

Application Number: F/YR13/0557/F

Minor

Parish/Ward: Benwick Parish Council/Benwick, Coates and Eastrea

Date Received: 16 July 2013

Expiry Date: 10 September 2013

Applicant: Mr A. Richardson, Harnson Homes

Agent: Miss R. Bell, The Design Partnership

Proposal: Erection of 4 x 2-storey dwellings comprising of: 2 x 2-bed and 2 x 3-bed dwellings with sheds including 2.1m high fencing and 2.05 high wall.

Location: Land North East of 13 Doddington Road, Benwick.

Site Area: 0.08 ha / Density: 50 dwellings/ha

Reason before Committee: This proposal is before the Planning Committee due to the number of unresolved objections at variance to the recommendation.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application relates to a rectangular piece of land immediately to the north-east of No. 13 Doddington Rd, Benwick, on the corner of Doddington Road and Heron's Way. The site is currently vacant, which originally formed part of a larger garden at No. 13, but latterly incorporated in the wider Heron's Way housing development.

The proposal seeks full planning permission to erect 4 x 2-storey dwellings comprising of: 2 x 2-bed and 2 x 3-bed dwellings on this site. The site lies within the existing built-up limits of Benwick.

The principle of developing the site for housing development in this location is considered to be acceptable in policy terms

The indicative layout and design of the site is also considered to demonstrate an acceptable form of development, in terms of both the layout and potential impact on the amenities of neighbours, as well as its relationship to the built form of the settlement and the surrounding countryside.

The scheme is also considered to be acceptable in highway design terms.

Consequently the proposal is considered to be acceptable and complies with guidance contained in Policies H3, and E8 of the Fenland District Wide Development Plan and Policies CS3, CS4, CS12, CS15 & CS16 of the Fenland Core Strategy – Submission Version (September 2013).

2. HISTORY

The following planning applications are of relevance to this proposal.

- 2.1 F/YR13/0147/F Erection of 4 x 2-storey dwellings Withdrawn 28th May
 comprising of: 2 x 2-bed and 2 x 3- 2013.
 bed dwellings

2.2	<u>13 Doddington Road</u> F/YR07/1306/F	Erection of 8 affordable houses involving demolition of No. 13	Refused 25 th September 2009 Appeal dismissed 13 th July 2010
2.3	F/YR12/0220/TRTPO	Felling of 1 Weeping Willow tree covered by TPO 2/2008 (retrospective)	Granted 9 th May 2012
2.4	<u>Adjoining Land</u> F/YR05/0088/F	Erection of 47 dwellings (Heron Way development)	Approved 23rd May 2005

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that applications for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17(4): Seek to ensure high quality design and a good standard of amenity for all existing and future occupants (repeated and expanded on in paragraphs 56 to 56).

Paragraph 17 (5): Recognise the intrinsic character and beauty of the countryside and supporting thriving rural communities.

Paragraph 32: Decisions should take account that a safe and suitable access to the site can be achieved for all people.

Paragraph 55: In rural areas, housing should be located where it will enhance or maintain the vitality of rural settlements.

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 118: When determining applications LPA's should aim to conserve and enhance biodiversity.

3.2 Draft Fenland Core Strategy – Submission Version Feb 2013:

CS1: Presumption in Favour of Sustainable Development.

CS3: Spatial Strategy & Settlement Hierarchy and the Countryside

CS4: Housing

CS12: Rural Areas Development Policy

CS15: Creation of a More Sustainable Transport Network in Fenland

CS16: Delivering High Quality Environments

3.3 Fenland District Wide Local Plan:

H3: Development Area Boundaries/Protection of Character and Amenity/Highway Safety

E8: Landscape and amenity protection

4. CONSULTATIONS

4.1 *Parish/Town Council*

Object. Councillors voted to reject plans on same grounds as last time:

- not in keeping with the character of the area (that stretch of road is made up of detached houses)
- over-development of the site

Would accept a single dwelling on the front and no more than 3 properties on the site.

4.2 *FDC Environmental Protection*

No objections – require unsuspected contamination condition to be applied

4.3 *FDC Arboricultural Officer*

No objections. The replacement tree (Pin Oak) will require fencing around it to ensure it is not damaged. Ideally tree should be given more room for long term growth.

4.4 *Cambs CC Highways*

To make the current scheme acceptable, part of the driveway/turning area should be constructed using 'Silva Cell' construction technique to prevent compaction of the ground in vicinity of the tree.

No objection but require amendments to secure:

- 1.5m x 1.5m pedestrian visibility at Plot 4
- Acceptable parking/turning in front of Plots 1 and 2.
- Acceptable site access width onto Doddington Rd

4.5 *Environment Agency*

Await comments on revised plans

No objection subject to recommendations and informatives on foul and surface water drainage/flood warning and evacuation/pollution control. The FRA submitted by the applicant is acceptable for the scale and nature of the development.

4.6 *Middle Level Commissioners.*

Concerns – applicant has not provided adequate evidence that a viable scheme for appropriate water level/flood risk management to meet current design standards can be constructed.

Require further evidence to demonstrate this can be achieved.

4.7 *Cambs CC Archaeology*

Site should be subject to a programme of archaeological investigation before development is commenced.

4.8 **Local Residents:**

Originally Submitted Scheme.

9 letters of objection received raising the following concerns:

- area is currently a green area and allows overspill parking (shown on agent's plans when we bought property)
- area should be used as a play area
- affordable housing was never mentioned when we bought property – a higher proportion of affordable housing will affect property values
- lack of parking provision especially for visitors
- this part of Herons Way is already used for on-street parking – not unusual for cars and vans to be double parked on the kerbs on each side of the road – causing serious obstruction
- will increase on-street parking and thus accidents due to obstructions caused by illegal parking – sometimes resulting in road being blocked. Fire Brigade recently have difficulty in accessing site
- have sometimes been forced to park on Doddington Road
- impact on forward visibility at Heron Way/Doddington Rd junction.
- Replacement pin oak will grow to height of 18 to 21m with spread of 7.5 to 12m – will eventually cause over-shading
- loss of fine willow tree
- clarification of energy usage required
- overdevelopment
- not all residents notified / difficulty in accessing website to view plans
- previous scheme on site was refused at appeal due to overdevelopment

Amended Plans.

1 further letter of objection raising the following concerns:

- revised parking results in drop kerb being extended along Heron Way. This will mean that vehicles that currently park there will no longer be able to, exacerbating existing parking issues with no alternative to re-locate vehicles.
- overall impression will be one of a car dominated environment with prominent expanses of tarmac reinforced by parking on Heron Way itself

5. **SITE DESCRIPTION**

- 5.1 This application relates to a rectangular piece of land immediately to the north-east of No. 13 Doddington Rd, Benwick, on the corner of Doddington Road and Heron's Way. The site is currently vacant, formally part of a larger garden at No. 13, which latterly was incorporated in the wider Heron's Way housing development.

The application site is located on the corner of Doddington Road and Heron's Way. It adjoins 13 Doddington Road to the west and a parking area and open space area associated with the Heron's Way housing development to the north.

Heron's Way comprises a medium-sized housing development of two-storey town-house and detached houses, as well as apartments.

The site lies within the built-up limits of Benwick.

The site lies within Flood Zone 3

The site area measures 0.08 hectares.

6. **PLANNING ASSESSMENT**

6.1 **Background**

A previous planning application was withdrawn in May 2013 (F/YR13/0147/F) due to concerns about the proposed site layout and its relationship to adjoining properties.

This application again seeks full planning permission for the erection of 4 2-storey dwellings.

This part of Benwick is characterised by a combination of larger detached properties along Doddington Road and the more modern development in Heron's Way, comprising two-storey town-houses plus some detached dwellings and apartments.

The application is considered to raise the following key issues;

- Principle and Policy implications
- Site Layout & Amenity
- Access
- Landscape and Tree Protection
- Flood Risk and Drainage.

6.2 **Principle and Policy Implications**

The site comprises the former side garden of an existing dwelling, within the DAB of Benwick, as identified in Policy H3 in the Fenland District Wide Local Plan (1993).

The emerging Fenland Core Strategy – Submission Version (September 2013), seeks to concentrate new housing development in the most sustainable locations principally in the main market towns and to a lesser extent in the growth villages.

Policy CS3 identifies Benwick as a “Limited Growth Village”, where development will be considered on its merits but is expected to be of a very limited nature and will be limited in scale to residential infilling.

Policy CS12 sets out detailed criteria for the assessment of new housing proposals in rural villages, such as Benwick. This policy allows some new development in villages, where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Under this policy new development will need to satisfy the applicable thresholds set out in Policy CS3, as well as all of the criteria set out in Policy CS12.

The site is located within the existing developed footprint of the village and is not considered to have an adverse impact on the character and appearance of adjoining countryside or farmland. (Criteria (a) and (c)).

Criteria (d) of Policy CS12 requires that any new proposal should be of a scale and siting that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance. The size and design of the proposal (as shown in the amended scheme) is now considered on balance to have overcome the adverse impact on the character and appearance of this part of the village. In particular the frontage building (containing two semi-detached houses) has been re-designed to give the appearance of a detached dwelling in order to properly relate to No. 13 Doddington Rd – this is discussed in more detail below.

There are no concerns about satisfying most of the other criteria in Policy CS12 (e.g. loss of high grade agricultural land, respects existing archaeology on the site, would not lead to the loss of important spaces within the village or impact existing ecology and natural boundaries including drainage ditches and can be acceptably served in terms of necessary infrastructure (access, drainage etc)).

For these reasons the principle of developing the site is therefore acceptable in relation to guidance contained in Policies H3, & E8 of the saved Fenland Local Plan (1993) and Policies CS3 & CS12 of the emerging Fenland Core Strategy (2013).

6.3 ***Site Layout and Amenity***

The submitted plans have gone through a number of amendments following discussions with officers, to arrive at current scheme design.

The key features of the scheme are:

- Plots 1 and 2 have been designed to appear as a single detached dwelling using elevational features and materials which reinforce characteristics found on the adjoining detached house (13 Doddington Rd) – Yellow Cambridgeshire stock bricks, slate roof, chimneys, stone window cills, feature porch on timber posts
- Plots 1 and 2 have been sited to ensure that there is reasonable spacing to allow the replacement Pin Oak tree (protected by a TPO) to flourish and develop into a mature tree which will complement the other mature trees found in nearby front gardens along Doddington Rd. A brick side wall is positioned alongside the rear garden of Plot 2 to improve the visual appearance of the development when entering Heron Way

- The front gardens to Plots 1 and 2 are also bounded by estate railings and native hedgerow to match that found on the opposite side of Heron Way.
- Off-street parking is provided to the side and rear of Plots 1 and 2. Front garden parking is provided for Plots 3 and 4. This is considered to be the most appropriate option to minimise the impact of parking.
- Plots 3 and 4 face onto Heron Way and have been designed to relate to the red/brown brick houses found in this development.

It is now considered that the new development will provide an appropriate design that 'turns the corner' into the new housing development in Heron Way

In terms of the impact on the amenities of neighbouring properties, these are set out below:

- The side wall of Plot 1 is located 4.9m away from the side elevation of No. 13 Doddington Rd (containing small secondary windows to a living room and bedroom)
- The rear elevation of Plots 1 and 2 will be positioned 10.3m from the gable wall of Plot 3
- The corner of Plot 3 is positioned at a distance of 8.5m from the corner of No.13 Doddington Rd (which has no windows in the two-storey projection closest to the site boundary). The windows in Plots 3 and 4 face westwards away from the rear elevation of No.13.
- The rear gardens of Plots 3 and 4 are 10m and 9.5m deep respectively.

Whilst the size of the application site and some of the building to building relationships in the scheme could be viewed as on the margins of acceptable, the amended proposal is now considered on balance to be appropriate in terms of both design quality and impact on neighbouring amenities. It will also provide a positive use of a site that has lain vacant for a number of years.

The proposed site layout and design is therefore considered to be acceptable and complies with guidance contained in Policies E8 of the adopted Fenland Local Plan (1993) and CS16 of the emerging Fenland Core Strategy (2013).

6.5 **Access and parking**

Doddington Road is a classified road (Class B). Herons Way is also an adopted highway (unclassified).

As set out above each new dwelling will have two off-street parking spaces – accessed either off Doddington Rd (Plot 1 with turning in the front garden) or off Herons Way.

Cambs CC originally raised concerns about both Plots 1 and 2 being served off the Doddington Road, as there was insufficient room for 4 parking spaces as well as a turning area to enable cars to leave the site in a forward direction onto Doddington Road.

This problem has been overcome by re-locating the parking spaces for Plot 2 to the rear accessed via Heron Way.

Many residents have raised concerns about the level of on-street parking that occurs on Heron Way, and in particular the fact that some informal parking on this part of the road will be lost due to the need for new dropped kerbs to access the off-street parking spaces for Plots 2 to 4.

Heron Way was given planning consent and constructed at a time when the Government sought to reduce car parking levels within new housing developments via its planning policies and guidance. Therefore an average provision of 150% parking (i.e. 1.5 spaces/dwelling) was provided throughout the development. This has led to some on-street parking occurring along Heron Way particularly on the stretch of road alongside the application site, which can lead to the road becoming narrowed and/or obstructed by parked cars which sometimes occurs on each side. The loss of around 20 metres of potential existing on-street parking (3 spaces), where the new dropped kerbs to Plots 2 to 4 are provided, could help to reduce the levels of parking and thus obstructions caused by parked cars on this part of Heron Way. This parking would though be displaced elsewhere.

The current proposal will ensure that two off-street parking spaces is provided per dwelling, which is higher than in the rest of Heron Way, and complies with the Council's adopted parking standards (2 spaces for dwellings up to 3 bedrooms).

It would therefore be unreasonable to refuse planning permission on the grounds of existing on-street parking problems resulting from an adjoining housing development, when the current scheme meets the Council's current standards

The proposed scheme (as amended) is now considered to be acceptable in respect of the proposed access and parking arrangements.

The proposal is therefore considered to be acceptable in highway terms and complies with guidance contained in Policies TR3 of the adopted Fenland Local Plan (1993) and CS15 of the emerging Fenland Core Strategy (2013).

6.6 *Landscape and Tree Protection.*

A large willow tree formally stood on the corner of the site. This was protected by a tree preservation order (TPO), but was allowed to be felled due to poor health. This was replaced by a Pin Oak, which was planted around 12 months ago. It was chosen because it has a more upright habit, but will still grow to a significant size.

Plots 1 and 2 have been sited to provide an acceptable amount of spacing for the replacement Pin Oak tree (also protected by a TPO) to eventually flourish and develop into a mature tree. A condition is proposed to ensure that the ground around the tree is fenced off during construction works and that part of the driveway/turning area adjacent to the tree is hand dug and constructed using a 'Silva Cell' construction technique, to prevent compaction of the ground in this location.

The front gardens to Plots 1 and 2 are also bounded by estate railings and a native hedgerow to match that found on the opposite side of Heron Way. This will help to define the front gardens of these properties and provide a landscaped front garden setting (one of the important features identified by the Planning inspector in the 2009 appeal decision), and as is the case found in many other properties which face onto Doddington Road in this part of Benwick.

6.7 **Flood Risk/Local Drainage.**

The site lies with Flood Zone 3.

A flood risk assessment has been submitted, which indicates that the site is at a low risk of flooding, due to the current standard of drainage and flood defenses.

As the site is in Flood Zone 3 the NPPF requires that a sequential and exceptions test be carried out. As the site is surrounded by housing and forms part of a natural extension to the Heron Way housing development, it would seem reasonable in this instance to permit housing in this location, particularly as all land in an around Benwick lies within Flood Zone 3 (resulting in no alternative sites around the village in areas with a lower probability of flooding to be compared against).

No objections to this proposal have been received from the Environment Agency.

A condition requiring details of the foul and surface water drainage to serve the proposed dwelling and informatives in respect of flood resilience measures, will be included to cover these matters.

7. **CONCLUSION**

- 7.1 The principle of developing the site for housing development in this location is considered to be acceptable in policy terms

Whilst the size of the application site and some of the building to building relationships in the scheme are on the margins of acceptable tolerances, the amended proposal is now considered on balance to be appropriate in terms of both design quality and impact on neighbouring amenities. It will also provide a positive use for a site that has lain vacant for a number of years.

The scheme is also considered to be acceptable in highway design terms and parking provision.

Consequently the proposal is considered to be acceptable and complies with guidance contained in Policies H3, and E8 of the Fenland District Wide Development Plan and Policies CS3, CS4, CS12, CS15 & CS16 of the Fenland Core Strategy – Submission Version (September 2013).

8. **RECOMMENDATION**

Approve subject to the following conditions:

1. **The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **Prior to the commencement of the development hereby approved full details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.**

Reason - To safeguard the visual amenities of the area.

- 3. All hard and soft landscape works shown on the submitted plans, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.**

Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

- 4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.**

Reason - To control pollution of land and controlled waters in the interests of the environment and public safety.

- 5. No development or preliminary ground works of any kind shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme and timetable of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.**

Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy E7 of the Fenland District Wide Local Plan.

Prior to the commencement of use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:

- 1. enter, turn and leave the site in forward gear;**
- 2. park clear of the public highway;**
- 3. load and unload;**

shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

Reason - In the interests of satisfactory development and highway safety.

6. Prior to the commencement of use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:

- a) enter, turn and leave the site in forward gear;
- b) park clear of the public highway;
- c) load and unload;

shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

Reason - In the interests of satisfactory development and highway safety.

7. Prior to first occupation of the development the pedestrian visibility splays measuring 1.5m x 1.5m at the site accesses as shown on the submitted plans shall be provided and maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason – In the interests of highway safety

8. Prior to the occupation of the development, a scheme and timetable for the provision and implementation of foul and surface water drainage shall be submitted and approved in writing by the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time as may be specified in the approved scheme and thereafter retained in perpetuity.

Reason - To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of flooding.

9. Prior to the commencement of any works on the site or storage of materials the existing Pin Oak tree located to the south-east of Plot 2 shall be protected in accordance with tree protection measures set out in British Standard 5837:2012 and shall be maintained to the satisfaction of the Local Planning Authority until the completion of development.

Reason – To ensure that retained trees are adequately protected.

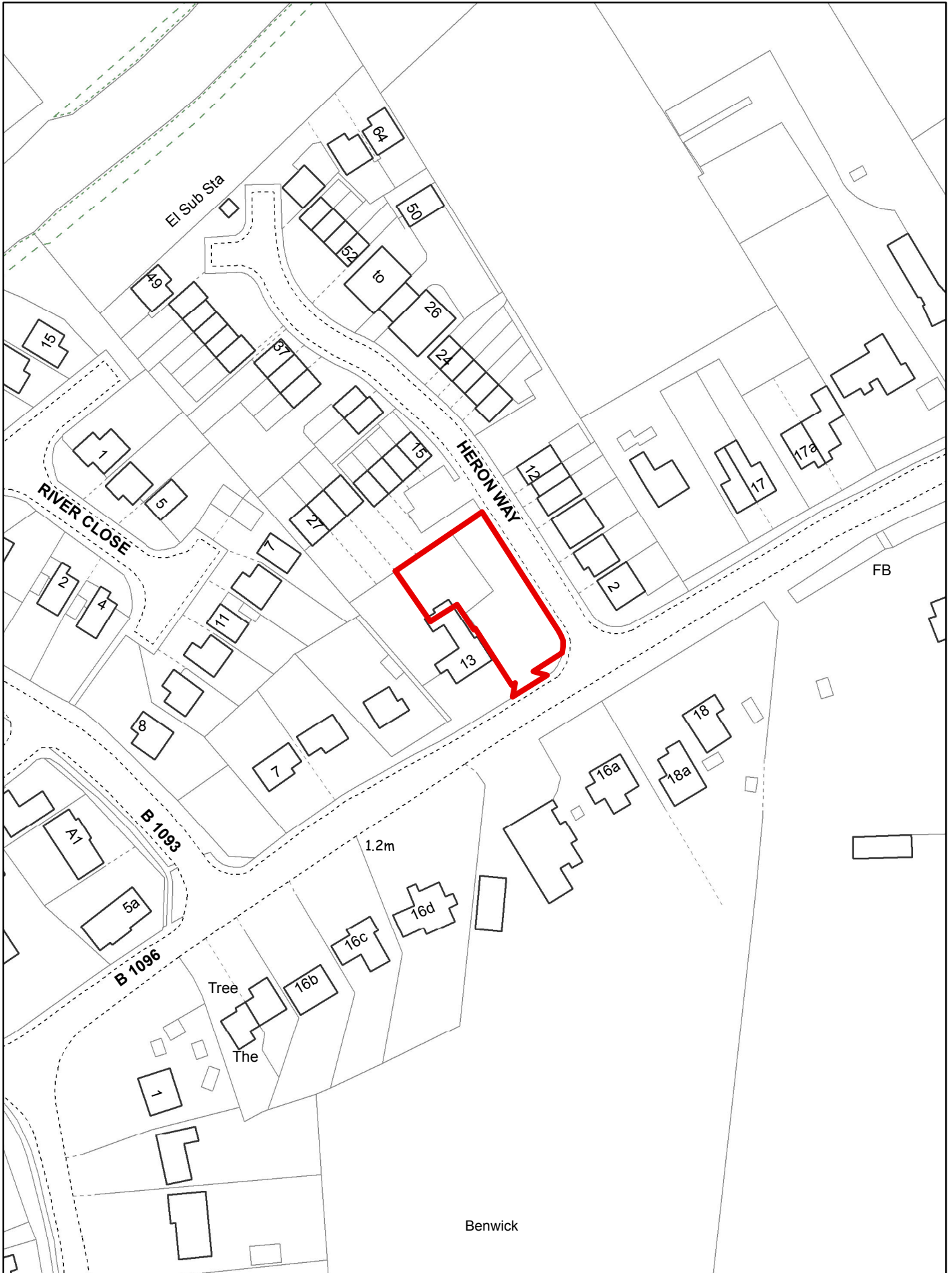
10. The 2.0m length of driveway closest to the protected Pin Oak located to the south-east of Plot 2 shall be hand dug and constructed using a 'Silva Cell' construction technique.

Reason – To ensure that the ground closest to the tree is not damaged or compacted.

11. Approved Plans.

Informative:

- 12. A copy of a letter from the Environment Agency dated 28th August 2013 setting out a series of recommendations and informatives relating to on foul and surface water drainage/flood warning and evacuation/ pollution control.**



Created on: 08/08/2013

F/YR13/0557/F

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Scale = 1:1,250



DO NOT SCALE FROM THIS DRAWING

THE GENERAL CONTRACTOR IS TO CHECK ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE SUPERVISING OFFICER.

ALL DIMENSIONS ARE SHOWN IN METERS UNLESS OTHERWISE STATED.

NOTES:



STREET ELEVATION - ALONG HERON WAY



STREET ELEVATION - ALONG DODDINGTON ROAD



The Design Partnership

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Job Title

Proposed Housing Development at
Land Adjacent to 13 Doddington Road, Benwick
for Harrison Homes Ltd

Drawing Title

PLANNING SUBMISSION
Street Elevations

Date	Scale	Drawn	Drawn No.
Jul 13	1:100@A2	rb	CA-588-P102

DO NOT SCALE FROM THE DRAWING
 THE DESIGN CONSULTANT IS TO BE CALLED IMMEDIATELY ON SITE, AND
 REPORT ANY DISCREPANCIES TO THE SUPERVISOR OF THE PROJECT.
 ALL DIMENSIONS ARE SHOWN UNLESS OTHERWISE SPECIFIED.



LOCATION PLAN
 Scale 1:1000

Plan Key:



Proposed location of house in the year 1990
 Proposed location of 2010 house
 Proposed location of 2020 house

This color palette should be used to provide visual interest for each of the house types.

Indicates location of every window type.

1 to High horizontal railing.

Low high class horizontal railing.

Stair high railing (indicated with 1).

High railing to prevent cars and people.

Note: This railing is to be used only.

High railing to prevent cars and people.

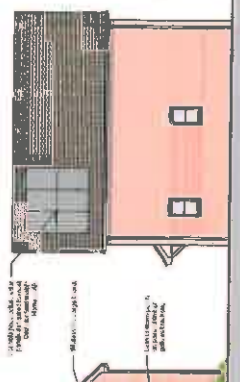
Note: This railing is to be used only.

High railing to prevent cars and people.

Note: This railing is to be used only.



Rear Elevation



Side Elevation

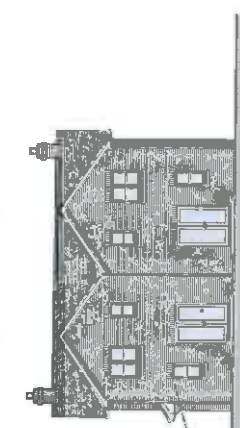


Front Elevation

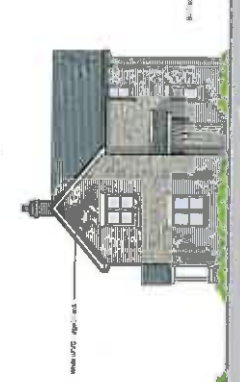


Side Elevation
 ELEVATIONS - 2B5P

Scale 1:100



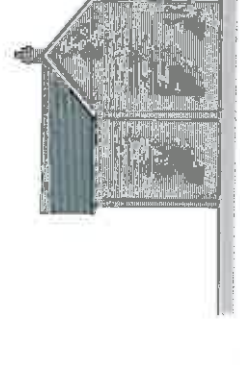
Rear Elevation



Side Elevation



Front Elevation



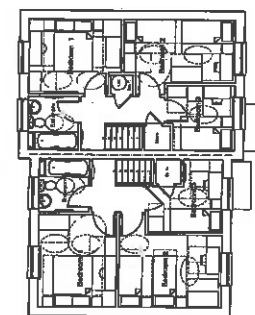
Side Elevation
 ELEVATIONS - 2B3P

Scale 1:100

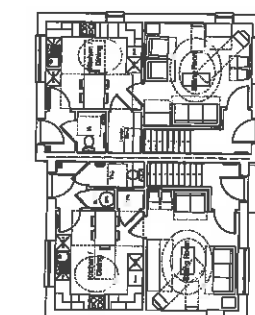


SITE PLAN

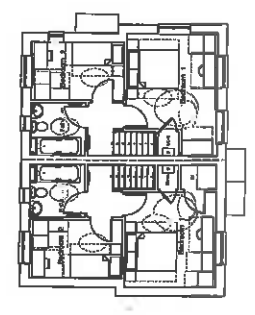
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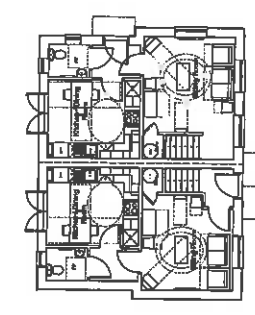
First Floor



First Floor



Ground Floor



Ground Floor

Scale 1:500

FLOOR PLANS - 3B6P

Scale 1:500

FLOOR PLANS - 2B3P

Project Name	Proposed Housing Development at Land Adjacent to 13 Doddington Road, Bonwick for Hanson Homes Ltd
Client	Hanson Homes Ltd
Site	13 Doddington Road, Bonwick
Phase	Phase 1: 2010-2015
Design	Phase 2: 2016-2020
Construction	Phase 3: 2021-2025
Completion	Phase 4: 2026-2030

The Design Partnership
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 Fax: 01223 451112
 Email: info@tdp.co.uk

Job No: 13/10/2010
 Date: 13/10/2010

Proposed Housing Development at Land Adjacent to 13 Doddington Road, Bonwick for Hanson Homes Ltd
 Planning Submission
 Site Plan, Floor Plans and Elevations

Scale: 1:1000
 Date: 13/10/2010
 Drawn: Vm/A1
 Check: Vm/A1
 Date: 13/10/2010
 Scale: 1:1000