

**Application Number: F/YR14/0113/F**  
**Minor**  
**Parish/Ward: Manea**  
**Date Received: 11 February 2014**  
**Expiry Date: 8 April 2014**  
**Applicant: Mr R Wales**  
**Agent: Peter Humphrey Associates Ltd**

**Proposal: Erection of 3no dwellings comprising of 1 x 2-storey 4-bed with detached double garage/workshop/store, 1 x 2-storey 4-bed with attached garage with store above and 1 x 4-bed with attached double garage and formation of public car park for rail users**

**Location: Land South Of Bungalow Station Farm, Fodder Fen Road, Manea**

**Site Area/Density: 0.96 hectares / 3.1 dwellings per hectare.**

**Reason before Committee: This proposal is before the Planning Committee as the Parish Council's recommendation is contrary to the officer's recommendation and at the request of Councillor Jolley as he considers that the site is in a sustainable location, complies with the Core Strategy and is an attractive scheme which would enhance the village and provide a much needed car park for the railway station.**

#### 1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for 3 dwellings on agricultural land to the south of Station Farm, Fodder Fen Road, Manea. The site lies to the north of the railway line and is roughly triangular in shape with landscaped boundaries. The application site is beyond the established settlement and within Flood Zone 3.

The key issues to consider are:

- Planning History
- Relevant Policy and Guidance including Flood Risk and Public Consultation
- Design and Layout
- Residential Amenity
- Access
- Biodiversity
- Need for a Train Station Car Park

Relevant policy has been considered alongside the identified material considerations and as a result the proposal cannot be considered acceptable. The policy framework identifies that new development in villages will be supported where it contributes to the sustainability of the settlement and does not harm the wide open character of the countryside; however this is on the proviso that it satisfies other applicable policy. The Fenland Local Plan (Core Strategy) Policy CS12 - Rural Areas Development Policy, requires development to conform with criteria (a) to (k).

In this instance the proposal cannot satisfy all criteria due to its location which is neither in or adjacent to the existing developed footprint of the village and lies within Flood Zone 3. The recommendation is to refuse the application as being contrary to both national guidance (NPPF) and local planning policy consisting of the Fenland Local Plan - Core Strategy (Core Strategy).

## 2. HISTORY

Of relevance to this proposal is:

- |     |               |  |   |
|-----|---------------|--|---|
| 2.1 | F/YR12/0936/F | Erection of 10 x 2-storey dwellings comprising of: 7 x 3-bed dwellings with associated parking, 1 x 3 -bed dwelling with integral garage, 1 x 4-bed dwelling with detached double garage and store, 1 x 4-bed dwelling with an attached double garage, a biomass cabin and the formation of 2 x accesses, a pond and 18 car parking spaces | Refused on 9 July 2013 – Committee.       |
| 2.2 | F/YR02/1455/F | Erection of 2 workplace homes  | Refused on 25 June 2003 – Committee.      |
| 2.3 | F/YR02/0782/O | Erection of 2 dwellings  | Refused on 21 August 2002 – Committee.    |
| 2.4 | F/YR01/0786/O | Erection of a 4-bed house  | Refused on 14 September 2001 - Delegated. |
| 2.5 | F/YR01/0121/O | Erection of a 4-bed detached house   | Refused on 16 March 2001 - Delegated.     |

## 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, unless material considerations indicate otherwise |
| Paragraph 14              | - | Presumption in favour of sustainable development  |
| Paragraph 17              | - | Core planning principles  |
| Paragraph 18-22           | - | Building a strong competitive economy   |
| Paragraph 32, 34 – 37, 39 | - | Promoting sustainable transport   |
| Paragraph 47-50           | - | Delivering a wide choice of quality homes   |
| Paragraph 55              | - | Avoid isolated homes in the open countryside  |
| Paragraph 56-61           | - | Requiring good design   |
| Paragraph 69-70           | - | Promoting healthy communities   |

- Paragraph 95-97, 99 - Meeting the challenge of climate change, flooding and coastal change
- Paragraph 109, 111, 118, 120-125 - Conserving and enhancing the natural environment

### 3.2 Fenland Local Plan Core Strategy (Submission Version September 2013):

- CS1 - Presumption in Favour of Sustainable Development
- CS3 - Spatial strategy, the Settlement Hierarchy and the Countryside
- CS12 - Rural Areas Development Policy
- CS14 - Responding to Climate Change and Managing the Risk of Flooding in Fenland
- CS15 - Facilitating the Creation of a More Sustainable Transport Network in Fenland
- CS16 - Delivering and Protecting High Quality Environments across the District.
- CS17 - Community Safety
- CS19 - The Natural Environment

### 3.3 Fenland District Wide Local Plan:

- H3 - To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other policies of the Plan.
- H16 - Housing in the Open Countryside
- E1 - To resist development likely to detract from the Fenland landscape. New development should meet certain criteria.
- E7 - Archaeological Investigation.
- E8 - Proposals for new development should:
  - allow for protection of site features;
  - be of a design compatible with their surroundings;
  - have regard to amenities of adjoining properties;
  - provide adequate access.
- E20 - To resist any development which by its nature gives rise to unacceptable levels of noise, nuisance and other environmental pollution. To take account of the amount, type and location of hazardous substances where proposals are submitted involving these substances.
- TR3 - To ensure that all proposed developments provide adequate car parking in accordance with the approved parking standards.

## 4. CONSULTATIONS

- 4.1 **Manea Parish Council:** Supported.
- 4.2 **Middle Level Commissioners:** Will be commenting on the application, however no further comments received.

- 4.3 **Environment Agency:** No objections to this application. We consider that the submitted Flood Risk Assessment is acceptable for the scale and nature of the proposed development. Advice also given in respect of flood resilient measures and foul drainage.
- 4.4 **FDC Environmental Health:** Due to the proximity to the railway it will be prudent to add the unsuspected contamination condition if permission is granted.
- 4.5 **CCC Highways:** No objections in principle, however further details required in relation to access visibility and the footway raised in respect of the former application F/YR12/0936/F remain pertinent to this submission.
- 4.6 **FDC Transport Development Manager:** The Design and Access Statement makes reference to the times and days of the train service in Manea, however there are some discrepancies between this and the time-table available. It should also be noted that the Hereward Community Rail Partnership is working with Greater Anglia the train operator to develop a new car park for the train station on the other side of Manea Station. The train operator has some land in its lease area that will be used for the car park. Funding has been obtained to deliver the car park and we are in the early stages of developing a design for the car park as part of the train station masterplan work. It should also be noted that a car park on the north side of the level crossing is the wrong side of the track for people travelling to the station from the village.
- 4.7 **Partnerships Manager Greater Anglia :** Awaited.
- 4.8 **Cambridgeshire Archaeology:** Records suggest that the site rests on a small 'fen island' exploited during the prehistoric period and is in an area of high archaeological potential. The site should be subject to a programme of investigation secured via planning condition.
- 4.9 **Network Rail, EDF Energy and National Grid:** No comments received at time of writing.
- 4.10 **Police Architectural Liaison Officer:** Having assessed the information provided by the applicant's agent and carried out research as to crime levels in the area, which is low, I have no comments to make

at this present time concerning these proposals in respect of crime prevention and fear of crime.

4.11 **Local Residents:**

2 emails of objection/concern received. Comments are summarised below:

- No street lights in this area.
- The site occupies wildlife including snakes, lizards, owls and nesting birds.
- The proposed car park would be the wrong side of the railway line as most of the traffic would be coming from the other direction it would have to queue at the gates in both directions.
- The application has not changed from the previous refused application.

5. **SITE DESCRIPTION**

5.1 The site is located to north of the main settlement of Manea on the western side of Fodder Fen Road (Classified B road). The railway line forms one of the boundaries of this triangular site. There is a farm to the north and dwellings on the opposite side of Fodder Fen Road. The main settlement of Manea lies to the south of the site beyond the railway line. Charlemont Drive is a development of workplace homes immediately to the south of the railway line which forms a group of dwellings detached from the continuous built up area of the settlement. The application site is currently used for the production of hay. It lies within Flood Zone 3.

6. **PLANNING ASSESSMENT**

6.1 The key considerations for this application are:

- Planning History
- Relevant Policy and Guidance including Flood Risk and Public Consultation
- Design and Layout
- Residential Amenity
- Access
- Biodiversity
- Need for train station car park

Planning History

Members may recall a similar application on this site in June 2013 where members resolved to refuse the application (LPA reference: F/YR12/0936/F), on the basis of the principle of the proposed development given the site's location outside of the developed footprint of the village and also on flood risk grounds.

This application is a re-submission which shows a reduction in the number of dwellings proposed from 10 to 3 dwellings and a revised car parking layout for rail users. The main issues associated with this proposal remain the same as those within the previously refused application and are discussed further below.

### Relevant Policy and Guidance

Policy CS3 of the Core Strategy identifies Manea as a growth village where small village extensions of a limited scale will be appropriate as part of the strategy for sustainable growth. Policy CS3 must be read in conjunction with other policies in the Core Strategy which steer development to the most appropriate sites.

The site is located beyond the established settlement of Manea on land which is characterised as open countryside. The site does not immediately adjoin the existing built up form of the settlement and whilst there is residential development to the north, east and south of this proposal it does not form part of the developed footprint of the main village settlement for the purposes of core strategy policy. Policy CS12 makes it clear that the developed footprint is defined as the as the continuous built form of the village and excludes the following:

- groups of dispersed or intermittent buildings that are clearly detached from the continuous built up area,
- gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built up area of the settlement,
- agricultural buildings and associated land on the edge of the settlement,
- outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.

Policy CS12 also contains 11 criteria which must all be satisfied to ensure the proposed development can be supported. In this particular case criteria (a) which requires the site to be in or adjacent to the existing developed footprint of the village cannot be satisfied as demonstrated above. Criteria (j) which requires that the development would not put people or property in danger from identified risks has not been fully addressed with respect to flood risk.

### Flood Risk

Policy CS14 of the Core Strategy is concerned with managing climate change and the risk of flooding. Part B of the policy states that development in flood zones 2 and 3 will only be permitted following:

- the successful completion of a sequential test,
- an exception test (if necessary),
- the suitable demonstration of meeting an identified need, and
- through the submission of a site specific flood risk assessment, demonstrating appropriate flood risk management measures and a positive approach to reducing overall flood risk.

In terms of the sequential test this requires development to be directed away from areas at highest risk of flooding, but where development is absolutely necessary, making it safe without increasing flood risk. The NPPF indicates at paragraph 101 that development should not be allocated or permitted if there are reasonably available sites in areas with a lower probability of flooding. There are sites available for development within the settlement of Manea and throughout the district which lie within Flood Zone 1 so these are sequentially more preferable for development than the application site and should be considered first. The applicant has not offered any explanation through an Exception Test to demonstrate that the development provides wider benefits and meets an identified need. The NPPF requires that both the sequential and exceptions test should be passed for development to be permitted.

As a result of the failure to satisfy these tests the proposal is considered to be contrary to the provisions of both the NPPF and the Core Strategy.

Whilst a revised Flood Risk Assessment has been submitted as part of this resubmission which the Environment Agency are now satisfied with, the wider issues relating to directing development to sequentially preferable sites within Flood Zone 1 remain relevant to this proposal.

#### Public Consultation

Policy CS12 of the Core Strategy requires any proposal for development, which in combination with:

- other development built since April 2011, and
- committed to be built,

would increase the number of dwellings in the village by 10% to have demonstrable evidence of strong local community support for the scheme.

A public consultation exercise was carried out and submitted in support of the previous application. It was acknowledged during the assessment of the previous application that the support from the event must be balanced against other policy considerations in terms of the weight that could be attached to it. This application shows a reduction in the number of dwellings, and as such a further public consultation exercise would not have been proportionate. Notwithstanding this it should be noted that in respect of the current development Manea Parish Council support the proposal and the neighbour consultations carried out as part of the application have led to 2 emails of objections being received at present.

#### Design and Layout

This application seeks full planning permission for 3 x 2-storey dwellings positioned along the road frontage. The layout is the same as the previous application except with the omission of the plots towards the rear (west) of the site which are now removed from the proposal.

The remaining plots fronting Fodder Fen Lane are all 4-bed dwellings with associated garaging and large spacious gardens. They are all individually designed, with Plots 1 and 3 being the same as that proposed within the previous application.

The proposal seeks to retain existing landscaping around the boundaries and provide new planting within the site. There is a car park for 19 vehicles within the site to serve the station, but it is not clear how this will be managed or maintained post construction.

The designs of the properties are loosely based on farmhouses and cottages incorporating chimneys with wooden windows and doors. A mix of materials is proposed of handmade facing bricks and clay pan and plain tiles.

#### Residential Amenity

It is considered that the proposal will not give rise to any adverse impacts upon residential amenity given the layout of the site and the size of the plots.

Although the dwellings facing Fodder Fen Road are 2-storey it is considered that there will be no overbearing impacts upon the dwellings to the east as these are sited the other side of the road and are at a significant distance from the proposed dwellings.

### Access

Two access points are proposed into the site which remains in the same position as the previous application. The northern most access will serve the three plots and the southern access will serve the car park.

The Highway Authority have no objection in principle, however have concerns whether the required visibility splays (which are 2.4m x 120m) can be achieved, particularly to the south of the access and in relation to the gates and paraphernalia associated with the level crossing. The Highway Authority has requested either an extended access detail is provided, or the applicant should arrange for the site frontage to be cut back to enable an accurate site inspection can be undertaken.

In addition there are concerns raised in respect of the proposed footway. This is shown on the submitted site plan to terminate approximately 20 metres short of the level crossing/station pedestrian access point, which is not considered acceptable. The footway should extend to the crossing and it be demonstrated that the facility ties into the existing demarcated footway in a suitable manner. Again, it is unclear if the footway would require the use of third party land.

### Biodiversity

The applicant has provided a tree survey and biodiversity report which are the same reports submitted with the previous application.

The tree survey concludes that the site has plenty of trees and hedging, most relatively young with long future life spans. These will be retained and will help to screen the development along with additional planting to reinforce the existing landscaping. The trees to be lost are all of lower grade.

The biodiversity survey, whilst undertaken in August 2012 and has its limitation is valid for another 6 months. It concludes that there are no statutory protected sites within 2km of the application site and retention of the core boundary habitat will retain the species of bird and butterfly identified on site. Any vegetation clearance to facilitate the development should take into account the breeding/nesting season. This could be covered by condition. In addition, bird nesting and bat boxes are proposed in mitigation to any disturbance caused by the development.

### Need for Train Station Car Park

During the consultation process it has come to light that funding has been obtained to deliver a car park on the other side of Manea Station within the train operators land with this being in the early stages of design as part of the Manea Station Masterplan work. Whilst the applicant proposes to provide a car park for the station as part of this application, the need has already been addressed as part of the Masterplan.



It should also be noted that a car park on the north side of the level crossing is considered to be the wrong side of the railway lines for people travelling to the station from the village.

## 7. **CONCLUSION**

- 7.1 The proposal has been assessed in light of the above points and the relevant National and Local Planning Policies. It is considered that as the site is outside the defined settlement core and lies within Flood Zone 3 it cannot be supported and is recommended for refusal. National and Local policy requires sites which are better related to the developed footprint of the village and in areas with the lowest probability of flooding to be considered as more suitable for new development and sequentially preferable.

## 8. **RECOMMENDATION**

### **Refuse**

1. The proposal development by virtue of its location beyond the existing developed footprint of the village of Manea fails to satisfy the criteria of Policy CS12 of the Fenland Local Plan, Core Strategy, Proposed Submission (February 2013), and is therefore contrary to that policy which sets out the definition of “the developed footprint”.
2. The applicant has failed to demonstrate that the application site, which lies within Flood Zone 3, should be developed prior to more sequentially preferable sites which can be identified within the District. As a result the proposal is contrary to the provisions of Policies CS14 (Part B) and CS12 of the Fenland Local Plan Core Strategy, Proposed Submission (February 2013) and section 10 of the National Planning Policy Framework.

## 9. **UPDATE**

When the application was presented at Planning Committee on 2 April 2014 the following updates were reported.

The following consultation responses have been received:

**Greater Anglia** – The proposed location of the car park element of the proposal is at variance with the preferred site agreed previously with FDC, Manea Parish Council and CCC, which is on railway land immediately south of the level crossing, behind the Peterborough bound platform. Their concerns are:

1. The car park is on the wrong side of the level crossing, as the majority of customers using the station will be arriving from the south.
2. There is no agreement in place for management or upkeep of the car park, which they consider necessary for all railway facilities. As this car park is not on railway land, it falls outside of the remit for Greater Anglia to maintain it.

**Network Rail** – The developer should contact Network Rail to discuss the new 1.5 metre wide footpath linkage to the railway station to help ensure the two are suitably integrated should permission be granted.

A further **letter of objection** has been received from a **local resident**. The main concerns are summarised as follows:

- This latest proposed does not overcome any of the principle objections to this type of development already highlighted in the planning history of the site.
- The site is outside the main built up area of the village and is agricultural land within the open countryside. The proposal would be detrimental to the character of the area.
- The proposal does not represent sustainable development as the site is located a considerable distance from the main centre of the village where there are no footpaths or street lights along this stretch of road.
- The proposed development would be detrimental to highway safety.
- The proposed development may increase the risk of flooding and put pressure on an already overworked pumped drainage system.

Having considered the proposal and the updates Members resolved to defer the application to allow officers to discuss with the Local Highways Authority and the Agent conditions regarding the provision and achievability of a footpath and visibility splays.

The agent has subsequently provided an amended site plan which shows the required visibility splays (2.4 metres x 120 metres vehicle visibility splays and 2 metres by 2 metres pedestrian visibility splays) for this location, an extended footpath to link to the train crossing and the removal of the public car park for rail users. The revised site plan is currently undergoing public consultation; however the Local Highway Authority has reviewed the revised site plan and has raised no objection.

Since the application was reported at this Planning Committee on 2<sup>nd</sup> April 2014 the Fenland Local Plan 2014 (formerly the Core Strategy) was adopted by the Council on 8 May 2014. The Fenland Local Plan 2014, together with the Cambridgeshire and Peterborough Waste and Minerals Plan, now form the Development Plan for the district. All policies in the Fenland District-wide Local Plan 1993 have been superseded.

In light of the revisions to the Local Plan 2014 when approved by the Planning Inspector and its subsequent adoption by the Council the numbering to the Local Plan policies have changed. There is however no material changes to the content of the policies relevant to this application.

There have been 2 further emails from the local residents who previously objected to the original proposal retaining their objections to the proposed development. The main reasons for objecting remain the same and have been previously addressed within the main report above. There is concern raised in

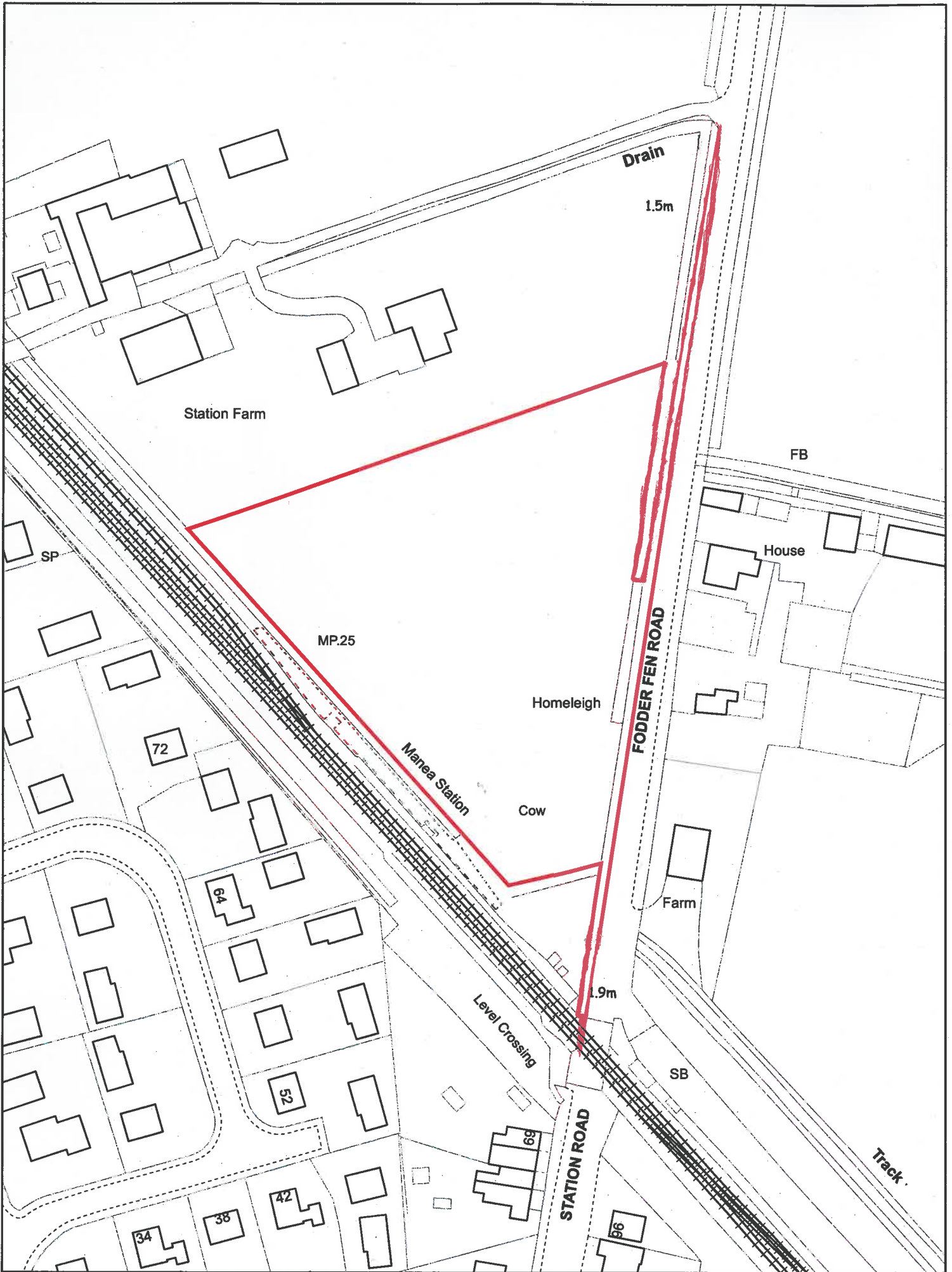
respect of the extended footway requiring the use of third party land, however it is understood that the land is within the ownership of the County Council and they have been made aware of the application through the consultation process of this application.

## 10. **RECOMMENDATION**

### **Refuse**

**Notwithstanding the highway resolution for the site, officers maintain their original stance on this application. The site is outside the defined settlement core and lies within Flood Zone 3. National and Local policy requires sites which are better related to the developed footprint of the village and in areas with the lowest probability of flooding to be considered as more suitable for new development and sequentially preferable. Accordingly the recommendation remains for refusal as detailed below:**

1. **The proposal development by virtue of its location beyond the existing developed footprint of the village of Manea fails to satisfy the criteria of Policy LP12 of the Fenland Local Plan (May 2014), and is therefore contrary to that policy which sets out the definition of “the developed footprint”.**
2. **The applicant has failed to demonstrate that the application site, which lies within Flood Zone 3, should be developed prior to more sequentially preferable sites which can be identified within the District. As a result the proposal is contrary to the provisions of Policies LP14 (Part B) and LP12 of the Fenland Local Plan (May 2014) and section 10 of the National Planning Policy Framework.**

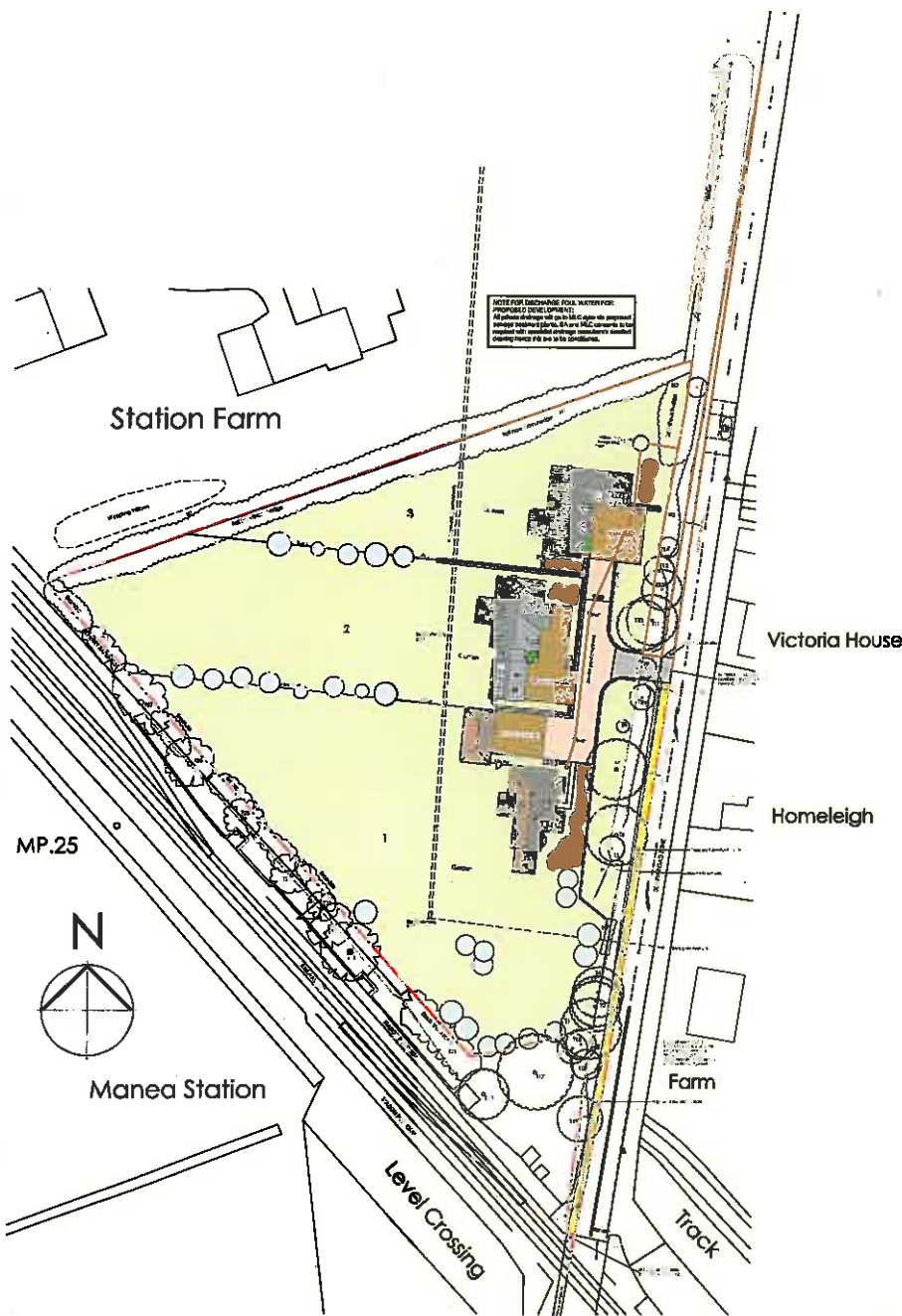


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F/YR14/0113/F  
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HOUSE TYPE SCHEDULE			
Plot Number	No. of Bedrooms	Type	Garage Type
Plot 1 - Type A	4 Bedrooms	Detached	Double garage - 2 car access
Plot 2 - Type B	4 Bedrooms	Detached	Double garage - 2 car access
Plot 3 - Type C	4 Bedrooms	Detached	Double garage - 2 car access
Total: 3 Units			0 Car spaces

MATERIAL SCHEDULE		
Plot Number	Spec	Roof
Plot 1 - Type A	Spec 1 - Standard	Spec 1 - Standard
Plot 2 - Type B	Spec 2 - Standard	Spec 2 - Standard
Plot 3 - Type C	Spec 3 - Standard	Spec 3 - Standard

KEY TO SYMBOLS	
1mm dash	1.0m x 2.0m boundary fence
2mm dash	2.0m boundary fence
3mm dash	3.0m boundary fence
4mm dash	4.0m boundary fence
5mm dash	5.0m boundary fence
6mm dash	6.0m boundary fence
7mm dash	7.0m boundary fence
8mm dash	8.0m boundary fence
9mm dash	9.0m boundary fence
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PROPOSED SITE PLAN 1:500 @ A2



**Deakin Planning Associates**  
 ARCHITECTURAL DESIGN AND BUILDING  
 PROJECT:  
 Proposed Residential Development  
 Land North of Manea Railway Station  
 Fodder Fen Road  
 Manea  
 CLIENT:  
 Mr & Mrs. Wales  
 PROPOSED TITLE:  
 Proposed Site Plan  
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