

Application Number: FYR14/0951/F

Major

Parish/Ward: Clarkson, Wisbech

Applicant: G B Construction Partnership Ltd

Agent: Mr P Dunthorne, The Design Partnership (Ely) Ltd

Proposal: Erection of 70 x 2 and 3-storey dwellings comprising of 4 x 1-bed; 22 x 2-bed; 44 x 3-bed and associated works

Location: Land north and south of Cotterell Way, Wisbech

Site Area: 1.74ha

Reason before Committee: The land is owned by Fenland District Council

1. EXECUTIVE SUMMARY/RECOMMENDATION

The application seeks full planning permission for the erection of 70 x 2 and 3-storey dwellings comprising of 4 x 1-bed; 22 x 2-bed; 44 x 3-bed and associated works.

The proposal is considered to raise the following key issues:

- Principle and policy implications
- Design and layout
- Landscaping
- Access and highways
- Flooding and drainage
- Land contamination
- S106 contributions
- Health and wellbeing
- Economic development
- Other matters

The proposal is for the redevelopment of previously developed land. The site is within a central location in Wisbech and has been identified as an area for growth within the Local Plan, with its own design Supplementary Planning Guidance (SPG). The principle of the proposal is therefore acceptable.

The design and layout of the scheme is considered to comply with the aspirations of the SPG and it is considered that no harm will be caused to the neighbouring residential occupiers or the area in general as a result of the proposal. Matters of highway safety and flooding are currently being considered with the County Council and the Environment Agency respectively.

It is considered that the proposal complies with policies of the Development Plan and it is therefore recommended that planning permission is granted accordingly.

2. HISTORY

F/YR08/0617/FDC - Remediation of the remaining land and associated ground works including the raising of the site levels to accord with the recommendations of flood risk assessment - Grant 02.09.2008

F/YR07/0350/F - Erection of 331 dwellings (43 affordable housing) comprising of 198 flats (55 x studio, 55 x 1-bed, 88 x 2-bed) and 133 houses (60 x 2-bed, 59 x 3-bed, 14 x 4-bed) with associated car ports/parking, infrastructure and landscaping, 717 sqm of commercial units for A1 - A5 and D1 use and open space areas – Granted pending completion of S106

F/YR06/0541/O - Residential Development (Max 370 dwellings), mixed use (A1 - A5 and D1 and multi use building comprising a yacht club, meeting/conference rooms, port office, business units with associated parking, infrastructure and landscaping – Granted pending completion of S106

F/YR05/0580/SC - Regeneration of Nene Waterfront Environmental Impact Assessment – Pending consideration

F/0379/88/O - Erection of 170 residential units (86 x 1 bed, 80 x 2 bed flats and 4 x 2 bed maisonettes) in two, three and four storey blocks with new link road and provision of 270 parking spaces - Granted 13.04.1989

F/0497/83/O Layout of roads and sewers for light industrial and/or warehousing - Grant 08.09.1983

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraphs 2 & 11: 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(3): Proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs. Economic development aspirations expanded in Paragraphs 18-21.

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): Take into account the different roles and characters of different areas.

Paragraph 17 (9): Promote mixed use development

Paragraph 17 (10): Actively manage patterns of growth

Paragraph 29: Promoting sustainable transport

Paragraph 30: LPA's should support a pattern of development, which, where reasonable to do so, facilitates the use of sustainable modes of transport.

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

Paragraph 47: Delivering a wide choice of high quality homes, including sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%. Identifying a supply of specific deliverable sites or broad locations for growth.

Paragraph 50: Plan for a mix of housing and set policies to deliver affordable housing where required

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 100 -103: Development and Flood Risk

Paragraph 109: conserving and enhancing the natural environment - the planning system should contribute to and enhance the natural and local environment by: Minimising impacts on biodiversity and providing net gains where possible.

Paragraph 111 - Planning decisions should encourage the effective use of land by re-using land that has been previously developed

Paragraph 117: Biodiversity and geodiversity

Paragraphs 129-131: LPAs should identify and assess the particular significance of any heritage assets that may be affected by a proposal. In determining applications LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.

Paragraphs 142 – 144: Facilitating the sustainable use of Minerals

Paragraphs 203 – 206: Planning Conditions and Obligations

3.2 **Fenland Local Plan 2014:**

LP1: A Presumption in Favour of Sustainable Development

LP2: Facilitating Health and Wellbeing of Fenland Residents

LP3: Settlement Hierarchy

LP8: Wisbech

LP14: Responding to climate change and managing the risk of flooding in Fenland

LP15: Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16: Delivering and Protecting High Quality Environments

3.3 Nene Waterfront, Wisbech Development Brief SPG

4. CONSULTATIONS

4.1 **Parish/Town Council:** Support the application

4.2 **FDC Environmental Health:**

The development site is part of the former Wisbech Gas works. The site has previously been investigated and remediated to a standard agreed with both FDC and the Environment Agency; the site was left with an engineered layer that will form a subsoil base for the final development. As part of the remediation strategy the developer is to provide final site levels that satisfy both the flood risk and remediation strategy previously agreed.

The developer should also maintain the integrity of the existing parts of the scheme, for example if piling is proposed.

The developer is therefore required to provide a remediation method statement detailing the depth of clean imported soils for both garden and landscaped areas, and any other specific remedial measures such as gas protection measures. Any soil brought onto site must be suitable for their intended use.

4.3 **Police Senior Architectural Liaison Officer:**

The proposal has achieved full Secured by Design certification prior to the submission of the planning application. The rear parking courts should be provided with surveillance and as such the rear fencing to plots 1 to 4, 29, 47, 49, 51, 65 and 66 should be amended. Suggest the provision of 1.2m high close boarded fencing with 600mm trellis above.

For the reduction of crime risk, aiding active surveillance from dusk to dawn and reducing the fear of crime within residents it will be necessary that all areas are lit to current British Standards level of lighting (BS 5489:2013). This will include any rear parking areas, driveways accessing these areas and unadopted shared surfaces.

Conditions to address these two points are necessary.

4.4 **Anglian Water:**

An informative relating to the proximity of Anglian Water assets is required should planning permission be granted.

There is capacity for the development in the West Walton Water Recycling Centre and the local sewerage network for the proposal. The developer should contact Anglian Water for advice on the most suitable connection point.

The preferred method of surface water disposal would be to a sustainable drainage system (SUDS). The Flood Risk Assessment is unacceptable. Recommend that the applicant consults the Environment Agency.

A condition is required to secure surface water management.

- 4.5 ***FDC Housing:***
Would expect the affordable housing mix to reflect the overall site mix but expect the affordable units to be predominately 2 and 3-bedroom properties. All units should meet the lifetime homes standard where appropriate and viable. All affordable housing should meet the Homes and Communities Agency's quality and design standards to ensure the homes can be included within a housing associations HCA framework delivery agreement.
- 4.6 ***Natural England:***
No objection in respect of statutory nature conservation sites. Have not assessed the submission in respect of protected species.
- 4.7 ***The Wildlife Trust:***
Not received at time of report.
- 4.8 ***Environment Agency:***
Place a holding objection on the proposal. The FRA submitted with the application does not comply with the requirements set out in the Technical Guide to the NPPF.
- 4.9 ***EDF Energy:***
Not received at time of report.
- 4.10 ***National Grid:***
Identify the location of gas services and apparatus in the vicinity of the site.
- 4.11 ***County Development, Minerals and Waste Planning Group:***
The proposal will generate the need for pre-school, primary and secondary education contributions. Financial contributions will also be required for waste and Life Long Learning.
- 4.12 ***CCC Highways:***
Place a holding objection on the proposal. The Transport Statement should be revised to include the latest Census data, greater details of pedestrian and cycle facilities, distances to public transport links and how they compare with places of work, confirmation of car and cycle parking numbers, details on the traffic modelling at the Lynn Road/De Havilland Road junction and the Freedom Bridge roundabout.

Amended drawings required detailing road widths and kerb radii dimensions, visibility splays should be annotated and be provided in accordance with the Manual for Streets. Should the triangular strip of hard standing to the north of the access be landscaping?
- 4.13 ***CCC Fire and Rescue:***
Fire hydrants are required for the development.
- 4.14 ***FDC Valuation and Estates Officer:***
Not received at time of report.

4.15 ***FDC Parks and Open Spaces Manager:***

No public open space provided within the site therefore there is nothing to adopt.

4.16 ***Neighbours:***

2 letters of objection received. Comments as follows:

- The proposal is unimaginative;
- It would exacerbate traffic congestion;
- It would exacerbate the risk of flooding;
- The removal of trees during the remediation works has left neighbouring land susceptible to flooding;
- Cannot get an appointment to see a doctor;
- De Havilland Road is in poor condition and is congested.

5. **SITE DESCRIPTION**

5.1 The application site forms part of the Nene Waterfront Regeneration Area. It is positioned within the established settlement of Wisbech in a central location. The area to the east of the site, and part of the north is residential in character and there are industrial and commercial uses to the south, west and part of the north. The site forms the north eastern quarter of land which has been remediated by the Council. The land is currently vacant and there is boarding securing the site.

6. **PLANNING ASSESSMENT**

6.1 The application seeks full planning permission for the erection of 70 x 2 and 3-storey dwellings comprising of 4 x 1-bed; 22 x 2-bed; 44 x 3-bed and associated works.

The proposal is considered to raise the following key issues:

- Principle and policy implications
- Design and layout
- Landscaping
- Access and highways
- Flooding and drainage
- Land contamination
- S106 contributions
- Health and wellbeing
- Economic development
- Other matters

(a) Principle and policy implications

The site lies within the Nene Waterfront regeneration area (NWRA). The proposal is for housing development on the north east section of the NWRA. The proposal forms part of a wider regeneration scheme which has its own specific design brief. The brief identifies the areas where the land has been allocated for housing development, the application site being situated in one of these areas.

Historically outline planning permission for residential development was approved in principle on this site however the permission has not been released due to the S106 remaining incomplete. With the above in mind the principle of the development is acceptable.

The site lies within a central location in Wisbech, which is identified as a Primary Market Town in policy LP3 of the Fenland Local Plan. The development is therefore considered sustainable and complies with policies LP1 and LP3 of the Fenland Local Plan 2014.

The area falls within the Nene Waterfront and Port broad location for growth as set out in policy LP8 of the Fenland Local Plan. A design brief for the area was adopted in July 2004 and the proposal complies with the general principles of this document.

(b) Design and layout

There is an existing road, Cotterell Way, dividing the site into two sections. The northern section has been designed to have a horseshoe shared surface roadway which serves plots 13 to 44. There is a central access, which is also a shared surface, in the southern section of the site which will serve plots 51 to 65.

The dwellings have been set out to have a continuous street frontage which is an arrangement which is consistent with the character of the surroundings. The dwellings have a contemporary appearance which complies with the aspirations of the Nene Waterfront Design SPG. However their scale and window symmetry are such that they will not appear at odds with the existing housing stock on the De Havilland Road frontage, where part of the application site will join.

The three-storey buildings have been positioned on the housing block corners in order that there is visual interest and identification points for ease of connectivity through the site. The combination of two and three storey buildings also adds to the residential/mews arrangements identified as an aspiration for the site as set out in the Nene Waterfront Design SPG.

The window arrangement and distances between the buildings are such that overlooking and overshadowing of both existing and proposed residential occupiers will not occur. The dwellings at plots 39, 40, 45 and 46 have been specifically designed to have no first-floor windows on the rear elevations of the properties so that there will be no windows above ground floor which will overlook the neighbouring private garden areas. No concerns are therefore raised in respect of loss of privacy to the neighbouring dwellings to the east.

Each dwelling is provided with a private garden area which is at least a third of the plot curtilage.

The materials palette includes a combination of buff facing brick, white render, slate grey coloured roofs, white and dark grey UPVC windows and cedar cladding to the detailed elements. The materials palette is consistent with the finishes suggested in the SPG, by linking the appearance of the development to the waterside frontage through the use of 'waterside/boat related' materials. The specific brick is to be secured via a planning condition should permission be granted.

The proposal complies with Secured by Design standards despite concerns being raised by the Police Architectural Liaison Officer (PALO) in respect of the lack of natural surveillance over the car parking areas should 1.8m fencing be installed on rear boundaries. The boundary treatments have not been committed and as such a condition for their submission is required. The concerns of the PALO can therefore be addressed at a later stage.

The layout of the proposal is such that it is considered acceptable should future residents exercise their permitted development rights as outlined in the Town and Country Planning General Permitted Development Order 1995 (as amended). It is therefore not considered necessary to restrict these rights as part of a planning condition. Likewise the arrangement of first floor windows will not result in overlooking or loss of privacy to neighbouring occupiers and as such a condition requiring obscure glazing is not considered necessary.

It is considered that the design and layout of the proposal will not compromise the appearance of the remainder of the development site. It is considered that the development complies with policy LP16 of the Fenland Local Plan 2014.

(c) Landscaping

The site has been pepper potted with trees and landscaped areas on the street frontages which are considered to be of benefit to the character and visual qualities of the development. The specific species of the landscaping has not been committed at this stage therefore a condition to secure these details, as well as the maintenance of the landscaping, should be applied should permission be granted. It is considered that the proposal complies with policy LP16 in respect of landscaping.

(d) Access and highways

138 parking spaces are provided, which is slightly short of the 140 which is required by the parking standards set out in the Local Plan. However in this location, which is in close proximity to the town centre where there are good public transport links, it is considered the shortfall of 2 spaces is not reason enough in itself to justify a refusal.

Some concerns are raised in respect of highway safety and the Transport Assessment given the comments received from CCC Highways. CCC Highways have not objected to the proposal, however have requested a minor piece of work to be carried out to clarify some aspects of the submission. Amended drawings are required detailing road widths, kerb radii dimensions and visibility splays. Further information is also required to support the Transport Statement. An update will be provided at the Committee meeting on the comments received from CCC Highways in respect of the further information.

(e) Flooding and drainage

A holding objection by the Environment Agency is currently placed on the scheme due to the Flood Risk Assessment not being compliant with the National Planning Policy Framework. There are ongoing discussions between the agent and the Environment Agency with a view to amending the scheme to overcome their objection. An update will be provided at the Committee meeting to this effect.

Anglian Water has noted that the Flood Risk Assessment is not acceptable and has requested that the Environment Agency is consulted on the scheme. In addition they have requested that a condition securing surface water drainage details is imposed on any permission granted. This is considered reasonable and necessary.

(f) Land contamination

The site comprises part of the former gas works site where extensive decontamination works have already been carried out. The site has been left with an engineered layer which will form a base for the development however final site levels and the depth of imported soils are still required to fully satisfy the required remediation works. A condition to this effect is therefore required in accordance with policy LP16 of the Fenland Local Plan 2014.

(g) S106 contributions

The scheme provides 10 affordable housing units which equates to 14.3% provision. The proposal therefore exceeds the required affordable housing provision for the Nene Waterfront Regeneration Area which is set at 13% in the SPG.

The proposal attracts the following S106 contributions:

Affordable housing: 14.3%
Pre-school: £43,680
Primary and secondary education: £82,000
Waste: £21,600
Life long learning: £634.03
Public open space: £38,280

(h) Health and wellbeing

The site is within a sustainable location, in walking distance to local facilities including shops, schools and public transport hubs. Each dwelling is provided within an acceptable level of private amenity space and the layout and design of the proposal will not compromise the living conditions of existing or future residents,

It is considered that the proposal will promote health and wellbeing and as such the development complies with policy LP2 of the Fenland Local Plan 2014.

(i) Economic development

The proposal constitutes the development of previously developed land in an area which has specifically been identified for growth. The application will provide additional housing stock. The proposal therefore supports economic development.

(j) Other matters

Other issues raised by consultees which have not already been covered by this report are addressed as follows:

Comments from Cambs Fire and Rescue requesting the provision of fire hydrants are noted and since these are covered by the Building Regulations a condition is not required.

The issue with being unable to obtain an appointment to see a doctor is not a material planning consideration. The Planning Contributions Supplementary Planning Document (December 2014), which is currently under consultation, clearly states that it is inappropriate for developers to make financial payments to expand or improve an existing practice or build a new one.

7. CONCLUSION

- 7.1 The proposal is for a regeneration scheme in an area which has been identified for growth. The site is within a central location in Wisbech and planning permission has tentatively been approved on this site previously. The principle of the proposal is therefore acceptable.

The design and layout of the proposal is considered to comply with the aspirations of the guidance specially produced for this area. Matters of highway safety and flooding are currently being considered with the County Council and the Environment Agency respectively.

It is considered that the proposal complies with policies of the Development Plan and it is therefore recommended that planning permission is granted accordingly.

8. RECOMMENDATION

That delegated authority be given to the Head of Planning in consultation with the Chair and Vice Chair of the Planning Committee and Ward Members to grant planning permission subject to:

- 1. Confirmation from the Environment Agency in respect of an acceptable flood risk assessment;**
 - 2. Confirmation from CCC Highways in respect of an acceptable Transport Statement and road widths, kerb radii dimensions, and visibility splays;**
 - 3. S106 agreement;**
 - 4. 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 in accordance with policy LP16 of the Fenland Local Plan 2014.

3. **Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-**

- a) **proposed finished levels [earthworks to be carried out]**
- b) **means of enclosure**
- c) **hard surfacing, other hard landscape features and materials**
- d) **existing trees, hedges or other soft features to be retained**
- e) **planting plans, including specifications of species, sizes, planting centres number and percentage mix**
- f) **management and maintenance details**
- g) **(others as may be necessary to be detailed by officer)**

Reason

The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with policy LP16 of the Fenland Local Plan 2014.

4. All hard and soft landscape works including any management and maintenance plan details, 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 in accordance with policy LP16 of the Fenland Local Plan 2014.

5. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason

To prevent environmental and amenity problems arising from flooding in accordance with policy LP14 of the Fenland Local Plan 2014

6. No development shall take place until a remediation method statement detailing the depth of clean imported soils for both garden and landscaped areas, and any other specific remediation measures such as gas protection measures has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason

To mitigate against risks of land contamination in accordance with policy LP16 of the Fenland Local Plan 2014.

7. No development shall take place until a scheme to secure external lighting has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and retained as such in perpetuity and shall be completed prior to the first occupation of the development hereby approved.

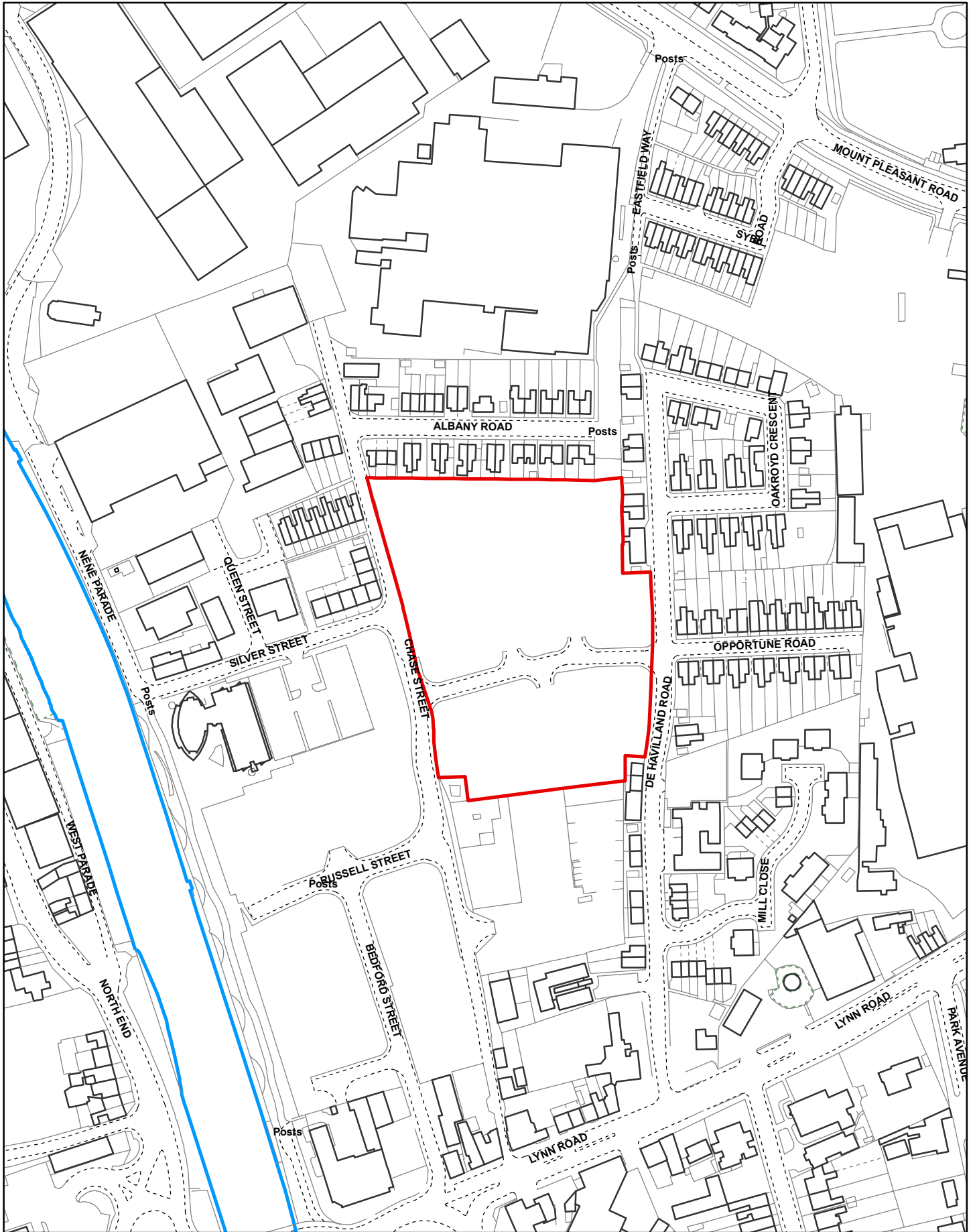
Reason

In the interests of crime reduction and fear of crime in accordance with policy LP16 of the Fenland Local Plan 2014.

8. Approved plans

The following informative is also required:

- 1. You are reminded of the requirement to provide fire hydrants in accordance with the Building Regulations.**



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Scale = 1:2,500





Development Summary:

Affordable Housing (*)

Type	Count	Total
1 Bedroom	4	4
2 Bedroom	8	8
3 Bedroom	10	10
4 Bedroom	1	1
TOTAL	23	23

Market Housing

Type	Count	Total
1 Bedroom	1	1
2 Bedroom	1	1
3 Bedroom	1	1
4 Bedroom	1	1
TOTAL	4	4

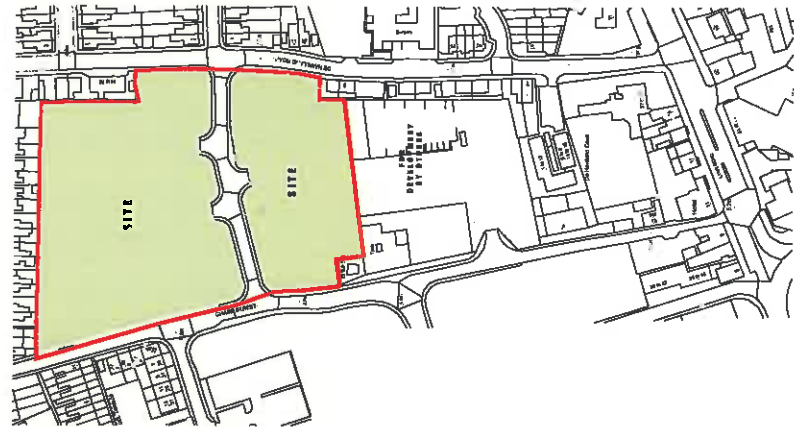
The Area Approx. 1.7294
Development Density: 42 units/acre per Parcel

The Design Partnership
 1000 S. Broadway, Suite 100
 Los Angeles, CA 90015
 Tel: 213.475.1111

Job Title:
 Proposed Residential Development
 Nerve Walkfront, Westech for
 GB Construction / Circle Housing Rodden

PLANNING SUBMISSION
 Proposed Site Plan

Drawn: Nov 2014
 Scale: 1:500 @ A1
 Date: PD
 Client: CA 854.P01



BLOCK PLAN

- PLAN KEY:**
- Proposed Building Footprint
 - Proposed Building Footprint with 10' Buffer
 - Proposed Building Footprint with 20' Buffer
 - Proposed Building Footprint with 30' Buffer
 - Proposed Building Footprint with 40' Buffer
 - Proposed Building Footprint with 50' Buffer
 - Proposed Building Footprint with 60' Buffer
 - Proposed Building Footprint with 70' Buffer
 - Proposed Building Footprint with 80' Buffer
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SITE PLAN - Proposed

Scale 1:500