SCHEDULE A: Applications with Recommendation

Item No: 03	Date of Committee: 02/06/2017				
Appn Ref No: 17/0131	Applicant: Robinson Dixon Homes Ltd	Parish: Wetheral			
Agent: Taylor & HardyWard: WetheralLocation:Land behind 37 to 65, Scotby Road, ScotbyProposal:Proposed Erection Of 34 Dwellings And The Enlargement Of The Gardens Serving Plots 6-8 Approved Under Application 16/0159.					
Location: Land behind 37	to 65, Scotby Road, Scotby				
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Date of Receipt: 15/02/2017 16:02:57	Statutory Expiry Date 17/05/2017 16:02:57	26 Week Determination 16/08/2017 16:02:57			

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended to grant planning approval, it is requested that "authority to issue" the approval is given subject to the completion of a S106 Legal Agreement to secure:
 - a) ten dwellings being secured as affordable housing 5 at a 30% discount and 5 for discounted rent;
 - b) a financial contribution of £72,090 to Cumbria County Council towards education provision;
 - c) a financial contribution of £24,221;
 - d) the maintenance of the informal open space within the site by the developer.

2. Main Issues

- 2.1 Whether The Proposal Is Acceptable In Principle
- 2.2 Whether The Scale And Design Would Be Acceptable
- 2.3 Impact On The Living Conditions Of The Occupiers Of Neighbouring Properties
- 2.4 Highway Matters
- 2.5 Foul And Surface Water Drainage

- 2.6 Affordable Housing
- 2.7 Open Space
- 2.8 Education

3. Application Details

The Site

- 3.1 The application site, which covers an area of 0.89 hectares of former agricultural land, is located to the rear of numbers 37-65 Scotby Road, Scotby. The land falls from east to west by up to 4m. A large part of the site is currently being used as a builder's compound for the residential development on the adjoining land, with part also being used to store surplus soil from the adjacent site. A mains sewer runs through the site.
- 3.2 The northern boundary of the site is adjoined by land in the ownership of the applicant on which eight dwellings are currently under construction and also by 10 Holme Close. Dwellings on Scotby Road, which sit at a higher level than the application site, adjoin the application site to the east. The eastern site boundary is defined by a mix of fencing and hedging that delineates the rear boundaries of the dwellings. The land to the south consists of the rear garden to 37 Scotby Road and an area of undeveloped grassland. The land to the west consists of undeveloped grassland and an area of woodland, beyond which lie residential properties on Park Close and Near Park.
- 3.3 Within the immediate area there are a range of house types and styles. The majority of the housing along Scotby Road is primarily semi-detached or detached two-storey properties, whilst dormer bungalows prevail in Holme Close to the north of the site. The dwellings currently under construction on the adjacent site are detached and semi-detached two-storey properties.

Background

- 3.4 In April 2016, outline planning permission was granted for the erection of 14 dwellings on part of the application site (14/0191), whilst in August 2016, full planning permission was granted for the erection of 8 dwellings on land that adjoins the application site (16/0159).
- 3.5 In March 2017, planning permission was granted for proposed new entrance and improvements to the existing vehicular access to enable the retention of 61 Scotby Road and the omission of the internal road narrowing (17/0048).

The Proposal

3.6 The development would consist of 34 dwellings, which would include a range of house types the details of which are provided below. Plots 1 to 8 have already been granted planning permission under application 16/0159:

- Plots 9 to 11 and Plots 20 to 22 would consist of a terrace of three two-storey two bedroom dwellings.

- Plots 12 & 13 would be detached two-and-a-half-storey five bedroom dwellings. Plot 13 would have a detached single garage.

- Plot 14 would be detached two-and-a-half-storey six bedroom property, with a detached single garage.

- Plots 15 to 18 would be semi-detached two-and-a-half-storey five/ six bedroom dwellings.

- Plot 19 would be a detached two-and-a-half-storey six bedroom property with an integral garage.

- Plots 23 to 28 and Plots 37 to 42 would be located within a three-storey apartment block, with two two-bedroom apartments being provided on each floor.

- Plots 29 to 31 and 33 to 35 would consist of terraces of three three/ four bedroom properties.

- Plots 32 & 36 would be detached two-and-a-half-storey six bedroom properties with integral single garages.

- 3.7 The dwellings would be constructed predominantly of brick, with stone quoins, heads and sills under a grey tiled roof. The front elevations of Plots 14, 19, 32 and 36 would be constructed of buff coursed stone, with the rear elevations being a mixture of stone and brick.
- 3.8 Each of the dwellings would have small rear gardens and a minimum of two in-curtilage parking spaces, with the larger dwellings have additional in-curtilage parking. In addition, Plots 13 and 14 would have detached single garages, with Plots 19, 32 and 36 having integral garages. Two visitor parking spaces would be provided within the site.
- 3.9 One of the apartment blocks would have 9 parking spaces with the other having 11 spaces. Private gardens would be provided for the ground floor apartments, with communal garden areas being provided for the first and second floor apartments. A bin storage area would also be provided adjacent to each of the apartment blocks.
- 3.10 The development would be served by the existing road that would serve the dwellings that are currently under construction on the adjacent site. This road links into Scotby Road between numbers 61 and 63.

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 31 neighbouring properties. In response 8 letters of objection have been received.
- 4.2 The letters of objection make the following points:

Scale and Design

The proposed 2.5 storey homes and 3 storey apartment blocks are not in-keeping with the existing properties on Scotby Road;

The proposed dwellings are out of character within a village community and

are much too high for a village settlement;

The application does not safeguard the character of the area being two /half and three storeys high and there are no such dwellings in the nearby vicinity or in close proximity;

The houses look completely out of character with the surrounding dwellings and due to site density are much too tightly packed in together;

The proposal will be over domineering; such houses would be suitable in a town or a city but not in this type of village community;

The village desperately needs affordable bungalows for an aging community and as such this proposed development does not meet the needs of the community and therefore will have a negative impact on the community;

Object due to over-intensive use and poor design;

Regarding over-intensive use ("density"), the applicant has sought to add dwellings to the number proposed in an earlier outline planning application, with the result that an application in a village setting now goes markedly against the development grain of existing properties;

Proposed development would be bad for the future residents, represents poor neighbourliness in design terms and is of particular concern given the narrow access to this site;

The applicant acknowledges in the Design & Access Statement that density is higher than average and justifies this blatant over development on the grounds that, were the apartment blocks semi-detached, the density would be within normal bounds;

The flagrant over-development is defended in the Planning Statement on the grounds that it allows more housing types, and that it relieves development pressure elsewhere. This is disingenuous and does not represent good planning policy;

A relatively small site will only bear a certain number of housing types. Multiplicity of design does not outweigh the local and national requirement for good design, including in terms of density, massing, bulk, height, and neighbourliness;

Proposal would lead to over-development on the site;

Good design is central to good planning. The National Planning Policy Framework specifically cites density, massing and height as being intrinsic to good design;

The character of the village has the potential to be eroded with this proposal. Not only due to the proposal itself but also the precedence it sets for surrounding small areas of land to be developed (including the land adjacent and to the west of the village, which has the capacity for further larger development) decreasing the 'small village' character currently within the community;

Carlisle City's Local Plan, Policy 6, says that submissions should "respond to the local context and the form of surrounding buildings in relation to density, height, scale, massing and established street patterns…". Plots 13 and 14 back on to 43 and 45 Scotby Road. There is plenty of space on the development site to avoid over-crowding existing dwellings. Yet the application proposes three storey buildings at proposed numbers 13 and 14. The houses on Scotby Road would face sheer brick walls near the bottom of their gardens. This is unnecessary if the layout of the submission were altered;

It is proposed that the dwellings should be three-storeys – much higher than originally proposed for the site;

The proposed plans for these two dwellings breach planning guidelines on the grounds of height, bulk, massing and good design (visual amenity);

The proposed flats are not in keeping with dormer bungalows but this appears to be irrelevant now and has not been considered relevant in previous applications;

In the original plans there were 20 dwellings proposed and these were 2 storey - this has nearly doubled and the houses have increased to 3 storeys high;

Proposal is contrary to CP5 (SP6) of the Local Plan;

Plots 13 and 14 should be moved further away from the boundary;

The proposal is over-development on a large scale;

The blocks of flats are too high;

The development is blocking more and more light from the existing dwellings on Holme Close;

Should limit any further over domineering development in this site;

Proposal would lead to loss of light to properties along Scotby Road - 2.5 storey dwellings 1m from the boundary will block out light from the current properties;

Proposed development is not in keeping with the area;

Amenity

Concerned about the loss of privacy due to plot 19 directly overlooking the bedrooms and living areas of 37 Scotby Road (seven windows and a patio door);

Note that in one of the many previous applications, that the new properties that are close to the existing homes on Scotby Road were to be restricted to 1.5 storey dwellings - why has this changed;

The planned dwellings would be detrimental to the living conditions of residents along Scotby Road;

From the perspective of a neighbouring resident the proposed dwelling are much too close to the gardens of those living on Scotby Road, especially those planned on plot 13 and 14;

Residents along Scotby Road will be affected by these proposed dwellings being three storeys high, so out of keeping for this village community;

The residents of 45 Scotby Road will have an over domineering building very close to their boundary;

The residents on Scotby Road will have to plant relevant foliage to obliterate the proposed dwellings;

Although the aim of the developers in phase one was to have no adverse impact on the living conditions for the residents in Holme Close, this has not been adhered to as the residents in 11 Holme Close have had to build a gazebo at a cost of $\pounds 2,000+$ to obliterate the eight windows facing into their garden and the occupiers of 12 Holme Close will have to plant relevant trees to obliterate the eight widows looking into their garden;

Would like the members of the committee to consider the detrimental impact of this development on the lives of the existing residents living in this village and not just whether the development meets the technical criteria as there is also a psychological/emotional criteria agenda which also needs to be considered;

Many residents have lived here for thirty years plus and no consideration has been given to those residents and the impact of these out of character, high, closely built, buildings have had on those residents;

It is true that the proposals meet the BREEAM minima for overlooking occupied rooms, but those standards are minima. In this instance, the developer has a blank sheet and has no need to bring about a sense of enclosure;

Proposed dwellings are too close to the rear boundary of 45 Scotby Road (1.5m);

The dwellings are 3-storey and the rooms in the roof will have windows which will overlook gardens of the neighbouring properties;

The houses already erected on site tower above the houses around them;

3-storey houses will be overpowering;

Proposed dwellings would be over dominant and lead to loss of privacy for dwellings on Scotby Road - the previous application was approved for 1.5 storey dwellings;

Proposed 3 storey dwellings on the eastern boundary of the site will result in gross visual intrusion for existing residents;

Plots 13 and 14 will be 2 of the taller houses and they will only sit 1m from the boundary fence. - this could undermine the concrete posts of the fence and leave it liable to weakening and possible collapse;

Highway Matters

The development will be detrimental highway safety as determined by David Bell in his initial report;

Although the findings from the WYG PICADY model may suggest that 50 dwellings would make an almost no difference to road users, this computer software programme is not fit for purpose in this village road use calculation as it does not take into consideration at all the safety of the many children walking or cycling to school or the many dog walkers, walker or cyclists;

Should be considering total road use safety not just volume of traffic;

The Picady Model is an empirically derived one, based on extensive data sets collected at existing junctions but it does not consider the safety of all road users, children walking to school or those on disability scooters typically seen in Scotby;

If the proposal is accepted, the exit is still onto a blind dangerous concave bend onto a main road;

A number of children in Scotby cycle along Scotby Road on their way to Scotby School and they do this especially in the summer months as they train for their cycling proficiency test in June;

The exit is an accident waiting to happen and it is the residents duty to bring this situation and proposal to the Council's attention;

The road outside the school is already severely congested around peak school times due to the road design, number of pupils and the location of the road. Although this is outside the scope of this application, the potential to increase the traffic outside the school should be considered;

proposal will lead to increased traffic on Scotby Road which is already busy and visibility is restricted;

the increase in traffic will make it more dangerous for children to walk to school;

<u>Drainage</u>

Foul drainage from existing houses may cross the site;

Concerned about drainage from homes on Scotby Road. The drains run through the development site and not sure this issue has been properly investigated;

Concerned (due to the volume of top soil on site) that the overall height above sea level of the plot is being increased which would lead to water run off onto adjacent land;

<u>Other</u>

The school is currently full to capacity with several children in the village over the last year unable to gain a place at the school due to the amount of children. This proposal has the potential to further exacerbate this problem;

The infrastructure of the village has not been considered;

45 Scotby Road has been extended by approximately 8m and the drawings don't reflect this;

The latest outline plan of the development appears to encroach on the boundary of 37 Scotby Road with the proposed development - the plans should be corrected before the meeting. If this correction is not made, the planning authority should dismiss the application as the proposed plan is incorrect;

Referring to the plans (20 rd slp2 p2 - site location plan - phase 2 15022017) it appears to show a step encroachment over the boundary at the bottom of 39 Scotby Roads garden - not been approached about the use of this strip of land;

Would like the planning committee to consider the faithful village community over the Agent/ developer, who obviously is only interested in making money from this planning application rather than looking at what would best serve the interests of the Scotby Village community.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): highways has no objections to the proposal, subject to conditions (construction details; provision of ramps; timing of works; provision of visibility splays; construction parking). The LLFA considers that the application should be refused until information on the method of the treatment of surface water is provided. However, if the LPA considers that they wish to grant permission and ensure that the full details of the drainage system are submitted at a later date then conditions can be added to the permission to ensure a sustainable drainage design with satisfactory treatment is achieved (surface water drainage; construction surface water management plan);

Wetheral Parish Council: - objected to the original plans - concerned that the

proposal reduces the road width to 4.8m which would inhibit the passing of large vehicles causing traffic issues on Scotby Road. Request that 61 Scotby Road should be demolished to enable safer access and exit from this development as the number of vehicles movements will increase as the site extends to include additional dwellings. Members are aware of the comments made by the County Council that the site access could accommodate the trip generations of up to 50 dwellings. Question that this is based on application 16/0159 prior to application 17/0048.

Following the receipt of amended plans the Parish Council submitted the following observations - Plots 13 and 14, being two of the taller and larger dwellings, will be only 1m from the boundary fence, in the case of plot 14 to the existing properties of 43 and 45 Scotby Road and the dwellings should be repositioned to make them less obtrusive. Concerned with the limited visitor parking and request additional spaces are made available;

Waste Services: - no objections. The layout appears accessible to waste collection vehicles. The apartments will need to provide space for an 1,100 litre shared 'eurobin' as near to the roadside as possible. The developer would need to contribute to the cost of providing refuse bins;

Cumbria County Council - (Archaeological Services): - no objections;

Natural England: - no objections, subject to conditions (surface water drainage; Construction Method Statement);

Green Spaces: - requested a contribution of £24,221 towards maintaining/ improving open space in the area;

Local Environment - Environmental Protection: - no objections, subject to conditions (contamination; Construction Method Statement);

Cumbria County Council (Education Department): - there are insufficient places available in the catchment school to accommodate the primary pupil yield of 6 places from this development. The Primary catchment school of Scotby is full before any other developments are taken into account. Therefore an education contribution of £72,090 (6 x £12,015) is required to provide capacity at either Scotby Primary School or the nearest school where capacity can be provided to mitigate the impact of the proposed development. Whilst it is considered the development of this site will further contribute to the pressure on secondary school places, further work will be undertaken to identify a strategic solution to the issue. Therefore at this stage, no contribution will be sought for secondary school places. No contributions are sought towards school transport.

United Utilities: - no objections, subject to conditions (foul and surface water drainage).

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies HO2, HO4, SP6, GI3, GI4, GI6, IP3, IP4, IP6, CC5, CM2 and CM4 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 application site lies within Scotby which contains a range of services, including a primary school, a shop, a public house, a village hall and a church. In April 2016, outline planning permission was granted for the erection of 14 dwellings on part of this site, whilst in August 2016, full planning permission was granted for the erection of 8 dwellings on land that adjoins the application site. In light of the above, the proposal would be acceptable in principle.
 - 2. Whether The Scale And Design Would Be Acceptable
- 6.4 The proposal would consist of a range of detached, semi-detached, short terraces and apartment blocks and would include two, two-and-a-half and three-storey buildings of varying designs.
- 6.5 The proposal is seeking to erect 34 dwellings on a site that measures 0.89 hectares. Whilst this would equate to 41 dwellings per hectare, the density is high due to inclusion of semi-detached properties, terraces of three dwellings and apartment blocks. The separation distances between dwellings within the development comply with the Council's guidance, whilst the separation distances between the existing and proposed dwellings would greatly exceed the minimum separation distances. Each dwelling would have a minimum of two in-curtilage parking spaces, with the larger dwellings having additional parking. Each dwelling would also have a small private garden area. Whilst the proposed density is higher than the surrounding area it is not considered to be unacceptable for the reasons outlined above.
- 6.6 The majority of the dwellings would be constructed of brick, with stone quoins, heads and sills. The front elevations of four of the dwellings would be constructed of buff coursed stone with the rear elevations containing stone at first floor level. There is a range of house types in the area and the design of the proposed dwellings would be similar to those currently under construction on the adjacent site.
- 6.7 The apartments would have three-storey stone gables to the front elevations, with the ground floor of the front elevations also being constructed of stone. The remainder of the apartments would be constructed of brick with stone quoins, heads and sills. One of the apartment blocks would be three-storey with the other utilising the roofspace through the use of windows at eaves level.
- 6.8 Whilst the apartments would be three-storey and some of the dwellings would be two-and-a-half-storey the impact on surrounding properties would be reduced due to the change in levels across the site. The ridge height of

apartments 23-28 would sit approximately 1.6m lower than the ridge height of 37 Scotby Road. The ridge height of apartments 37-42 would be approximately 1.2m lower than the ridge height of 63 Scotby Road and Plots 1 and 2 and similar to the ridge heights of Plots 3 to 5.

- 6.9 Each dwelling would have a minimum of two in-curtilage parking spaces, with the larger dwellings having additional parking. Some dwellings would also have detached garages with others having integral garages. One of the apartment blocks would have eleven parking spaces, with the other having nine and both would have refuse storage areas. Two visitor parking spaces would also be provided within the site.
- 6.10 Each of the dwellings and the ground floor apartments would have private gardens, with the apartments on the first and second floors having communal gardens. A landscaped area would be provided at the end of main road in and this would provide a focal point.
- 6.11 In light of the above, the scale and design of the proposals would be acceptable.

3. Impact On The Living Conditions Of The Occupiers Of Neighbouring Properties

- 6.12 A number of objectors have raised concerns about the impact of the proposed dwellings on the adjoining dwellings, particularly given the height of some of the dwellings and their proximity to the boundary with the dwellings on Scotby Road.
- 6.13 The dwellings on Scotby Road sit at a higher level than the site. Plot 13 would have a side elevation to the rear of 49 and 51 Scotby Road, which would be a minimum of 26m away. Whilst it would be a two-and-a-half-storey property it would have a ridge height of 9m. The dwelling would only have landing windows in the side elevation (at first and second floor levels) facing Scotby Road.
- 6.14 Plot 14 would lie to the rear of 43 and 45 Scotby Road and would have a side elevation a minimum of 29m away from these dwellings. Whilst it would be a two-and-a-half-storey property it would have a ridge height of 9m. The dwelling would only have bathroom windows in the side elevation (at first and second floor levels) facing Scotby Road. The occupier of 45 Scotby Road has stated that this property has been extended by 8m at the rear and the submitted drawings do not reflect this. Taking account of the extension, Plot 14 would still be a minimum of 21m away from the rear elevation of 45 Scotby Road.
- 6.15 Plots 13 and 14 would lie close to the rear boundary of properties on Scotby Road and as a consequence some overshadowing of the bottom sections of the gardens would occur at certain times. However, given the size of the gardens, large sections would be unaffected.
- 6.16 Plots 17, 18 and 19 would lie to the rear of 39 and 41 Scotby Road and the rear elevation of these dwellings would be a minimum of 32m away and

would not directly face each other.

- 6.17 The rear elevation of Plot 19 would face the rear elevation of 37 Scotby Road (although not directly) and would be a minimum of 28m away.
- 6.18 Apartments 23 to 28 would lie over 70m away from the rear elevation of 37 Scotby Road, over 55m from the nearest property on Scotby Road and approximately 65m from 23A Scotby Road which would lie directly to the south.
- 6.19 Apartments 37 to 42 would lie to the south of 10 Holme Close and would be 28m from the nearest part of this dwelling. Whilst this apartment block would overshadow part of the garden of this property at certain times, given the size of the garden large parts would be unaffected. Given the oblique angle between the apartment block and this dwelling, the outlook from this property would be largely unaffected.
- 6.20 In light of the above, the proposal would not have an adverse impact on the living conditions of the occupiers of neighbouring properties through loss of light, loss of privacy or over-dominance.
 - 4. Highway Matters
- 6.21 The access road into the site from Scotby Road has been approved under previous applications and this is capable of serving up to 50 dwellings. After further discussions with the applicant and confirmation from Carlisle City Council's waste collection officer that waste would be able to be collected from the site even if the road is not adopted the Local Highway Authority has no objections to the proposals subject to the imposition of conditions.
- 6.22 With regard to the parking, it is accepted that the applicant has provided the minimum level of parking spaces required to be within each dwellings ownership and with confirmation from the applicant confirming a bus service in close proximity to the site it is accepted that no further information on parking is required.
- 6.23 The Parish Council has raised concerns about the lack of visitor parking within the site. Whilst only two visitor parking spaces are shown within the development, all of the dwellings have a minimum of two in-curtilage parking spaces, with a number having additional parking. There would, therefore, be a number of opportunities for visitors to park within the development.
 - 5. Foul And Surface Water Drainage
- 6.24 After further discussions with the applicant, it has been confirmed that surface water would be collected via a traditional piped system which would be attenuated on site before discharge to the adjacent watercourse. There is no information on the treatment of the surface water before it is discharged to the watercourse and as such the LLFA would advise that the Local Planning Authority (LPA) should refuse the application until information on the treatment method is provided. However, if the LPA

consider that they wish to grant permission and ensure the full details of the drainage system are submitted at a later date then it is considered that conditions can be attached to the permission to ensure that a sustainable drainage design with satisfactory treatment is achieved.

- 6.25 If would not be reasonable to refuse permission for the proposed development if conditions can be used to ensure that the surface water drainage details can be agreed at a later date. The LLFA has suggested some suitable conditions and these have been added to the permission. These would ensure that the detailed design of the surface water meets the requirements of the Non-statutory technical standards for sustainable drainage systems (March 2015) and that adequate precautions are taken during site construction to prevent flood/pollution downstream of the site. Foul drainage would connect into the foul sewer.
- 6.26 Objectors have raised concerns about drainage from the dwellings on Scotby Road crossing the site. The applicant has confirmed that this is not the case. The site does contain a mains sewer but this is owned by United Utilities.
 - 6. Affordable Housing
- 6.27 Policy HO4 of the adopted Local Plan requires 30% affordable housing on sites of 11 or more units in Affordable Housing Zone A, which encompasses Scotby. This should be provided as 50% social/ affordable rent (usually through a Housing Association); & 50% intermediate low cost home ownership (usually at a 30% discount through the Council's Low Cost Home Ownership scheme). Based on this 34 unit scheme the affordable housing target would therefore be 10 units and these would be secured through a S106 Agreement.
- 6.28 The Council has recently experienced very low demand for apartments through its low cost home ownership scheme. The Council would not, therefore, be able to take any significant number of apartments for discounted sale, and the two and three bed houses would be more appropriate.
 - 7. Open Space
- 6.29 The Council's Green Spaces Manager has been consulted on the application. Given that no open space is being provided on the site he has requested that the developer should make a financial contribution of £24,221 towards improving/ maintaining existing areas of open space in the locality. This money would be secured through a S106 Agreement.
 - 8. Education
- 6.30 The development for 34 houses is estimated to yield 10 children: 6 primary children and 4 secondary. The development is in the catchment of Scotby Primary School (0.42 miles away from the site) and Richard Rose Central Academy for Secondary Education (2.46 miles away). Currently there are

four developments affecting the primary catchment school used for this assessment and nine for the secondary.

- 6.31 In relation to Scotby Primary School, there are insufficient places available to accommodate the primary pupil yield of 6 places from this development. The school is full before any other developments are taken into account. Therefore, an education contribution of £72,090 (6 x £12,015) is required to provide capacity at either Scotby Primary School or the nearest primary school where capacity can be provided to mitigate the impact of the proposed development.
- 6.32 In relation to secondary schools, whilst the development of this site will further contribute to the pressure on secondary school places, further work will be undertaken to identify a strategic solution to this issue. Therefore, at this stage, no contribution will be sought for secondary school places.
- 6.33 No contributions are required in relation to primary school or secondary school transport.

Conclusion

- 6.34 The proposal would be acceptable in principle. The scale and design of the proposed dwellings would be acceptable and the proposal would not have an adverse impact on the occupiers of any neighbouring properties through loss of light, loss of privacy or over-dominance. The proposed access, parking and drainage would be acceptable, subject to the imposition of a number of conditions. Affordable housing would be provided within the proposed development and a financial contribution would be secured for increasing the capacity at Scotby School (or the nearest school where capacity can be provided) and for maintaining/ improving open space in the locality. The proposal is, therefore, recommended for approval subject to the completion of a S106 Agreement.
- 6.35 If Members are minded to grant planning approval it is requested that "authority to issue" the approval is given subject to the completion of a S106 agreement to secure:
 - a) ten dwellings being secured as affordable housing 5 at a 30% discount and 5 for discounted rent;
 - b) a financial contribution of £72,090 to Cumbria County Council towards education provision;
 - c) a financial contribution of £24,221;
 - d) the maintenance of the informal open space within the site by the developer.

7. Planning History

- 7.1 Outline planning permission granted under 13/0905 for the erection of three dwellings.
- 7.2 Under application numbers 14/0787 and 14/0788 permission has been given

for the upgrading of the existing vehicular access, between numbers 61 and 63 Scotby Road, and the erection of a single dwelling on land to the immediate south-west of the current application site.

- 7.3 Under application 14/1091 outline permission was granted subject to a Section 106 Agreement for the erection of 14 dwellings on land to the south of the current application site.
- 7.4 Under application 16/0159 full planning permission was given (in lieu of the previous outline approval for three dwellings approved under 13/0905) for the erection of a total of eight dwellings.
- 7.5 In March 2017, planning permission was granted for proposed new entrance and improvements to the existing vehicular access to enable the retention of no. 61 and the omission of the internal road narrowing (17/0048).

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 development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 - 1. the submitted planning application form received 15th February 2017;

2. the Site Location Plan (drawing ref RD/SLP/P2 Rev B) received 30th March 2017;

- 3. the Proposed Block Plan (drawing ref RD/PLOTS PHASE 2/S2 Rev E) received 30th March 2017;
- 4. the Floor Plans (drawing ref RD/PLOTS/9,10,11&20,21,22/FP1 Rev A) received 15th February 2017;
- 5. the Elevations (drawing ref RD/PLOTS/9,10,11&20,21,22/ELEV1 Rev A) received 15th February 2017;
- 6. the Floor Plans (drawing ref RD/PLOTS 12 & 13/FP1 Rev A) received 15th February 2017;
- 7. the Elevations (drawing ref RD/PLOTS 12 & 13/ELEV1 Rev A) received 15th February 2017;
- 8. the Floor Plans (drawing ref RD/PLOT 14/FP1 Rev A) received 15th February 2017;
- 9. the Elevations (drawing ref RD/PLOT 14/ELEV1 Rev A) received 15th February 2017;
- 10. the Floor Plans (drawing ref RD/PLOTS/15,16,17&18/FP1 Rev A) received 15th February 2017;
- 11. the Elevations (drawing ref RD/PLOTS/15,16,17&18/ELEV1 Rev A) received 15th February 2017;
- 12. the Floor Plans (drawing ref RD/PLOT 19/FP1 Rev A) received 15th

February 2017;

- 13. the Elevations (drawing ref RD/PLOT 19/ELEV1 Rev A) received 15th February 2017;
- 14. the Floor Plans (drawing ref RD/PLOTS 23 to 28/FP1 Rev A) received 6th April 2017;
- 15. the Elevations (drawing ref RD/PLOTS 23 to 28/ELEV1 Rev A) received 6th April 2017;
- 16. the Elevations (drawing ref RD/PLOTS 23 to 28/ELEV2 Rev A) received 6th April 2017;
- 17. the Floor Plans (drawing ref RD/PLOTS/29,30,31&33,34,35/FP1 Rev A) received 15th February 2017;
- 18. the Floor Plans (drawing ref RD/PLOTS/29,30,31&33,34,35/FP2 Rev A) received 15th February 2017;
- 19. the Elevations (drawing ref RD/PLOTS/29,30,31&33,34,35/ELEV1 Rev A) received 15th February 2017;
- 20. the Floor Plans (drawing ref RD/PLOTS/32 & 36/FP1 Rev A) received 15th February 2017;
- 21. the Elevations (drawing ref RD/PLOTS/32 & 36/ELEV1 Rev A) received 15th February 2017;
- 22. the Floor Plans (drawing ref RD/PLOTS 37 to 42/FP1 Rev A) received 6th April 2017;
- 23. the Elevations (drawing ref RD/PLOTS 37 to 42/ELEV1 Rev A) received 6th April 2017;
- 24. the Elevations (drawing ref RD/PLOTS 37 to 42/ELEV2 Rev A) received 6th April 2017;
- 25. the Section 1 Elevations (drawing ref. RD PHASE2 SECTION1 Rev A) received 4th May 2017;
- 26. the Section 2 Elevations (drawing ref. RD PHASE2 SECTION2 Rev A) received 4th May 2017;
- 27. the Section 3 Elevations (drawing ref. RD PHASE2 SECTION3 Rev A) received 4th May 2017;
- 28. the Retaining Walls Plan (drawing ref. RD/PHASE2 RET WALLS Rev A) received 4th May 2017;
- 29. the Sectional Ground Area (drawing ref. RD/PHASE2 SECTIONS GA Rev A) received 4th May 2017;
- 30. the Tree and Hedge Survey received 15th February 2017;
- 31. the Public Notice received 15th February 2017;
- 32. the Environsearch report received 15th February 2017;
- 33. the Design and Access Statement received 15th February 2017;
- 34. the Archaeological Evaluation Report received 15th February 2017;
- 35. the Planning Statement received 15th February 2017;
- 36. Level Survey (drawing ref. DIX-001-001 Rev A) received 17 May 2017;
- 37. Phase 2 Drainage Layout (drawing ref. B8825/14) received 17 May 2017;
- 38. the Notice of Decision; and

39. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The materials (and finishes) to be used in the construction of the proposed

development shall be in strict accordance with the details contained in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

- **Reason:** To ensure that the external appearance of the building is acceptable in accordance 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 proposed retaining walls), 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. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

7. 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.

8. No development shall commence until a construction surface water management plan has been agreed in writing with the Local Planning Authority.

Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of receiving surface water systems or watercourses downstream of the site.

- 9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the Local Planning Authority.
 - **Reason:** To ensure that the character and attractive appearance of the building is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policies HE7 and SP6 of the Carlisle District Local Plan 2015-2030.
- 10. Details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwellings and garages shall be submitted to and approved in writing by the Local Planning Authority before any site works commence.
 - **Reason:** In order that the approved development overcomes any problems associated with the topography of the area and to accord with Policy SP6 of the Carlisle District Local Plan 2015-2030.
- 11. 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.

12. Prior to the commencement of development, the application shall submit a Construction Method Statement for approval in writing by the Local Planning Authority. This shall contain details of appropriate pollution prevention measures, including biosecurity, materials and machinery storage and mitigation for the control and management of noise, dust, surface water runoff and waste. The development shall then be undertaken in strict accordance with this Method Statement.

- **Reason:** To ensure that the proposal does not have an adverse impact on the occupiers of neighbouring properties or any watercourses, in accordance with Policies SP6 and GI3 of the Carlisle District Local Plan 2105-2030.
- 13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Site investigations should follow the guidance in BS10175.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

- **Reason**: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 14. No construction work associated with the development hereby approved shall be carried out before 07.30 hours or after 18.00 hours Monday to Friday, before 07.30 hours or after 16.00 hours on Saturdays, nor at any times on Sundays or Bank Holidays.

Reason: To prevent disturbance to nearby occupants in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

- 15. No development shall take place until the applicant has provided details of the proposed broadband connectivity within the development, for agreement in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - **Reason**: To ensure that the dwellings have access to broadband, in accordance with Policy IP4 of the Carlisle District Local Plan 2015-2030.
- 16. The carriageway, footways, footpaths 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. 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 and to support Local Transport Plan Policies LD5, LD7 & LD8.
- 17. 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.
- 18. 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.
- 19. No dwellings shall be occupied until the estate road including footways 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.

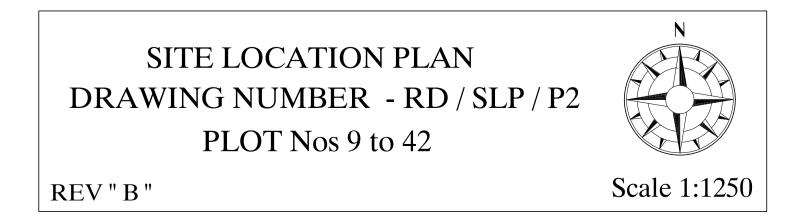
Reason: In the interests of highway safety

- 20. Individual access drives shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the individual dwelling is occupied/brought into use.
 - **Reason**: In the interests of highway safety and to support Local Transport Plan Policies LD5, LD7 & LD8.
- 21. The development shall not commence until visibility splays providing clear visibility of 49 metres measured down the centre of the access road and the nearside channel line (or edge of road narrowing) of the major road have been provided at the junction of the access road with the county highway. 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 constructed 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.

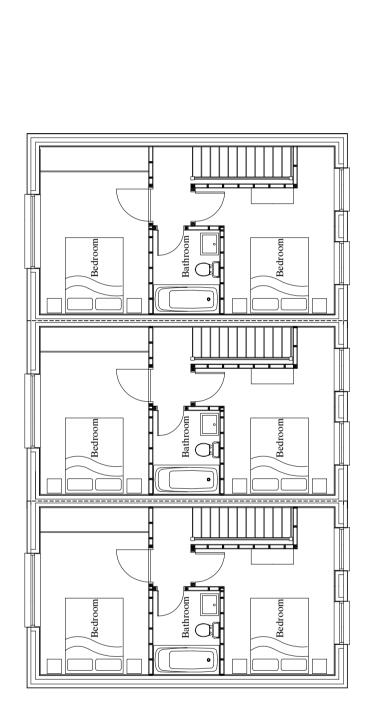
- 22. Before any development takes place, a plan shall be submitted for the prior approval of the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access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



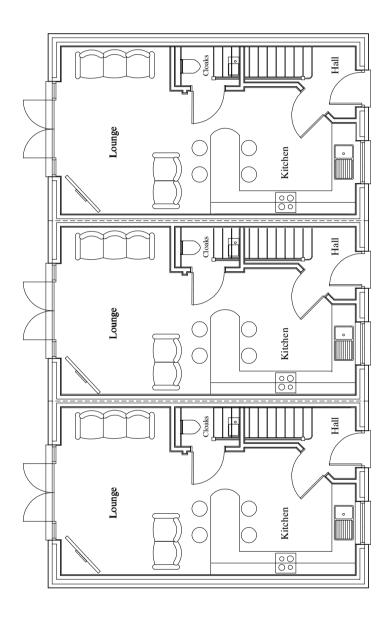
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Proposed Ground Floor Plan

Plots 9, 10, 11 & 20,21,22 - 2 Bedroom Dwellings Proposed Residential Development on land to the rear of No55 to No65 Scotby Road CA4 8BD

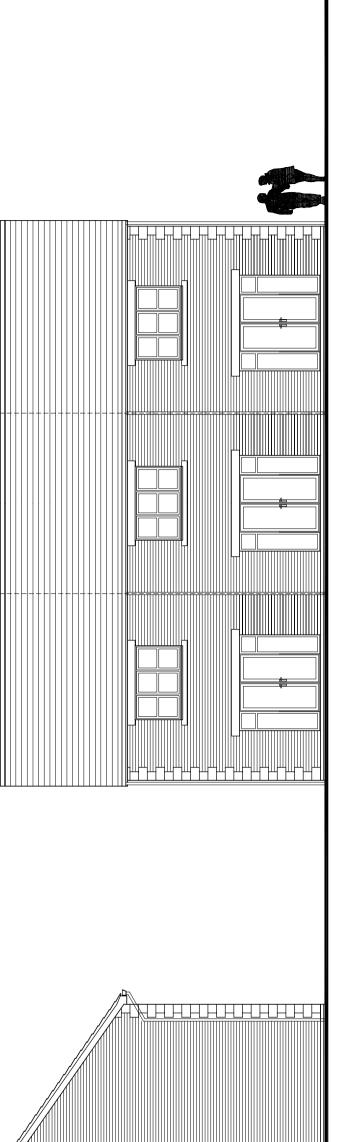
ROOF Sandtoft Rivius Tile Colour (Grey) WALLS	Brickwork (Hathersage Blend) Stone Detailing Cast Stone	Quoins Plinths Heads & Cills Mullions to be Buff Real or Cast Stone	DOORS & WINDOWS Upvc Double Glazed (Grey)
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RAINWATER GOODS Upvc (Grey)

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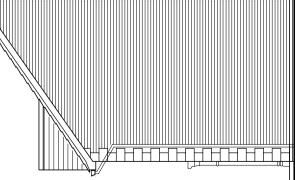
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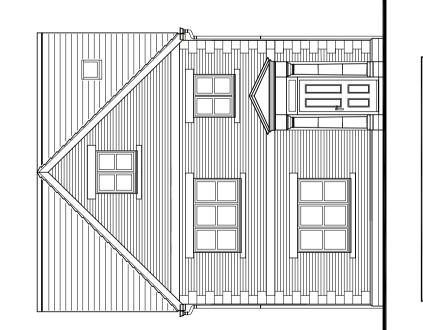
Proposed Rear Elevation

to the rear of No55 to No65 Scotby Road CA4 8BD Plots 9, 10, 11 & 20,21,22 - 2 Bedroom Dwellings Proposed Residential Development on land

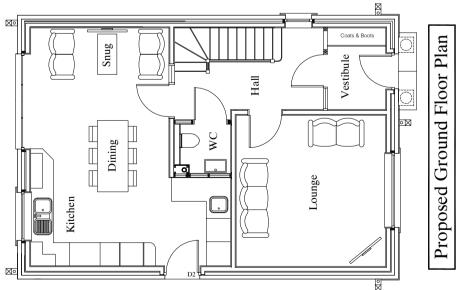
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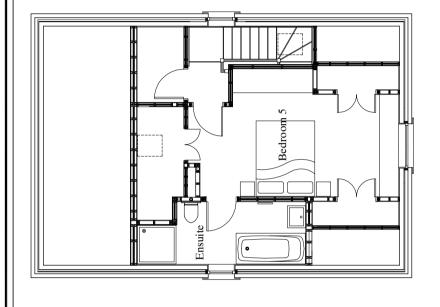


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WALLS Brickwork (Hailsham Mixture)

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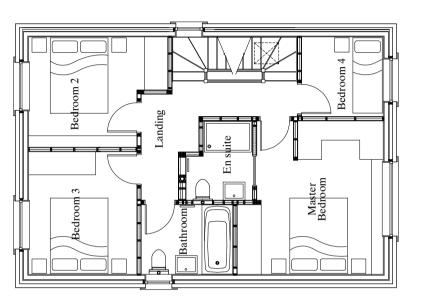
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DOORS & WINDOWS Upvc Double Glazed (Grey)

RAINWATER GOODS

Upvc (Grey)





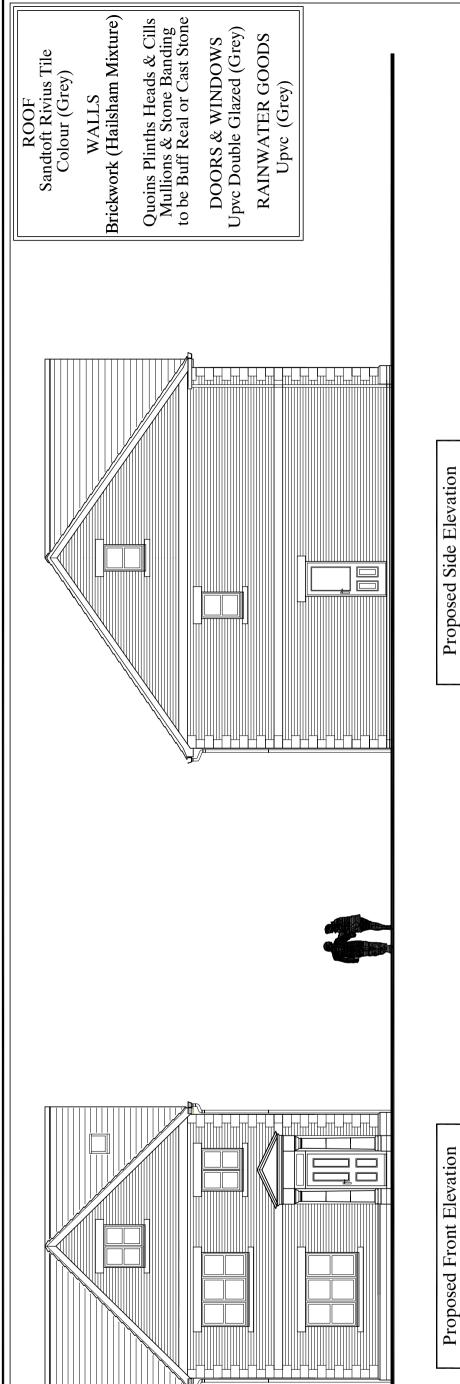


to the rear of No55 to No65 Scotby Road CA4 8BD Proposed Residential Development on land Plots 12 & 13 - 5 Bedroom Dwelling

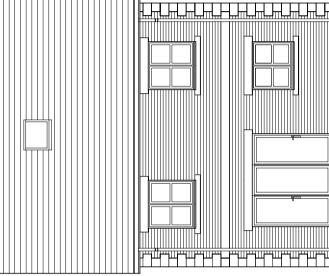
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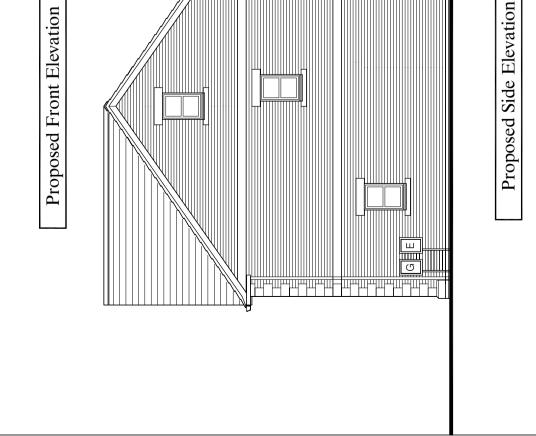
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to the rear of No55 to No65 Scotby Road CA4 8BD Proposed Residential Development on land Plots 12 & 13 - 5 Bedroom Dwelling

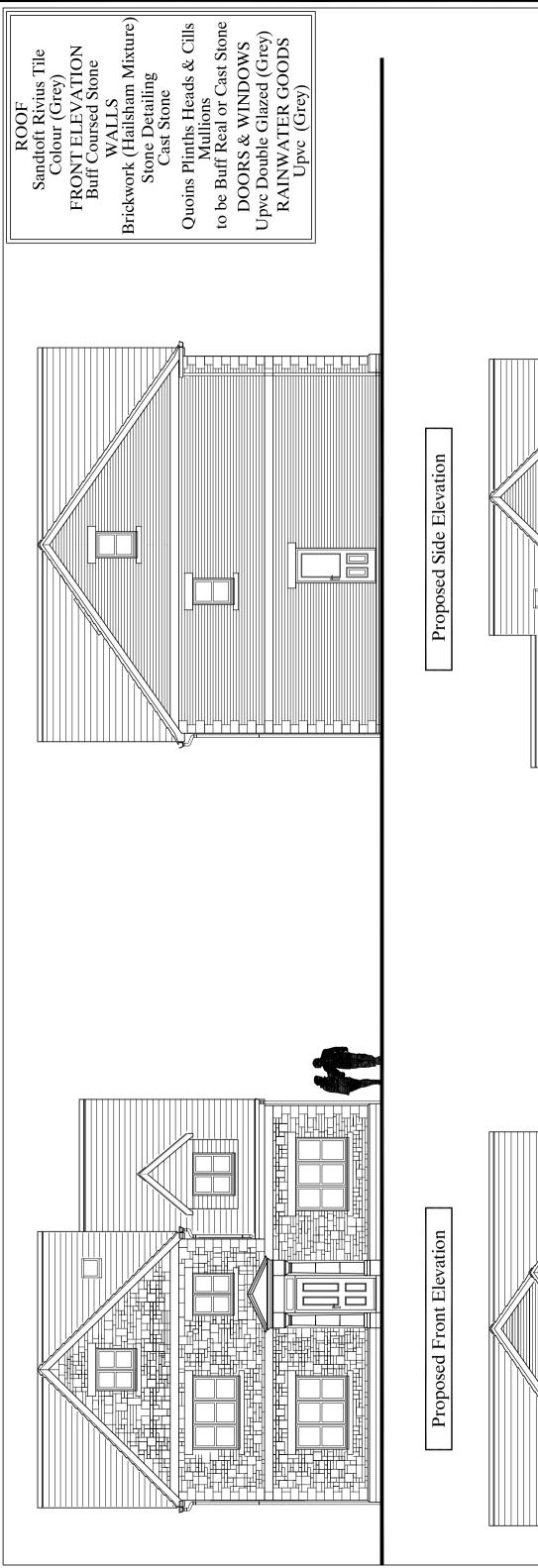
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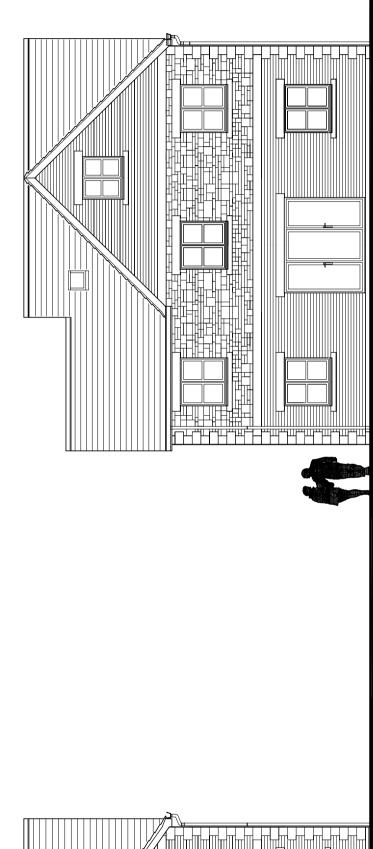
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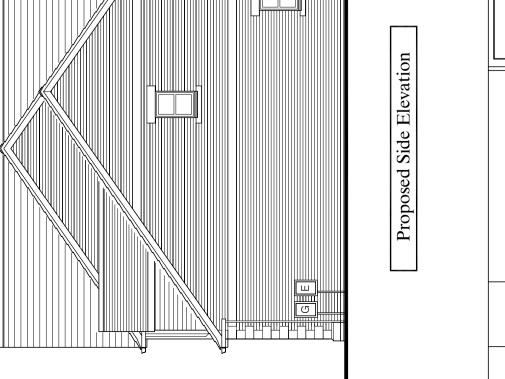
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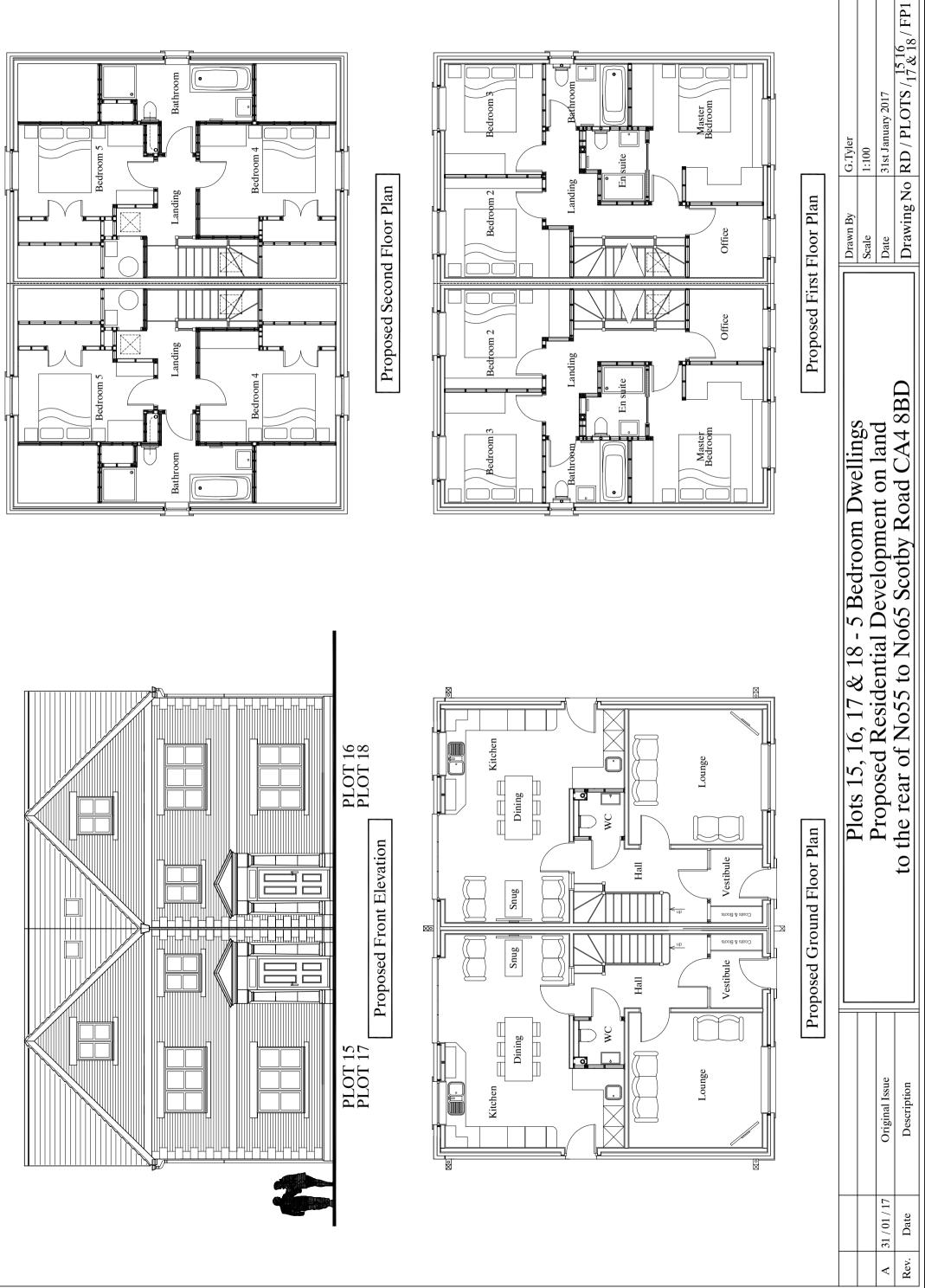


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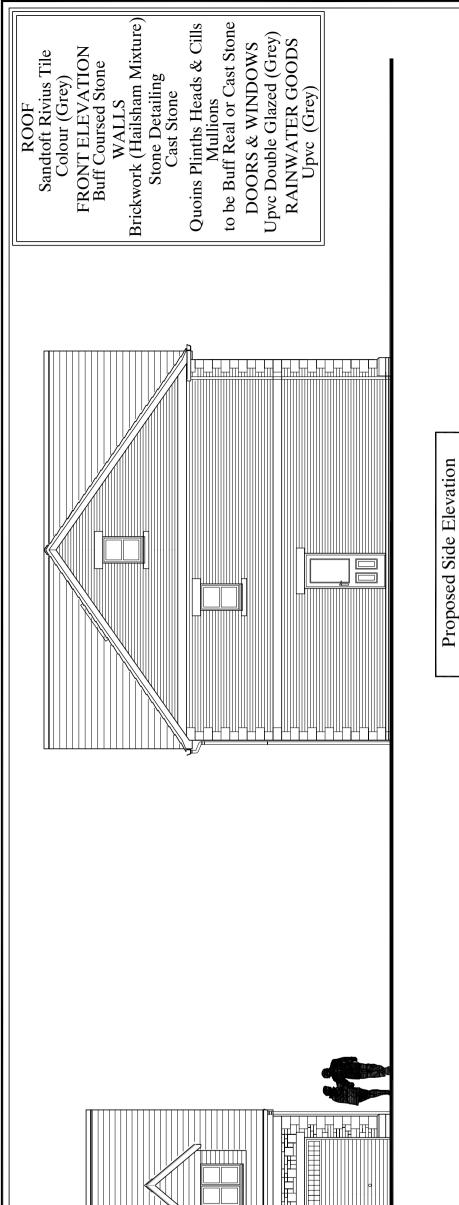
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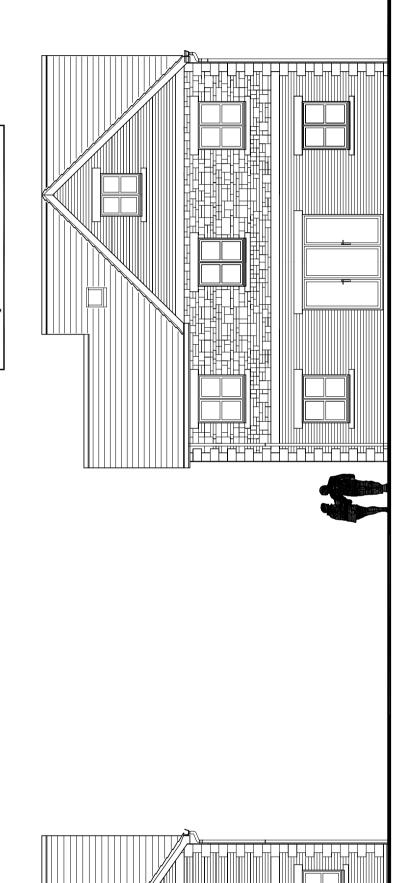
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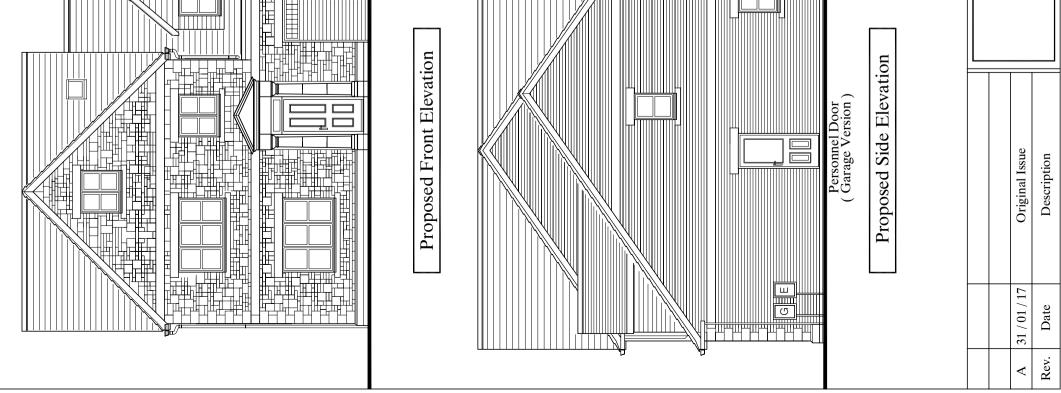
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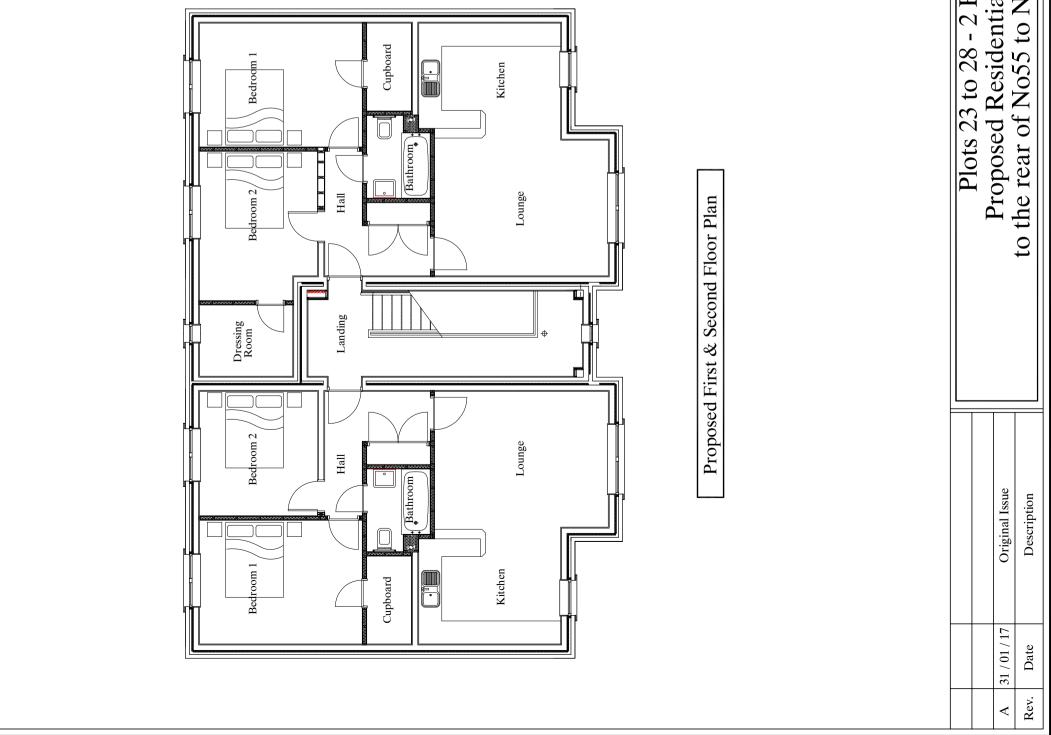


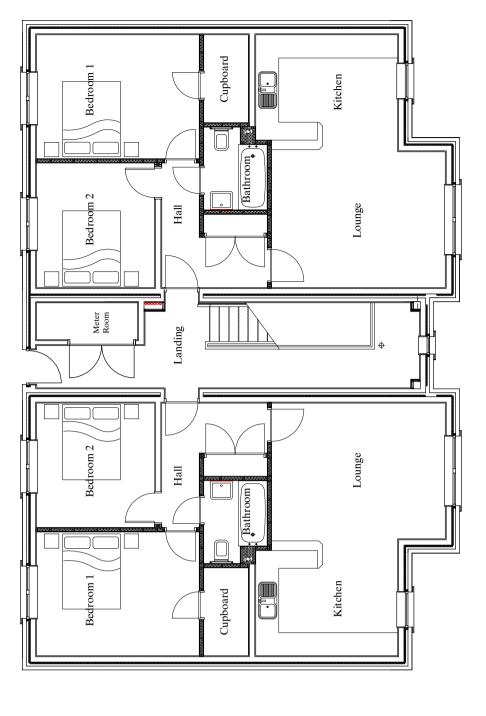


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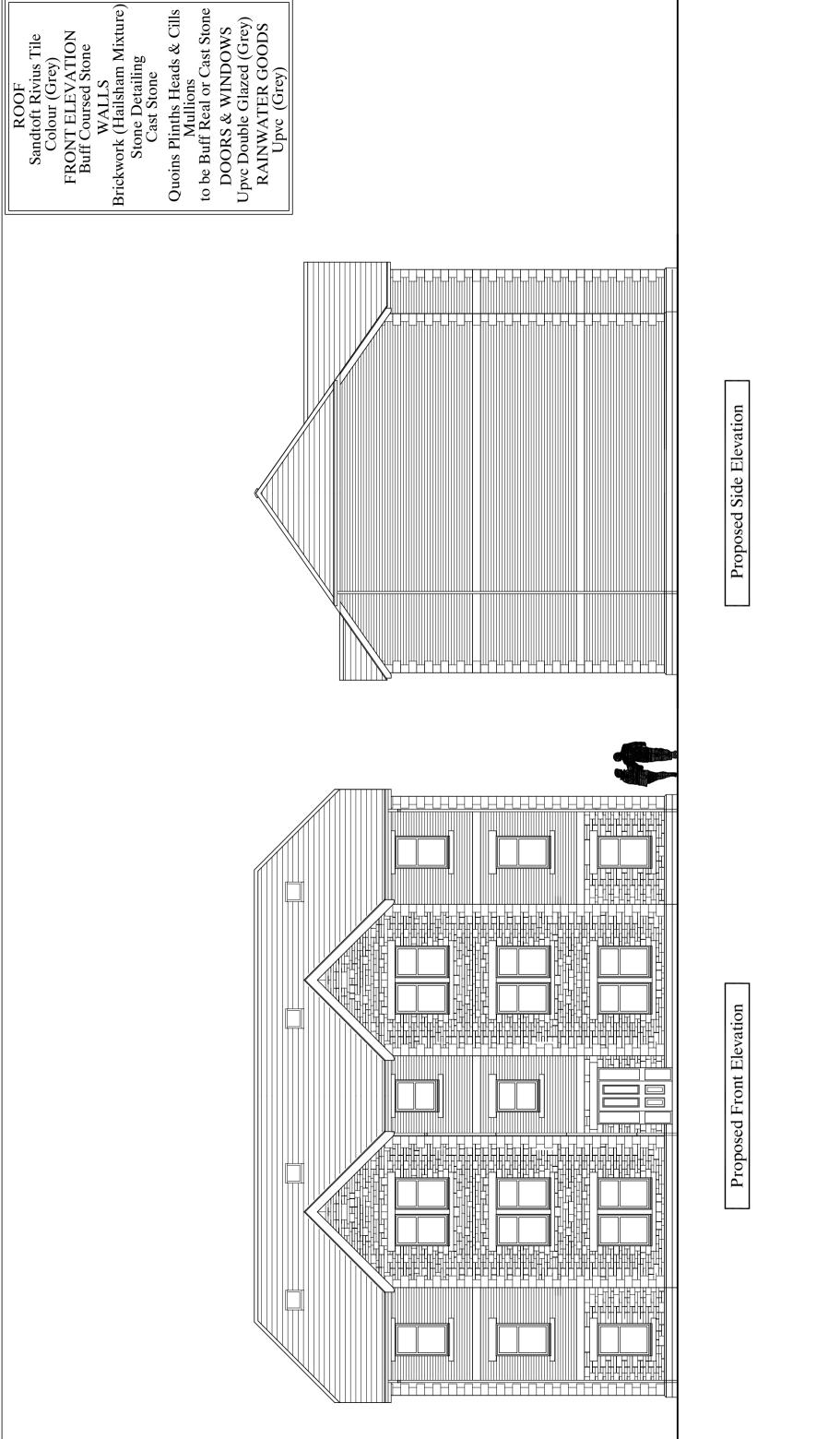




Proposed Ground Floor Plan

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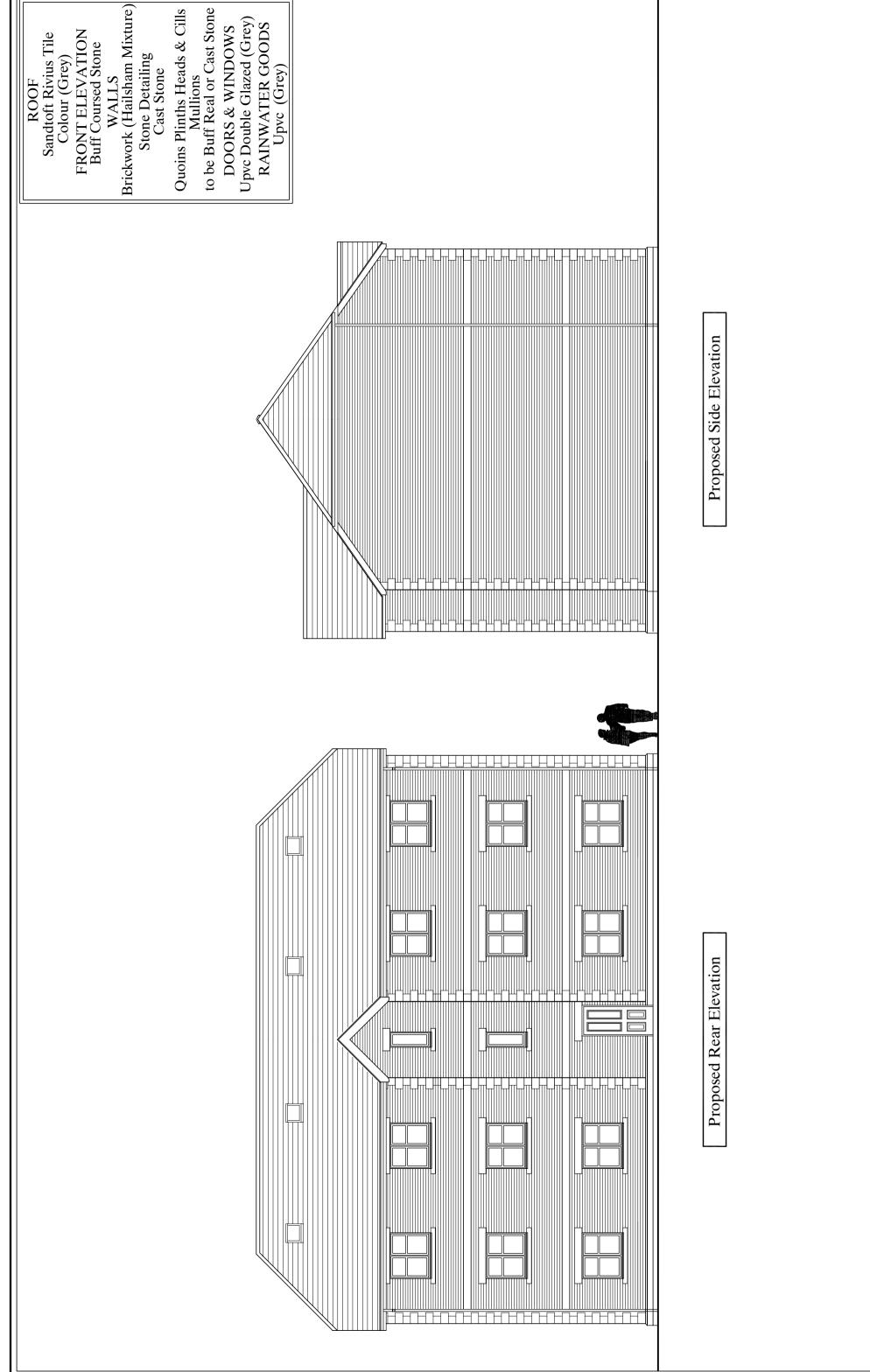
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to the rear of No55 to No65 Scotby Road CA4 8BD Proposed Residential Development on land Plots 23 to 28 - 2 Bedroom Apartments

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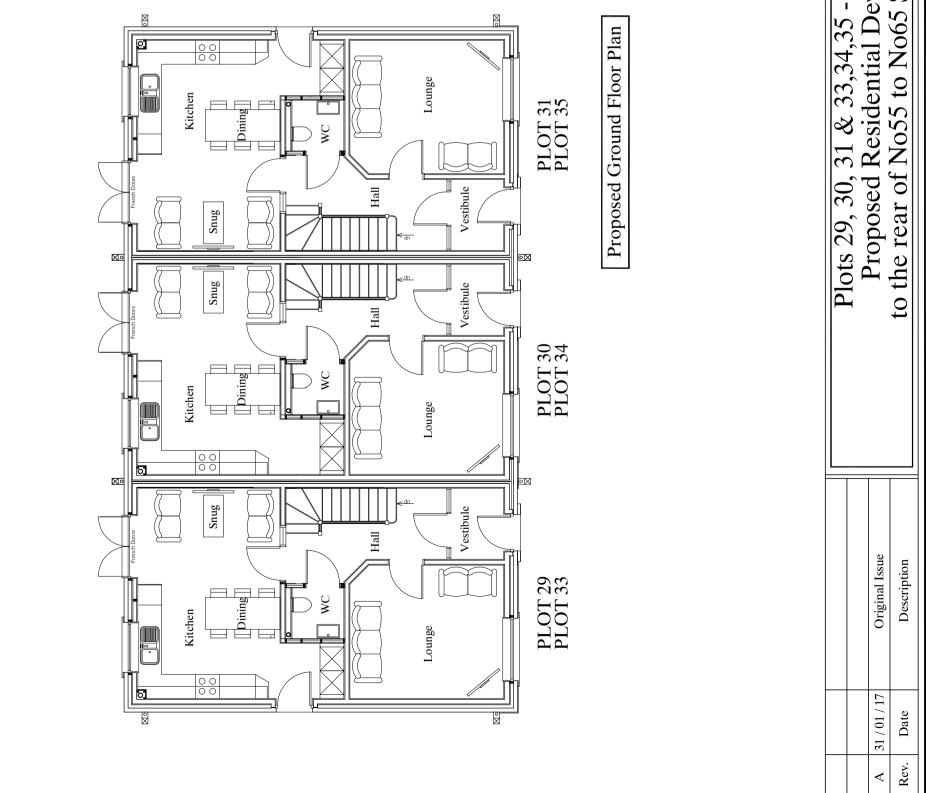
Plots 23 to 28 - 2 Bedroom Apartments Proposed Residential Development on land to the rear of No55 to No65 Scotby Road CA4 8BD

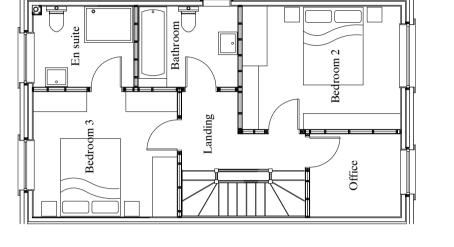
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Master Bedroom

Wardrobe

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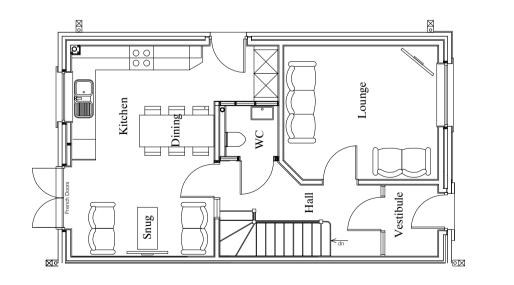


Proposed Second Floor Plan

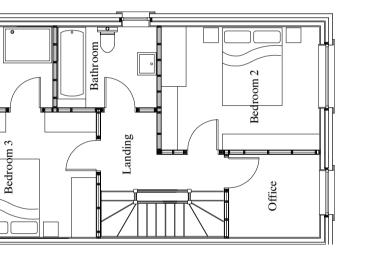
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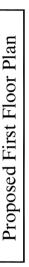
to the rear of No55 to No65 Scotby Road CA4 8BD Plots 29, 30, 31 & 33,34,35 - 3 Bedroom Dwellings Proposed Residential Development on land

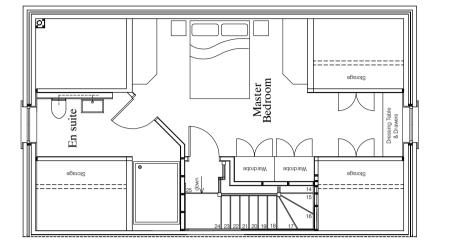
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En suite

Proposed Second Floor Plan

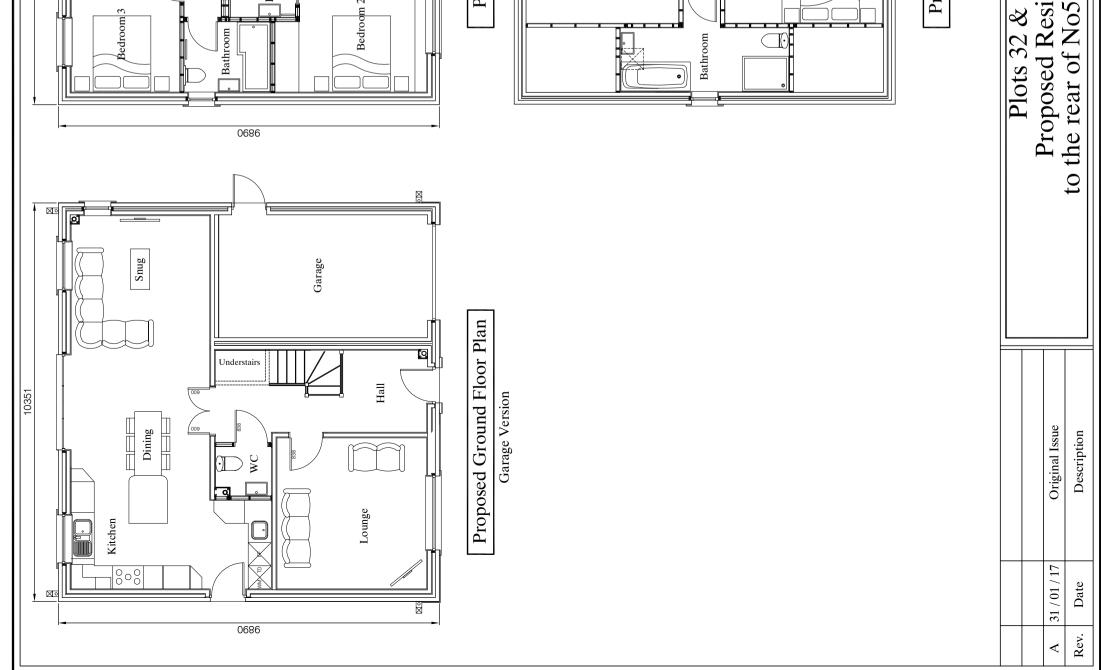
to the rear of No55 to No65 Scotby Road CA4 8BD Plots 29, 30, 31 & 33,34,35 - 3 Bedroom Dwellings Proposed Residential Development on land

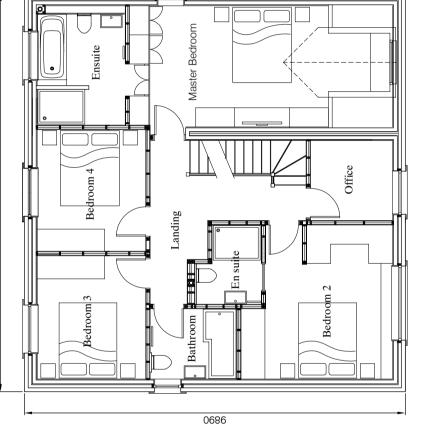
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Proposed Ground Floor Plan

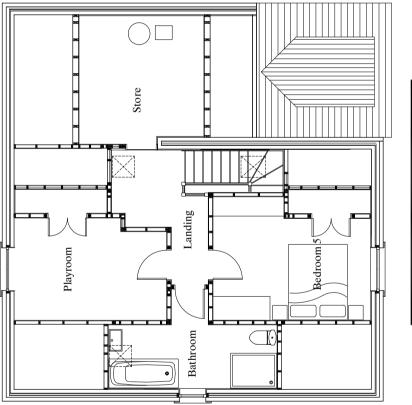






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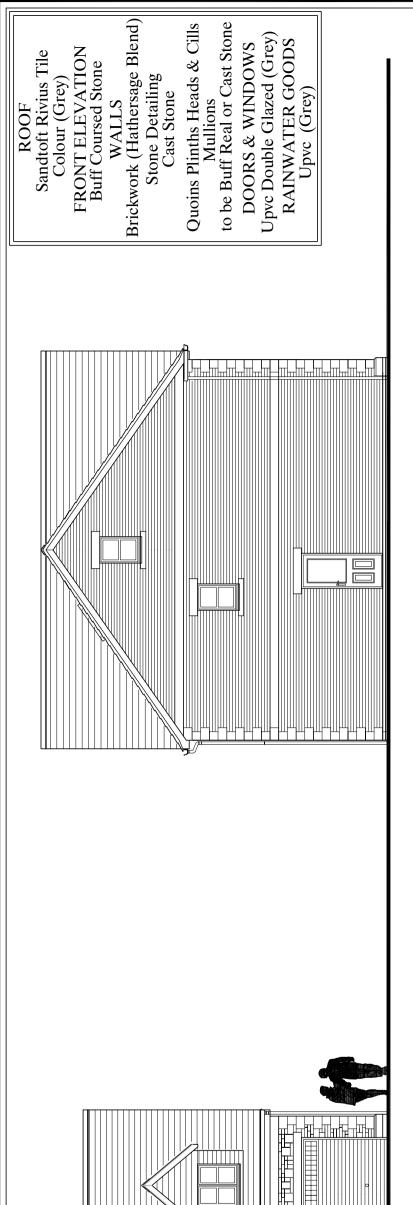


Proposed Second Floor Plan

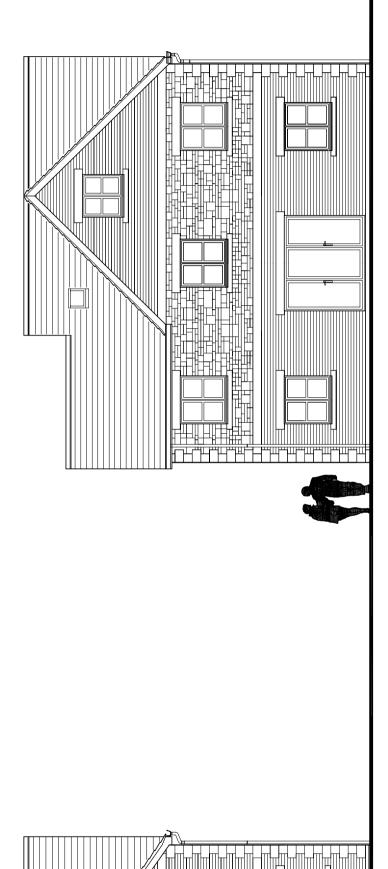
Plots 32 & 36 - 5 Bedroom Dwelling Proposed Residential Development on land to the rear of No55 to No65 Scotby Road CA4 8BD

ROOF Sandtoft Rivius Tile Colour (Grey) FRONT ELEVATION Buff Coursed Stone WALLS Brickwork (Hathersage Blend) Stone Detailing Cast Stone Cast Stone	Quoins Plinths Heads & Cills Mullions to be Buff Real or Cast Stone DOORS & WINDOWS Upvc Double Glazed (Grey) RAINWATER GOODS Upvc (Grey)
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 Date	31st January 2017
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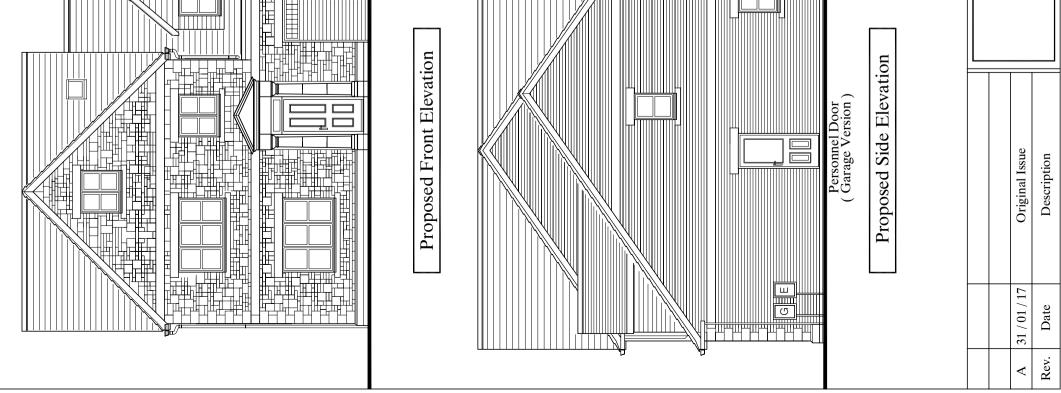


Proposed Side Elevation

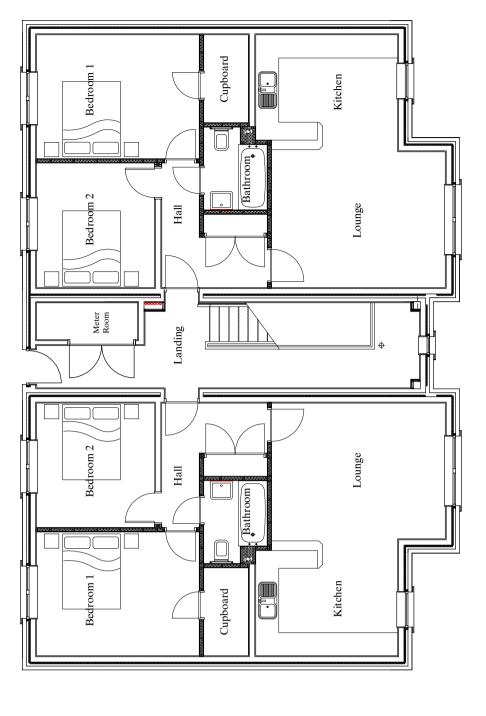


Proposed Rear Elevation

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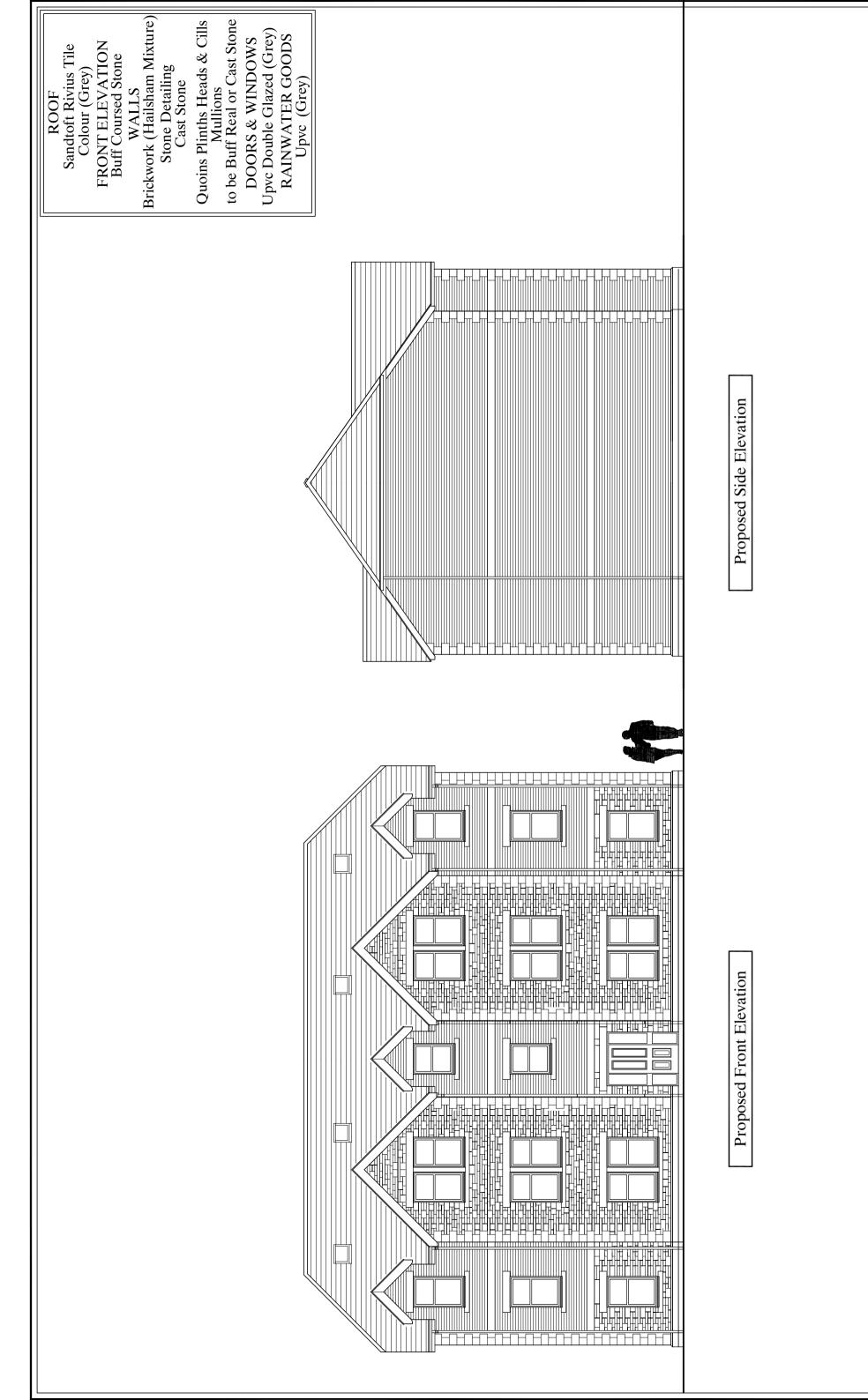




Proposed Ground Floor Plan

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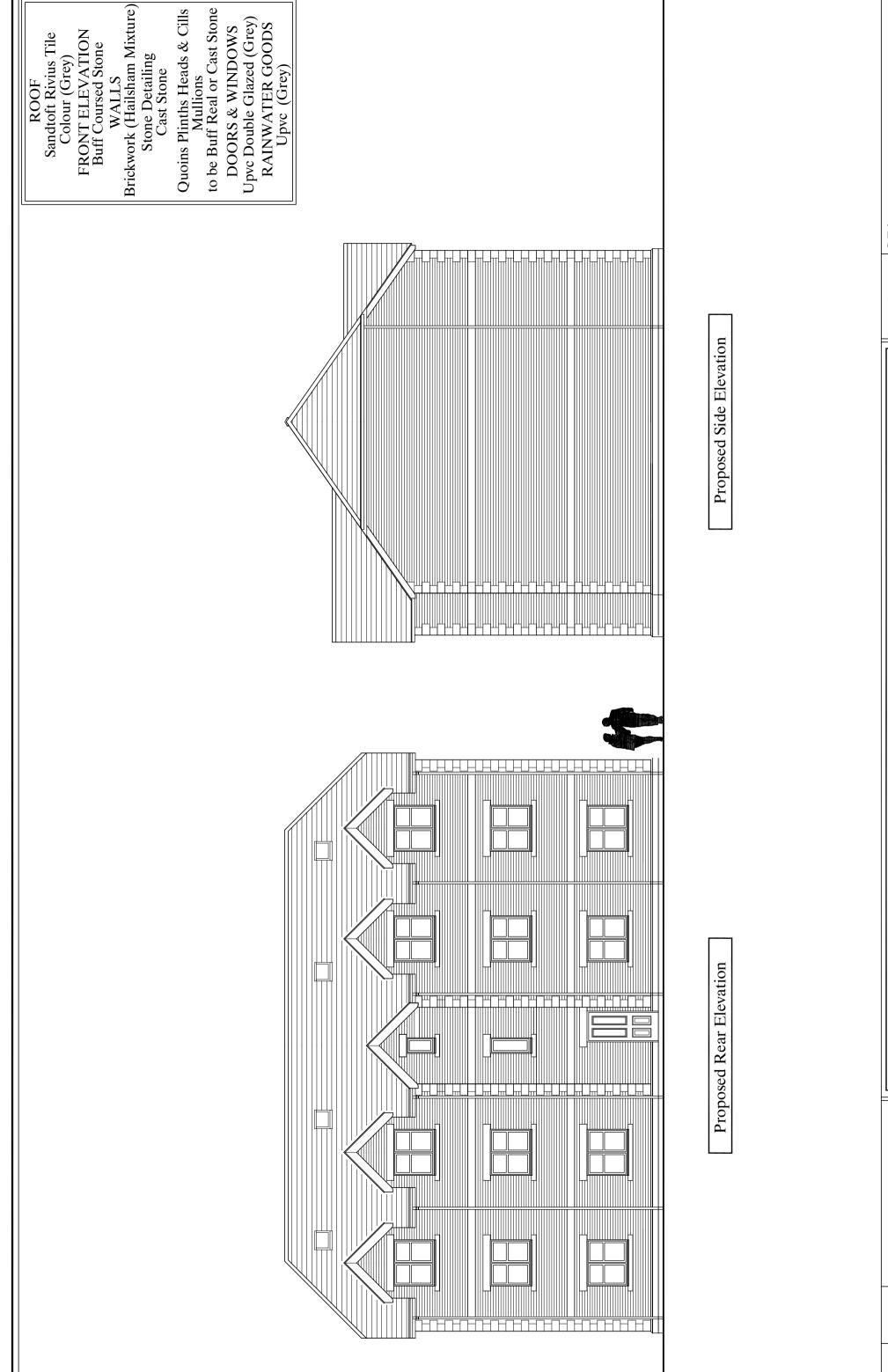
Rev A OTS 37 to 42 / FP1 , 2017



Plots 37 to 42 - 2 Bedroom Apartments Proposed Residential Development on land to the rear of No55 to No65 Scotby Road CA4 8BD

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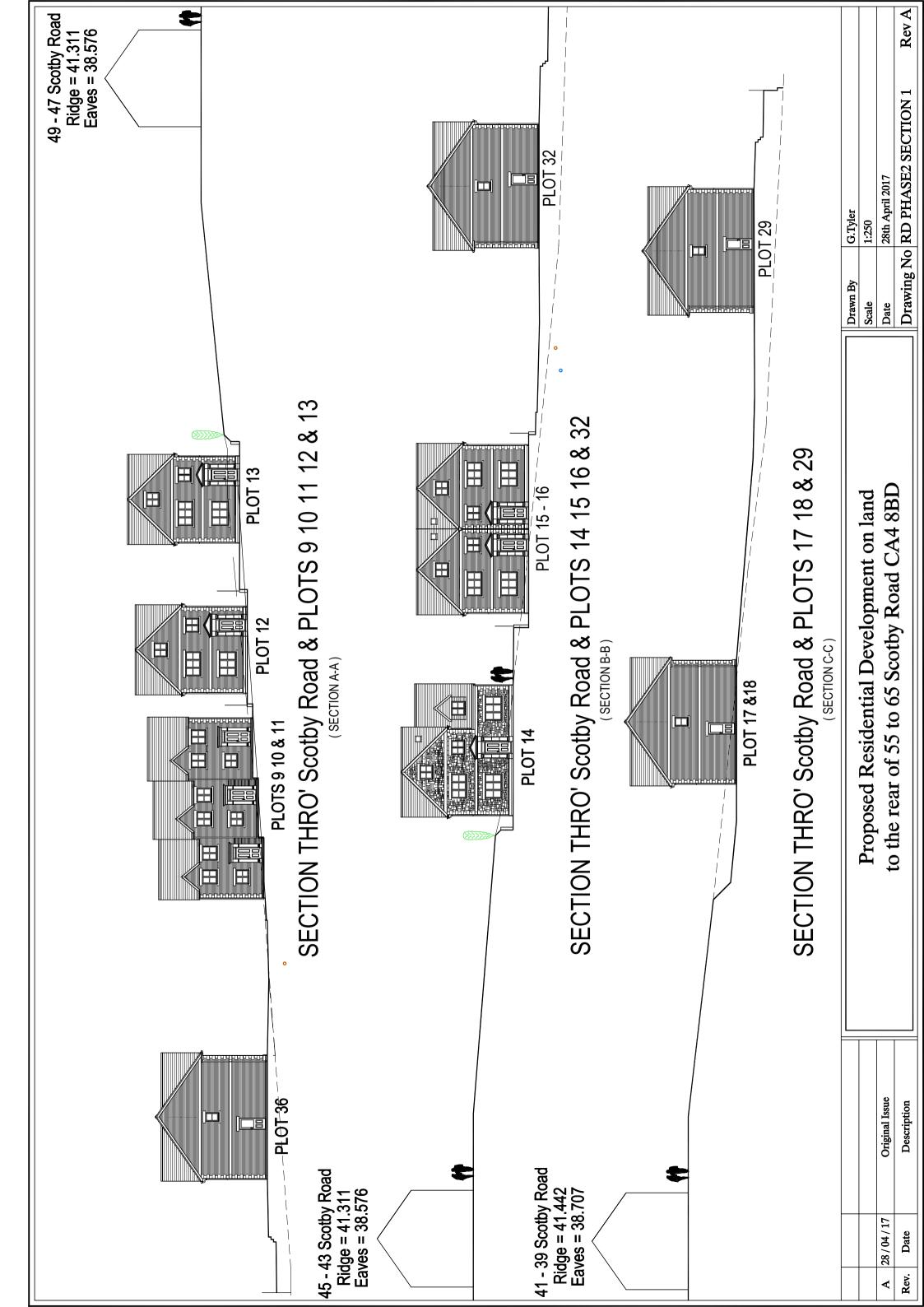
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	Α	Rev.	

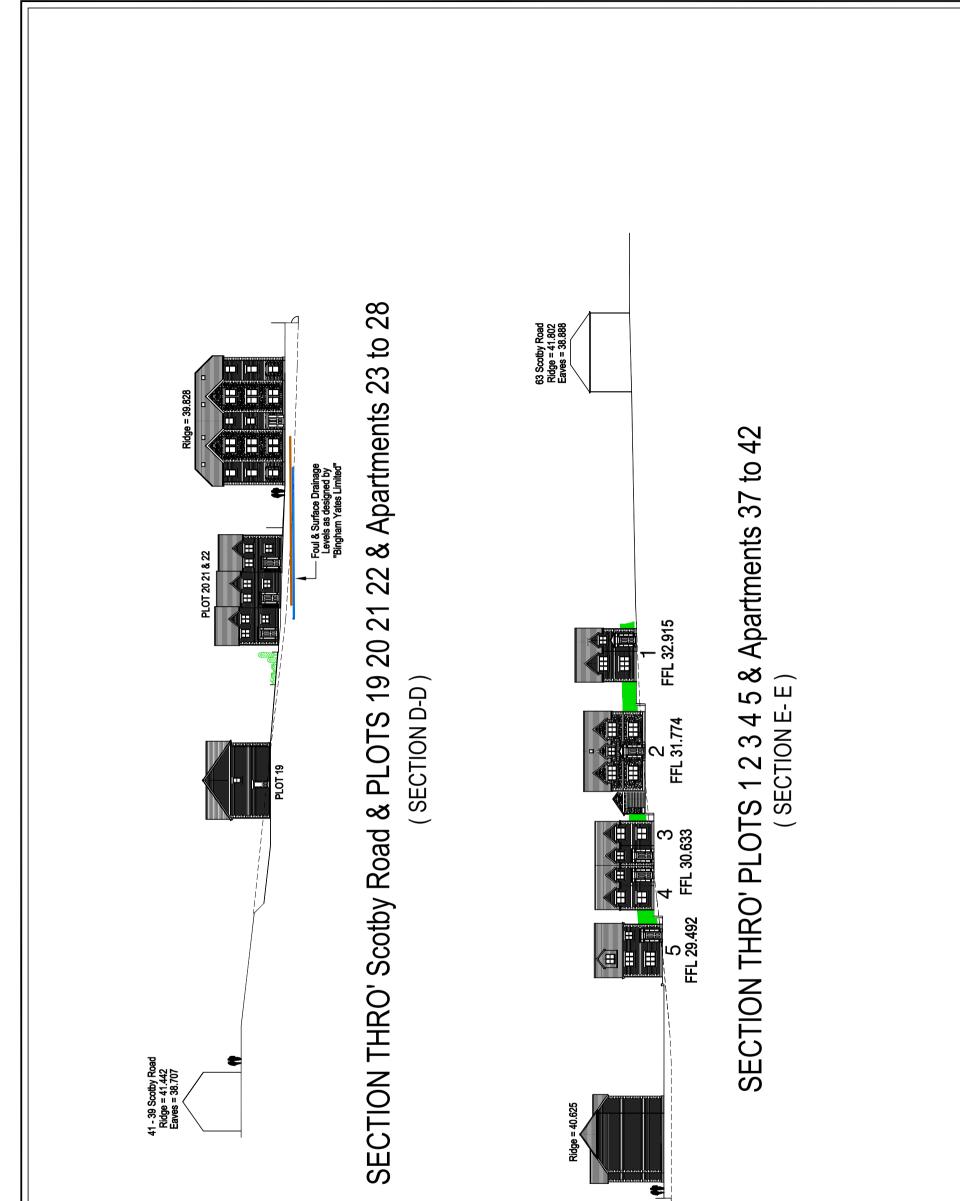


to the rear of No55 to No65 Scotby Road CA4 8BD Proposed Residential Development on land Plots 37 to 42 - 2 Bedroom Apartments

Drawing No RD / PLOTS 37 to 42 / ELEV2 Rev A 31st January 2017 G.Tyler 1:100Drawn By Scale Date

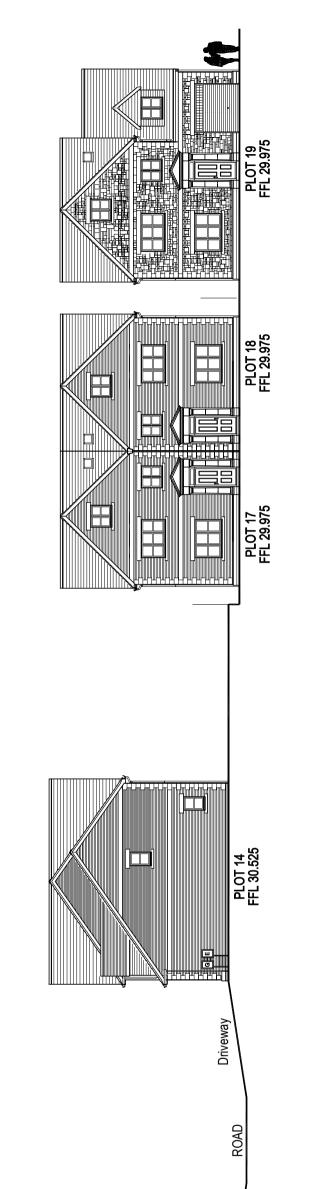
	Original Issue	Description	
	$31 \ / \ 01 \ / \ 17$	Date	
	A	Rev.	



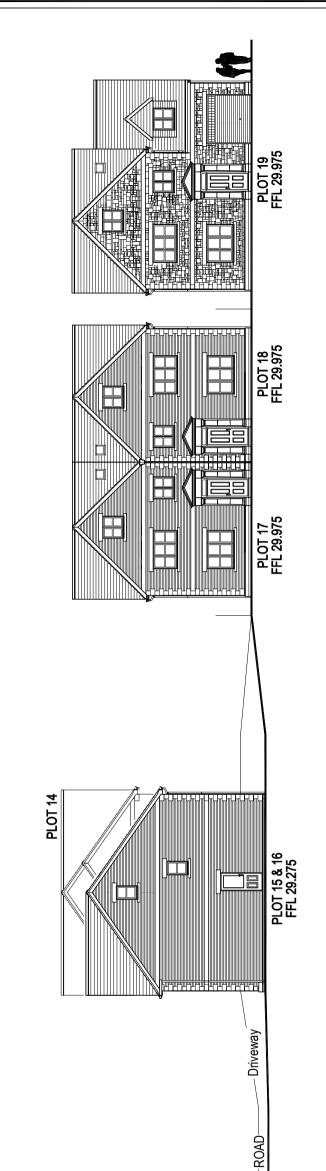


	Drawn By	G.Tyler	
Proposed Residential Development on land	Scale	1:500	
to the rear of 55 to 65 Scothy Boad CA4 8RD	Date	28th April 2017	
IN THE LEAT OF 32 TO 02 DECIDA LIVER CAT OFFICE	Drawing No	rawing No RD PHASE2 SECTION 2	Rev A

	Original Issue	Description
	28 / 04 / 17	Date
	A	Rev.



SECTION THRO' PLOTS 13 14 17 18 & 19 (SECTION F-F)



SECTION THRO' PLOTS 12 15 17 18 & 19 (SECTION G-G)

	Drawn By	G.Tyler	
Proposed Residential Development on land	Scale	1:200	
	Date	28th April 2017	
	Drawing No	Drawing No RD PHASE2 SECTION 3	Rev A

