Item No 01:-

18/00970/FUL

Land at Sunhill
Welsh Way
Poulton
Cirencester
Gloucestershire
GL7 5SZ

Item No 01:-

Erection 20 dwellings (10 affordable & 10 open market) and associated development at Land At Sunhill Welsh Way Poulton Gloucestershire GL7 5SZ

Full Application 18/00970/FUL		
Applicant:	Cotswold Compost Company Ltd	
Agent:	Bruton Knowles	
Case Officer:	Andrew Moody	
Ward Member(s):	Councillor David Fowles	
Committee Date:	12th September 2018	
RECOMMENDATION:	REFUSE	

Main Issues:

- (a) The principle of development
- (b) Affordable housing
- (c) Visual and landscape impact of the proposal
- (d) Design
- (e) Biodiversity
- (f) Highway safety

Reasons for Referral:

The application has been referred to Committee by the local Ward Member, Cllr Fowles, for the following reason: -

I want this application to be determined by the committee because both whilst the Sunhill Action Group is against development on this site, the PC and a number of residents believe this is an ideal exception site that should be considered for development. Because of the strength of feeling in the community for and against this site, it is appropriate for both sides to express their views to the Planning Committee.

1. Site Description:

The application site is located to the eastern side of Welsh Way in the parish of Poulton, with the southern boundary of the application being located approximately 325 metres to the north of the crossroads at Sunhill. The site has a long established commercial use, most recently for the production of compost, however it is currently unoccupied.

The application site extends to the entire site, which includes large areas of hardstanding, with an area of 6.5 hectares and being sub-divided into two areas. There is an established tree and hedge screening to the perimeter of the site that forms a significant degree of screening to the premises.

The site is outside any development boundary defined in the adopted Local Plan, whilst there is no landscape designation in this part of the District.

2. Relevant Planning History:

CT.2584/C: Change of use of land from Stone Quarry and making of Mushroom Compost, layout of buildings including erection of a building for the making of Compost, Store/Warehouse building, Office building and Water Storage Facility. Landscaping and Screening, Alteration of existing vehicular access. Granted 24.03.1987

CT.2584/C/AP: Form composting yard with compost building, warehouse, stores and offices. Granted 27.05.1987

CT.2584/D Extension of composting yard. Erection of conditioning and spawning building and amenities. Granted 29.08.1989

95/00568/FUL (CT.2584/E): Construction of two further pasteurising tunnels. Granted 23.06.1995

96/00805/FUL (CT.2584/F): Construction of spawning chambers with associated buildings - extension of Phase 1 covered area. Granted 25.06.1996

04/03105/CPO (CT.2584/G): Use of existing plant for composting of green waste and mixed organic and green waste, and continuation of reduced production of specialised compost for mushroom growing. Non-determination appeal dismissed 15.02.2006

05/02025/CPO (CT.2584/H): Use of existing plant for composting of Green Waste and Mixed Organic and Green Waste, and continuation of reduced production of specialised compost for mushroom growing (re-submission). Disposed 21.10.2010

05/02059/CPO (CT.2584/J): Processing of Green Waste to form compost for a temporary twoyear period. Granted 10.11.2005

07/03302/CPO(CT.2584/K): Use of existing plant for composting of Green Waste and Mixed Organic and Green Waste (Variation of Condition (d) of permission CT.2584/C) and continuation of reduced production of specialised compost for mushroom growing, revised scheme including erection of extension to building, fencing and biofilter. This application is currently in abeyance.

08/01109/CPO (CT.2584/L): Variation of Condition 1 of planning permission CT.2584/J (continuation of green waste processing to form compost without complying with time limit for operations). Grated 10.11.2008

09/00137/FUL: Construction of new aerated composting silos. Granted 28.09.2009

09/03788/FUL: Erection of Phase III composting tunnels. Refused 07.04.2010. Appeal allowed 03.03.2011

16/00906/FUL: Change of use for 15 traveller accommodation pitches. Refused 13.06.2016

3. Planning Policies:

H1 Housing Mix & Tenure to meet local needs

H2 Affordable Housing

EC2 Safeguarding Employment Sites

EN2 Design of Built & Natural Environment

EN7 Trees, Hedgerows & Woodlands

EN8 Bio & Geo: Features Habitats & Species

EN15 Pollution & Contaminated Land

INF3 Sustainable Transport

INF4 Highway Safety

NPPF National Planning Policy Framework

DS4 Open Market Housing o/s Principal/non-Pr

4. Observations of Consultees:

Landscape Officer: Objection, comments incorporated into the report

Housing Enabling Officer: Objection, comments incorporated into the report

Environmental and Regulatory Services: No objection

Biodiversity Officer: No objection subject to conditions

Tree Officer: No objections subject to conditions

Lead Local Flood Authority: No objection subject to conditions

Conservation and Design Officer: Objection, comments incorporated into the report

Highway Authority: No objection, subject to conditions

5. View of Town/Parish Council:

Meysey Hampton Parish Council: Support the application

Quenington Parish Council: Supports this application as although it is contrary to current planning policy, this site is an exception site that has been an issue for many years and a solution to remove the current eyesore is needed; this application is the best solution proposed to date. There would need to be safety improvements to the five ways junction at Sunhill to increase visibility as the increase in traffic would cause further pressure on this dangerous junction.

6. Other Representations:

17 representations objecting to the proposal have been received, making the following comments:

- wrong location for housing development
- poor highways infrastructure; there is no street lighting, no pavements and the verges are wholly unsuitable for cycling or walking
- no accessibility to local amenities other than by using cars, given the distance from Fairford and Cirencester
- a development of this scale would totally dominate the existing hamlet of 4 dwellings
- the provision of public open space in this location would be of limited practical use to the wider community and become a burden in terms of maintenance costs
- affordable housing provision should not be seen as justification for the development
- draft Policy DS4 from the emerging Local Plan controls new house building in the open countryside
- should Sunhill be considered a settlement regarding Policy DS3, proposal is not small-scale
- proposal contrary to the NPPF
- impact from increased traffic, particularly at Sunhill crossroads
- local employment opportunities are limited
- not a sustainable location for new development
- a smaller number of dwellings may be viewed more favourably by residents

1 representation in support of the application has been received, making the following comment:

20 houses here will not have any impact locally

7. Applicant's Supporting Information:

Design and Access; and Planning Statement
Design and Access Statement
Ecological Appraisal Report
Transport Statement / Technical Note
Flood Risk Assessment

8. Officer's Assessment:

(a) The principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

The site in question is located outside of any Development Boundary as designated in the adopted Local Plan, and the proposal is therefore subject to Policy DS4: Open Market Housing Outside Principal and Non-Principal Settlements, and as such the proposal is contrary to this policy. A planning application for 20 dwellings at the site would be deemed a departure from the existing Local Plan, as this policy has a general presumption against the erection of new build open market housing, other than unless it is in accordance with other policies that expressly deal with residential development in such locations, e.g. a rural worker's dwelling.

This is in accordance with the guidance set out in paragraph 79 of the NPPF which indicates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. The term isolated is not defined in the NPPF; however, it is reasonable to understand it as meaning isolated from any existing settlement. In this case although located to the north of Sunhill, this settlement has only 4 dwellings and the new dwelling is remote from the nearest services and facilities and in this regard is isolated.

The NPPF seeks to boost significantly the supply of housing and paragraph 8 of the NPPF states that there are three overarching objectives that should be considered in the context of the presumption in favour of sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles'. These are an economic role to help build a strong, responsive and competitive economy. The second role is a social one where it supports strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations. The third role is an environmental one where it contributes to protecting and enhancing the natural, built and historic environment.

Paragraph 9 of the NPPF states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in the Framework. It goes on to state that 'Planning policies and decisions should play an active role in guiding development towards sustainable solutions...'

Paragraph 67 of the NPPF states that Councils should identify a supply of specific, deliverable sites for years one to five of the plan period, and specific, developable sites and growth for years 6 to 10 and, where possible, years 11 to 15 of the plan. Paragraphs 73 and 74 require a five years supply of housing on specific deliverable sites to be provided with a 5%, 10% or 20% buffer, with plans only being considered 'recently adopted' where this has been adopted in the previous or same year, and where an annual position statement has been considered by the Secretary of State. Bearing in mind the recent adoption of the Local Plan, and that this states there to be a 7.6 year housing land supply, the Council can demonstrate a robust five year supply of deliverable housing sites.

Notwithstanding the current land supply figures, it is necessary to have full regard to the economic, social and environmental roles set out in the NPPF when assessing this application. These issues will be looked at in more detail in the following sections.

In light of the distance of the site from facilities and services that would typically be used on a daily basis, combined with the limited public transport services available in the area, it is considered that occupants of the dwellings would be reliant on the use of the private motor car to undertake most day to day activities. It is therefore considered that the site is isolated and does not represent a sustainable location for new open market residential development in terms of its accessibility to services and facilities and is therefore contrary to paragraphs 11 and 79 of the NPPF.

(b) Affordable housing

In accordance with Policy H2 of the Local Plan, all housing development of 11 or more new dwellings (net) would be expected to provide 30% affordable housing on a brownfield site, although it should be noted that the application proposes 50% affordable housing provision as the application was submitted when the now superseded Local Plan was in effect, which had a higher provision level stipulated.

The policy continues to state that the type, size and mix, including the tenure split, of affordable housing will be expected to address the identified and prioritised housing needs of the District and designed to be tenure blind and distributed in clusters across the development to be agreed with the Council.

The Housing Enabling Officer has commented that a search of Homeseeker Plus, the housing register, has shown 8 households with a connection to Cotswold District, who are registered for rented affordable housing in Meysey Hampton. However taking into account the rural and isolated nature of this proposed development, consideration of those on the Register who are registered for Meysey Hampton and the surrounding Parishes of Bibury, Quenington, Fairford, Down Ampney, Poulton and Barnsley would be appropriate, which increases the demand to 183 households. It is important to note that the Housing Register provides a snapshot view of the current need for rented accommodation only.

The district wide Housing Needs Assessment (HNA November 2009) found an annual requirement for 545 additional affordable housing units in Cotswold District however the updated Strategic Housing Market Assessment (March 2014) states the annual requirement has now risen to 574 additional affordable housing units. The parish of Meysey Hampton is in the Fairford subarea of the HNA and was assessed as having a gross annual need for 119 affordable homes.

In accordance with the latest district wide Housing Needs Assessment the following mix would normally be requested:

25% x 1 bedroom 45% x 2 bedrooms 20% x 3 bedrooms 10% x 4 or more bedrooms

In accordance with the current Supplementary Planning Document (SPD) two-thirds of the affordable homes should be for rent, with the larger houses of 4 bedrooms or more being social rent properties. The remaining third should be subsidised low cost home ownership.

In accordance with the findings of the HNA the 2 bedroom units should be houses rather than flats and the shared ownership properties to be 2 or 3 bedroom units.

Having regard to existing stock and current needs information Officers consider that the following mix for this development based on 50% of 20 units:

Rent:

2 x 1 bed 2 person house/flat/bungalow

3 x 2 bed 4 person houses

2 x 3 bed 5 person houses

Shared Ownership: 2 x 2 bed 4 person houses 1 x 3 bed 5 person houses

However, the proposal includes all affordable housing as 3 bed homes of which there is currently an oversupply. The development should also be tenure blind, with the affordable homes distributed evenly across the site, and should comply with all other requirements of the Affordable Housing: Supplementary Planning Document (SPD). It is not considered that the site is tenure blind as the affordable homes are clearly identifiable, being significantly smaller in size, with smaller gardens, and located at either end of the arc of housing (4 to the west and 6 to the east). The site plan shows the affordable properties with shared parking courts, which is also considered to make it very clear which plots are affordable, and also contributes to not making the site tenure blind.

As such, the proposal is contrary to Policy H2 of the Local Plan, in addition to the adopted Affordable Housing: Supplementary Planning Document.

(c) Visual and landscape impact of the proposal

Policy EN4 within the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets. The Design Code (Appendix D within the Local Plan) reinforces and expands upon these principles. D.9 states that development should respond to its context, and its specific landscape setting.

The site is located approximately 2 miles to the north east of the village Poulton and is defined by the Welsh Way carriageway to the west and the remainder of the site is bounded by open countryside. The site is fairly well contained by existing bunding and dense boundary vegetation with an opening to the north-west corner with access from the Welsh Way. The site is occupied by a large area of hard standing and a variety of disused buildings which were used in association with the former mushroom composting business.

There are no Public Rights of Way in the near vicinity of the site; the nearest are Meysey Hampton Footpath 1, located further north-east of the site and Quenington Bridleway 20, located further east. It is considered that there would be no inter-visibility from here by virtue of relatively flat topography and intervening vegetation.

In terms of carriageway views, the existing boundary vegetation and bunding screens the site from most viewpoints. The only available view of the site was via the access point off the Welsh Way carriageway. However, it must be noted that deciduous vegetation would be less effective as a barrier in winter with no leaf cover and it would be difficult to control the management and/or long term retention of this planting.

The site is not located within either the Cotswold AONB or a Special Landscape Area. However, the site is sensitive to change by virtue of the isolated, rural location and development of the site would need to respect this. The site is located within the Southrop Lowlands Character Area (LCA) as defined by the 'Gloucestershire Character Assessment', dated 2006 (GLCA). The LCA is formed by the Cornbrash Lowlands Landscape Character Type (LCT). Within the 2006 GLCA the key characteristics of Cornbrash Lowlands are described as:

- Very gently sloping landform with subtle undulations linked to small scale tributary valleys that cross the area;
- Network of tributary streams draining from the Dip-Slope lowland towards the River Thames, their course often marked by scattered lines and groups of trees;

- Predominance of large scale arable fields bounded by a network of hedgerows of varying quality and occasional stone walls;
- · Vertical elements such as hedgerow trees gain visual prominence;
- Dispersed settlement pattern of mainly linear or nucleated villages, hamlets and farmsteads;
- Occasional mainly geometric woodland copses, comprising broadleaf and coniferous plantations;
- Single principal road bounds or crosses the area together with a limited number of local, and generally straight rural roads;
- Occasional wide views over productive farmland, limited only by farm copses and woodlands.

In terms of characteristic settlement pattern the following is noted in the Character Assessment:-

"The area has a predominantly quiet rural character associated with the cultivated arable fields, and a dispersed pattern of small villages, hamlets and farms"; and "Settlement is generally very sparse with the influence of settlement on the character of the area generally limited to distant views towards isolated farms and dwellings and views towards new development on the perimeter of Fairford".

A detailed landscape assessment has not been submitted with this application; however, it is stated within the Design and Access and Planning Statement (March 2018) that the site is very different from the prevailing characteristics. It is also noted in the March 2018 Statement that views are limited to those obtained via the access.

However, despite the previous business use, it is considered that the site retains an agricultural character with agricultural type buildings, and that the change of use to residential, with the introduction of suburbanising features such as a large domestic gardens, encroachment of built form, associated domestic paraphernalia, domestic activity and lighting would have a detrimental impact on the character of the site and the rural surroundings and would also impact upon the tranquillity of the area. There are also have concerns regarding the level of development and the number of units proposed in this location.

With regards to the characteristic settlement pattern the existing development within the context of the site is limited to individual plots set within isolated rural locations. It is considered that the proposal reflects a more suburban type layout and does not relate to the rural surroundings. As such, the encroachment of development to occupy the entire extents of the site would be wholly inappropriate and out of character with the surrounding context. The number of units proposed is considered to have a suburbanising impact and would impact upon the tranquillity of the rural surroundings which appears suburban in its form.

Cotswold District Local Plan Policy EN4 and the Design Code (Appendix D), and the NPPF.

(d) Design

Section 12 of the National Planning Policy Framework requires good design. Paragraph 127 states that decisions should ensure that developments: function well in the long term and add to the overall quality of an area; are visually attractive; are sympathetic to local character and history; establish a strong sense of place; and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development. Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals.

Policy EN2 (The Built Environment) of the Local Plan is also relevant, and states that development will be permitted that accords with the (updated) Cotswold Design Code. Paragraph D.9 states that 'Careful study should be made of the context of any new development. Each site will have its own characteristics, and a specific landscape or townscape setting. Any proposed development should respond to this.'

The application site lies adjacent to the Welsh Way and is previously developed land. However, the agricultural fields in this area contribute to the rural character of the area, and although the mature planting which has survived since the more recent commercial use of the land screens much of the site, the overriding character is open countryside and surrounding agricultural land uses. Buildings in the area are grouped in farmsteads, a small nearby hamlet or within one of the larger village settlements nearby.

In this context, the erection of 20 dwellings in this location is considered to be out of keeping with the historic grain of development and predominantly rural character of the area. Although the density proposed is relatively low, this does not overcome the in principle concern that housing on this site, in the form suggested, will be out of keeping with the settlement pattern and prevailing rural character of this area.

Some redundant buildings currently exist on the site, being remnants of the previous use, and are agricultural in character and as a result, not necessarily out of keeping with the character of the locality. In contrast the proposed 20 dwellings sited in a crescent and comprising 10 large detached houses and 10 smaller semi-detached houses are considered to have a formal, suburban character which is at odds with the agricultural character of the surroundings.

The Design and Access statement makes reference to the development responding to local character. However the large scale of individual dwellings, their suburban, formal layout, massing and elements of their design are considered to be out of character with traditional buildings in the locality.

In such an open countryside location, the designs show a sizeable proportion of the dwellings as large over scaled detached units which in terms of scale, form and certain elements of their design do not reflect the character of vernacular buildings in the locality.

The design of the buildings contradicts the statement that homes will designed to reflect the local character, with half of the dwellings proposed being of a large scale detached suburban design, which is unlikely to be in keeping with the traditional building stock of the nearby settlements or hamlet. As it stands the siting, design scale and layout of the dwellings proposed results in a development which in design terms, fails to successfully relate to the local vernacular or the locality, contrary to Section 12 of the NPPF, and Policy EN2 and Appendix D of the Local Plan.

(e) Biodiversity

An ecological report has been provided in support of the application, which has identified bats at the site and the requirement for an European Protected Species Licence. The Biodiversity Officer has commented that the proposed bat mitigation measures are considered to be satisfactory and that there is no objection to the proposed development, subject to conditions in the event of planning permission being granted, in addition to other biodiversity enhancements as part of the landscaping scheme.

The proposal therefore accords with Policy EN8 of the Local Plan, in addition to The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the NPPF, in particular section 15), and Part 3 of the Natural Environment and Rural Communities Act 2006.

(f) Highway safety

The application site is located approximately 3.5km northwest of Fairford. The site is to the east of the class 3 Welsh Way which adjoins the class 3 Poulton Way and an unnamed road from Sunhill to Meysey Hampton at an unorthodox 5 way cross roads. The site was formerly a mushroom and composting facility.

The site will make use of an existing access off of the Welsh Way. The access is formed of a wide bellmouth style T-junction approximately 24m in width at the carriageway edge, narrowing to approximately 9m in width between two boundary stone walls angled at 45 degrees. The access can support two-way operation with no impediment to the free flow of traffic on the Welsh Way.

The adjacent highway is single lane and varies in width from 3.5m to 4m approximately. There are not street lights present or pedestrian footways. The proposed site is not located within a reasonable walking distance to local amenities and services. It is therefore expected that trips from the site would be primarily car based. There has been one personal injury collision recorded in the last 5 years which resulted in a fatality at the cross road junction to the south of the proposed site.

The Welsh Way is subject to a 60mph speed limit. In the absence of a speed survey the required junction visibility would be 2.4m x 215m to the nearside carriageway edge in either direction in accordance with DMRB Standards. No details have been submitted to demonstrate that the required visibility splays are achievable, however stated within the Transport Statement paragraph 4.1 the applicant confirms the visibility splays can be achieved, therefore this could be dealt with by way of a suitably worded planning condition.

The Highway Authority are therefore not raising any objection to the proposal, which is considered to accord with Policy INF4 of the Local Plan and Section 9 of the NPPF, including paragraph 109 which states that development should only be refused on highway grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network would be severe.

9. Conclusion:

For the reasons stated above, it is considered that the proposed 20 dwellings would be contrary to the NPPF, the adopted Cotswold District Local Plan, which are not considered to be outweighed by other material planning considerations.

The recommendation is for planning permission to be refused.

10. Reasons for Refusal:

The proposed development would result in the erection of new build open market dwellings outside any settlement boundary defined in the Cotswold District Local Plan. The application site lies in an isolated location remote from amenities and facilities that would typically be used by future residents on a day-to-day basis. The application site therefore represents an unsustainable location for new open market residential development and would result in future occupiers of the proposed dwelling having to rely on the use of the private motor car to undertake most day to day activities. The proposal will therefore increase reliance on the use of the private motor car materially increasing car borne commuting and compromising the principles of sustainable development contrary to guidance contained in the National Planning Policy Framework, in particular Paragraph 79 and Cotswold District Local Plan Policy DS4.

The affordable housing has failed to provide the type, size and mix, including the tenure split, of affordable housing that would be expected to address the identified and prioritised housing needs of the District, with the layout not having been designed to be tenure blind and distributed in clusters across the development. There is also no provision made for any self-build dwelling as part of the proposed development. The proposal is therefore contrary to Policy H2 of the Cotswold District Local Plan and paragraph 62 of the NPPF.

The proposal would represent encroachment of residential development into a parcel of land which is situated within an isolated rural location. The proposal would cause harm to the character and appearance of the local rural landscape by virtue of the introduction of housing and the associated lighting, domestic paraphernalia and activities which would have a significant urbanising impact on the character and appearance of the landscape. It is considered that the proposal would fail to conserve or enhance the intrinsic character and beauty of the countryside and would be contrary to Cotswold District Local Plan Policy EN4 and the Design Code (Appendix D), in addition to the NPPF.

The site the subject of this application lies adjacent to the Welsh Way and although a previously developed site which is bounded by tree planting, the overriding character of this area is one of open countryside and surrounding agricultural uses. The erection of 20 dwellings in this location in the form proposed is considered to be out of keeping with the historic grain of development and predominantly rural character of the area. In addition the large scale of individual dwellings, their suburban, formal crescent layout, massing and elements of their design are considered to be out of character with traditional buildings in the locality and the prevailing agricultural character of the surrounding area. The development is therefore considered to be out of keeping with its surroundings and the locality and as a result the proposals would therefore be contrary to paragraphs 127 and 130 of the NPPF and Cotswold District Local Plan Polices EN2 and EN4.

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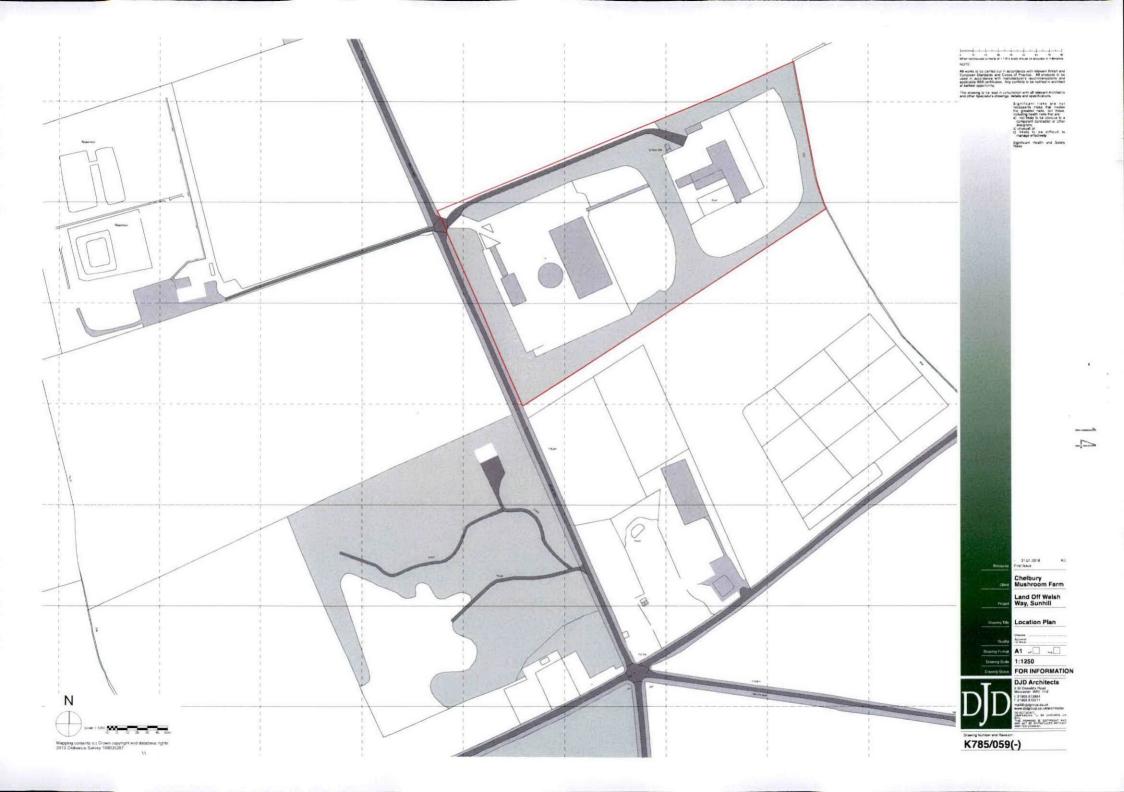
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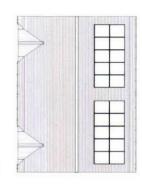
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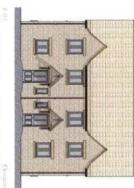
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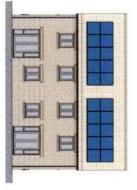












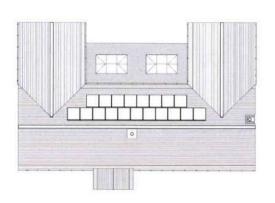
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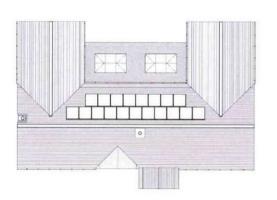




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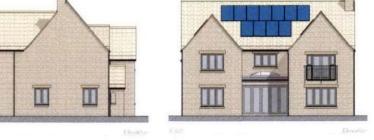
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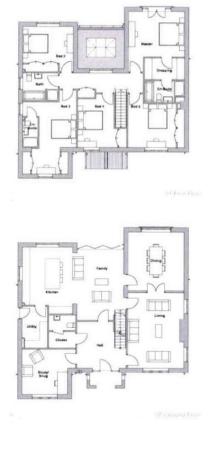
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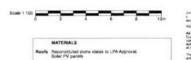




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