

**PLANNING AND LICENSING COMMITTEE**

**12<sup>th</sup> October 2016**

**ADDITIONAL PAGES**

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**ADDITIONAL PAGES - CIRCULATED TO MEMBERS BY POST**

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE  
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Additional Representations on Schedule Items

Pages 1 - 22

PLANNING AND LICENSING COMMITTEE

12<sup>th</sup> October 2016

ADDITIONAL PAGES ON SCHEDULE ITEMS

Item	Ref. No	Content
04	16/02049/REM CD.9438/B	<p><b>Schedule of Conditions attached to the Appeal Decision for outline planning permission – Please see attached.</b></p> <p><b>Examples of House Types – Please see attached.</b></p> <p><b>Plan to show location of affordable dwelling – Please see attached.</b></p> <p><b>Plan to show materials layout – Please see attached.</b></p> <p><b>Email from agent regarding safeguarding -</b> "The outline application was determined at Appeal contrary to Planning Committee decision. I am aware of a number of concerns that have been raised by local residents, the parish council and Mickleton Primary School - some of which have not been addressed to their satisfaction - specifically in relation to Safeguarding issues. I think it is important these parties have an opportunity to present those concerns and see them properly aired in a public."</p> <p>I know we have discussed this in some detail before, but I thought given the referral reason it is necessary to clarify the matter. As such, I have today spoken with both OFSTED and DfE to obtain clarification of their position in terms of any 'Safeguarding' policies and the development of residential properties next to Primary Schools. Both of which have advise that they do not have any policies in place stating that residential developments should not be constructed adjacent or nearby to Primary Schools. In fact, DfE stated that there are many examples of Schools bordered by residential properties across the Country. OFSTED commented on the fact that they only inspect Schools on the basis of their premises and grounds and not the surrounding area. With regards to particular references to 'Safeguarding Children', both OFSTED and DfE have Guidance in place which relates to 'protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes'. This I am advised is in relation to the pupils School and Home Environment.</p> <p>I do not see therefore how residential development next to the</p>

		<p>Primary School will have any impact, and particularly in reference to 'Safeguarding'. Furthermore, I can advise that as a Region we have recently constructed Primary Schools adjacent to residential development (as demonstrated on the attached plans). One of which is in Staffordshire. I discussed this particular issue with Staffordshire Education Colleagues, and they had never heard of any such issues before and also confirmed that there are no policies in place relating to this.</p> <p>To add, it should be remembered that the site has the benefit of an outline planning permission, which is supported by an 'approved' Masterplan for the above site which clearly showed proposed residential development adjacent to the School. A matter which was not raised or discussed by the Planning Inspectorate in determining the application".</p>
05	16/01657/FUL CD.9360/A	<b>Third Party Representation</b> – Please see attached.
07	16/01562/OUT CD.1019/S	<p><b>14 further letters of objection received. Main grounds of objection are -</b></p> <ul style="list-style-type: none"> <li>i) I really don't feel that it is necessary to have any more housing in the area considering the massive recent and ongoing development in Upper Rissington where houses are already not being sold.'</li> <li>ii) It represents an inappropriate addition to a settlement of only 35 existing dwellings and likely to overwhelm existing utility and social services.</li> <li>iii) Main water supply and sewage disposal and access over both the shared property driveway and the local single track roadways will all be compromised. The proposed sewage pumping station allows for the potential of local noise and odour nuisance.</li> <li>iv) The developer makes much of a mailshot survey that took place in the villages of Westcote and Idbury. The inclusion of Idbury is very strange as it is a mile away, in a different county and has no historical, commercial or visual connection with the proposed site in Wescote.</li> <li>v) The same developer recently proposed to build 3 houses on the site which was withdrawn when the developer was made aware of the problems connected to the site and its surroundings. Therefore the current proposal to build 10 houses on the same piece of land is astounding. It can reasonably be assumed that 10 homes would equate to 30 inhabitants and possibly the same number of cars. Given the current public transport situation (2 buses a week), everyone would require a vehicle for shopping, work, healthcare etc as none of these are available from within the village.</li> <li>vi) Adverse impact on existing sewage infrastructure.</li> <li>vii) Housing needs are locally well catered for in the Cotswold Housing Strategy. 2 miles away at Upper</li> </ul>

		<p>Rissington there are currently 392 houses under construction. These include 118 affordable units.</p> <p>viii) The proposed estate would be totally out of character with the existing typical Cotswold village.</p> <p>ix) Nether Westcote is a small village of 35 dwellings. To add another 10 dwellings to it would be totally inappropriate and unsustainable.</p> <p>x) We do not have the infrastructure to support such a large scale expansion and it would be completely out of keeping with the character of the village.</p> <p>xi) The development would extend the village boundary beyond the dwellings on the other side of the road.</p> <p>xii) The proposed site rises considerably from the road and would overlook other dwellings. The screening is a hedge which could easily be removed by future residents thereby opening up the development to general view. The style and layout of the proposed development is completely out of keeping with its surroundings. The proposed development will not be in keeping with the rest of the already established homes built in the village, the elevated position of these properties will overlook bungalows on the opposite side of the road, these bungalows face a very established tall hedge which I fear will either be greatly reduced in height or removed altogether.</p> <p>xiii) A conservative estimate of 18 vehicles would be using the access as well as two large equestrian businesses. The amount of traffic on this narrow lane is already a problem.</p> <p>xiv) The site proposed for development has an animal feedstuffs shop still in use, a manege, still in use and the buildings are in a good state of repair.</p> <p>xv) If permission for this development is given it will set a precedent for further houses to be built as in fill within the village. This would completely change the village and the area and would be totally unsupportable by the current infrastructure and roads.</p> <p>xvi) This is a small village with a quiet village road, dog walkers, children on bikes and horse riders. 10 extra houses is going to create a lot more traffic on the road and completely change the dynamic of the village.</p> <p>xvii) Nether Wescote does have thriving equestrian centres which brings employment into the area, the narrow access to these businesses is very restricted, The access road is in constant use from early morning to quite late in the afternoon/ early evening, by Delivery lorries, horse boxes of all types, pedestrians not to mention horse and riders entering and leaving . To increase the volume of traffic seems to be an accident waiting to happen.</p> <p>xviii) The proposed development is taking away valuable agricultural land which is fast diminishing in our</p>
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		<p>countryside.as planners show little respect to the beauty of small villages and more to the profit that can be made from such unwanted developments. It seems the more affordable homes they put on offer, the more likely they are to get planning.</p> <p>xix) I am in full agreement with a comment voiced by one of the affected owners of a local business, that should the development be given the green light, that should the proposed homes be built, the occupants will start to show concerns as to the use of the access road been used by livestock, horseboxes etc, not to mention the obvious noise and smell that naturally comes from equestrian centres. We do need these businesses to stay and thrive, as they are at present.</p> <p>xx) The cul de sac layout of the dwellings is out of character with the village.</p> <p>xxi) In view of the fact that the Government's 5 year housing need has already been met, I cannot see the value of this proposed development in such an inappropriate location.</p> <p>xxii) The valuable agricultural land/equestrian centre should remain as it stands, bringing much needed employment to the area.</p> <p>xxiii) If the proposed dwellings were to be built the occupants will be more likely to object to the day to day running of the adjacent equestrian business. This has been the case in past developments within close proximity close vicinity of farming/animal businesses.</p> <p>xxiv) Site is occupied by an equestrian business and shop which offers some employment to the local area. The village needs jobs for local people. There are also two other well established equine businesses next door which all use the same access drive with horse boxes, large lorries and other vehicles . To add a further 20 cars to this will be a major safety issue.</p> <p>xxv) To place a pumping station in the middle of a residential area will cause smell, noise, alarms going off if the electric goes off. Should there be a power cut how long will it be before it starts to flood?</p> <p>xxvi) This is a hill village and the increase would spoil the Cotswold village and it would look like a barrack block and it is not suited for an Area of Outstanding Natural Beauty.</p>
08	16/01209/FUL CT.2609/1/A	<p><b>Officer's recommendation is for delegated authority to permit the application subject to the Environment Agency withdrawing their objection.</b></p> <p><b>The Council's Ecologist has reviewed further information provided by the applicant and is now satisfied that the</b></p>

		<p><b>proposals would not cause harm to the ecology of the site, subject to the appropriate planning condition(s).</b></p> <p><b>The applicant has submitted an addendum to the Flood Risk Assessment originally submitted in this matter. That addendum was provided to the Environment Agency on 29 September 2016. At the time of preparing this update the Council has not received a response from the Environment Agency to that further information. Should their objection be withdrawn in light of the contents of the addendum, officers recommend approval of the application subject to any appropriate planning conditions that may be suggested.</b></p>
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## Schedule of Conditions

### Details

- 1) Details of reserved matters set out below ('The Reserved Matters') shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
  - i. layout,
  - ii. scale,
  - iii. appearance, and
  - iv. landscaping.The development shall be carried out in accordance with the approved 'Reserved Matters'. Approval of all 'Reserved Matters' shall be obtained from the Local Planning Authority in writing before any development commences.
- 2) The development shall begin no later than 2 years from the date of approval of the last of the reserved matters to be approved
- 3) The development hereby permitted shall be carried out along the lines shown on the 'development framework plan' 5932-L-01/K and shall be limited to no more than 90 dwellings.

### Affordable housing

- 4) Prior to commencement of development, a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework, or any future guidance that replaces it. The scheme shall include:
  - i. the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 50% of the total number of dwellings permitted;
  - ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
  - iii. the arrangements for the transfer of the affordable housing to an affordable housing provider, or alternative arrangements for the future management of the affordable housing;
  - iv. arrangements to ensure that the affordable housing is affordable not only for the first occupiers but also for subsequent occupiers; and
  - v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing, and the means by which such occupancy criteria will be enforced.

### Drainage

- 5) No development shall take place until a scheme for the provision and future management and maintenance of the surface water drainage from the site, incorporating 'sustainable drainage principles', together with a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first occupied and shall be retained at all times thereafter.
- 6) The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by Hydrock Ref R/C13684 dated 22 May 2014 and the following mitigation measures detailed with the FRA:

Limiting the surface water run-off from the development to the equivalent existing green-field run-off rates so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site,  
The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing and phasing arrangements embodied within the scheme, or within any other period as may be subsequently agreed in writing by the Local Planning Authority.

### Ecology

- 7) No development works shall take place on site until a Badger Mitigation Strategy and a 10 year Landscape and Ecological Management Plan (to include pond restoration) and based on the recommendations in the Ecological Appraisal (December 2014), the Bat Survey report (January 2015) and the Great Created Newt Survey report (August 2014) by fpcr (and illustrated on drawing no. 5932-L-03 rev B) has been submitted to and approved in writing by the Local Planning Authority. All the works must be carried out in accordance with the details in the approved plans and strategies, and thereafter permanently maintained.

### Tree protection

- 8) Prior to the commencement of development, a tree protection plan and arboricultural method statement that accords with BS5837:2012 shall be submitted for approval to the Local Planning Authority. Once the tree protection plan and method statement have been agreed in writing by the Local Planning Authority, all the details shall be implemented in full and in accordance with any timescales laid out in the tree protection plan and method statement.

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*Roads and surfaces*

- 9) No dwelling, hereby approved, shall be occupied until the access arrangements shown on the Proposed Access Drawing C13684-002 Rev B have been completed and open to the public.

*Construction method statement*

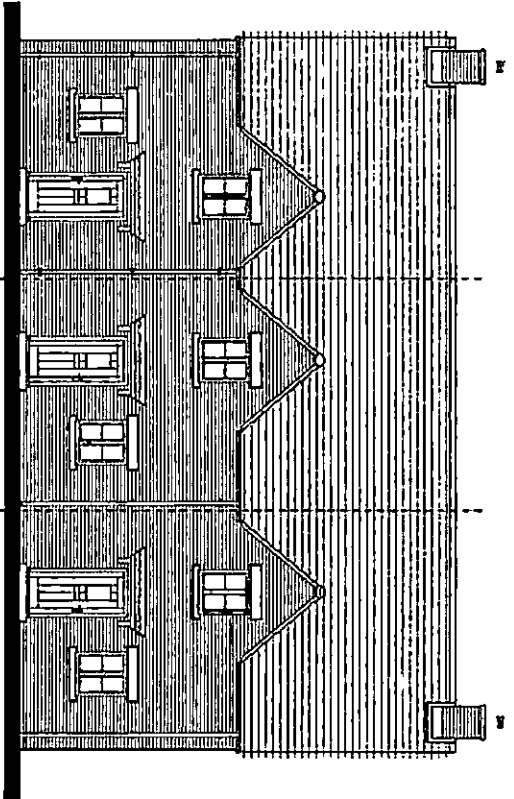
- 10) Construction works pursuant to this permission shall not take place other than between the hours 08.00hrs and 18.00hrs Monday to Fridays and between 08.00hrs and 13.00hrs on Saturdays. No works shall take place on Sundays or on Bank or Public Holidays.
- 11) No development shall commence until a Construction, Transport & Management Plan, has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include details of:
- i. Parking for vehicles of site personnel, operatives and visitors;
  - ii. Loading and unloading of plant and materials;
  - iii. Storage of plant and materials used in constructing the development;
  - iv. Provision of boundary hoarding behind any visibility zones;
  - v. Wheel washing facilities
  - vi. Measures to control the emission of dust and dirt during construction;
  - vii. On-site turning facilities for construction vehicles; and
  - viii. A scheme for recycling or disposing of waste resulting from the construction works.

*Contamination*

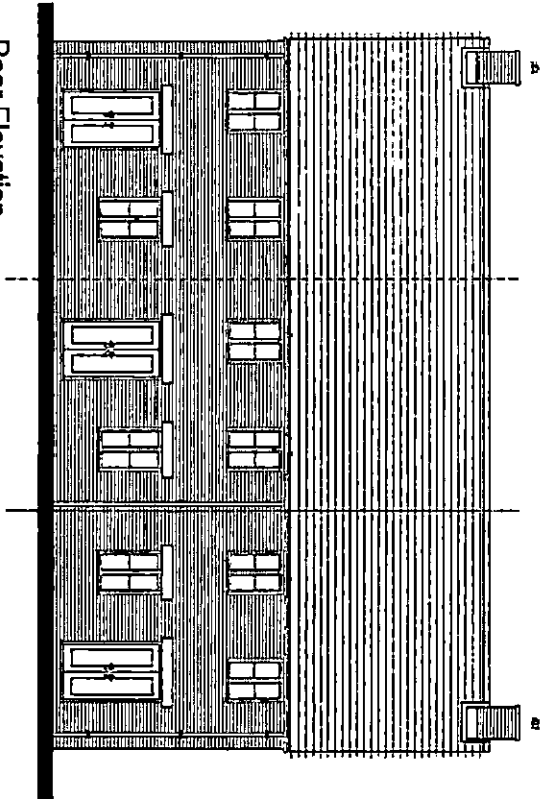
- 12) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority before any development begins.
- 13) If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development begins. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance or works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.
- 14) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.



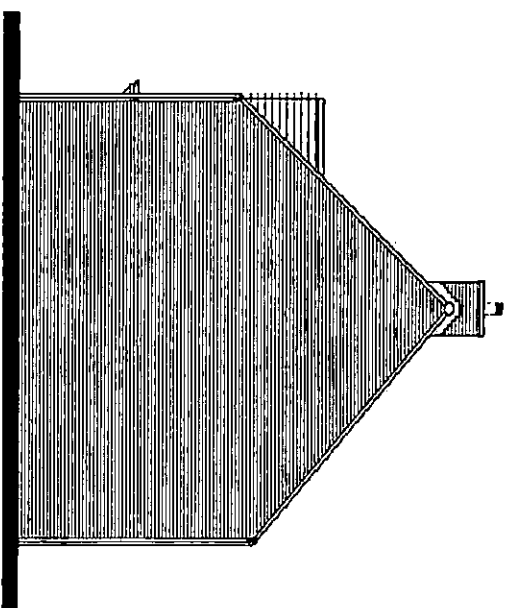
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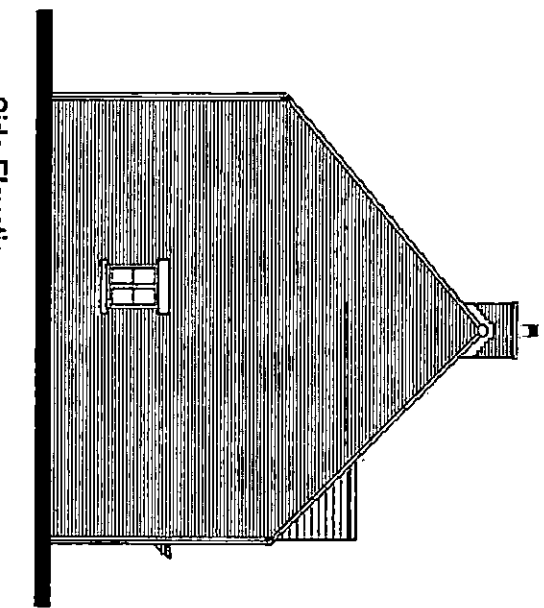
Rear Elevation



Side Elevation



Side Elevation



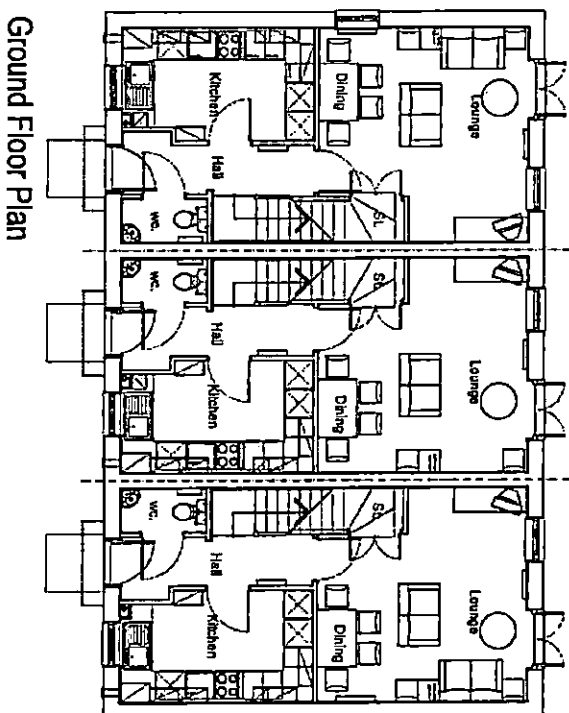
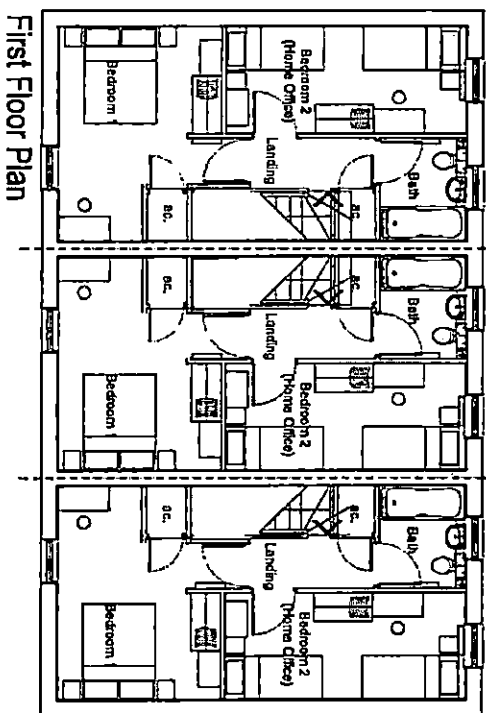
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Broad Marston Road, Mickleton - 2Bed Cottages

miller homes

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Item 04 16/02049/REM CD.9438/B



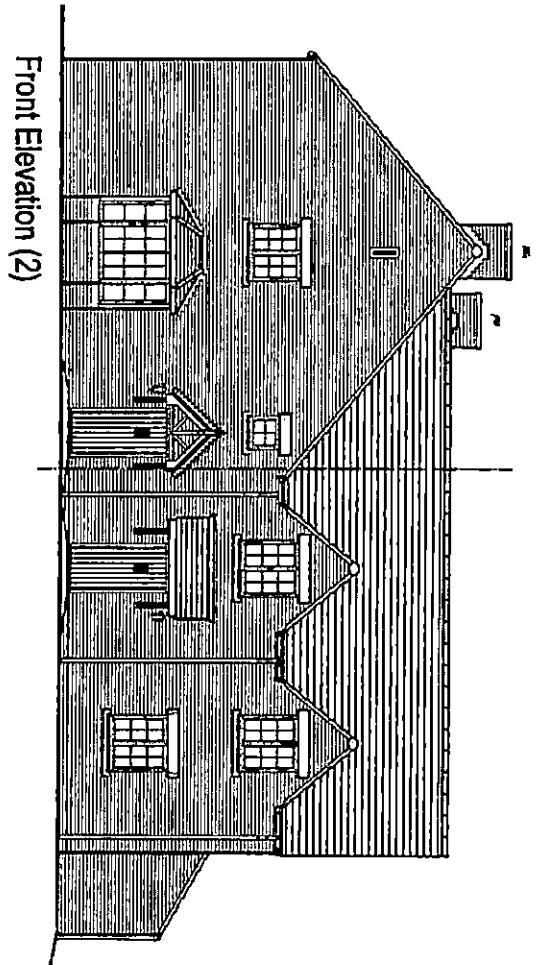
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Broad Marston Road, Mickleton - 2Bed Cottages

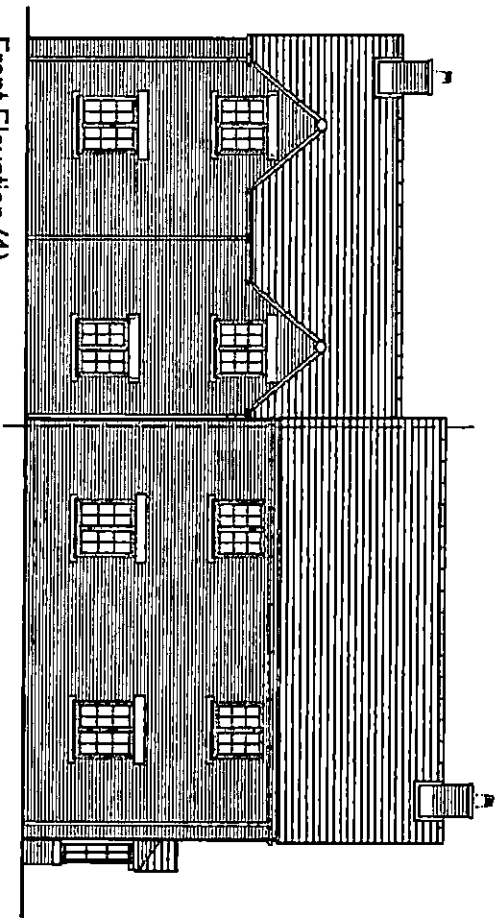
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miller homes

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Front Elevation (2)



Front Elevation (1)

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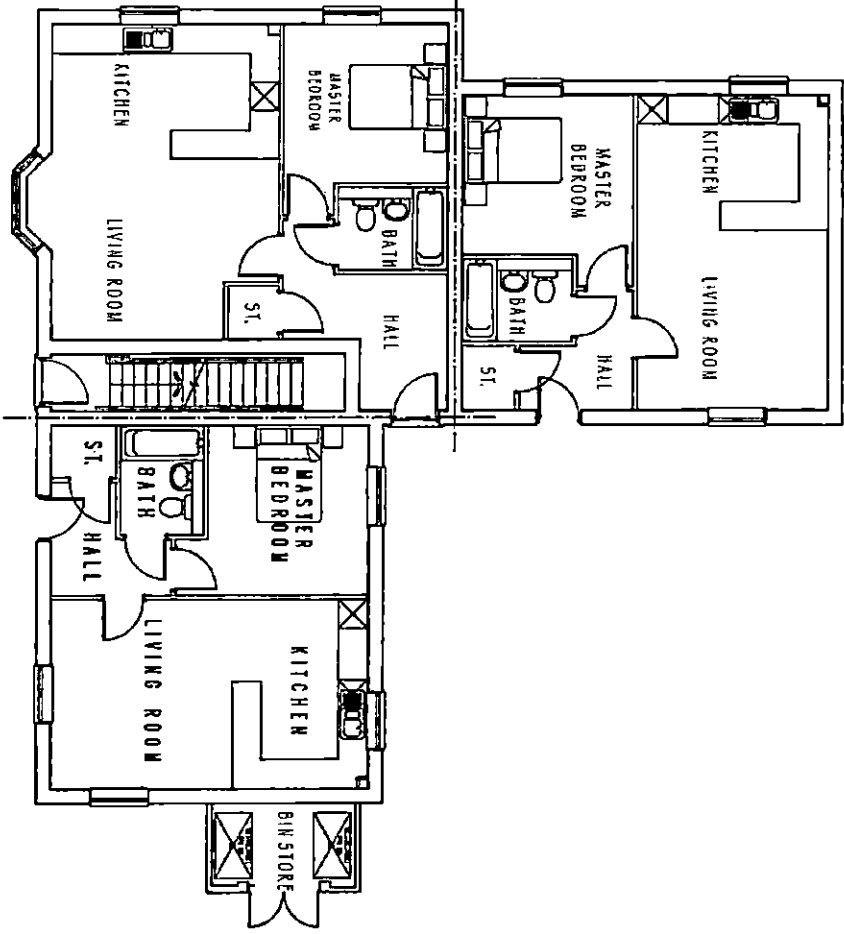
Mickleton Apartment Elevations Plots 19-24

Item of 16/0204912EM CD.94391B.

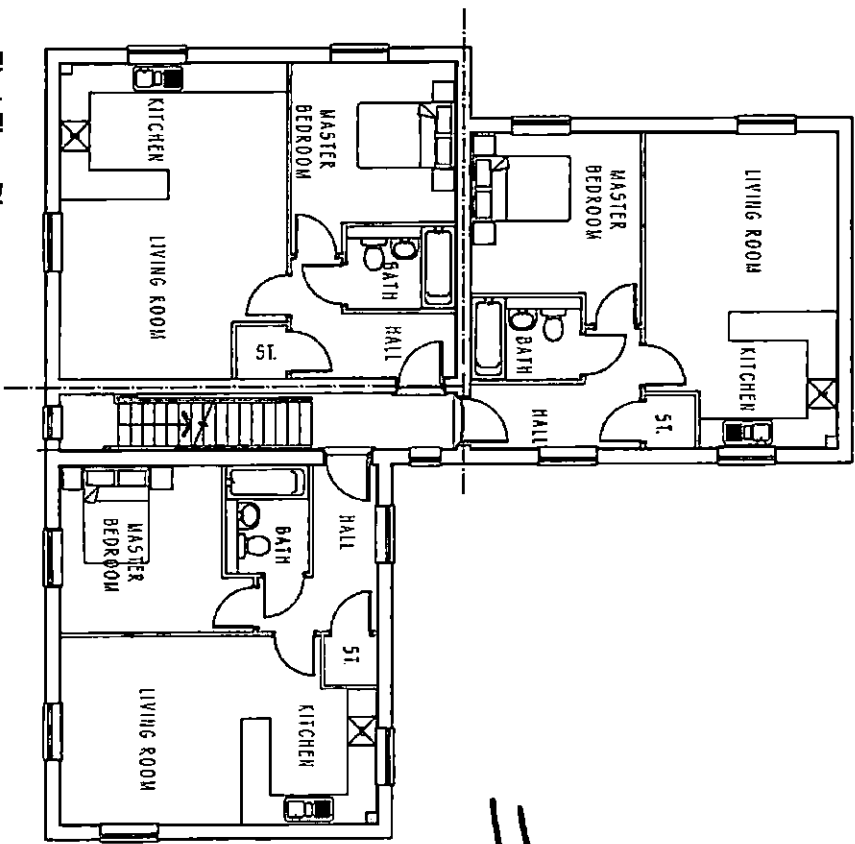
**miller homes**

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Ground Floor Plan



First Floor Plan



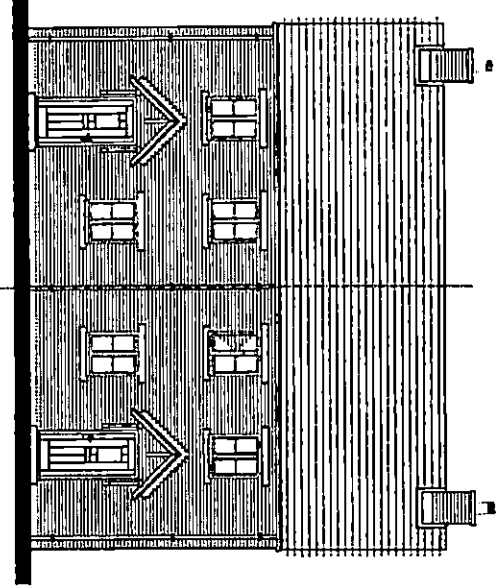
**miller homes**

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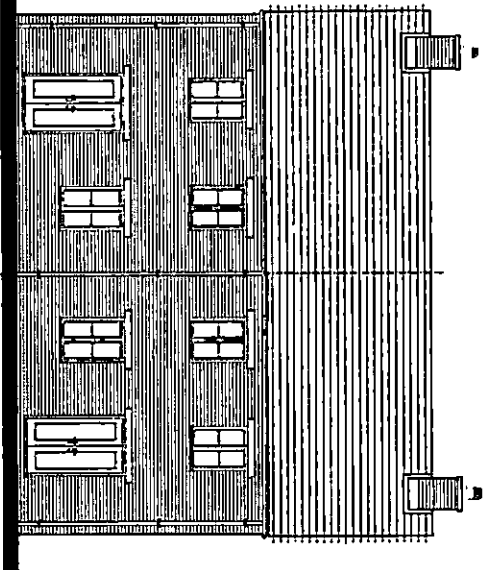
Mickleton Apartment Plans Plots 19-24

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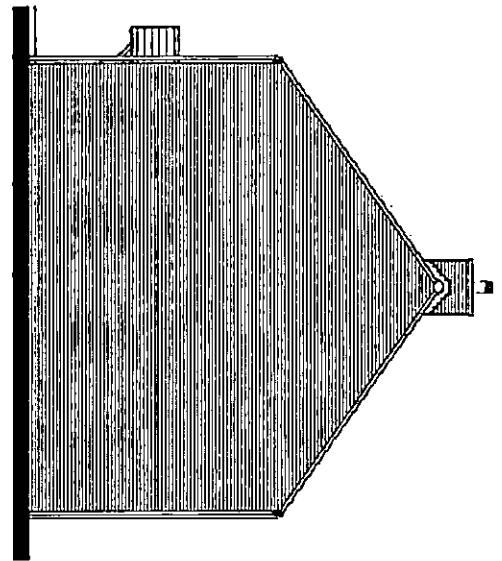
Front Elevation



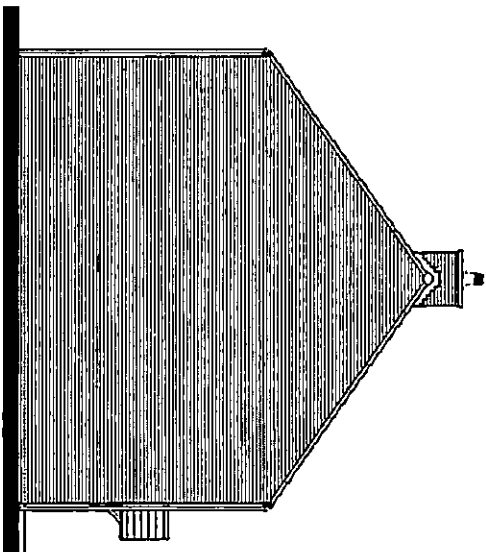
Rear Elevation



Side Elevation



Side Elevation



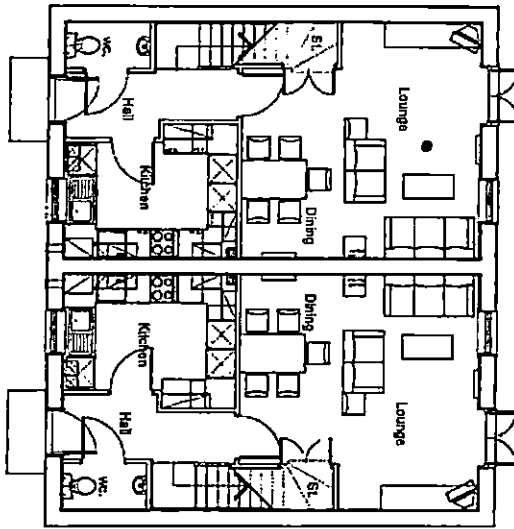
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Broad Marston Road, Mickleton - Plots 51-52

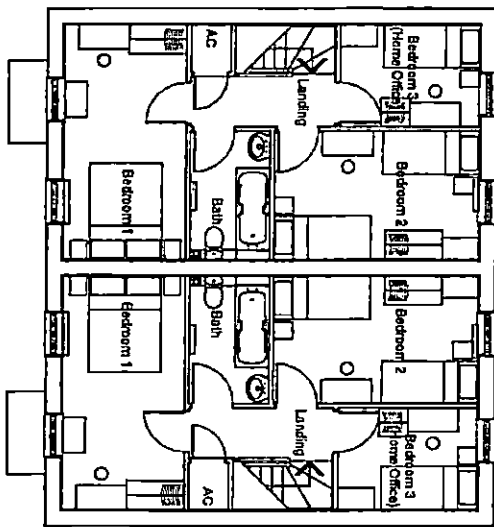
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miller homes

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Ground Floor Plan



First Floor Plan

13

**miller homes**

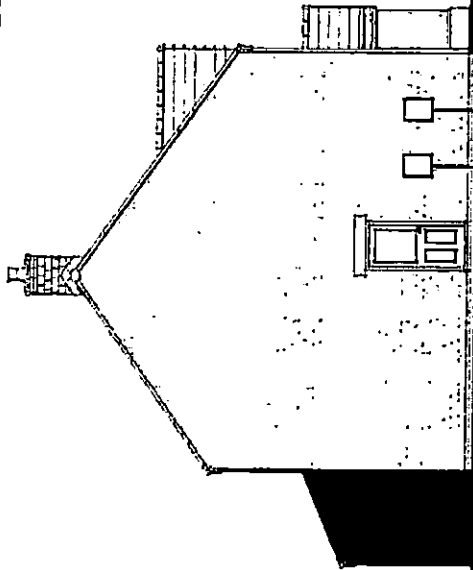
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Broad Marston Road, Mickleton - Plots 51-52

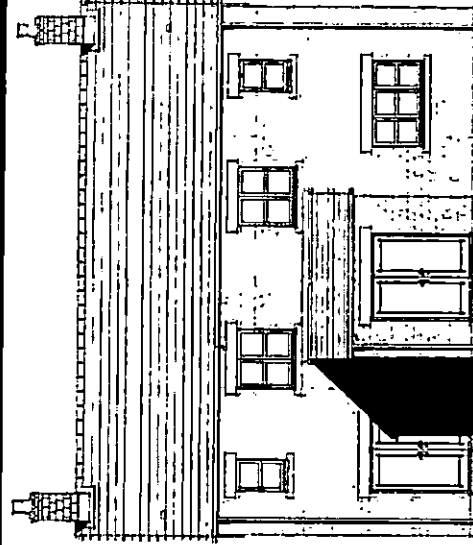
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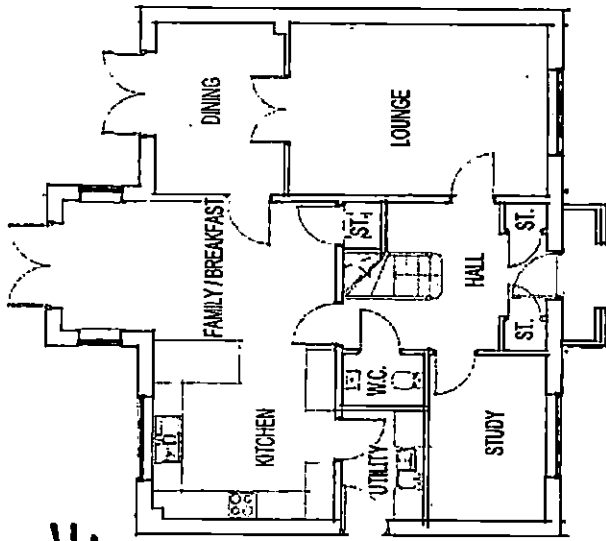
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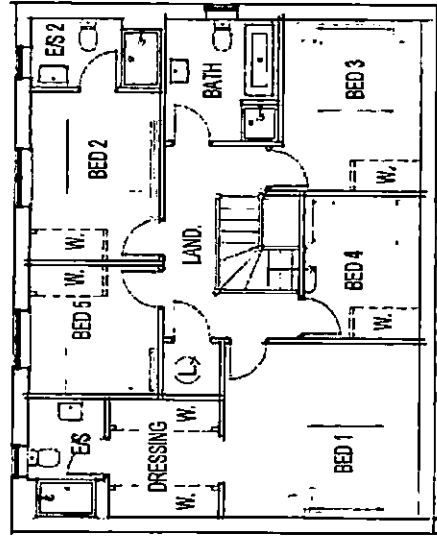
L.H. SIDE ELEVATION.



REAR ELEVATION

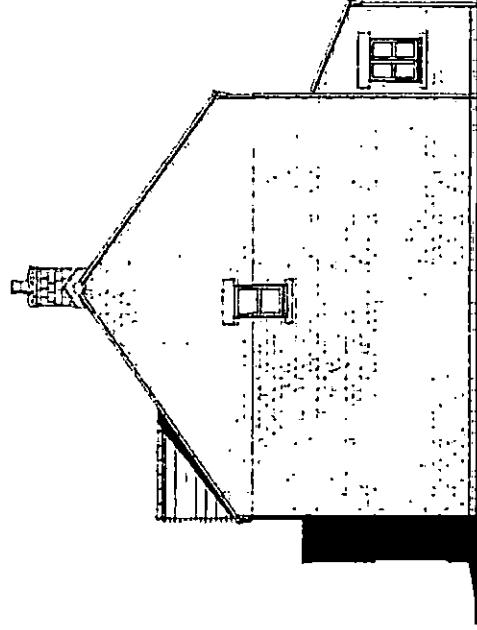


GROUND FLOOR PLAN.



FIRST FLOOR PLAN.

14



R.H. SIDE ELEVATION.

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Drawing No: 518801-S-MICK

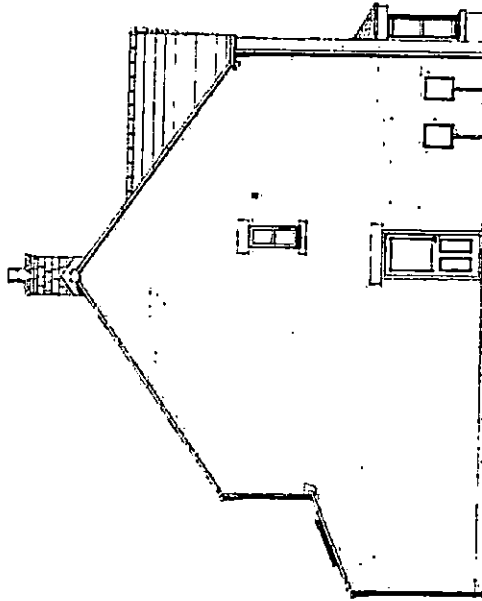
Rev.	Rev. note
B	CHIMNEYS ADDED TO SUIT PLANNER COMMENTS.

Scale @ 1:100 miller homes

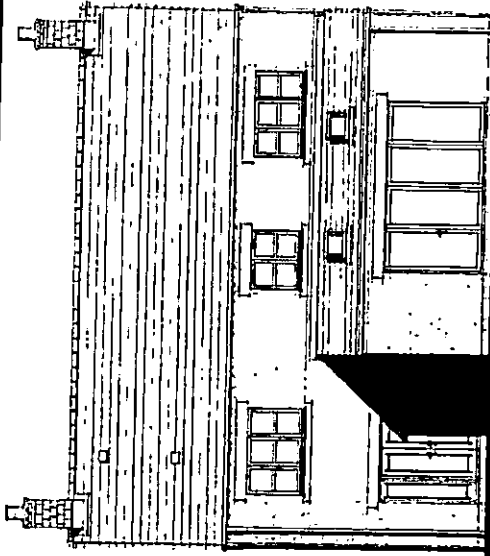
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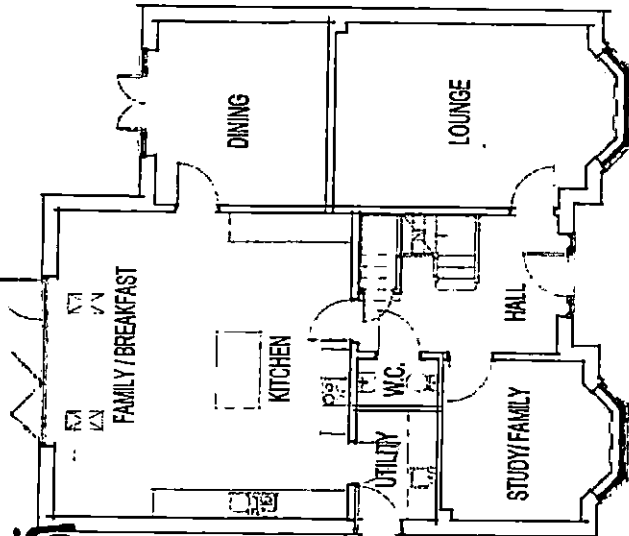
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L.H. SIDE ELEVATION.



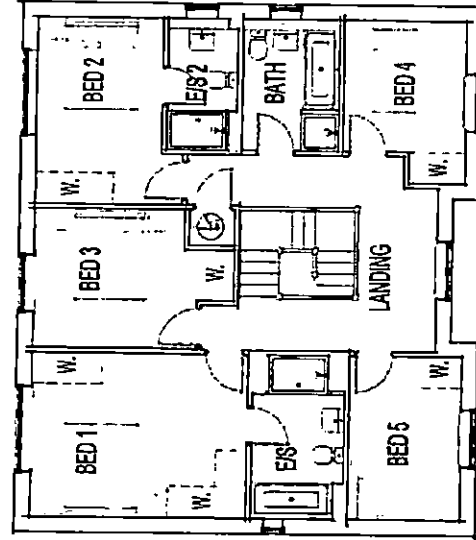
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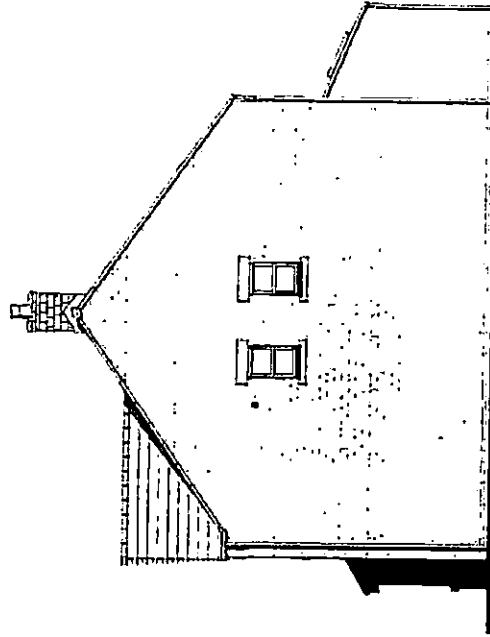
GROUND FLOOR PLAN.

Site Name: BROAD MARSTON ROAD, MICKLETON

Drawing No: 520801-S-MIC



FIRST FLOOR PLAN.

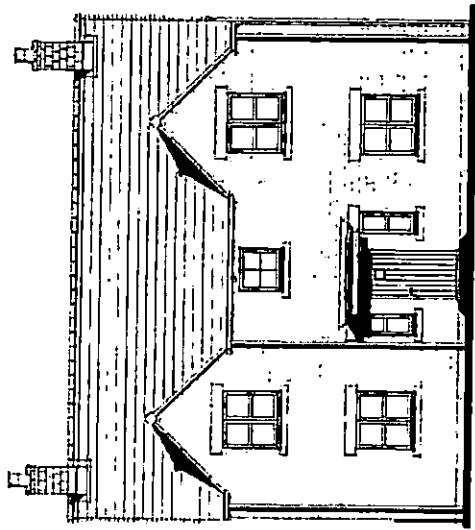


R.H. SIDE ELEVATION.

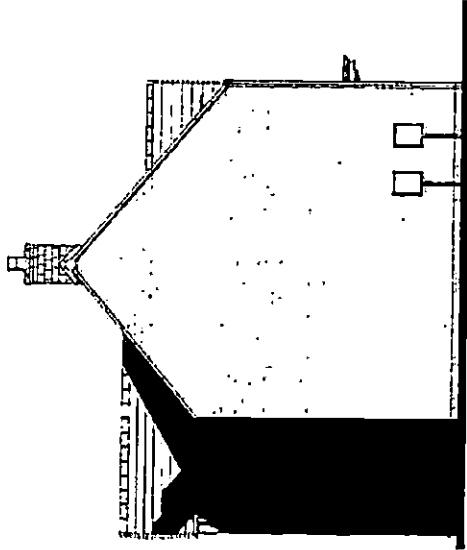
Rev.	Rev. note
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Item 04 16/0204912EM CD94381B

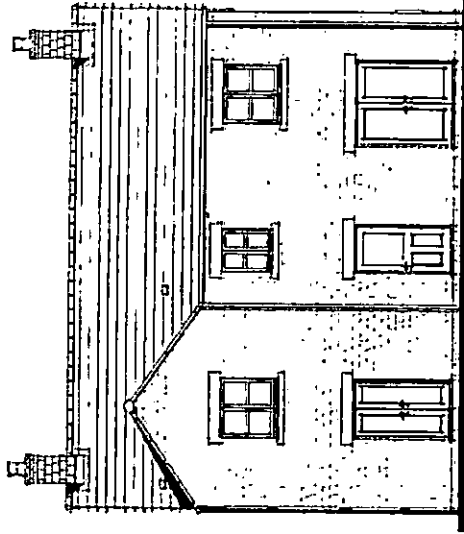




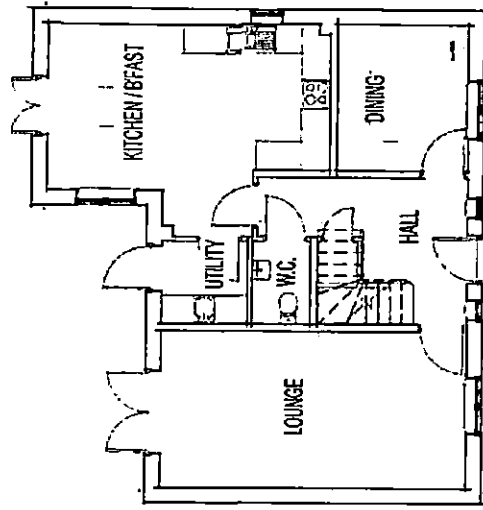
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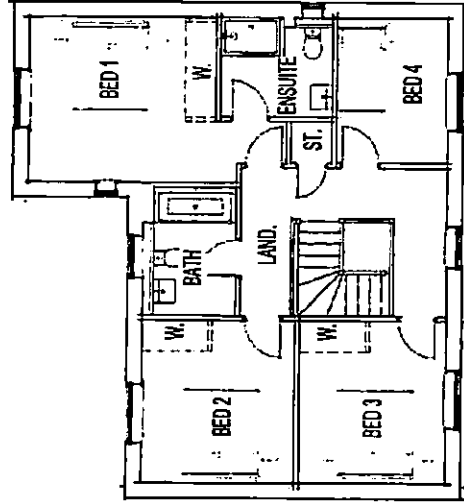
L.H. SIDE ELEVATION.



REAR ELEVATION.



GROUND FLOOR PLAN



FIRST FLOOR PLAN.

Site Name: BROAD MARSTON ROAD, MICKLETON

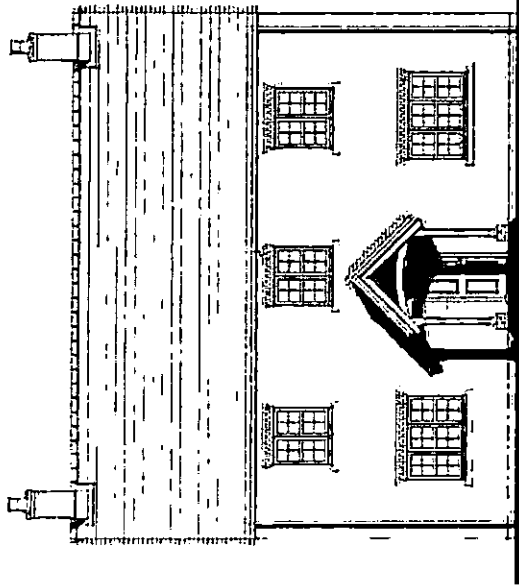
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Rev.	Rev. note
C	CHIMNEY ADDED TO SUIT PLANNER COMMENTS.

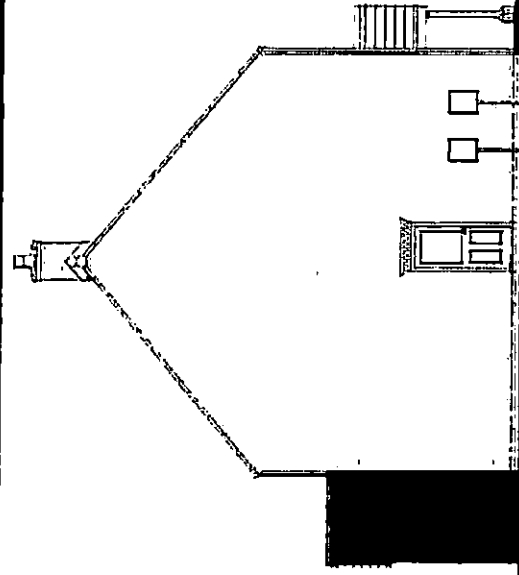
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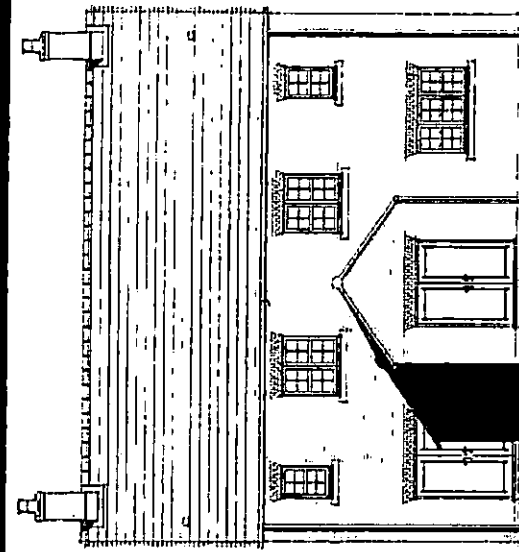
Item of 16/204/16m CD.94381B.



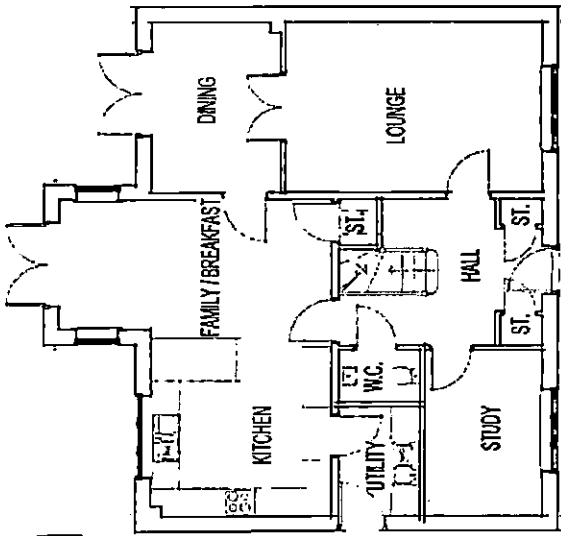
FRONT ELEVATION.



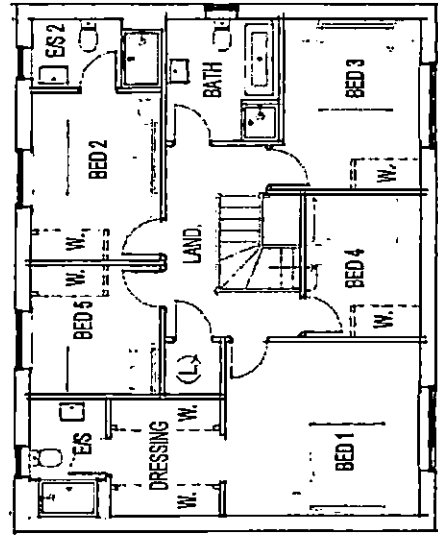
L.H. SIDE ELEVATION.



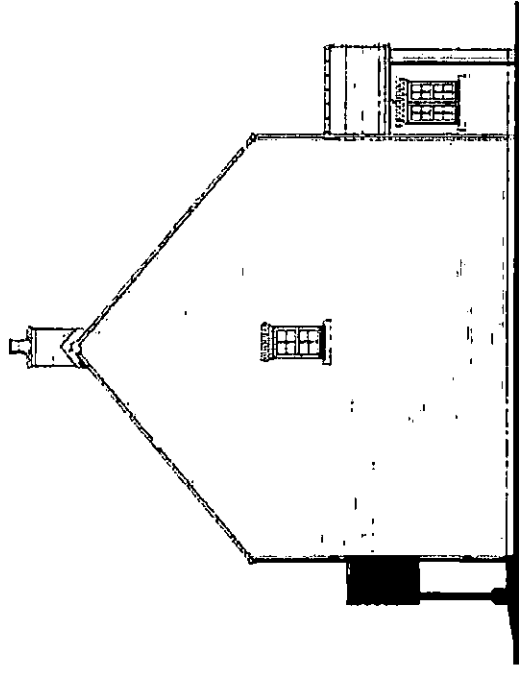
REAR ELEVATION



GROUND FLOOR PLAN.



FIRST FLOOR PLAN.



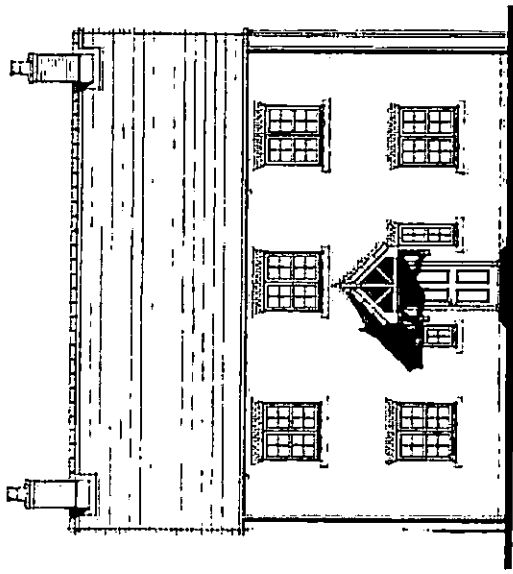
R.H. SIDE ELEVATION.

Rev.	Rev. note
B	CHIMNEYS ADDED TO SUIT PLANNER COMMENTS

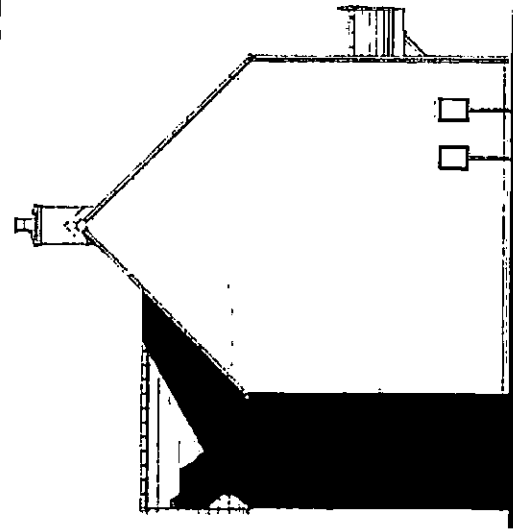
Scale @ 1:100 **miller** homes

Site Name: **BROAD MARSTON ROAD, MICKLETON**  
 Drawing No: **518801-MICK**

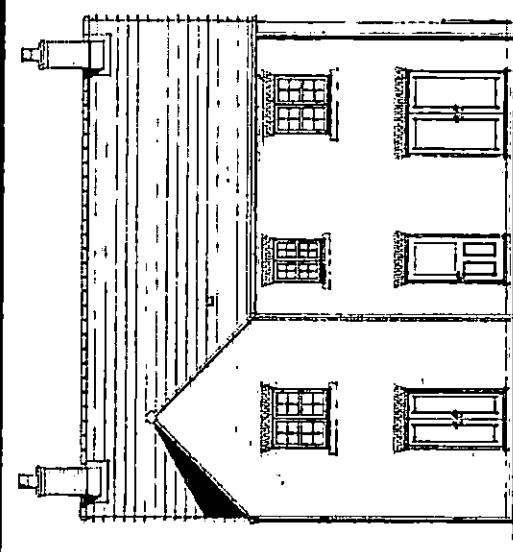
Item 04 16/02/04/REM CO. 9438/B



FRONT ELEVATION.

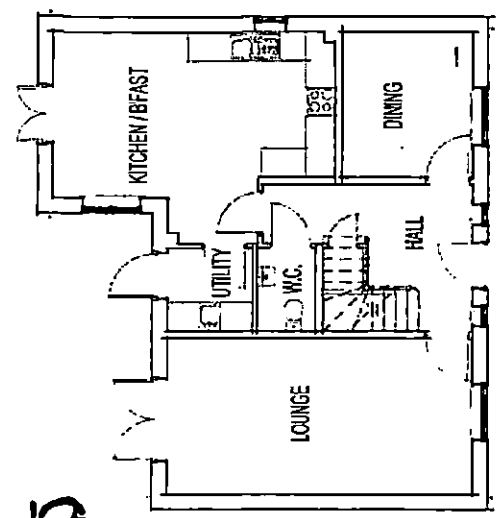


L.H. SIDE ELEVATION.

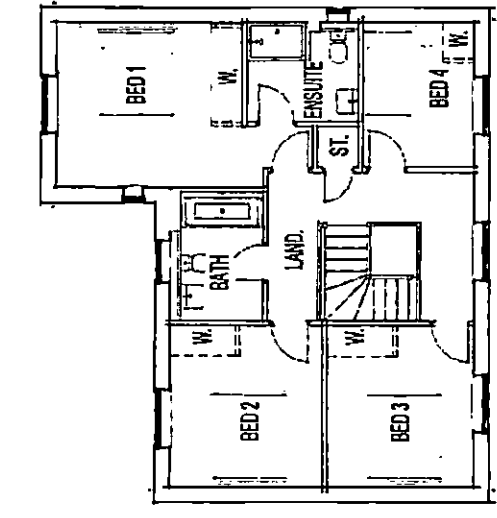


REAR ELEVATION.

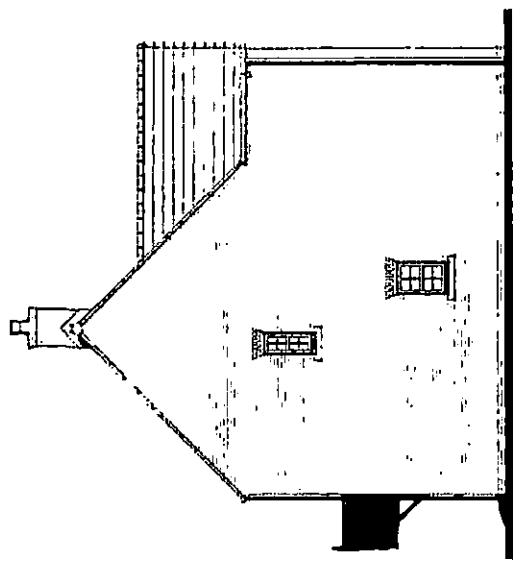
18



GROUND FLOOR PLAN



FIRST FLOOR PLAN.



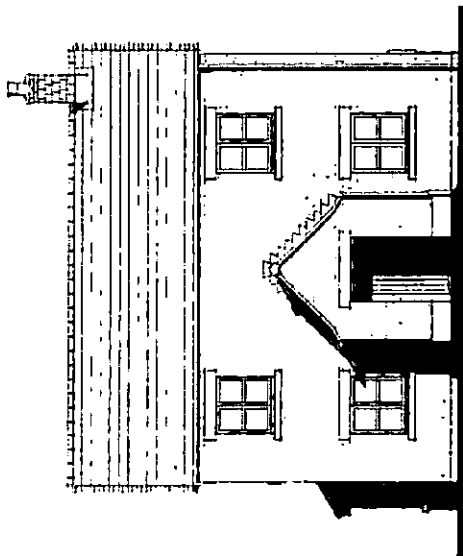
R.H. SIDE ELEVATION.

Rev.	Rev. note
B	CHIMNEYS ADDED TO SUIT PLANNER COMMENTS.

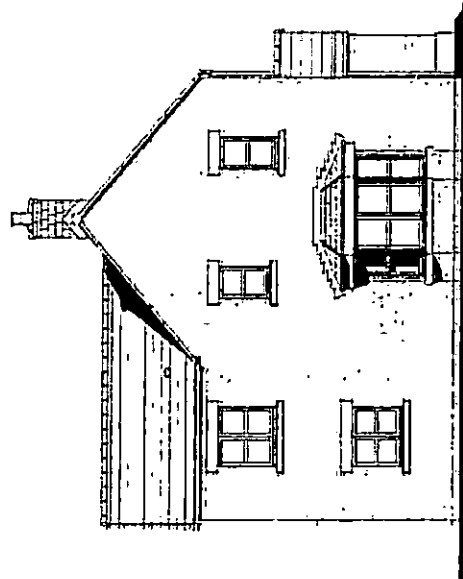
Site Name: **BROAD MARSTON ROAD, MICKLETON**  
 Drawing No: **455801-MICK**

Scale @ 1:100 **miller** homes

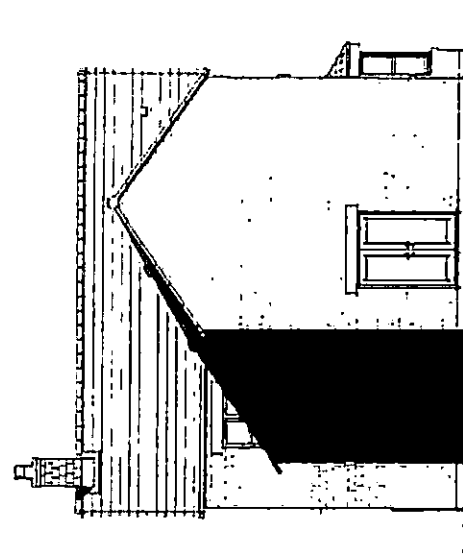
Item 04 16/020491/BEM CD.943818.



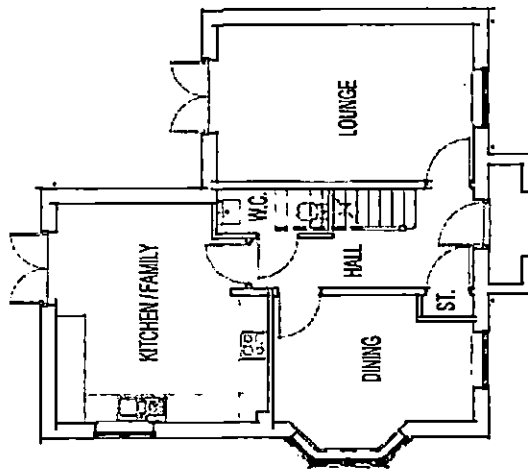
FRONT ELEVATION.



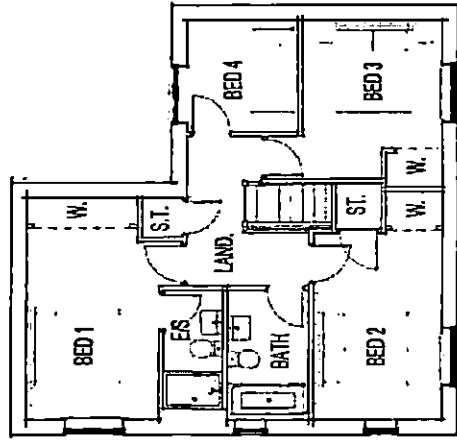
L.H. SIDE ELEVATION.



REAR ELEVATION.



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Site Name: BROAD MARSTON ROAD, MICKLETON

Drawing No: 454801-S-MICK

Rev. note  
B

MCK RECONSTITUTED STONE  
GABLE VENT & QUOINS  
REMOVED AND STONE PLINTH  
& BELCAST EAVES ADDED TO  
ENTRANCE PORCH.

Scale @ 1:100 miller homes

19  
Item 04 16/02049/REM CD.9438/B

**miller homes**  
 11000 160th Ave S, Suite 100  
 Tukwila, WA 98148  
 Phone: 206.835.1100  
 Fax: 206.835.1100  
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- LEGEND**
- 1- SITE BOUNDARY
  - 2- PRIVATE DRIVEWAY
  - 3- ASPHALT DRIVEWAY
  - 4- ASPHALT DRIVEWAY
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NO.	DESCRIPTION	UNIT	AREA	VOLUME	PERCENT	REMARKS
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Item 04 16p20491REM CD.94381B



**Legend**

⊗ Proposed Turbine

Zone of Theoretical Visibility (ZTV)

Potential View of Turbine

1 turbine visible

2 turbines visible

✖ Location of Wind Turbines

This ZTV illustrates potential visibility of the proposed turbine. It is calculated using a Digital Terrain Model (bare ground topographical information) as such it does not incorporate surface screening features such as trees and buildings and represents a 'worst-case' scenario for views to the proposed turbine.

Turbine dimensions used within the ZTV:

Height to blade tip: 24.56m

Height to hub: 17.96m

Rotor Diameter: 13.3m

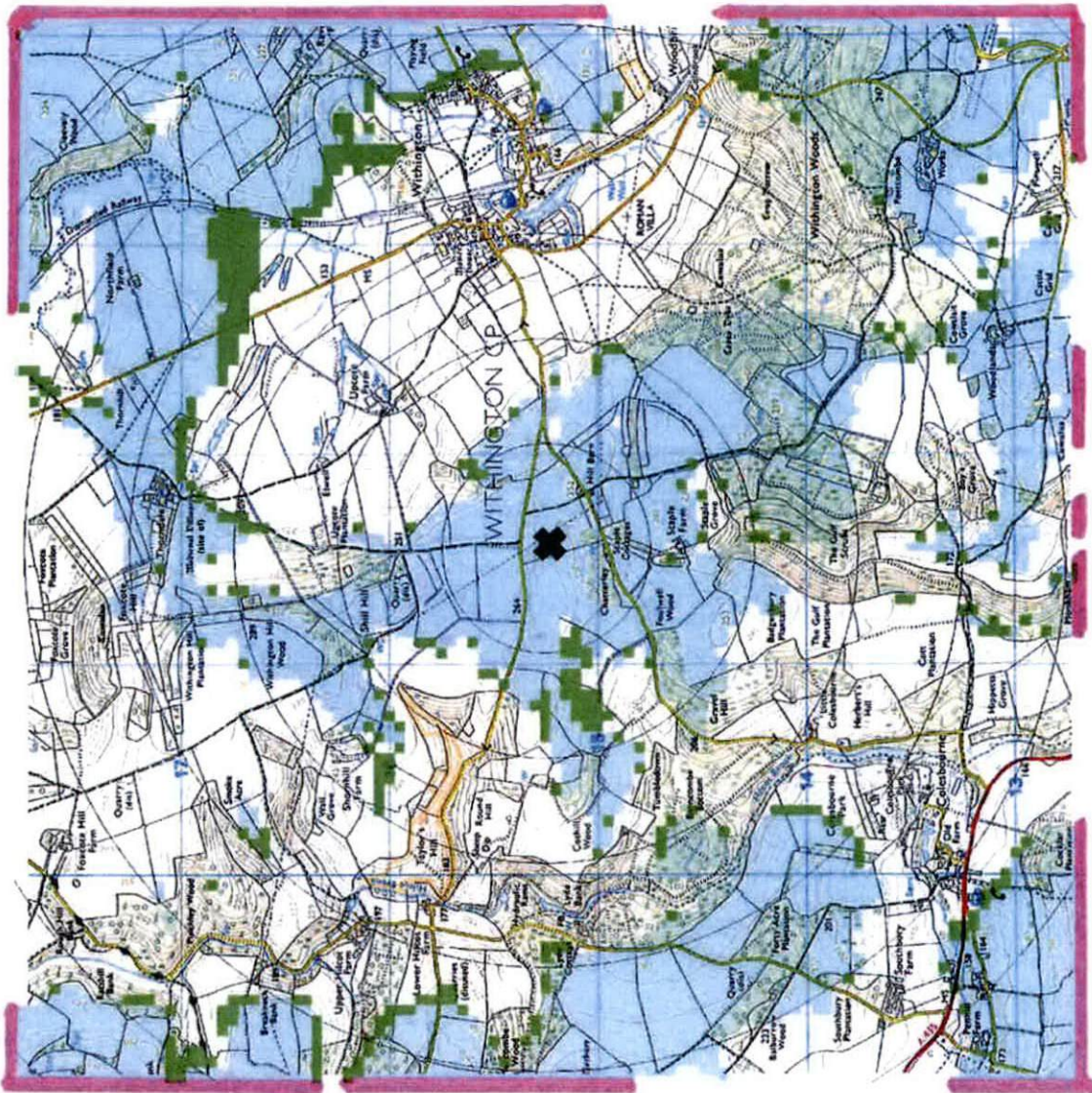


Project: Withington Estate

Figure Title: ZTV (1)

Date: 02/12/2015

Figure No: ZTV1



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HEM 05 16/01657/FUL CD.9360/A.