a multi-storey car park although there is no doubt that some car parking will be required as a result of site development. Access to the site would be taken from the Maternity Unit access west of the main hospital access. It is highly unlikely that the site will be developed for psychiatric services.

1.2 The applicants consider that the options for the end use of the site include: day centre; outpatient services; extensions to wards; theatre or day surgery facilities or; theatre sterile supplies services.

1.3 A Traffic Statement has been submitted by the applicant which proposes vehicular access from the existing Ayrshire Maternity Unit junction on the B7081 Kilmarnock Road. It also presents an analysis of the accessibility of the site by walking, cycling and public transport.

2. RECOMMENDATION

2.1 It is recommended that the application should be approved subject to the conditions indicated on the enclosed sheet and that the issuing of the planning decision notice be withheld until the application has been referred to and cleared by the Scottish Ministers under the Town and Country Planning (Notification of Applications (Scotland) Direction 1997.

3. CONCLUSIONS

3.1 As is indicated at Section 5 of the report, the proposal is considered to be contrary to East Ayrshire Adopted Local Plan. Therefore given the terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997, the application should be refused unless material considerations indicate otherwise.

3.2 There are material considerations relevant to the development. Some of the objections raised are not material. Others which are considered material to the assessment are matters which can be addressed by attaching conditions to any outline consent. There are no unfavourable responses from any of the consultees in respect of the proposal and issues raised can be addressed by attaching conditions to any outline consent.

3.3 Details of the layout, design and height of the proposed development will be determined at the detailed stage. However it is recommended at this outline stage that the height of the building be restricted to no more than 2 storeys in height in order to safeguard the amenity of the adjacent residential properties. Access to the site is proposed from the existing main hospital access.

3.4 The proposed development is contrary to the Adopted East Ayrshire Local Plan however it is considered that an exception to policy can be justified in this instance as the site is adjacent to the main Crosshouse Hospital complex and new maternity unit. Furthermore it has been zoned for affordable housing for some time without this particular use being pursued. The proposed development will benefit the immediate and wider community in terms of the eventual health care use.

Alan Neish
Head of Planning, Development and Building Standards

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an outline planning application which is to be considered by the Development Services Committee under the scheme of delegation because it requires to be notified to the Scottish Ministers as it is contrary to the Local Plan and subject to a substantial body of objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site extends to approximately 1.144 hectares in area, and its current use is part grassed area with a hard standing parking area. The site is bound to the east by Crosshouse Hospital, and to the west and north by agricultural land. The site slopes away steeply in a north-westerly direction down towards an unnamed tributary of the Carmel river which runs the full extent of the site on its northern boundary. The site is accessed via Woodlea Court and the access road adjoins a hard standing car parking area which extends to approximately 912 sq m at the south east corner of the site with the remainder of the site being a maintained grassed area. The immediate residential area to the south west is characterised by 1960s two storey terraced dwellings. There is an increase in levels between the existing dwellings and the hospital buildings.

2.2 **Proposed Development:** Outline planning permission is sought for a hospital extension to Crosshouse Hospital. No details of the layout, design and height of any proposed buildings or the specific hospital use have been provided at this outline stage. These details would be submitted at the detailed stage. The applicant has intimated that they are not in a position to be definitive on the specific end use of the site but state that there is no intention to develop the site as a multi-storey car park although there is no doubt that some car parking will be required as a result of site development. Access to the site would be taken

from the Maternity Unit access west of the main hospital access. It is highly unlikely that the site will be developed for psychiatric services.

2.3 The applicants consider that the options for the end use of the site include: day centre; outpatient services; extensions towards; theatre or day surgery facilities or; theatre sterile supplies services.

2.4 A Traffic Statement has been submitted by the applicant which proposes vehicular access from the existing Ayrshire Maternity Unit junction on the B7081 Kilmarnock Road. It also presents an analysis of the accessibility of the site by walking, cycling and public transport.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Scottish Environmental Protection Agency (SEPA) has indicated that they have no record of the adjacent unnamed tributary of the Carmel Water just upstream of the confluence with the watercourse having flooded and recommend that the applicant carries out a flood risk assessment on the site at the detailed application stage. They will review any assessment of flood risk provided with a detailed planning application and comment upon its findings and they reserve the right to object/refer the application depending on the information and conclusions in the flood risk assessment. The absence of any flood risk assessment being made available in a detailed application may result in SEPA objecting to development of the site.

3.2 All foul drainage from the site should be connected to the public sewer and assurances should be sought from Scottish Water that the additional flow arising from the development will not cause or contribute to the premature operation of consented storm overflows. If all surface water arising from the site is to be excluded from the public sewerage system they have advised that the collection storage, treatment and disposal of surface water be designed in accordance with SUDS. Any waste materials imported on the site or removed from the site should meet the Waste Management Regulations.

The requirements of SEPA with regard to the flood risk assessment SUDS and waste management can be addressed by attaching conditions and notes to any grant of outline consent.

3.3 East Ayrshire Council's Roads and Transportation Division in terms of their flooding responsibility have no objections in principle to the development. However the applicant should consider the implications of the watercourse being adjacent to the site and implement such measures as necessary to mitigate any potential problems associated with riverbank erosion. The buildings should be positioned outwith the 1 in 200 year flood plain of the watercourse and there should be no detrimental effect to existing properties as a consequence of the

development. Access should be maintained along with the watercourse for inspection and maintenance purposes.

The issues raised above could be addressed by the submission of a flood risk assessment at the detailed stage. This would also meet the requirement of SEPA.

3.4 East Ayrshire Council's Roads and Transportation Division in terms of their traffic responsibility have indicated that until the final land use for the development is known it is not possible to accurately predict the numbers of additional vehicles likely to be generated by the development. The analysis presented in the Transport Statement is likely to be a robust indicator of trip generation and that there is sufficient spare capacity at the B7081/Maternity Unit junction to cope with the predicted additional traffic generation. Good footway links to the new development site should be provided from the bus stop at the main Crosshouse Hospital site and parking provision should be in accordance with the Roads Development Guide standards. This development site should be incorporated into the emerging Travel Plans for the Maternity Unit and Crosshouse Hospital sites.

The Roads Division have recommended that a condition be attached to any grant of consent that a more detailed Transport Assessment (TA) be submitted at the reserved matters stage updating the current Traffic Statement and reflecting the finalised development proposals and developing the car parking and travel plan aspects further.

The requirements of the Roads Division can be addressed by attaching conditions to any grant of planning consent.

It is acknowledged by the Roads Division that from the information submitted to date there is not likely to be any significant impact on the surrounding road network.

3.5 Crosshouse Community Council object to the change of use from land for housing to proposed hospital use on the basis that "The Ayrshire Joint Structure Plan states that this site was earmarked for affordable housing and feel this facility would be of benefit to the community."

An assessment of the proposed use against the EALP is provided in Section 5 of the report.

3.6 West of Scotland Archaeology Services have not raised any adverse comments to the proposed development.

Noted.

3.7 East Ayrshire Council's Environmental Health Division have no objections to the development in principle however they have intimated that should any contamination be uncovered during the site development works the Planning Authority should be notified along with remediation proposals and subsequent validation produced confirming rectification. They have recommended that the hours of construction are restricted and that the construction does not cause annoyance or are detrimental to the amenity of the area.

The requirements of Environmental Health can be addressed by attaching suitably worded conditions to any grant of planning permission.

3.8 Scottish Water have raised no objections however they have indicated that the developer should ensure this development will not have any detrimental impact on the water services provided to existing customers. The developer should utilise a SUD System for the treatment of surface water. The solution should prevent or mitigate any further impact.

A note can be attached to any grant of planning consent addressing all of the matters outlined above with the exception of the treatment of surface water which can be addressed by means of a condition.

3.9 The Health and Safety Executive do not advise on safety grounds against the granting of planning permission and have recommended that the pipeline operator be informed prior to the issuing of any consent. Additionally, HSE comment that the location of occupied buildings within the site may be restricted by the standards to which the pipeline is designed.

Whilst noting these comments and Gas Networks' 16 metre proximity distance below, it would remain prudent for the developer to consider carefully HSE's comments within the context of drafting any Reserved Matters.

3.10 Scottish Gas Networks have advised that there is a high pressure gas pipeline in the vicinity and a building proximity distance of 16 metres should be adhered to.

A condition could be attached to any grant of planning consent advising the applicant of the presence of the pipeline and the building proximity distance of 16 metres.

4. REPRESENTATIONS

4.1 Objections have been received from 12 parties including one from Crosshouse Community Council which is detailed in Section 3.5 of the report;

and a petition of 63 signatories. A summary of the main points of objection are detailed as follows.

4.2 The proposed development would result in the loss of an established amenity open space which provides a child/sports play area in which residents regularly play with their children and dogs. The only park available to them is Lindsay Park involving children having to cross a busy main road to get there. This green belt area contributes to the visual amenity of the area.

The site presently is vacant land however it is zoned in the East Ayrshire Local Plan as a site which is suitable for Affordable Housing. The proposed development is assessed against the policies of EALP in Section 5 of the report.

4.3 The proposed development will have a detrimental impact on the value of the property in the area.

The affect on the value of the adjacent property is not a material planning consideration in the determination of this application.

4.4 The development of the site will result in a loss of residents parking. The site is used by the residents of Woodlea Court and visitors to the area, there is a lack of parking spaces in and around the immediate residential area, the hard standing parking area is used by the residents of the area.

The hardstanding area may be used informally by residents and visitors to the area, however, the site has been zoned for an alternative use and there is no requirement to provide parking for existing residents in the sale of the land. The adjacent residential properties on Woodlea Court have the availability of parking to the rear of their properties.

4.5 A loss of space for larger vehicles to turn. The hardstanding car park at the north west boundary of the site which provides a useful and safe area for vehicles such a refuse collection vehicles to turn.

The development of this site will result in the adjacent residential properties being accessed to the rear by large vehicles.

4.6 Concerns have been raised that there would be a dangerous increase in vehicular traffic through Woodlea Court resulting from the development.

The applicant has confirmed that vehicular access would be taken via the Maternity Unit access rather than via the residential road.

4.7 The new maternity facility, the most recent development within the Hospital grounds has as part of its west elevation a section of balcony which looks westerly towards Woodlea Court. Concerns have been raised about the design of any future buildings including balcony features which may give rise to issues relating to privacy and overlooking.

This is an outline application and details regarding the design and height of any proposed buildings would be addressed at the detailed stage.

4.8 During the construction of the new maternity wing at the hospital the residents suffered from nuisances, noise, dust etc associated with construction, the residents would be against any development which brought with it this type of disturbance.

It is acknowledged that the construction of any new development in proximity to residential properties will cause some disturbance although this will be short term in nature. This can be minimised by ensuring that construction traffic accesses the site from the main hospital access, restricting the hours of external construction works and ensuring that there is a good boundary treatment around the site during construction.

4.9 They require details of the type of building; is it for outpatients, children, geriatric or dry rehab? Will there be additional traffic, ie ambulances, police cars, relatives at all hours of day and night?

The applicant has indicated that it is likely that the site will be used for a supporting role to the existing Crosshouse Hospital for either day centres, outpatient services, extensions to wards, theatre or day surgery facilities or theatre sterile supplies service. They have also confirmed that access will be taken from the Maternity Unit access and not through Woodlea Court.

4.10 What outlook are they going to have when this building is erected? It is important that they can see their children play.

The application site has been allocated for development within the EALP for some time. The proposed development has been assessed against policies of the EALP in Section 5 of the report.

4.11 They will end up to being in the middle of the hospital grounds.

Details regarding the layout, design and height of the development will be determined at the detailed stage. The height of any building could be restricted to 2 storey in height and a landscape bund, or

other features, proposed to ensure adequate separation between any development and the existing residential properties on Woodlea Court.

4.12 There are many different forms of wildlife in residence there - herons, owls and duck and a kestrel. The building works would make them flee. There are now few grassy areas which offer people the luxury of observing these wonderful creatures in their natural habitat.

The application site has been an allocated development site for some time. The development site is within the settlement boundary and therefore is not green belt land. There are no designated wildlife sites within the vicinity of the development site.

4.13 Their house is on the fringe of the countryside and they still have access to the countryside. If the development goes ahead they would no longer have the countryside on their doorstep.

The application site is within the settlement boundary of Crosshouse and has been allocated for affordable housing in the East Ayrshire Council Local Plan.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of the application, the development plan comprises the Adopted Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (EALP).

Approved Ayrshire Joint Structure Plan (AJSP)

5.2 There are no policies in the Ayrshire Joint Structure Plan that are particularly applicable to this proposal.

East Ayrshire Local Plan (EALP)

5.3 The application site is safeguarded for affordable housing in terms of Policy RES 1.

The proposed site at Woodlea Court (site ref 128h) is allocated for residential development, within this context therefore the proposal is contrary to this policy. However, it is considered that an exception can be justified as it is adjacent to the hospital and will allow the future expansion proposals of the hospital to be addressed.

5.4 Policy CS1 states that the Council will respond positively to the changing needs and demands for community and educational facilities throughout East Ayrshire. Wherever possible, existing facilities will be retained and improved and support and encouragement will be given to all other community facility and public service organisations to maintain and improve the services they provide.

The proposed use accords with the above policy as it will allow the future expansion needs of the hospital to be met which will be of benefit to the wider community.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses received which are addressed in Section 3 of this report and the letters of objection and petition addressed in Section 4 of this report and the planning history of the site.

Consultations and Representations

6.2 The consultation responses do not raise any adverse comments. With regard to the concerns of the objectors, these either are not material or can be addressed by attaching conditions to any grant of outline consent. The application site has been allocated for development within the East Ayrshire Local Plan for some time and is adjacent to a substantial hospital complex.

Planning History

6.3 98/0633/OL - Proposed residential development. This application was withdrawn.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council in the determination of this application.

7.2 Legal implications arise as the application requires to be notified to the Scottish Ministers under the provisions of the Town and Country Planning (Notification of Applications)(Scotland) Direction 1997 because the Council has an ownership interest in the site and it is contrary to the Adopted East Ayrshire Local Plan and is subject of a substantial body of objections.

8. CONCLUSIONS

8.1 As is indicated at Section 5 of the report, the proposal is considered to be contrary to East Ayrshire Adopted Local Plan. Therefore given the terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997, the application should be refused unless material considerations indicate otherwise.

8.2 There are material considerations relevant to the development. Some of the objections raised are not material. Others which are considered material to the assessment are matters which can be addressed by attaching conditions to any outline consent. There are no unfavourable responses from any of the consultees in respect of the proposal and issues raised can be addressed by attaching conditions to any outline consent.

8.3 Details of the layout, design and height of the proposed development will be determined at the detailed stage. However it is recommended at this outline stage that the height of the building be restricted to no more than 2 storeys in height in order to safeguard the amenity of the adjacent residential properties. Access to the site is proposed from the existing main hospital access.

8.4 The proposed development is contrary to the Adopted East Ayrshire Local Plan however it is considered that an exception to policy can be justified in this instance as the site is adjacent to the main Crosshouse Hospital complex and new maternity unit. Furthermore it has been zoned for affordable housing for some time without this particular use being pursued. The proposed development will benefit the immediate and wider community in terms of the eventual health care use.

9. RECOMMENDATION

9.1 It is recommended that the application should be approved subject to the conditions indicated on the enclosed sheet and that the issuing of the planning decision notice be withheld until the application has been referred to and cleared by the Scottish Ministers under the Town and Country Planning (Notification of Applications (Scotland) Direction 1997.

Alan Neish
Head of Planning, Development and Building Standards

17 November 2006
(WH/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Consultation Responses.
3. Statutory Notices/Certificates.
4. Letters of Objection.
5. Adopted East Ayrshire Local Plan.
6. Approved Ayrshire Joint Structure Plan.
7. Planning Application No: 98/0633/OL.

Anyone wishing to inspect the above papers please contact Willie Harris, Planning Officer, on 01563 576787.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

06/0462/OL

Site of Proposal:	Land Adjacent to Woodlea Court (North West of Crosshouse Hospital) Crosshouse, KILMARNOCK
Nature of Proposal:	Proposed Hospital Extension
Name & Address of Applicant:	PW Rimmer NHS Ayrshire and Arran Crosshouse Hospital Crosshouse KILMARNOCK KA2 OBE
Name & Address of Agent:	N/A

DPOs Reference: WH/PC/MMM

The above OUTLINE application should be granted subject to the following conditions: -

1. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the under mentioned matters hereby reserved:-
 - (a) The layout of the site;
 - (b) The size, height, design and external appearance of the proposed building(s).
 - (c) The means of drainage and sewage disposal;
 - (d) Details of the access arrangements;
 - (e) The provision for open space and associated maintenance arrangements;
 - (f) The provision for car parking;
 - (g) The boundary walls/fences to be erected;
 - (h) The landscaping of the site and associated maintenance arrangements;
 - (i) Existing and finished site levels/floor levels.

REASON The approval is in outline only.

2. Details to be submitted in respect of Conditions Nos. 1(a), (b) and (d) above shall ensure that any buildings are no higher than two storeys in height and that no direct access shall be taken from Woodlea Court during construction of the development or to access the development in finished form.

REASON To minimise the impact of the development on the surrounding residential area in the interests of amenity.

3. This permission relates only to an extension of the area of land in respect of which future hospital use would be acceptable. The specific hospital use/function of the site will require to be the subject of a separate detailed application submitted for approval to the Planning Authority at the Reserved Matters stage.

REASON This is an outline application only and details of the specific use are unavailable at this stage.

4. Prior to the commencement of development on site a detailed Transport Assessment shall be submitted for approval by the Planning Authority updating the Transport Statement associated with the outline application. The further Transport Assessment shall reflect the finalised development proposals and take account of any other development proposals emerging during the period which could affect traffic conditions in the area and consider the wider impact of the development on the approach roads to the site and in Crosshouse and develop car parking and travel plan proposals. All measures arising from the Transport Assessment and Transport Statement shall be implemented prior to the opening of any facility on site.

REASON The application is in outline only and to allow further analysis of the traffic issues that would result due to the development.

5. The details to be submitted under Condition 1 above shall provide for a comprehensively well designed scheme which shall minimise its impact on adjacent residential properties in terms of overlooking, overshadowing and light pollution and which in design and materials is both compatible with both the adjoining hospital and the scale of existing residential properties. The submission shall include details of a substantial dense landscaped bund, in terms of height and depth, between the existing residential properties on Woodlea Court and any development on the site.

REASON To ensure that the development does not conflict with its setting and surroundings in the interests of visual amenity and the character and appearance of the area.

6. Prior to any commencement of development on site a flood risk assessment and drainage impact assessment should be submitted for the approval of the Planning Authority. These shall address the implications of the watercourse running adjacent to the site and all measures arising from this assessment shall be implemented on site as approved prior to the opening of any facility on site.

REASON To ensure that adequate drainage is provided and any flooding issues are adequately addressed.

7. Details to be submitted under Condition No. 1(a) shall ensure that any buildings are sited outwith the 1 in 200 year flood plain of the watercourse and shall not have a detrimental effect to existing properties as a consequence of the development.

REASON In the interests of public safety and the amenity of the area.

8. No external construction work, site clearance or preparation works shall take place before 08:00 hours and after 17:00 hours on Mondays to Friday, before 09:00 hours and after 13:00 hours on a Saturday nor at any time on Sundays.

REASON In the interests of residential amenity.

9. Prior to the commencement of development on site, details of a Sustainable Urban Drainage System and its maintenance following installation, shall be submitted to and approved in writing by the Planning Authority. The Sustainable Urban Drainage System shall thereafter be formed and maintained on site in accordance with the approved details prior to the opening of the facility on site.

REASON To ensure that adequate drainage is provided.

10. No materials other than topsoil shall be brought onto the site for the purposes of infilling or upraising ground levels without the prior written consent of the Planning Authority.

REASON In order to control the development of the site and materials used in making up of ground levels.

11. Details to be submitted under Condition 1 above shall provide for a boundary fence to screen the development site during construction from the residential properties in Woodlea Court in terms of noise, dust, dirt and visual outlook.

REASON In the interests of residential amenity.

12. During site development works if any contamination is uncovered the Planning Authority shall be notified of this together with all necessary remediation proposals. The proposals shall have received the approval of the Planning Authority prior to their implementation. A validation report should be produced confirming that the approved remediation works have been carried out on site prior to the opening of any facility on site.

REASON In the interests of public safety.

13. Prior to the commencement of development on site a Travel Plan for the proposed facility shall be submitted for approval by the Planning Authority. Any measures arising from the Travel Plan shall also be submitted for approval by the Planning Authority and such measures shall be implemented prior to the opening of any facility on site.

REASON To encourage sustainable travel patterns.

14. No building work shall take place within the 16 metre proximity distance relative to the Crosshouse to Springside gas pipeline. The applicant shall also consult fully with the Health and Safety Executive in this regard.

REASON In the interests of public safety.

NOTES:-

1. Prior to the commencement of development on site, the applicant should satisfy him/herself as to the suitability of the site for construction purposes.
2. The Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific arrangements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the Design Manual for SUDS published by CIRIA.
3. SUDS shall be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.
4. The applicant shall make early contact with Scottish Water, 35 Glenburn Road, Prestwick, KA9 2NS, regarding connecting to the public sewerage system.
5. It is recommended that the applicant makes early contact with Scotland Gas Networks (0141 418 4129) prior to any commencement of works on site. No invasive works or crossing of the pipeline shall be permitted without prior on site consultation.

6. Any waste materials to be removed from or imported to the site during construction must be stored and used in accordance with the waste management licence or exemption under the Waste Management Licensing Regulations 1994(As Amended). Construction works associated with the development of the site shall be carried out with due regard to SEPA's guidelines on avoidance of pollution. The development shall make early contact with SEPA, Redwood Crescent, Peel Park, East Kilbride G74 5PP (01355 574200) regarding the above requirements.

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