SCHEDULE A: Applications with Recommendation

16/0812

Item No: 02 Date of Committee: 25/11/2016

Appn Ref No:Applicant:Parish:16/0812Story ContractingWetheral

Agent: Ward:

PFK Planning Great Corby & Geltsdale

Location: Land Adjacent The Whins, Heads Nook

Proposal: Erection Of 10.No Dwellings With Associated Infrastructure; Access To

Be Provided Adjacent 8 The Whins; Demolition Of Garage To 8 The

Whins And Erection Of Replacement Garage To The Rear

Date of Receipt: Statutory Expiry Date 26 Week Determination

19/09/2016 19/12/2016 20/03/2017

REPORT Case Officer: Stephen Daniel

1. Recommendation

1.1 It is recommended that this application is approved with conditions and subject to the completion of a S106 Agreement to secure a financial contribution of £212,527 towards the provision of affordable housing.

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale And Design Of The Dwellings Would Be Acceptable
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.4 Highway Matters
- 2.5 Drainage Issues
- 2.6 Provision Of Affordable Housing
- 2.7 Impact On Trees And Hedges
- 2.8 Impact On Biodiversity
- 2.9 Other Matters

3. Application Details

The Site

- 3.1 The site includes part of a field that lies directly to the west of The Whins and which has a sewage works in the south-east corner and part of 8 The Whins, which has been acquired by the applicant. The Whins is a residential development of thirteen single and two-storey properties which lie within a cul-de-sac. A hedge forms the boundary between the application site and the rear of The Whins and a number of trees lie close to the site boundary. A track runs through the middle of the field and this provides access to the sewage works. Number 8 The Whins is a detached brick dwelling which has a garage attached to the front of the property.
- 3.2 Planning permission has previously been granted for the erection of five dwellings on this site. The access to the previously approved schemes would have been via Black Lonning, which has recently been designated as a Public Restricted Byway.

The Proposal

- 3.3 This proposal is seeking planning permission for erection of ten dwellings on the site. Access would be provided through 8 The Whins and this would require the demolition of the existing garage that is attached to the front of the property and for the erection of a replacement garage to the rear. A new wall would be erected adjacent to the access road that would run to the front of 8 The Whins.
- 3.4 Four of the dwellings (Plots 1 to 4) would be accessed via a shared driveway, with six dwellings (Plots 5 to 10) being served by an access road, that would terminate at a turning head adjacent to Plot 10. The access road to The Whins would run between Plots 1 and 5.
- The dwellings would be orientated so that they face west towards the remaining field, with the rear elevations facing the properties on The Whins. Each dwelling would be sited within a large plot and extensive landscaping is shown on the boundary with The Whins.
- 3.6 Plots 1, 3, 7 and 9 would be five bedroom two-storey properties that would have integral garages. Plots 2, 6 and 8 would be four bedroom two-storey dwellings that would have a pitched roof dormer window in the front roofslope and integral garages. Plots 4 and 5 would be five-bedroom two-storey properties that would have a garage attached to the front which would have a bedroom above which would be served by a flat roof dormer window. Plot 10 would be a one-and-a-half storey property which would have a two-storey gable and a pitched roof dormer window in the front roofslope. This property would have three bedrooms to the first floor and one bedroom to the ground floor and would have a detached garage. The dwellings would be constructed predominantly of brick, with sections of stone, render and hung tiles being added to some of the dwellings, under tiled roofs.
- 3.7 Foul water drainage would connect into the main sewer. Surface water

would discharge to a SUDS pond which would be located at the southern end of the site.

4. Summary of Representations

4.1 This application has been advertised by means of site and press notices as well as notification letters sent to 22 neighbouring properties. In response, fourteen letters of objection have been received, which make the following points:

Principle Of Development

- Heads Nook has no local services and the nearest villages with services are a 3 mile round trip away;
- the village has no amenities no shop, no post office, no school, no church, no pub - and only two buses per week which are not guaranteed to continue;
- the public bus service is sporadic, at present one bus permitting two hours in Carlisle twice a week, and this does not go very near the acknowledged service centres of Corby Hill and Warwick Bridge, nearly two miles away. These are accessed by the C1026, which has no footways and non-existent verges for refuge in places. Those fit enough to walk or cycle are endangered by fast moving traffic which will be added to by the proposed development. Otherwise those without access to a car are trapped in the village other than on bus days;
- the proposal would increase the type of car journeys that good sustainable development seeks to reduce;
- new development should be directed to settlements where services are available;

Highway Matters

- with the development of 10 houses there will be a likely increase of 20 plus vehicles using The Whins, plus service and delivery vehicles;
- the extra vehicles generated by the development will devastate the peaceful lifestyle currently enjoyed by residents of The Whins;
- cul-de-sac means 'closed route' the development would change The Whins to an access road to the development;
- the number of cars using The Whins will more than double its current use, making it a busy road;
- there are 6 children under the age of 10 currently living in The Whins who play in the road and on the pavement - their safety would be significantly adversely affected by the increased traffic;

- the proposed new access would affect the pavement and the road in The Whins;
- there are 13 residents living in The Whins who are seniors over the age
 of 65. Some of these have limited mobility and the creation of a new
 access over the existing pavement will present a hazard;
- the proposed wall to the front of the dwelling would restrict visibility for motorists and children;
- the proposal may necessitate a lower speed limit with bumps or similar and appropriate signage to the detriment of the environment;
- permission has been granted for 6 dwellings directly opposite the entrance to The Whins, causing a hot spot for traffic turning onto the main road which is on the brow of the hill;
- the increased traffic from The Whins will join the C1026 near to the access for a new development for 7 dwellings along with traffic from a lonning and Rose Paddock at a dangerous access point in the village has this been considered by Highways?;
- the width of proposed road might be adequate for private cars, subject to acceptable sight lines and kerb radii, but looks challenging if not impossible for refuse collection vehicles and long wheelbase delivery trucks in common usage by carriers and DIY suppliers;
- the level of proposed parking in the development is totally inadequate;
- the proposed road does not have footpaths on both sides which are a feature of The Whins;
- the new garage for 8 The Whins would only be a single garage and this would serve a 4 bedroom house:
- if construction vehicles use The Whins this would result in a disproportionate amount of obstruction and potential danger to residents of The Whins;
- if construction traffic passes in close proximity to 8 The Whins, this could affect the structural integrity of the property;
- concerned if the road is used by heavy lorries and plant during the construction phase of the proposed development - a restriction should placed on the road preventing its use by HGVs and construction plant;
- construction traffic using The Whins could damage the footpaths and road, leaving them substandard;
- the developer should use Black Lonning during the temporary construction phase;

- Black Lonning has a usage restriction and would require upgrading before and reinstatement after the event, if temporary permission were granted subject to maintenance of 70m visibility on C1026 and a safe diversion for the normal traffic of pedestrians, horse riders and agricultural vehicles;
- the proposed new access road would be close to existing dwellings;
- the junction of the Heads Nook road with the A69 cannot safely cope with any more traffic and is already congested at peak times;
- the proposed change of access to the site, through the garden of 8 The Whins, is to mitigate local residents fears concerning road safety, if the 'Black Lonning' is used as a site entrance. The logic of this statement is lost, given that the 'Black Lonning' is now recorded as a 'Restricted Byway', and vehicle access must be in accordance with its agricultural history;
- village children attend primary schools at Warwick Bridge or Hayton, to and from which they are transported by private car causing local congestion at school times. The development may generate a further 20 or so children to be transported at increased cost and congestion;
- the road between Heads Nook and Corby Hill is hazardous for pedestrians and the many cyclist who frequent this route;
- as a small contribution to the highway infrastructure, the developer should be made to finance construction of pedestrian refuges at pinch points along the route to Corby Hill:
- if further development in the village is considered, a proper footpath/cycle way with access for mobility scooters must be constructed for the full distance from and including Heads Nook railway bridge to A69 at Corby Hill;
- the condition of the road through Heads Nook is of concern and would deteriorate with extra traffic;
- it seems County Highways are working on the basis that the 'Black Lonning' is used as the interim proposed site entrance with, understandably, a long list of conditions. However there is no mention of a temporary diversion order or alternative route for this Restricted Byway, 138068 'Black Lonning', during construction of the proposed development, or indeed a time scale;

Impact On The Character Of The Area

the access road would be prominent in views along The Whins - it
would not be visually compatible with, or add to the quality of the area,
and would have an adverse impact on it;

- permission has been granted for 5 dwellings on this site the developer is now trying to shoe horn an extra 5 dwellings onto the same piece of land;
- there is no justification for doubling the number of dwellings to ten the earlier permission stated that the site was only suitable for five dwellings;
- ten houses would be disproportionate to the scale of the village;
- the proposal does not reflect the density of The Whins;
- regarding the proposed spacing of the dwellings, only 3 and 4 metres apart, this gives the development an out of place urban look;
- narrow spacing will create a series of wind tunnels between the houses which is bound to be a nuisance to the prospective new residents;
- to be in keeping with the existing quiet rural cul-de-sac The Whins, a mix of houses and bungalows would clearly be more appropriate;
- The Whins contains 6 bungalows and 7 houses which engenders a balance of older and younger residents - the proposed development of 10 family homes would not create a balance and some bungalows should be included;
- looking at the development in the context of an extension to a village, its layout is disappointing with houses set at a rigid spacing of 3.00m in a straight line. Though there is variation in design, there are no true bungalows and the sense is more urban than rural;
- the 10 houses look cramped and a maximum of 7 properties would be more appropriate, with some variation in orientation, making use of the plot depth available;
- building what is proportionately a large number of new homes into the surrounding countryside, bringing with them the accompanying access roads, lighting, road furniture, traffic etc would be greatly detrimental to the area;
- to maintain the visually attractive and peaceful quality of the road, the wall should be omitted, a new driveway provided to No. 8, and all the proposed new dwellings be well spaced and with the same mix of houses and bungalows as The Whins - a maximum of six dwellings would satisfy this criteria;
- the front of 8 The Whins will become visually unattractive the front of the house would only be a few metres from the proposed access road. There is no driveway for off-street parking;
- the garage to the front of 8 The Whins is not a free standing structure

and is attached to the dwelling - the front of this dwelling would need to be altered and there are no plans to show what this would look like;

- the wall would be totally out of keeping with the rural open plan layout of The Whins;
- another application at The Whins (15/0885) was refused as it failed to be in keeping with the cul-de-sac;
- the previously approved plans showed an enhanced planted hedge between the development and The Whins - a 1.8m high fence is now proposed on this boundary - no details are given of this to show how it would not compromise, damage or intrude into Whins properties legal boundaries;
- the hedge to the rear of The Whins must be protected and remain untouched;
- the existing views from the rear of The Whins would be obliterated by the development;
- the outlook from the rear of The Whins bungalows, nos. 4 and 6 in particular, will be dominated by the new build plots nos. 1, 2, and 3 with their high ridge lines compared with the detached houses on The Whins;
- the dwellings will be seen from afar as an open sore on the edge of the village;
- the uninterrupted views of fields that residents currently enjoy would be replaced by unsightly buildings out of character with the area;
- the proposal would lead to the loss of a valuable green space and would replace grass with a housing development;
- landscaping is needed to screen the development from Burnrigg,
 Broadwath and Black Lonning and to provide a wildlife corridor;

Drainage Issues

- the sewage works in Heads Nook are inadequate for the current population - this will need to be addressed if further dwellings are built;
- the proposed plots 8, 9 and 10 are sited 'uncomfortably close to the Sewage Treatment Works, which is believed to be near capacity, necessitating the removal of excess raw material by tanker for treatment elsewhere, particularly during periods of high rainfall;
- at times of heavy rainfall, excess liquor has to be tankered away for treatment elsewhere, while the works seem to require almost daily attendance for servicing - the access track to the works is to be retained at present, but will be within the view and hearing of the new

residents:

- the proposed SUDS pond for this application appears no bigger than that showed for the 5 house development;
- as there are no dimensions or projected surface water run off figures how can the size of the SUDS pond be assessed to check that it is adequately sized to cater for the larger development;
- the site boundary is within 20m of Cairn Beck and any increased surface water run-off could affect water flow down stream:
- the surface water goes into Cairn Beck which will surely add to Warwick Bridge/ Carlisle flooding problems;

Other Matters

- bats nest in the roof space of a number of dwellings/ garages at The Whins and a bat survey should be undertaken on the garage of 8 The Whins prior to its demolition;
- there is a covenant on properties at The Whins which restricts the construction of any wall/ planting of any hedge to the front of the building line to keep the road open plan;
- No 8 The Whins comes with a list of covenants to protect the area and the residents of The Whins - this new development will breach several of the covenants which could lead to legal action;
- the 1.8m wall adjacent to the access road could contravene local covenants;
- the new layout could mean a second phase of another 10 dwellings being built in the same field which would mean more traffic;
- worried that the applicant will seek to increase the number of dwellings on the site in the future;
- the utilities to The Whins run in close proximity to the site and could be affected by the development;
- does the Council not have concerns about the proximity of the sewage works to the proposed development?;
- are there national guidelines on situating housing developments in close proximity to an active sewage treatment plant or have any Environmental Health Impacts been carried out to assess the impact this could have on public health?;
- the new garage for 8 The Whins would be hidden from view which would decrease its security;

- residents would wish to be consulted on the proposed fencing and planting plan when it emerges;
- the tree species, shown planted close to The Whins boundaries on the site plan should be far enough away from the boundary so that they could never overhang the Whins gardens, and that their roots could never interfere with Whins house foundations;
- is there a local demand for this development of ten high specification houses in a village with several similar properties for sale, and the approved development at Croftlands for 6 or 8 houses apparently stalled for lack of buyers?;
- the inclusion of a footpath link to The Glen and Cairn Beck is a
 welcome addition to the village a footpath link should be provided
 from the turning head adjacent to Plot 4 to Black Lonning.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections, subject to conditions;

Wetheral Parish Council: - concerned about the suitability of the access road to the Whins as there will be a significant increase in traffic movement when the development is complete. Requested that the construction traffic access the site via Black Lonning, not through the Whins. Requested a contribution towards the Heads Nook play area refurbishment if the application is approved;

Local Environment, Waste Services: - raised some concerns about access to Plots 1 to 4 for a refuge vehicle due to the angle of the road and the proposed landscaping. The developer would need to provide refuse bins for the dwellings;

Cumbria County Council - (Highway Authority - Footpaths): - Public footpath 138024 and restricted Byway 138068 follow an alignment to the south and the north of the proposed development respectively, they must not be altered or obstructed by the development before or after it has been completed, if the path(s) are to be temporarily obstructed, then a temporary closure will be required;

The Ramblers: - no comments received;

Local Environment - Environmental Protection: - no objections;

Northern Gas Networks: - no objections;

Cumbria Constabulary - North Area Community Safety Unit: - security and crime prevention have been considered as part of the design of this development, demonstrating compliance with Policy CM4 of the Local Plan. Suggested some crime prevention measures to be considered by the

applicant;

United Utilities: - no objections, subject to conditions.

6. Officer's Report

Assessment

- The relevant planning policies against which the application is required to be assessed are Policies SP1, SP2, SP6, HO2, HO4, GI3, GI5, GI6, IP3, IP6 and CC5 of the Carlisle District Local Plan 2015-2030.
- 6.2 The proposal raises the following planning issues:
 - 1. Whether The Proposal Is Acceptable In Principle
- 6.3 The main issue to establish in the consideration of this application is the principle of development. Policy SP1 of the adopted Local Plan states that when considering development proposals the City Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. Policy SP2 of the adopted Local Plan states that within the District's rural settlements, development opportunities of an appropriate scale and nature, which are commensurate with their setting, will be harnessed to positively contribute to increasing the prosperity of the rural economy and to enable rural communities to thrive.
- 6.4 Policy HO2 of the adopted Local Plan deals with windfall housing development. The policy states that this will be acceptable within the rural area provided that a number of criteria are met which include in the rural area there are either services in the village where the housing is being proposed, or there is good access to one or more other villages with services; and the proposal is compatible with adjacent land users.
- 6.5 Planning permission has previously been granted for the erection of five dwellings on this site, with permission also being granted for the erection of six dwellings on a site to the rear of Croftlands, which lies in close proximity. This has established that small scale residential development in Heads Nook is acceptable in principle. This decision has been reached on the basis that whilst Heads Nook itself has limited services (a village hall and children's play area) it lies in close proximity to Warwick Bridge, Corby Hill and Little Corby which provide a high level of service provision including a school, shops, a garage, a community centre, churches and a doctors.
 - Whether The Scale And Design Of The Dwellings Would Be Acceptable
- 6.6 Policy HO2 of the adopted Local Plan deals with windfall housing development. The policy states that this will be acceptable within the rural area provided that a number of criteria are met which include: the scale and design of the proposed development is appropriate to the scale, form, function and character of the existing settlement; the scale and nature of the development will enhance or maintain the vitality of the rural community

within the settlement where the housing is proposed; on the edge of settlements the site is well contained within existing landscape features, is physically connected, and integrates with, the settlement, and does not lead to an unacceptable intrusion into open countryside; and the proposal is compatible with adjacent land users.

- 6.7 It is acknowledged that this current proposal increases the number of dwellings on the site from five to ten, but a development of ten dwellings on this site is considered to be of an acceptable scale, given the size of Heads Nook.
- The dwellings would orientated so that they face west towards the remaining field, with the rear elevations facing the properties on The Whins. Each dwelling would be sited within a large plot and extensive landscaping is shown on the boundary with The Whins. The access road would lie to the west of the dwellings and this would be adjoined by a swale and some landscaping.
- 6.9 Plots 1, 3, 7 and 9 would be five bedroom two-storey properties that would have integral garages. Plots 2, 6 and 8 would be four bedroom two-storey dwellings that would have a pitched roof dormer window in the front roofslope and integral garages. Plots 4 and 5 would be five-bedroom two-storey properties that would have a garage attached to the front which would have a bedroom above that would be served by a flat roof dormer window. Plot 10 would be a one-and-a-half storey property which would have a two-storey gable and a pitched roof dormer window in the front elevation. This dwelling, which would have three bedrooms to the first floor and one bedroom to the ground floor, would have a detached garage. Plot 4 would be set forward of Plots 1 to 3 and its garage would face the shared drive, whilst Plot 10 would be angled to face the SUDS pond. The dwellings would be constructed predominantly of brick, with sections of stone, render and hung tiles being added to some of the dwellings to add visual interest. Seven of the dwellings would have slate effect roof tiles with three of the dwellings having red plain roof tiles.
- Objectors have raised concerns about the scale and design of the dwellings, which they consider have an urban appearance. Whilst it is acknowledged that the dwellings would be located close together, they would sit in large plots and extensive landscaping would help to retain the rural character. The use of four different house types and a range of materials would add visual interest to the development. The dwellings have been designed so that the front elevations of the dwellings face west towards the field and would form the new edge of the village.
- 6.11 The proposal is seeking to create a new access from The Whins and this would pass through part of the front garden of 8 The Whins and this would require the demolition of an existing attached garage. Whilst this new access would be visible in views from the road, it would not have a significant adverse impact on the residential street. A 1.8m stone wall would be constructed adjacent to the access to protect the privacy of future occupiers of 8 The Whins and this would reduce to a low level wall adjacent

to the new access road to ensure suitable visibility can be achieved from the access. Conditions have been added to the permission, which would ensure that the new wall would be of an acceptable design and the details of the front elevation of 8 The Whins would have to be submitted to the Local Planning Authority for approval.

- 6.12 In light of the above, the scale and design of the proposal would be acceptable.
 - 3. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 6.13 The new development would be located to the rear of The Whins, which contains a mixture of bungalows and two-storey properties. The new dwellings would have rear elevations facing the rear elevations of the existing dwellings on The Whins. The new dwellings would have large rear gardens and as a consequence the separation distances between the dwellings would exceed the minimum distances between dwellings set out in the Council's Supplementary Planning Document Achieving Well Designed Housing, with nearest properties being 26m away from the existing dwellings.
- 6.14 The proposed plans also show the provision of extensive landscaping along the boundary between the existing and proposed dwellings and this would help to reduce any overlooking. This landscaping would be secured by condition.
 - 4. Highway Matters
- 6.15 A number of objectors have raised concerns about the proposed access to the site, which would be through The Whins, which is a cul-de-sac consisting of 13 dwellings; the level of car parking proposed; and the use of The Whins during construction.
- 6.16 The new access road from The Whins would be 4.8m in width and would link to a shared driveway, which would serve Plots 1-4 and a new road that would serve Plots 5-10. A turning head would provided at the end of the road, adjacent to Plot 10. Each of the dwellings would have a garage and large driveways and would be able to accommodate a minimum of three cars. Two parking spaces would also be provided for 8 The Whins, one within a garage.
- 6.17 County Highways has been consulted on the application and has no raised objections to the proposals, subject to the imposition of a number of conditions which would ensure that: the road is designed, constructed, drained and lit to a standard suitable for adoption; suitable visibility splays are provided at the junction with The Whins; the access, parking and turning areas are constructed prior to the occupation of the dwellings; and adequate land is reserved for construction vehicles.
- 6.18 The additional traffic that the development would generate would be low and would not have an adverse impact on the existing junction of The Whins with

the C1026, or on the road through Heads Nook or the junction at Corby Hill.

6.19 The applicant has confirmed that construction traffic would use Black Lonning to access the site.

5. Drainage Issues

- 6.20 Foul drainage would be directed to the current Waste Water Treatment Works. Surface water would discharge to a SUDS pond which would be created to the south-west of the dwellings. Conditions have been added to the permission to ensure that prior to commencement of development, details of the proposed foul and surface water drainage (inclusive of how the scheme shall be maintained and managed after completion) are submitted for approval by the Local Planning Authority.
- 6.21 United Utilities has confirmed in previous responses to consultations on this site, that Head Nooks Sewage Works has neither odour nor noise problems.
 - 6. Provision Of Affordable Housing
- 6.22 Local Plan Policy HO 4 requires 30% affordable housing on sites in Affordable Housing Zone A which encompasses Heads Nook, and stipulates that the affordable housing provision should be 50% affordable/ social rent (usually through a Housing Association) and 50% intermediate housing (usually discounted sale at a 30% discount from market value through the Councils Low Cost Housing Register). On sites of 6-10 units, such as this application, the affordable housing contribution is by way of a financial contribution, rather than on-site affordable units.
- 6.23 In accordance with policy HO 4, based on a 10 unit scheme, the requirement would therefore be 30% affordable housing, equating to 3 affordable units (50% for affordable/ social rent & 50% intermediate housing). The discount would be 30% on the intermediate units and 60% on the rented units. To assist with viability the affordable housing contribution has been calculated based on 2 no. intermediate units and 1 no. affordable/ social rented unit.
- 6.24 Since all of the units within the application site are larger, Executive type houses, which would not be suitable for affordable housing, the affordable commuted sum calculation has been based on 2016 lower quartile CACI Streetvalue data for Great Corby & Geltsdale ward, which is £177,106. Using this figure, the affordable housing contribution that would be required for this development would be £212,527 which would be secured through a S106 Legal Agreement. The contributions could be phased e.g. one third upon completion of the 3rd, 6th and 9th units.

7. Impact On Trees & Hedges

- 6.25 There are hedgerows and trees along the rear boundaries of The Whins and a condition has been added to the permission to ensure that these are protected by suitable barriers during the construction period.
- 6.26 Small sections of hedgerow would be removed to make way for the new access road to the development and for the creation of the construction

access. The extensive landscaping that is proposed for the development would compensate for the loss of these small sections of hedgerow.

8. Impact On Biodiversity

- 6.27 The site is currently a field which has low ecological value. The proposal would lead to the planting of a number of new trees within the site and the creation of a SUDS pond and should, therefore, make a positive contribution to biodiversity.
- An objector has stated that bats nest in the roofspace of a number of dwellings/ garages at The Whins and a bat survey should be undertaken at the garage of 8 The Whins, which is to be demolished as part of the proposals. The applicant been made aware of this issue and has been advised that a bat survey of the garage would be required prior to the determination of the application. Members will be updated on this matter at committee.

Other Matters

- 6.29 The Council's Waste Services Section has raised some concerns about the bin lorry being able to access the shared driveway to the front of Plots 1 to 4 due to angle of the road and the presence of trees. The applicant has been made aware of these issues and considers that a bin lorry would be able to access these dwellings. If this is not the case, the occupiers of these dwellings would need to bring their bins to the end of the shared driveway.
- 6.30 Wetheral Parish Council has requested that the developer makes a contribution towards the refurbishment of the Heads Nook play area. Given the size of the development, it would not be reasonable to request such a contribution. The developer has, however, been made aware of this request and is currently giving it some consideration. If they agree to make a contribution it would be made directly to the Parish Council and would not be to included within the S106.
- Objectors consider that the proposed development would be contrary to a number of covenants that are in place at 8 The Whins. This is not, however, a planning matter and the developer would need to consider if the development complies with any covenants that are in place.

Conclusion

6.32 In overall terms, the proposal is acceptable in principle. The scale and design of the dwellings would be acceptable and they would not have an adverse impact on the living conditions of the occupiers of any neighbouring properties. The proposed access and foul and surface water drainage would be acceptable. The proposal would not have an adverse impact on trees, hedgerows or biodiversity. A contribution towards affordable housing would be secured through a S106. In all aspects, the proposal is considered to be compliant with the objectives of the relevant national and local planning policies.

- 6.33 If Members are minded to grant approval it is requested that "authority to issue" the approval is given subject to the completion of a S106 Agreement to secure:
 - a) a financial contribution of £212,527 towards the provision of affordable housing.
- 6.34 A bat survey would also need to be undertaken of the garage prior to the determination of the application.

7. Planning History

- 7.1 In March 2014, outline planning permission was granted for residential development (13/0792).
- 7.2 In May 2015, full planning permission was granted for the erection of 3no. detached dwellings (15/0097).
- 7.3 In April 2016, full planning permission was granted for the erection of 2no. detached dwellings (16/0039).

8. Recommendation: Grant Subject to S106 Agreement

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2. The approved documents for this Planning Permission comprise:
 - 1. the submitted planning application form received 9th September 2016;
 - 2. the Location Plan as Existing (drawing no. SS006 HN:02) received 16th September 2016;
 - 3. the Block Plan as Existing (drawing no. SS006 HN:01) received 16th September 2016;
 - 4. the Proposed Site Plan (drawing no. SD-20.01) received 9th September 2016;
 - 5. the Proposed Site Plan (Coloured) (drawing no. SD-20.02) received 9th September 2016;
 - 6. the Type B Floor Plan (Plots 1,3,7 & 9) (drawing no. SD-10.03) received 9th September 2016;
 - 7. the Type B Elevations (Plots 1 & 7) (drawing no. SD-10.04a) received 16th September 2016;
 - 8. the Type B Elevations (Plots 3 & 9) (drawing no. SD-10.04b) received 9th September 2016;
 - 9. the Type C Floor Plan (Plots 2,6 & 8) (drawing no. SD-10.05)

- received 9th September 2016;
- 10. the Type C Elevations (Plots 2 & 8) (drawing no. SD-10.06a) received 9th September 2016;
- 11. the Type C Elevations (Plot 6) (drawing no. SD-10.06b) received 9th September 2016;
- 12. the Type M Floor Plan (Plots 4 & 5) (drawing no. SD-10.25) received 9th September 2016;
- 13. the Type M Elevations (Plots 4 & 5) (drawing no. SD-10.26) received 9th September 2016;
- 14. the Type R Floor Plan (Plot 10) (drawing no. SD-10.27) received 16th September 2016;
- 15. the Type R Elevations (Plots 10) (drawing no. SD-10.28) received 9th September 2016;
- 16. the Single Garage Plans, Elevations & Section (drawing no. SD-10.30) received 9th September 2016;
- 17. the Double Garage Plans, Elevations & Section (drawing no. SD-10.29) received 9th September 2016;
- 18. the Elevation Treatment Plan (drawing no. SD-20.04 A) received 9th September 2016;
- 19. the Street Scenes (drawing no. SD-40.01 A) received 9th September 2016;
- 20. the Boundary Treatment Plan (drawing no. SD-20.03 A) received 9th September 2016;
- 21. the New Drainage Layout Plan Sheet 1 of 2 (drawing no. K31729/A1/101) received 9th September 2016;
- 22. the New Drainage Layout Plan Sheet 2 of 2 (drawing no. K31729/A1/102) received 9th September 2016;
- 23. the Planning Statement, incorporating Design and Access Statement received 9th September 2016;
- 24. the Contamination Statement received 9th September 2016:
- 25. the Notice of Decision; and
- 26. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

Reason: To ensure the works harmonise as closely as possible with dwellings in the vicinity and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

4. No development shall take place until full details of hard and soft landscape works, including a phased programme of works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping

scheme shall be replaced during the next planting season.

Reason: To ensure that a satisfactory landscaping scheme is prepared

and to ensure compliance with Policy SP6 of the Carlisle

District Local Plan 2015-2030.

5. No development shall commence until details of any walls (including the walls adjacent to the access road to the front of 8 The Whins), gates, fences and other means of permanent enclosure and/or boundary treatment to be erected have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure the design and materials to be used are appropriate

and to ensure compliance with Policy SP6 of the Carlisle

District Local Plan 2015-2030.

6. No work associated with the construction of the residential units hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance

with Policy SP6 of the Carlisle District Local Plan 2015-2030.

7. For the duration of the development works, existing trees and hedges along the boundary with the properties on The Whins shall be protected by a suitable barrier, the position of which shall be indicated on a plan and agreed in writing by the Local Planning Authority before development works commence. Within this protected area there shall be no excavation, tipping or stacking, nor compaction of the ground by any other means.

Reason: To protect trees and hedges during development works in

accordance with Policy GI3 of the Carlisle District Local Plan

2015-2030.

8. No development shall commence until full details of the wildlife enhancement measures to be undertaken at the site, together with the timing of these works, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall then be carried out in strict accordance with the agreed details.

Reason: In order to enhance the habitat for wildlife in accordance with

Policy GI3 of the Carlisle District Local Plan 2015-2030.

9. Prior to the commencement of development, plans shall be submitted for approval in writing by the Local Planning Authority which show the proposed front elevation of 8 The Whins (following the demolition of the garage).

Reason: To ensure the dwelling as altered does not have an adverse

impact on the area and to ensure compliance with Policy SP6

of the Carlisle District Local Plan 2015-2030.

10. The carriageway, footways, footpaths, cycle ways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved & the appropriate Section 38 document signed. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests of highway safety. To support Local Transport Plan Policies LD5. LD7 & LD8.

11. Ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc. to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development.

Reason: To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety and to support Local Transport Plan Policies LD5, LD7 & LD8.

12. The development shall not commence until visibility splays providing clear visibility of 70 metres in a north easterly direction & 70 meters in a south westerly direction measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway from a point 2.4 meters back from the edge of the carriageway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be formed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 & LD8.

13. No dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.

Reason: To ensure that the access roads are defined and laid out at an early stage and to support Local Transport Plan Policies LD5, LD7 & LD8.

14. No dwellings shall be occupied until the estate road including footways and

cycle ways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 & LD8.

15. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason: To avoid vehicles entering or leaving the site by an

unsatisfactory access or route, in the interests of road safety and to support Local Transport Plan Policies LD7 & LD8.

16. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.0m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved (before development commences) and shall not be raised to a height exceeding 1.0m thereafter.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 & LD8.

17. The dwellings shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use and to support Local Transport Plan Policies LD5, LD7 & LD8.

18. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles and for vehicles to enter and leave the site in a forward direction shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason: To ensure that all vehicles can be properly and safely accommodated clear of the highway and to support Local Transport Plan Policies LD7 & LD8.

19. Before any development takes place, a plan shall be submitted for the prior approval of the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access

thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason:

The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users and to support Local Transport Policy LD8.

20. The access and parking/turning requirements shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway with access from Black Lonning.

Reason:

The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users and to support Local Transport Policy LD8.

- 21. Development shall not be begun until a Construction Method Statement including details of all on-site construction works, post-construction reinstatement, drainage, mitigation, and other restoration, together with details of their timetabling has been submitted to and approved by the Local Planning Authority and shall include measures to secure:
 - formation of the construction compound and access tracks and any areas of hard standing;
 - cleaning of site entrances and the adjacent public highway;
 - the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
 - post-construction restoration/reinstatement of the working areas;
 - the submission of a construction surface water management plan.

The Construction Method Statement shall be carried out as approved.

Reason: In the interests of public safety on the highway and to support Local Transport Policy LD8.

- 22. Development shall not be begun until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of:
 - the construction of the site access "Black Lonning" and the creation, positioning and maintenance of associated visibility splays;
 - access gates will be hung to open away from the public highway no less than 10m from the carriageway edge and shall incorporate appropriate visibility displays;
 - the pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; for The Whins & Black Lonning.
 - details of proposed crossings of the highway verge;
 - retained areas for vehicle parking, maneuvering, loading and unloading for their specific purpose during the development;

- the surfacing of the access roads from the public highway into the site shall extend for a minimum of 25m;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- the scheduling and timing of movements, details of escorts for abnormal loads, temporary warning signs and banksman/escort details.

Development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of public safety on the highway and to support Local Transport Policy LD8.

23. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

- 24. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents Management Company; and
 - a. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial woks and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

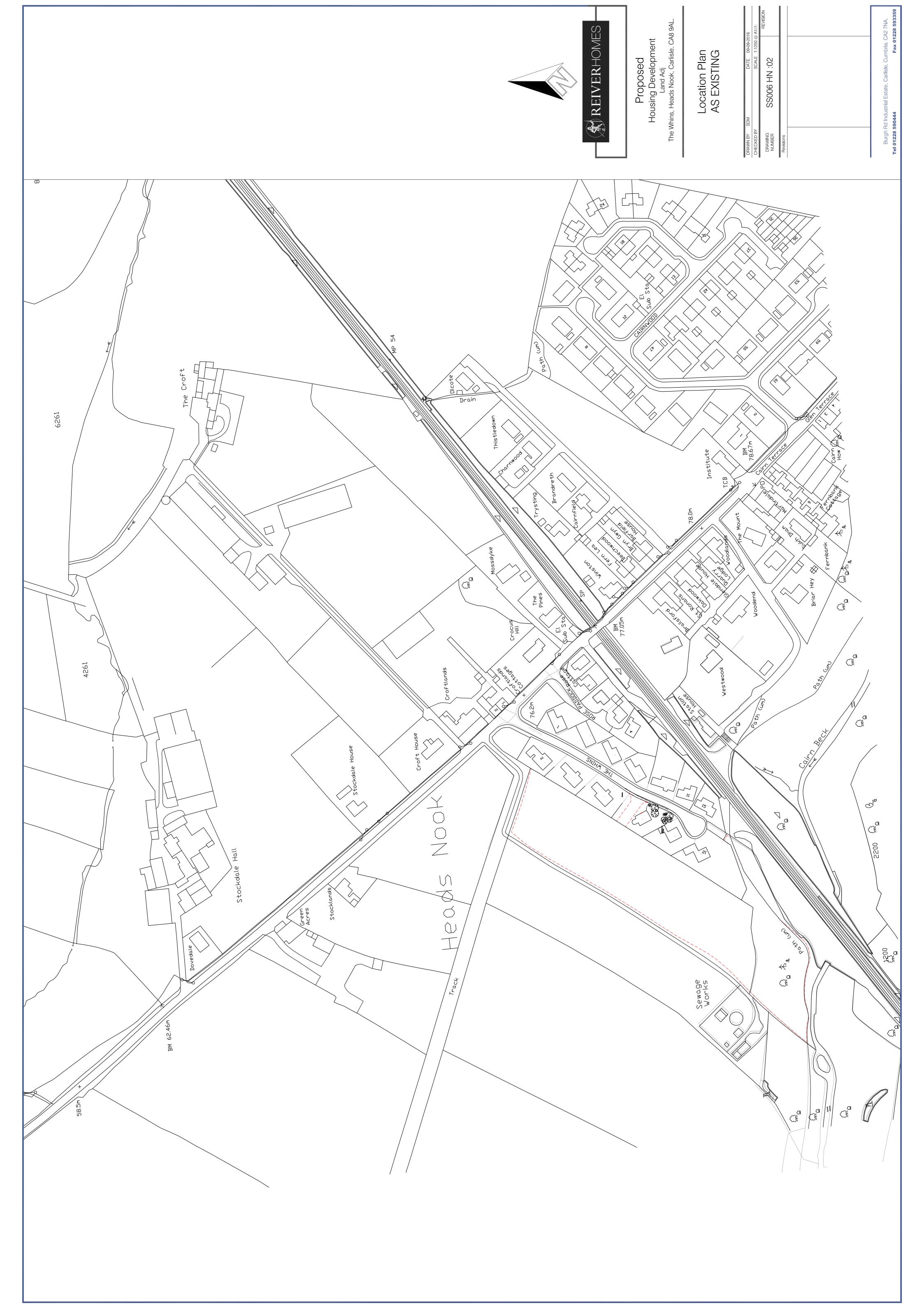
The development shall subsequently be completed, maintained and

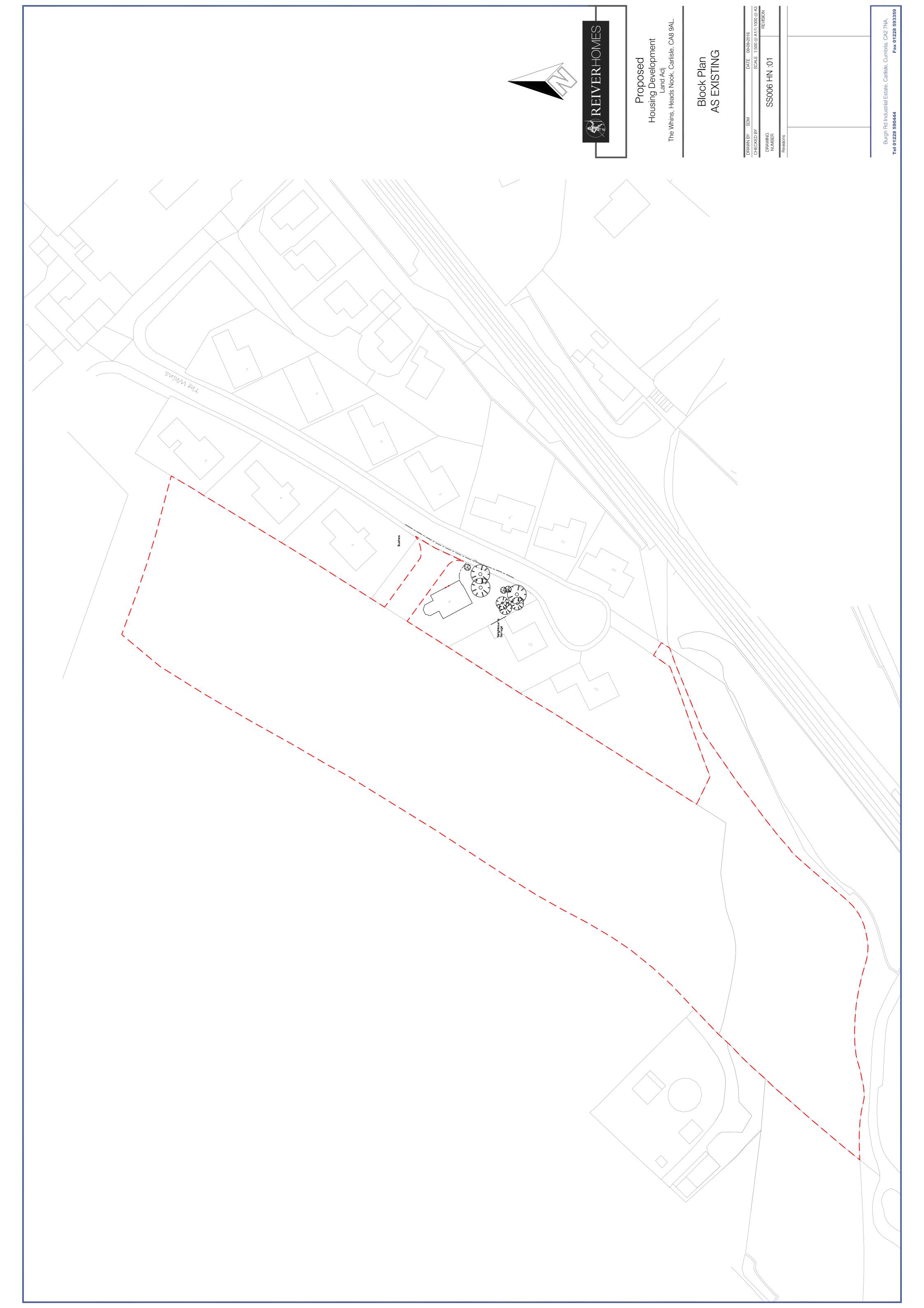
managed in accordance with the approved plan.

Reason:

To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the

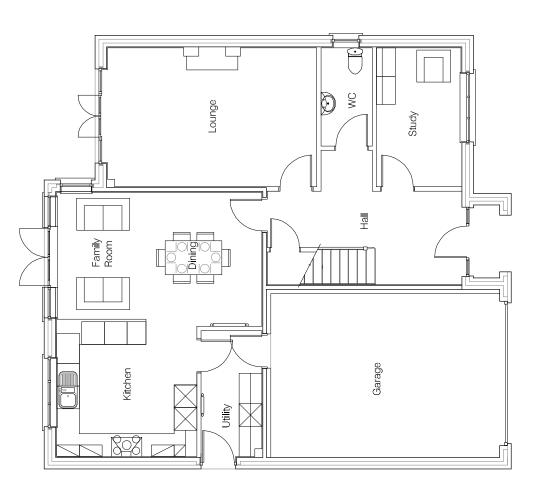
lifetime of the development.



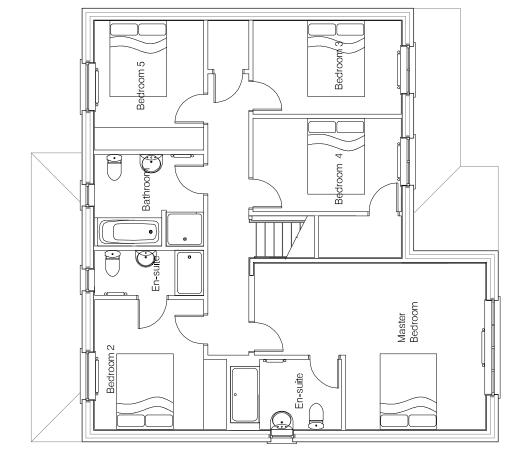








Ground Floor, 939.86sqft Garage, 282.21sqft



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First Floor, 1055.78sqft



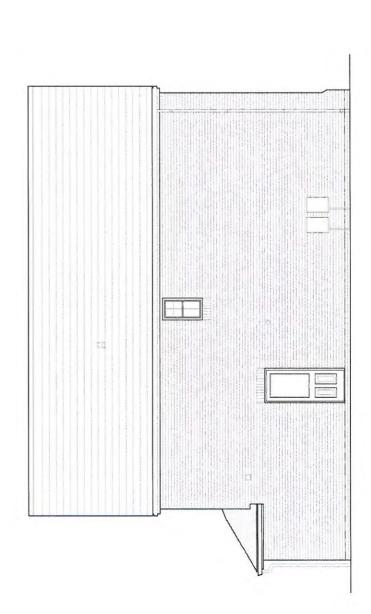
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раминс пт. Type B - Floor Plans (Plots 1,3,7 & 9)

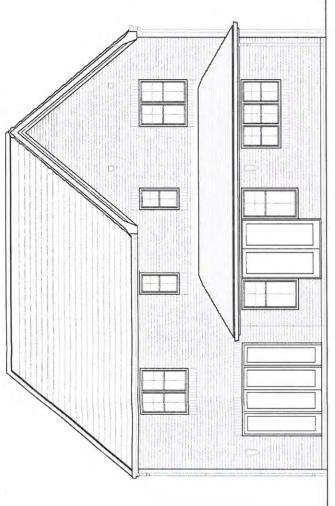
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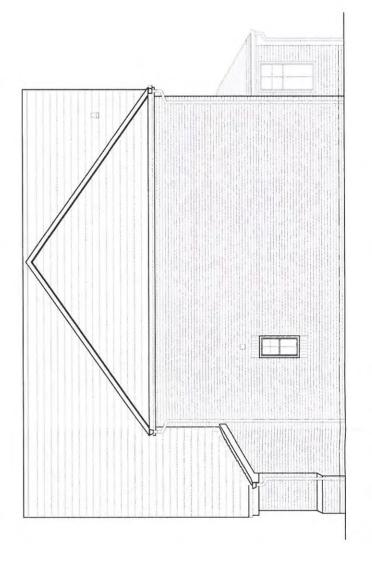
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



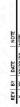
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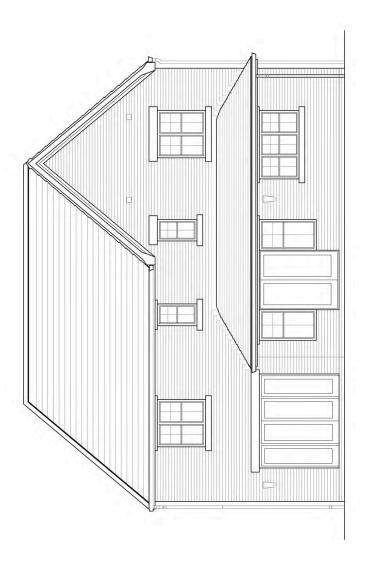
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Type B - Elevations (Plots 1 & 7)

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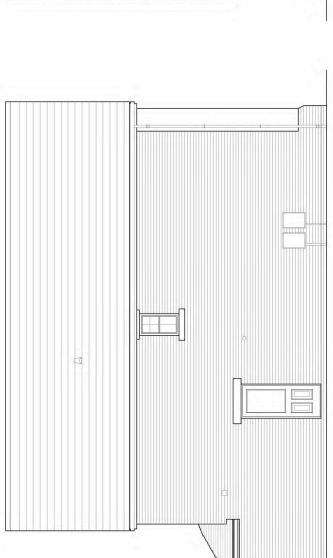
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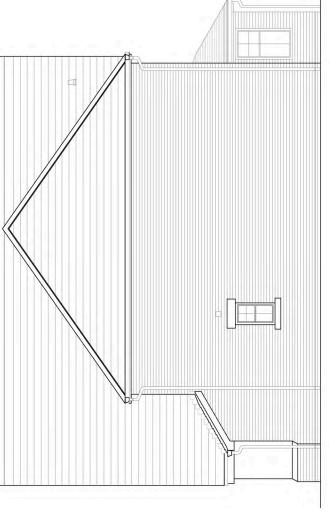


Rear Elevation

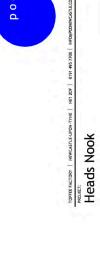
Front Elevation



Side Elevation



Side Elevation



рамине mta Type B - Elevations (Plot 3 & 9)

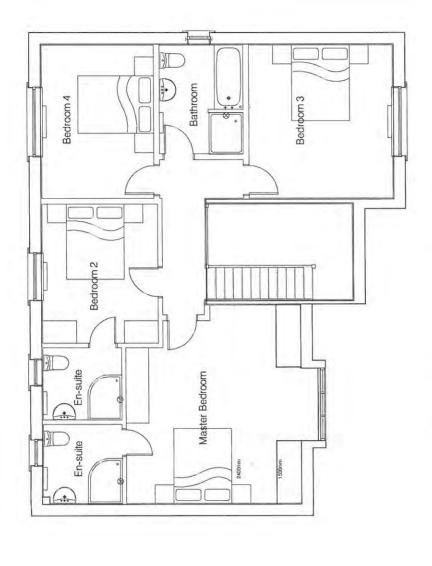
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Garage Kitchen Kitchen Kitchen Kitchen Garage Hall Hall Lounge

Ground Floor, 833.60sqft

Garage, 302.66sqft



First Floor, 919.12sqft



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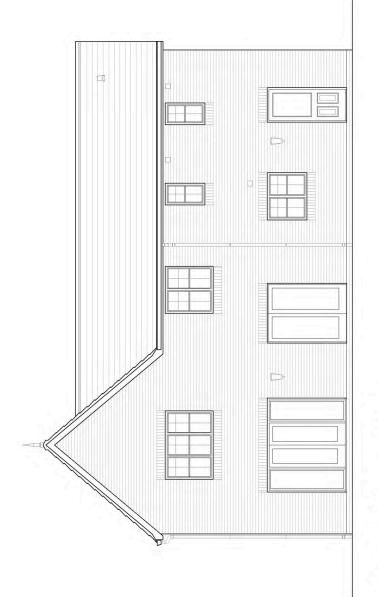
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Type C - Floor Plans (Plots 2, 6 & 8)

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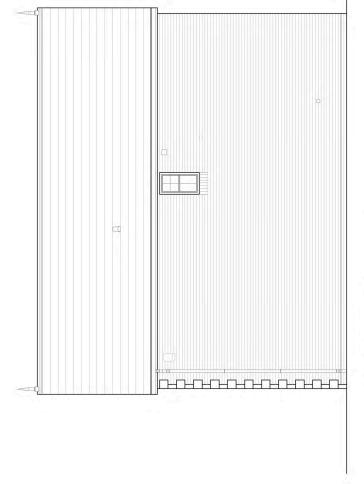
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Rear Elevation

Front Elevation



Side Elevation



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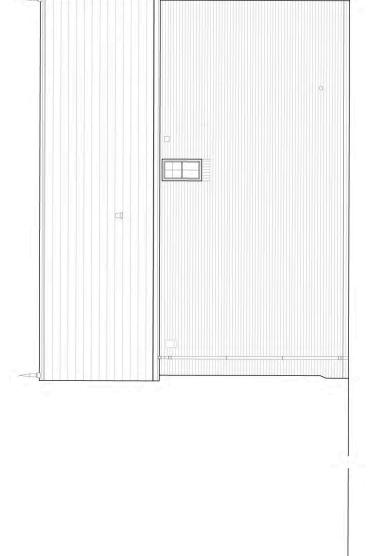
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Rear Elevation

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Side Elevation

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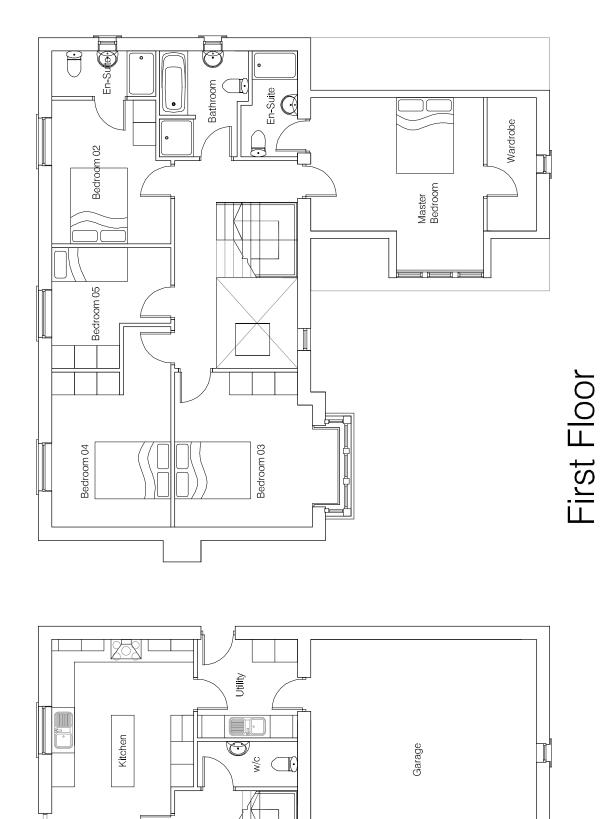
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Type C - Elevations (Plot 6)

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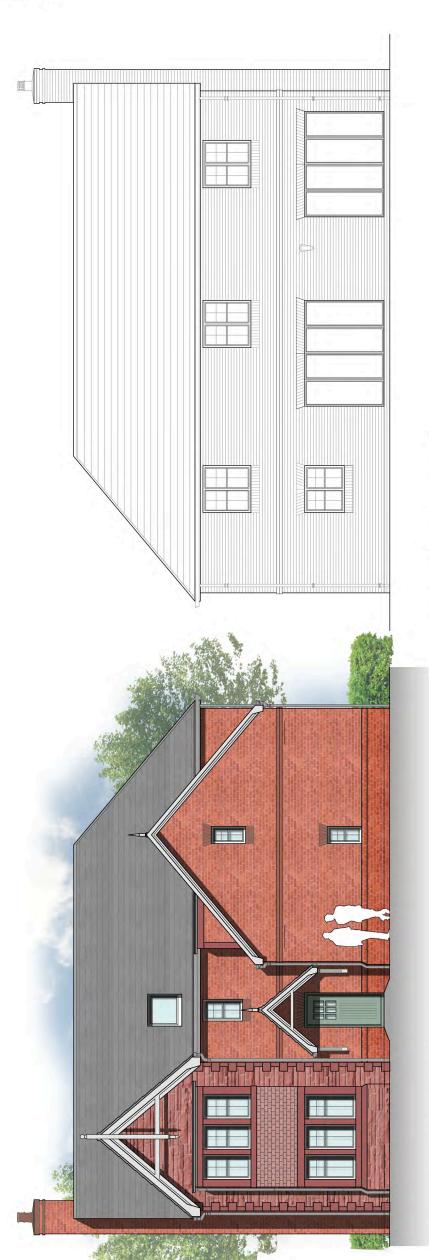
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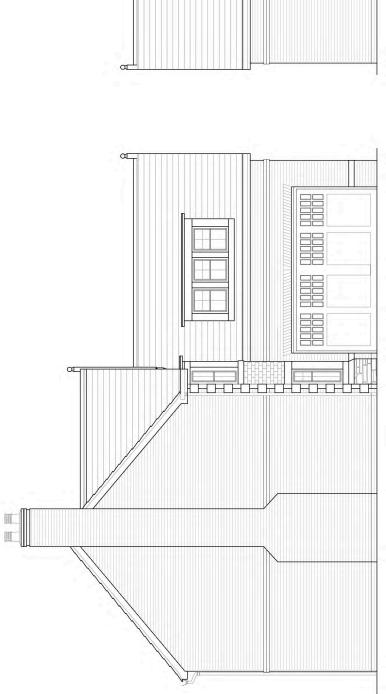
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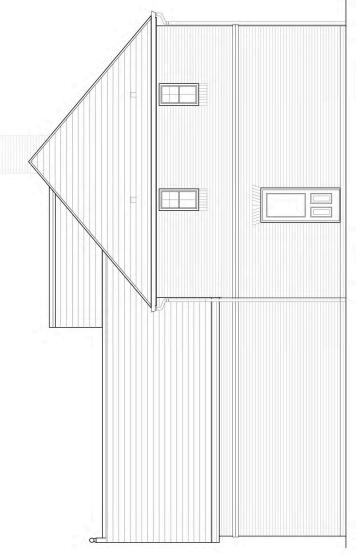
Rear Elevation

Front Elevation



Side Elevation

Side Elevation



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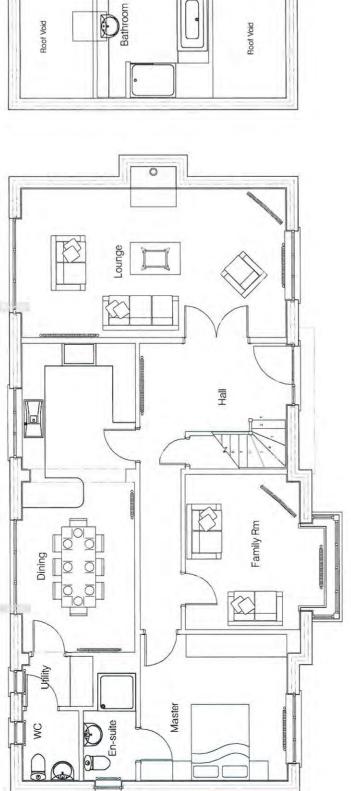
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приминенты Type M - Elevations (Plots 4 & 5)

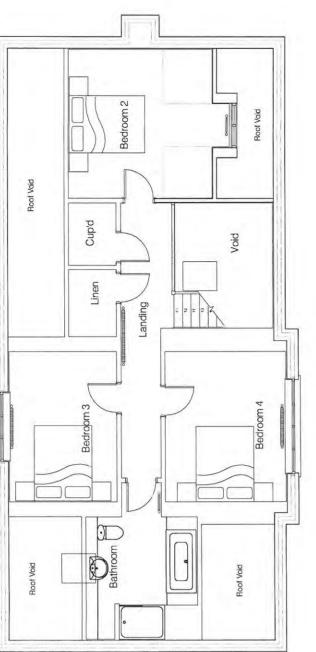
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Ground Floor, 1219.5sqft



First Floor, 733.0sqft



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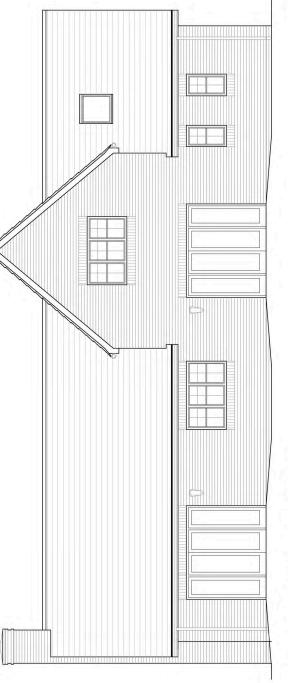
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Type R - Floor Plans (Plot 10)

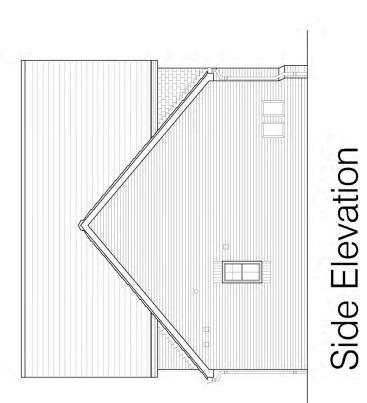
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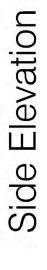
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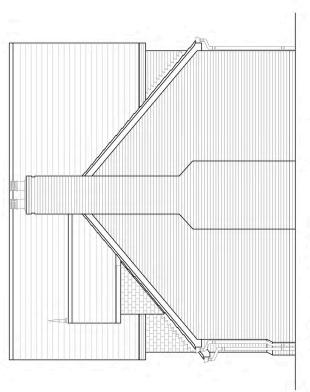




Rear Elevation



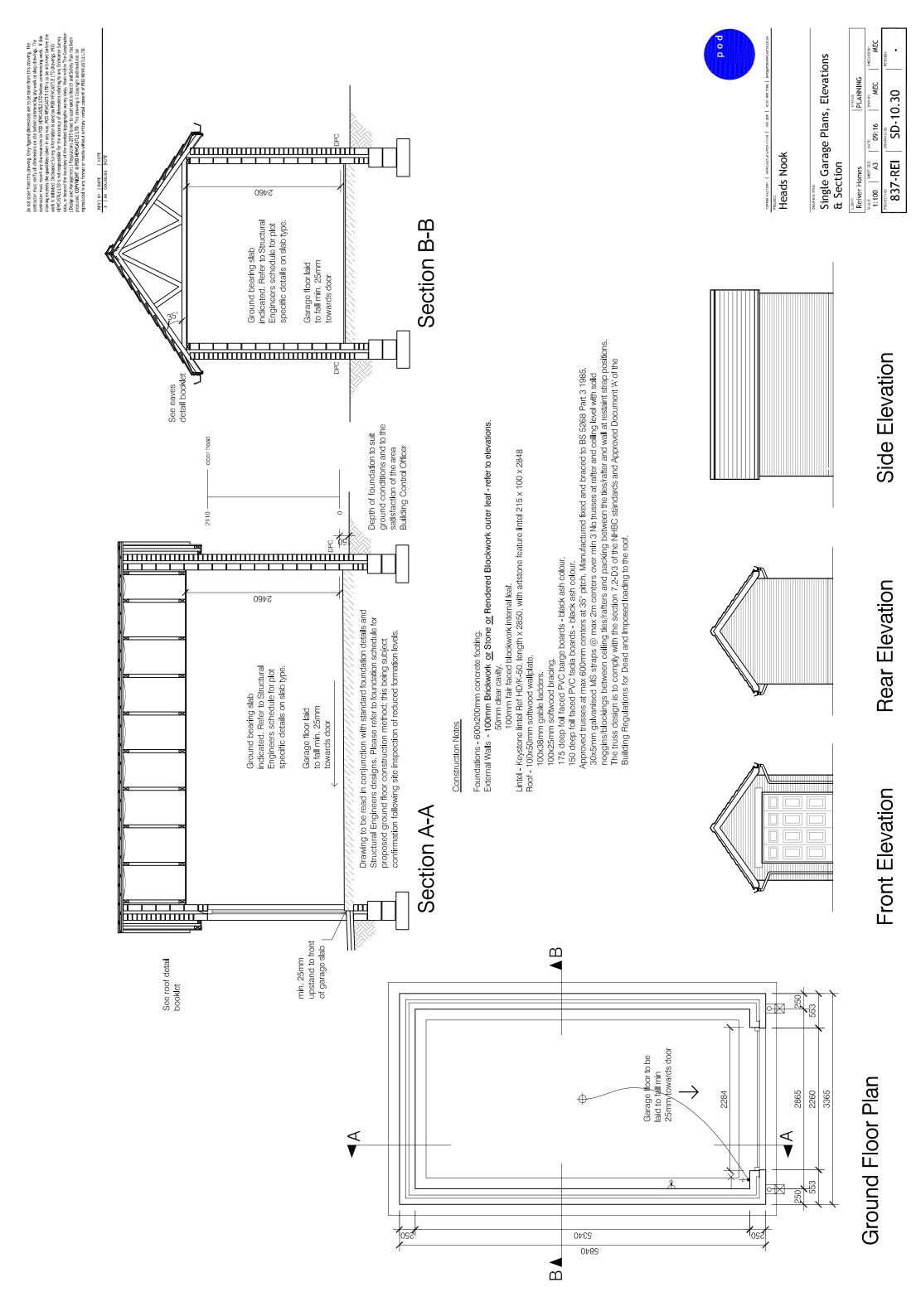


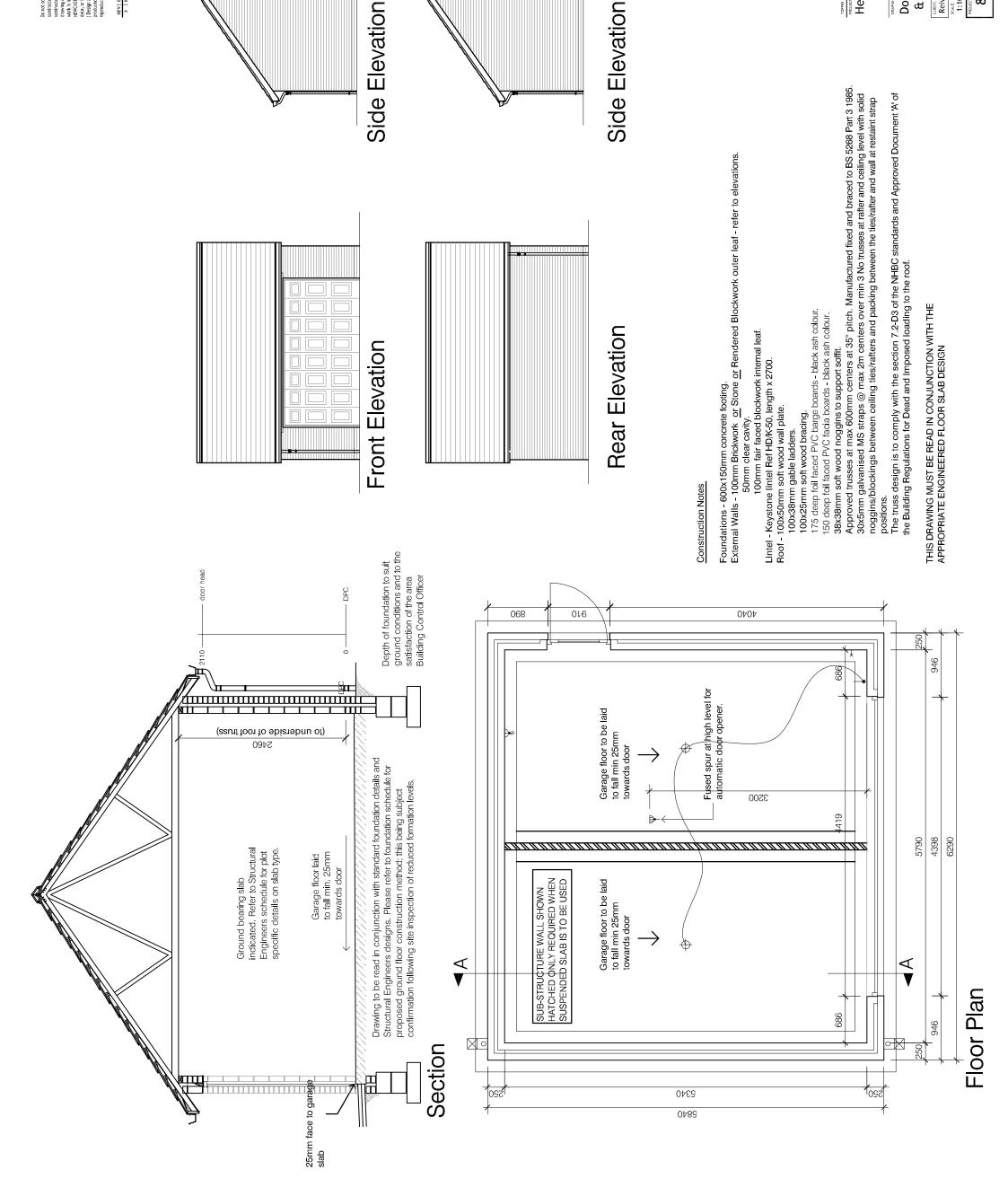


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Do not scale from this drawing, Dray figured dimensions are to be taken from this drawing. The contractor must veryll all direstions on site before commercing any way. As object downline, The contractor must report any discrepancies to 200 MeWCSTELID before commercing www. If this contractor must report any discrepancies to 200 MeWCSTELID before commercing www. If this configured before the work is inflated. Ordinance Survey information is used on DO MEWCSTELID To devange, Thou WCSTELID to the scorpcapied from the contract of dismissions relating to any Ordinance Survey data, or beyond the boundary of the inserted topographic arrey data, wide, within The Construction (Design and Management 1 Regulators 2018 is not to start with a Fellal and sciety has been produced. COPPORTING TO POWEMCSTELID. This serving is Copyright and must rest be reproduced in any format or media without written in veralla consent of POD RefUGSTELID.

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	Elevations	
DOWNING HILE	Double Garage Plans,	& Section

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1:200 A1
PROJECT NO:

837-REI

KEY - NTS

DRAWING TITLE:
Street Scenes

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APPLICATION BOUNDARY



