
F/YR24/0339/O

Applicant: Mr & Mrs Jerrom

**Agent : Mr Liam Lunn-Towler
Peter Humphrey Associates Ltd**

12 School Lane, Manea, March, Cambridgeshire PE15 0JN

Erect up to 2 dwellings (outline application with matters committed in respect of access) involving demolition of existing outbuilding and part of existing dwelling

Officer recommendation: REFUSE

Reason for Committee: Number of representations contrary to officer recommendation.

Government Planning Guarantee

Statutory Target Date for Determination: 15 May 2024

EOT in Place: Yes

EOT Expiry: 13 January 2025

Application Fee: £1156

Risk Statement:

This application must be determined by 13/01/24 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- | |
|---|
| <p>1.1 The application seeks outline planning permission for the erection of up to 2 dwellings (outline application with matters committed in respect of access) involving demolition of an existing outbuilding and part of existing dwelling.</p> <p>1.2 Policies LP2, LP12, LP15 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 135 NPPF 2024 and Chapters C1, I1, I2 and M3 of the National Design Guide 2021 seek to ensure that developments avoid adverse impacts, create high quality environments, which provide a positive contribution to local distinctiveness, are informed by the settlement pattern and local built environment and provide well designed car parking appropriate to the amount of development proposed. Given the constraints of the site it is not considered that the submitted information adequately demonstrates that 2 additional dwellings could be accommodated without creating significant detrimental impacts in respect of the character of the area and the residential amenity of existing and proposed dwellings.</p> <p>1.3 As such the recommendation is to refuse outline planning permission.</p> |
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2 SITE DESCRIPTION

- 2.1 The application site forms part of a substantial plot on the northern side of School Lane, Manea. The site currently comprises of a modest detached 2-storey cottage finished in white painted brickwork and pantile roof, with a mono-pitched and linked single-storey element to the rear, there is a detached outbuilding to the west and dilapidated outbuilding to the north of the site. The existing access point is to the west of the existing cottage and leads to a gravelled parking and turning area to the front, leading past the cottage and wrapping around it to the rear. To the rear there is a large lawned and landscaped garden (including pond) with numerous mature shrubs and trees, along with a kitchen garden which runs alongside the cottage, and to the front a smaller lawned and landscaped garden with a hedge forming the site boundary.
- 2.2 To the east, south and west of the site are a range of detached and semi-detached dwellings on School Lane, of a variety of eras and materials, predominately modest in scale, and to the north the open space serving Scholars Close.

3 PROPOSAL

- 3.1 The application seeks outline planning permission for up to 2 dwellings involving demolition of existing outbuilding and part of existing dwelling, with matters committed in relation to access only.
- 3.2 The existing cottage is proposed to remain with an area of garden to the rear, and a single point of access is proposed to serve the existing and up to 2 proposed dwellings. It should be noted that whilst a site plan and street scene have been provided these are purely indicative, as only the point of access is being considered at this stage.

Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

4.1 Pertinent planning history listed below:

| Application | Description | Decision |
|--------------------|--|---------------------------|
| F/YR23/0522/O | Erect up to 2 dwellings (outline application with matters committed in respect of access) involving demolition of existing outbuilding and part of existing dwelling | Refused 23 Feb 2024 |
| F/YR21/0549/O | Erect up to 8no dwellings (outline application with all matters reserved) involving demolition of existing dwellings and outbuildings | Withdrawn |
| F/YR11/0149/NONMAT | Non - material amendment - Plot 7 change 2no patio doors to 2no windows with panelling beneath (relating to F/YR08/0340/F - Erection of 12 dwellings comprising of 2 x 4-bed detached houses, 1 x 3-bed detached bungalow, 1 x 3-bed detached bungalow with detached single garage, 4 x 3-bed semi-detached houses and 3 x 3-bed and 1 x 2-bed linked bungalows with associated garages, parking and access road involving demolition of existing dwellings and outbuildings) | Approved 7/3/11 |
| F/YR08/0340/F | Erection of 12 dwellings comprising of 2 x 4-bed detached houses, 1 x 3-bed detached bungalow, 1 x 3-bed detached bungalow with detached single garage, 4 x 3-bed semi-detached houses and 3 x 3-bed and 1 x 2-bed linked bungalows with associated garages, parking and access road involving demolition of existing dwellings and outbuildings | Granted 13/7/09 |
| F/YR07/0667/F | Erection of 12 dwellings comprising; 2 x 2-bed semi-detached houses, 2 x 4-bed detached houses with integral garage, 3 x 2-bed detached bungalows with detached garages, 2 x 2-bed detached bungalows with attached garages, 1 x 3-bed detached bungalow with detached garage and 2 x 3-bed detached bungalows with integral garage, with associated parking and access road involving demolition of existing dwelling and outbuildings | Refused 23/8/07 |

5 CONSULTATIONS

5.1 Manea Parish Council

*OBJECT. Insufficient parking, Inadequate drainage provision, Over shadowing
Block paving no permeable.*

5.2 Environmental Health (FDC) (02/05/24)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed scheme as it is unlikely to have a detrimental effect on local air quality.

Due to the demolition of existing structures and close proximity of noise sensitive receptors, it is recommended that conditions are imposed in the event that planning permission is granted.

5.3 Cambridgeshire County Council Highways (29/05/24)

On the basis of the information submitted from the perspective of the Local Highway Authority. I consider the proposed development acceptable.

The development benefits from an existing access with the highway. The applicant proposes this access is widened to 5m and hardened for the first 5m into the curtilage of the property. This is acceptable to the LHA as it is suitable for shared use. They have also included pedestrian visibility splays. There also appears to be enough room for up to 6 vehicles to park and turn, so as to enter the highway in a forward gear. The applicant has also provided evidence in the form of a speed survey to demonstrate that speeds are low enough in the area to reduce the visibility splays in line with the national guidance used by the LHA. Given the above I have no objection to this proposal. One condition recommended and one informative.

5.4 Arboricultural Officer (FDC)

Informal comments received from the Council's Arboricultural Officer did not raise any objections, advising that he did not consider the trees within the site would merit a TPO. Further comments were sought regarding the mature trees to the rear of the site:

I have reviewed the attached ecological report and note the presence of mature trees along the rear boundary.

The proposed development aims to retain these trees and existing boundary treatments. However, it is noted that demolition of outbuildings is to take place and appear to be within the root protection areas of retained mature trees.

Whilst the outbuilding (B3 in Ecological Report) is shown to be dilapidated and of timber and corrugated metal construction, the operation of plant within this area could lead to soil compaction and the removal of any hard surfacing within the shed may lead to root damage.

We therefore require a method statement to confirm what measure will be taken to protect the retained trees.

5.5 Ecology 15/05/24

Thank you for your consultation letter received 24 April 2024 regarding the above application.

*The application provides insufficient evidence to demonstrate:
-the level of impact of the scheme on biodiversity particularly protected species (e.g. bats)*

It is not possible to determine if the scheme accords with Fenland Local Plan 2014 policies LP16 & LP19 which seek to conserve enhance and promote the

biodiversity interest. Nor whether the LPA will meet its statutory duties to conserve biodiversity (Section 40 Natural Environment and Rural Communities Act 2006) and European protected species (Conservation of Habitats and Species Regulations 2017).

We therefore recommend refusal unless the following information is provided prior to determination:

-Preliminary Ecological Appraisal & Preliminary Roost Assessment for bats

5.6 Ecology (Reconsult) 07/10/24

Thank you for your email providing the File Note and PEA Addendum – Badger walk-over, which addresses previous concerns regarding incomplete assessment for badger (subject to suitably worded condition). Concern regarding bats has not been resolved.

Please find further information below

Badger

We are satisfied that a comprehensive survey and assessment for badgers has been completed, with it unlikely that an active sett is present at the Application Site. The File Note and PEA Addendum – Badger Walk-over report sets out a precautionary working method (for badgers) during construction. If permission is granted, these measures (along with those set out in the Preliminary Ecological Appraisal) implemented in full, and secured through a suitably worded (compliance) condition.

Bats

In our previous consultation response, we recommend refusal, unless the following information was provided prior to determination: - Bat emergence survey(s) We cannot find any submitted information which addresses this matter, and therefore, it remains unresolved.

Local Residents/Interested Parties

5.8 Supporters

7 letters of support received (2 from Station Road Manea, 3 from Westfield Road Manea, 1 from School Lane Manea and 1 from Stoke-on Trent). Letters of support mention:

- Larger developments in the village have been permitted
- Two more houses would not cause significant traffic pollution
- Houses would be in a central location close to public amenities
- Applicants are pillars of the community
- Close to train station
- Provide needed housing
- No significant increase in traffic
- Development would be in keeping with the character of the village

5.9 Objectors

2 objections have been received (from School Lane, Manea), in relation to the following:

- Access/vehicle movements onto School Lane
- Harm to Wildlife corridor.
- Shed/asbestos roof

- Roof height out of character
- Inaccurate speed surveys

6 STATUTORY DUTY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework December 2024 (NPPF)

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

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 across the District

LP19 – The Natural Environment

7.5 Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM2 – Natural Features and Landscaping Schemes

7.6 Cambridgeshire Flood and Water SPD 2016

7.7 Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP12: Meeting Housing Needs
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP27: Trees and Planting
- LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Highways and Parking**
- **Residential Amenity/Health and wellbeing**
- **Flood Risk and Drainage**
- **Ecology**
- **Biodiversity Net Gain (BNG)**

9 Background

- 9.1 A very similar application for two dwellings has recently been refused as set out in the planning history section above. The current application shows the dwellings in slightly different positions, at slightly different heights and with different architectural designs and altered car parking layout. The plans are indicative as only matters in respect of access are committed. Nonetheless, the indicative plans are proposed to demonstrate how two dwellings could be accommodated on the site and due regard is therefore given to the indicative plans.

10 ASSESSMENT

Principle of Development

- 10.1 The site is located within the settlement of Manea which is identified within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as being a 'growth village'. For these settlements, development and new service provision within the existing urban area or as small village extensions will be appropriate.

- 10.2 Policy LP12 advises that for villages new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide-open character of the countryside; the proposal is considered to be within the developed footprint of the village.
- 10.3 This policy also advises that if a proposal is within or on the edge of a village, in conjunction with other development built since 2011 and committed to be built (i.e. with planning permission) increases the number of dwellings in a growth village by 15% or more then the proposal should have demonstrable evidence of clear local community support for the scheme. Manea has already exceeded its 15% threshold. However, an appeal decision received in respect of an application that was refused purely on this basis (F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in an otherwise acceptable scheme being refused and against this backdrop the absence of community support does not render the scheme unacceptable in planning terms.
- 10.4 As such the principle of this development is considered to be supported by Policies LP3 and LP12 of the Fenland Local Plan 2014. This is however subject to compliance with all other relevant planning policies and material considerations.

Design considerations and visual amenity of area

- 10.7 Policies LP2, LP12 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 135 NPPF 2024 and Chapters C1, I1 and I2 of the National Design Guide 2021 seek to ensure that developments avoid adverse impacts, create high quality environments, which provide a positive contribution to local distinctiveness and are informed by the settlement pattern and local built environment.
- 10.8 School Lane is comprised of detached and semi-detached dwellings in the main (and in particular on the northern side) of linear frontage development and predominately modest form. There are a number of dwellings that are sited on, or close to, the back edge of the footpath and those that are set back from the highway some distance, such as the host dwelling and 8-10 School Lane to the east. Where dwellings are set back, boundary treatments in the vicinity comprise in the main low-level walls and hedges, though there are some higher treatments.
- 10.9 The indicative site plan submitted shows 2 detached dwellings of a similar footprint to the host dwelling which sit alongside this. The building line in the immediate vicinity is varied, with 8-10 School Lane set back a considerable distance from the road, 14-16 at the back edge of the footpath and the host dwelling No.12 between these, forming a staggered frontage and the spacious nature of the plot mitigating the impact of this. The introduction of the proposal infills the space between the host and neighbouring dwellings, eroding the current open character to its detriment. It is likely that some form of varied build line will be required for the proposed dwellings to mitigate the impact on the character of the area, given these dwellings would be in much closer proximity to those surrounding and as such the varied siting would appear more prominent.
- 10.10 A portion of the existing boundary hedge to the front is indicated as being removed along with 2 trees in the front garden which would result in the loss of some verdant character. There are a number of other trees on site which are due to be retained, however it is acknowledged that these are not protected and are

not considered worthy of a TPO by the Council's Arboricultural Officer. Given that the application is in outline form, with only access being committed, a condition could be imposed in relation to the submission of the reserved matters, to identify existing trees that are to be retained (in particular the mature trees to the rear), and how these are to be protected.

- 10.11 Notwithstanding this, a parking dominated frontage would be necessitated in order for sufficient space for parking and turning to be achieved. It is indicated that this could be softened by a landscaped buffer, however in all likelihood such opportunities would be limited due to the need to achieve a workable parking and turning arrangement, which is not currently considered to be the case and as such, the application fails to demonstrate that a parking dominated frontage of this nature could be adequately mitigated.
- 10.12 The indicative street scene puts forward a scheme which is considered unacceptable, the design and scale of the dwellings is clearly inappropriate, would not respect the existing dwellings surrounding, appear discordant and have a significant detrimental impact on the character of the area.

Highways and parking

- 10.13 Aside from the principle of development, access is the only matter being committed as part of this application; a single 5m x 5m central access point to Highways specification is proposed (the existing access point would be closed), with visibility splays of 2.4 x 35m west and 2.4 x 33m east, it is acknowledged that this is below the required standard, however has been informed by speed survey data and considered acceptable to the Local Highways Authority (LHA). It is acknowledged that comments regarding the accuracy of the speed survey have been put forward by local residents, in particular in relation to parking in the vicinity, however there are no restrictions in relation to on street parking in the area and insufficient evidence has been provided to justify invalidity of the data put forward, as such this is accepted.
- 10.14 The LHA recommend a condition is imposed securing visibility splays. A condition would also be imposed to ensure the closure of the existing access.
- 10.15 Parking and turning areas are indicated, with four shown to the front of plot 2 and two to the front of plot 1. Two of the parking spaces to the front of plot 2 would be used for vehicles associated with the remaining host dwelling. Therefore, the arrangement put forward would result in the necessity of all vehicles manoeuvring directly in front of the host dwelling to enable turning within the site, likely to the detriment of the occupant's residential amenity.

Residential Amenity/Health and wellbeing

- 10.16 The application does result in the demolition of part of the existing dwelling, albeit an attached store which is only externally accessible. The existing dwelling does feature 2 ground floor windows and 1 first floor window in the side elevations which would face onto the proposed development in some form given the need to respect the slightly staggered building line, at ground floor level these are not the only windows in the room which they serve, the precise situation at first floor is unknown. Similarly, any detailed scheme would need to take into consideration impacts from and conversely to, the existing neighbouring dwellings to ensure that an acceptable proposal is achieved in respect of residential amenity.

- 10.17 Environmental Health have no objections to the application, however request that an unsuspected contamination condition be imposed. They also request a condition regarding working times, however it is not considered necessary to impose such a condition on a development of this scale. Notwithstanding this, the granting of planning permission would not indemnify against statutory nuisance action being taken, in the event the Environmental Health department receive substantiated complaints in respect of noise.
- 10.18 As noted above, the main area of concern is the proposal to place a large shared parking area across the frontage of the dwellings, which given the increase in car movements, which in particular would be occurring directly in front of the host dwelling, would likely result in disturbance for future occupiers. In the absence of an indicative layout to demonstrate otherwise, the proposal would fail to secure high levels of amenity for future occupiers of the development contrary to Local Plan policies LP2 and LP16.

Flood Risk and Drainage

- 10.19 The application site falls within Flood Zone 1 (low risk) and has a low risk of surface water flooding, as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly, there are no issues to address in respect of Policy LP14.

Ecology

- 10.20 The previous application (F/YR23/0522/O) was accompanied by a Preliminary Ecology Appraisal (PEA) undertaken in November 2023 which provides a detailed evaluation of potential impacts on protected species,. During the course of the application further detail was requested with regards badgers and bats surveys. Details of a comprehensive survey and assessment for badgers has been submitted and while it has concluded that it is unlikely that there are badger sets on site, it has set out precautionary working methods during construction should permission be granted.
- 10.21 Whilst no further bat emergence surveys have been provided, the conclusions of the PEA are that further surveys would be disproportionate given the low likelihood of any of the structures proposed for demolition being an attractive opportunity for roosting bats. Instead, the report recommends that a bat mitigation strategy can be reasonably secured via planning condition and would inform further works at the site to ensure, as a precautionary approach, that consideration for potential bats is observed during any demolition/ construction works, albeit the likelihood of bats impacts would be low.
- 10.22 In conclusion, subject to appropriate conditions, the requirements of Local Plan policies LP16 and LP19 and the requirements of paragraph 187 of the NPPF which amongst other things, seeks to minimise impacts on sites of biodiversity would be met.

Biodiversity Net Gain (BNG)

- 10.23 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a

primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

- 10.24 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

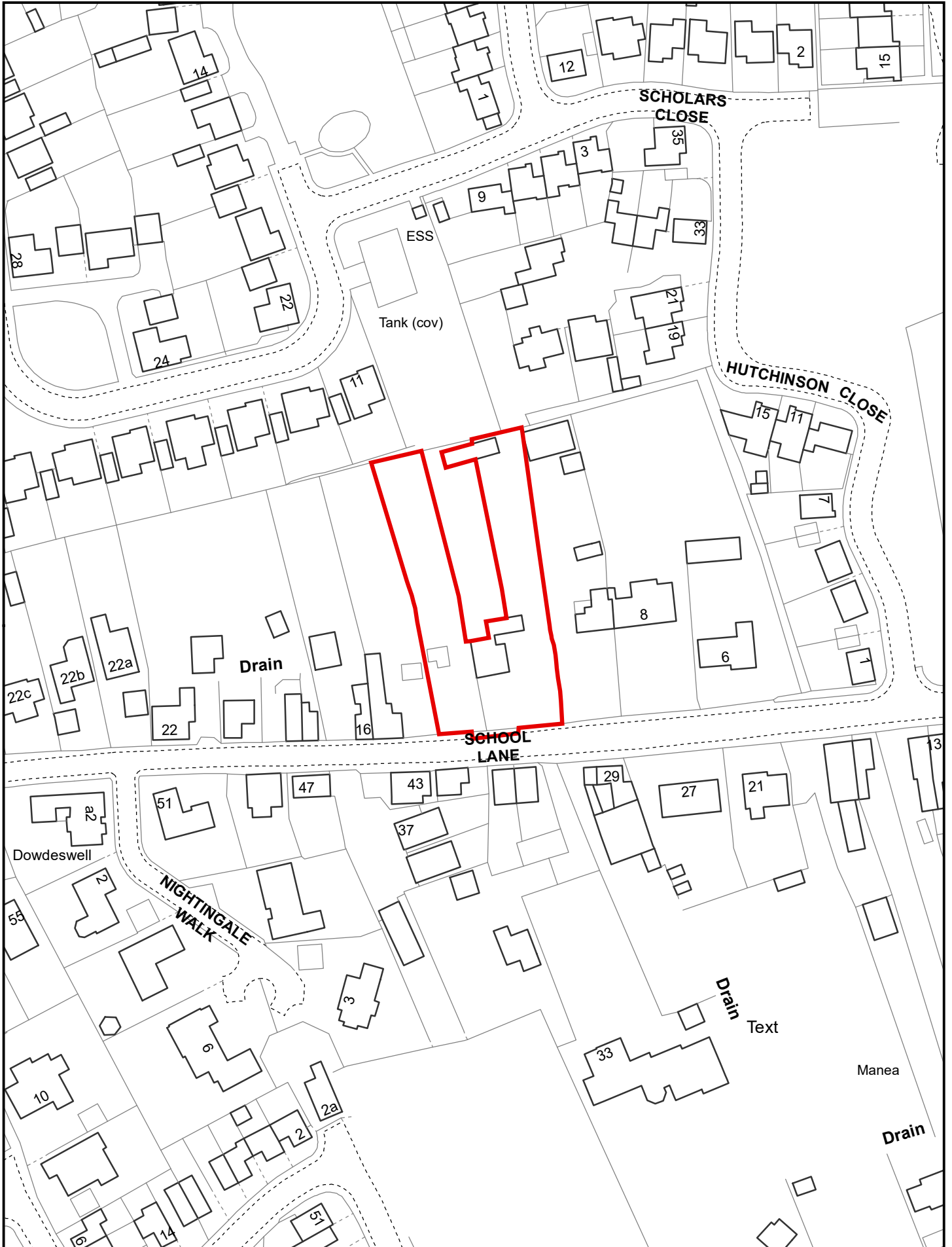
11 CONCLUSIONS

- 11.1 The previous application was refused on the basis that the application failed to demonstrate that it would not result in harm to the character of the area and residential amenity of future occupiers. Whilst this latest application has made slight amendments to the indicate design, these are deemed insufficient to satisfactorily address previous concerns.
- 11.2 Whilst the development is in outline form with matters only committed in respect of access, it is necessary to demonstrate that the site is suitable for the development proposed. Given the constraints of the site, again it is not considered that the submitted information adequately demonstrates that two additional dwellings could be accommodated without creating significant detrimental impacts in respect of the character of the area and the residential amenity of existing and proposed dwellings. There are no material considerations that are considered sufficient enough to outweigh the conflict with Local Plan.

12 RECOMMENDATION

Refuse for the following reason.

| | |
|----|--|
| 1. | <p>Policies LP2, LP12, LP15 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 135 NPPF 2024 and Chapters C1, I1, I2 and M3 of the National Design Guide 2021 seek to ensure that developments avoid adverse impacts, create high quality environments, which provide a positive contribution to local distinctiveness, are informed by the settlement pattern and local built environment and provide well designed car parking appropriate to the amount of development proposed.</p> <p>Given the constraints of the site it is not considered that the submitted information adequately demonstrates that two additional dwellings could be accommodated without creating significant detrimental impacts on the character of the area and the residential amenity of existing and proposed dwellings. As such, the development is contrary to the aforementioned policies.</p> |
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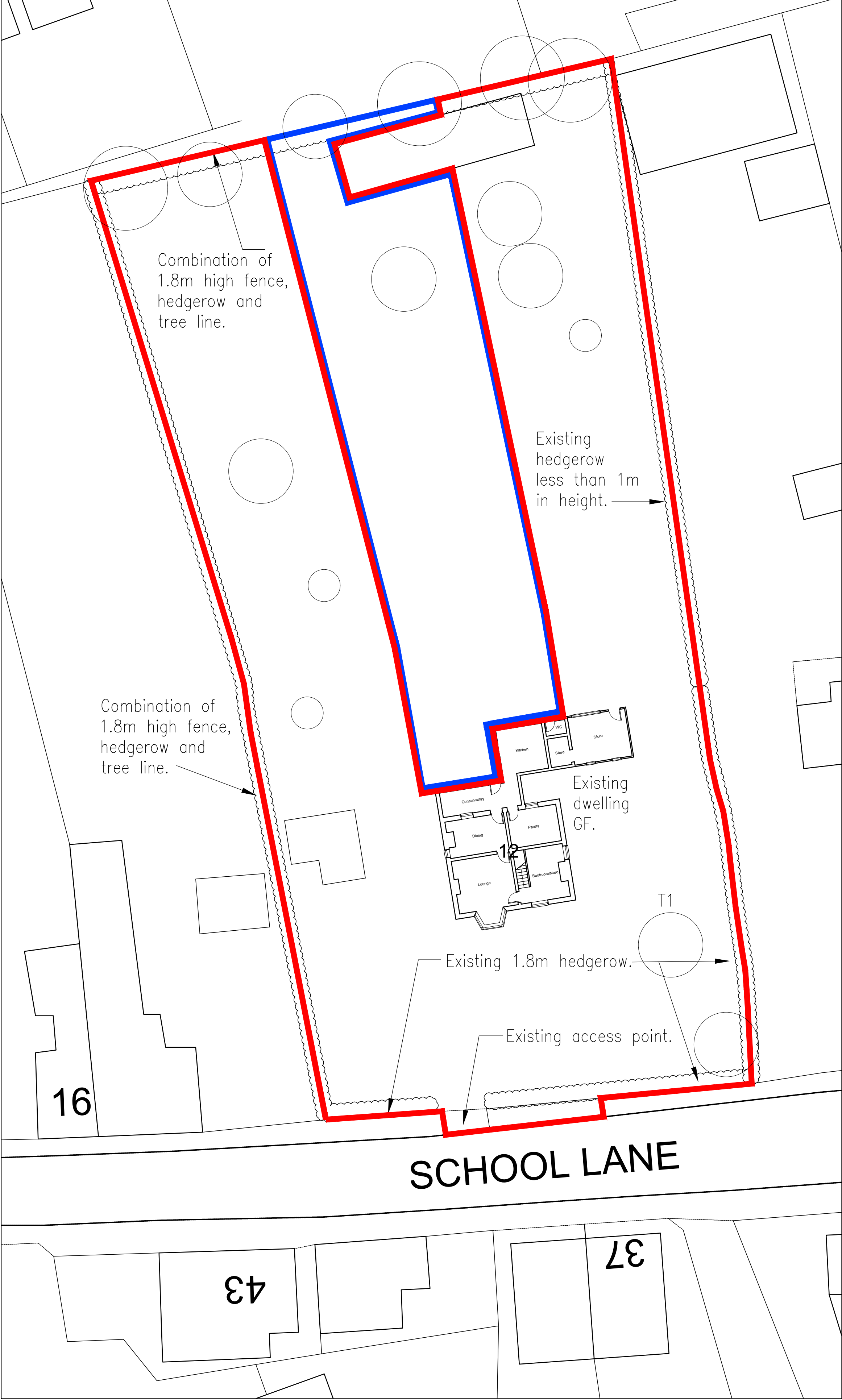
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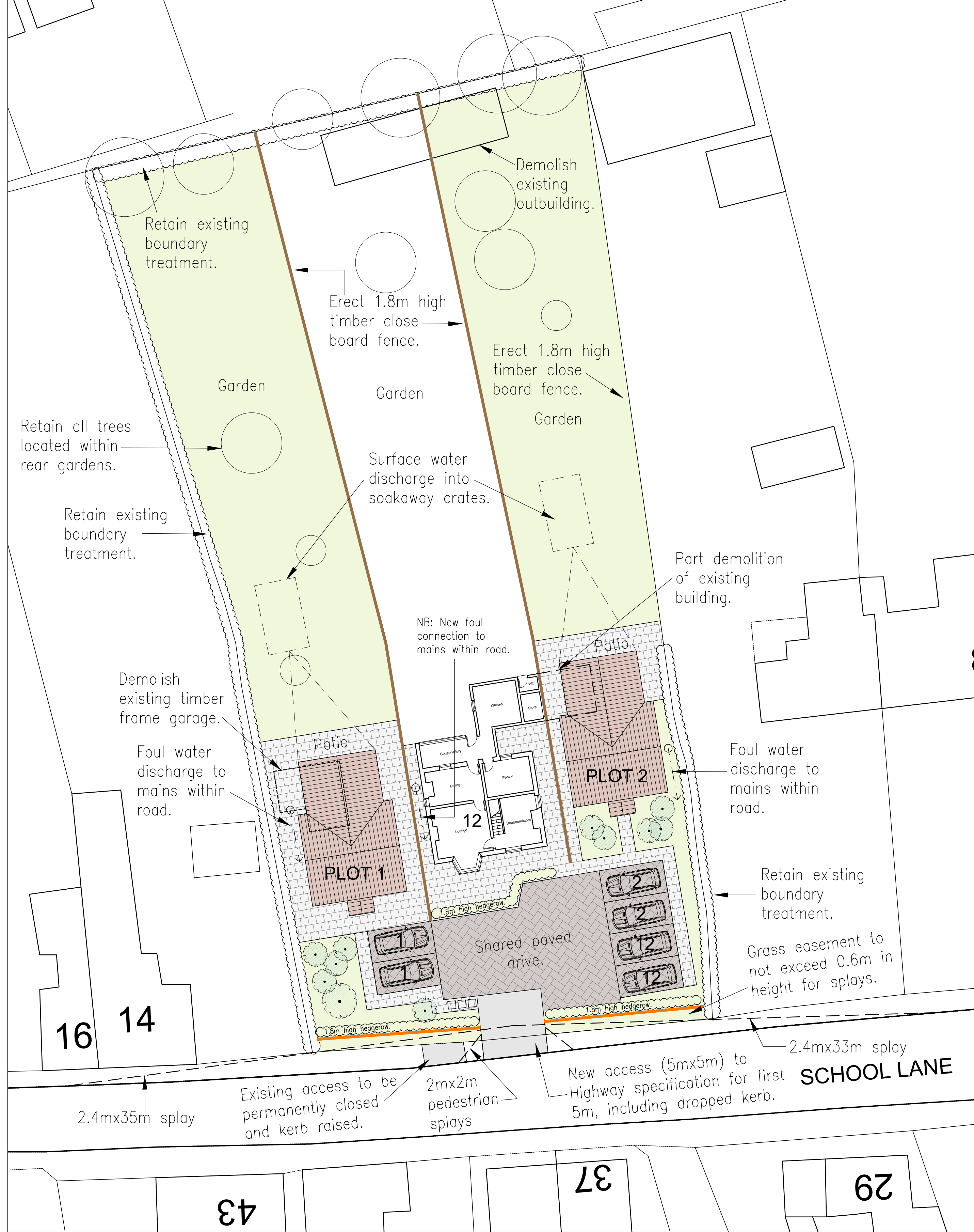
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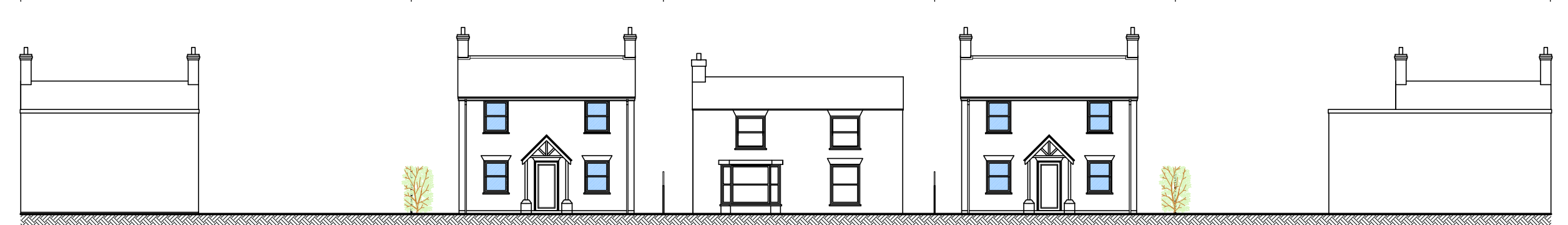
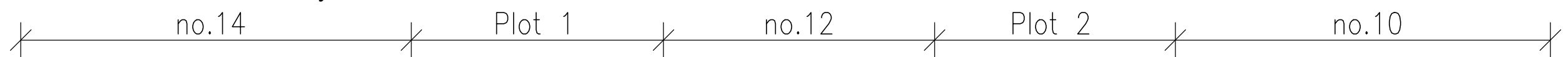




Existing Site Plan 1:200



Proposed Site Plan with indicative layout 1:200



Indicative Street Scene 1:200



Location Plan 1:1250

BOUNDARY TREATMENT KEY

- 1.8m Close Boarded Fencing
- 1.2m Post and Rail Fencing

TREE SCHEDULE

| No. | Tree Species | Action |
|-----|--------------|--------|
| T1 | Polar | Remove |

A- REVISIONS



PETER HUMPHREY ASSOCIATES
 ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.
 TELEPHONE: 01945 466966
 E-MAIL: info@peterhumphrey.co.uk
 WEB: www.peterhumphrey.co.uk

CLIENT
 MR & MRS JERROM

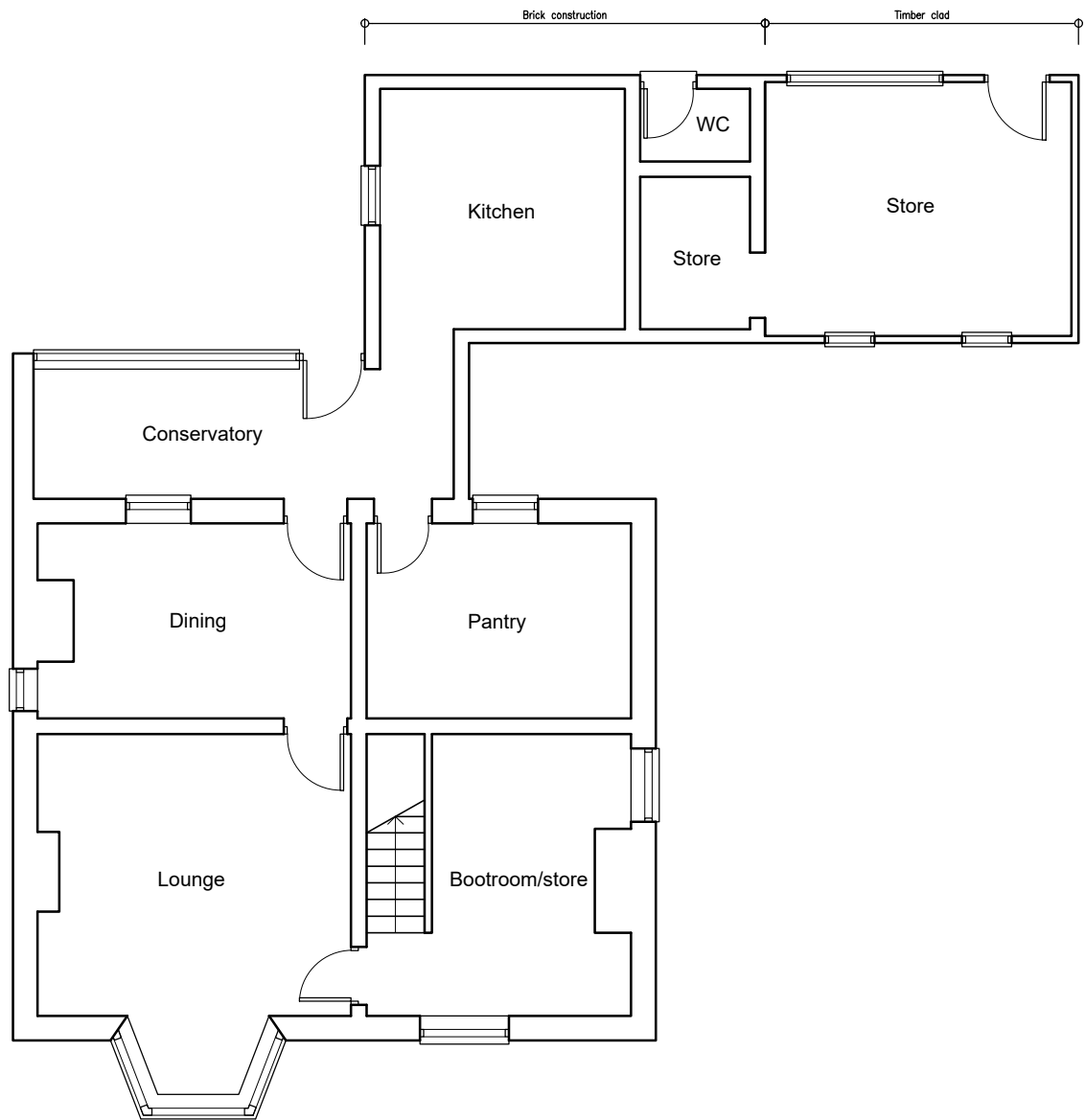
PROJECT
 ERECTION OF 2NO DWELLINGHOUSES

SITE
 12 SCHOOL LANE
 MANEA
 CAMBS.
 PE15 0JN

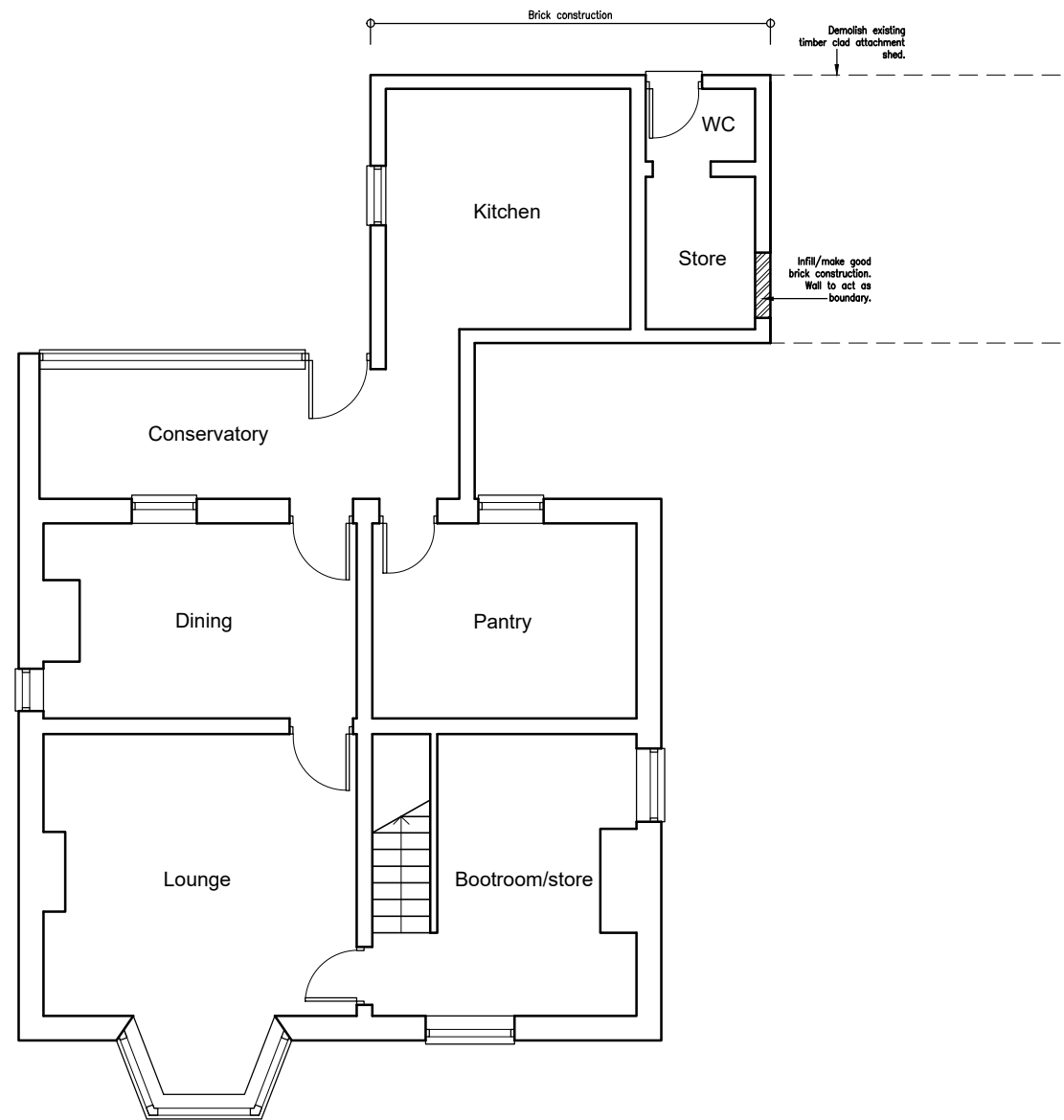
DRAWING
 Existing & Proposed Drawings

| JOB NO. | PAPER SIZE | DATE |
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| 6499/PL01G | A1 | MAR 2024 |

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Existing Ground Floor Plan 1:100



Indicative Ground Floor Plan 1:100

A -
REVISIONS



PETER HUMPHREY ASSOCIATES

ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.

TELEPHONE: 01945 466966
E-MAIL: info@peterhumphrey.co.uk
WEB: www.peterhumphrey.co.uk

CLIENT

MR & MRS JERROM

PROJECT

ERECTION OF 2NO DWELLINGHOUSES

SITE

12 SCHOOL LANE
MANEA
CAMBS.
PE15 0JN

DRAWING

Existing & Indicative Drawings

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