

APPLICATION NO	PA/2019/895
APPLICANT	Trustees of the Elwes Children's 1989 Settlement, c/o Balfours LLP Shrewsbury
DEVELOPMENT	Planning permission to convert former agricultural barn to form a dwelling, including associated works
LOCATION	Old Farm, North Street, Roxby, DN15 0BL
PARISH	Roxby cum Risby
WARD	Broughton and Appleby
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Objection by Roxby Parish Council

POLICIES

National Planning Policy Framework: Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 79 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- (c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- (d) the development would involve the subdivision of an existing residential dwelling; or
- (e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Paragraph 127 – Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 174 states that to protect and enhance biodiversity and geodiversity, plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Paragraph 189 – In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 190 – Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 192 – In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 197 – The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

North Lincolnshire Local Plan: Policies DS1, DS14, RD2, RD9, LC5, H5, H8, HE9, IG9, T1, T2 and T19 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS17, CS19, apply.

CONSULTATIONS

Highways: No objections subject to conditions.

Drainage (Lead Local Flood Authority): Initially objected as no flood risk assessment (FRA) or drainage strategy was submitted. The FRA and drainage strategy have now been submitted and the LLFA raise no objections subject to conditions.

Environmental Protection: No objection subject to a contamination condition.

Conservation: No objection subject to conditions.

Ecology: No objection subject to conditions.

Historic Environment Record: No objection.

PARISH COUNCIL

Object to the proposal. The parish council has a 50/50 split of no objections/objections. The councillors who object would also like to see these barns developed as they are in a sorry state; however, they would like more clarity on building line/boundary proposals because the development appears to be outside of the building line although within the village boundary.

PUBLICITY

A notice has been displayed at the site. One letter of comment has been received raising the following issues:

- outside the development boundary but barn in need of restoration
- the barn has been neglected
- the plans show another plot to be developed which should not be allowed
- there are other barn conversions with planning permission that have not been developed, showing there is no need for additional housing in the village.

ASSESSMENT

Permission is sought to convert Barn 2 on the submitted plans to a dwelling. This is a traditional style single-storey stone barn. The site is located just outside the development boundary of Roxby and lies adjacent to an IG9 area, which is an area safeguarded from development which would result in the sterilisation of the ironstone reserves. The site would be accessed via the existing access from Old Hall Lane. Barn 3 on the plans is shown to be demolished apart from the outer walls. An application for prior approval of part of the modern atcost style barn (Barn 1) for change of use to a dwelling has recently been approved under PA/2019/1612. Members may recall that an outline application for 10 dwellings on the adjacent site to the west of this application site was refused on 30/08/2019 under PA/2018/2305.

The main issues in the determination of this planning application are whether the principle of the barn being converted to a residential dwelling is acceptable, and if so, whether the impact on minerals, archaeology, drainage, ecology, the highway, the amenity of the locality and on residential amenity are all acceptable.

The principle of the development

In terms of the principle of the development, the barn is a traditional stone barn that is of historic merit and important to the rural scene. The building has not been repaired or maintained for a number of years. A structural survey has been carried out on the building. This report concludes that the barn can be incorporated within a sympathetic conversion into a habitable space without the requirement for extensive reconstruction works. Extensive works are required to the roof structure of the building due to weather ingress. However, a full schedule of works can be conditioned for the barn to ensure that its character and appearance are retained. The proposal therefore broadly aligns with policies RD2 and RD9 of the North Lincolnshire Local Plan and policies CS2, CS3, CS5, CS6, CS7 and CS8 of the Core Strategy.

Conservation

The barn is a traditional stone and pantiled building. Whilst it is not listed, it is considered to be an historic barn that contributes to the rural character of the open countryside and is important to North Lincolnshire's rural heritage. The council's heritage officer has been consulted and raises no objection to the proposal subject to conditions. The proposal therefore accords with section 15 of the NPPF, policies RD2 and RD9 of the North Lincolnshire Local Plan and policies CS5 and CS6 of the Core Strategy.

Minerals

The site lies adjacent to the designated IG9 area which seeks to safeguard the area from development which would result in the sterilisation of the ironstone reserves. The barn itself is located just outside the IG9 area. The barn will not be extended into the IG9 area and therefore will have no adverse impact on the ironstone reserves. The proposal therefore accords with policy IG9.

Archaeology

In terms of archaeology, no objections have been received. The proposal is therefore considered to be acceptable and accords with section 16 of the NPPF, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

Drainage

In terms of drainage, an objection was originally received from the LLFA as a flood risk assessment and drainage strategy are required. These have now been submitted by the applicant and the LLFA raise no objections to the proposal subject to conditions. The proposal therefore accords with policies CS18 and CS19 of the Core Strategy and policies DS16 and T19 of the North Lincolnshire Local Plan.

Ecology

In terms of ecology, a bat and bird survey, and an ecology survey, have been submitted with the application. The council's ecologist has raised no objections to the proposal subject to conditions. The proposal therefore accords with section 15 of the NPPF, policies CS5 and CS17 of the Core Strategy and policy LC5 of the North Lincolnshire Local Plan.

Highway

The access to the site is from the existing access road that already serves the site. Highways have raised no objections to the proposed access and car parking arrangements subject to conditions. The proposal therefore accords with policies T2 and T19 of the North Lincolnshire Local Plan.

Amenity of the locality

This conversion will allow the barn to be brought back into a functional use. It is an important building that forms part of the agricultural heritage for the area. The scheme has been designed to retain the character and appearance of this traditional stone barn and the proposed development will therefore enhance the amenity of the locality. Conditions are proposed to agree a full schedule of works, materials and window and door details. Permitted development rights can be removed to ensure the character and rural appearance of the building is retained. The proposal is therefore supported through the NPPF, policies CS5 and CS6 of the Core Strategy and policies RD2, RD9 and DS1 of the North Lincolnshire Local Plan.

Amenity of neighbours

In terms of impact on neighbours, the proposal will bring a redundant building back into use. The occupiers of adjacent dwellings may experience some increase in traffic movement to and from the site, but these movements will not be significant as they will serve a dwelling. It must be remembered that the former use of the building as an agricultural building would have attracted more vehicle movements with larger vehicles than those associated with a residential dwelling. The proposed conversion has kept external alterations to a minimum and no loss of residential amenity will be caused to adjacent properties. The proposal therefore accords with policies CS5 of the Core Strategy and policies RD2, RD9 and DS1 of the North Lincolnshire Local Plan.

Other issues raised

There is a need for housing in the area and this proposal will make a small contribution to the housing land supply. Barn 1 shown on the plans has already been given prior approval to be converted to a dwelling under PA/2019/1612. The barn has fallen into disrepair and this application will bring the building into use.

Conclusion

The proposal accords with planning policies in the NPPF, the Core Strategy and the North Lincolnshire Local Plan. The proposal will seek to sensitively restore and upgrade the barn so that it is suitable for residential use whilst its character and appearance will be safeguarded for future generations.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.
The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan (PA/2019/895/01), proposed floor plan 14 74 210 C, proposed elevations 14 74 212 B and proposed floor plan and layout 14 74 210 B.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.
No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

5.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

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 in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

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 in accordance with Part 3.

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 off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

8.

No development shall take place until a species protection plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- details of measures to avoid harm to bats and nesting birds during demolition, vegetation clearance and construction works;
- prescriptions for the eradication of Indian (Himalayan) Balsam and the treatment of the soil, rubble and materials affected by the seeds of this species.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

9.

Within six months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- details of bat roosting features to be installed;
- details of nesting sites to be installed to support a variety of nesting birds;
- restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- prescriptions for the planting and aftercare of native trees and shrubs of high biodiversity value;
- prescriptions for the monitoring and ongoing treatment of Indian (Himalayan) Balsam;
- proposed timings for the above works in relation to the completion of the buildings.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

10.

The biodiversity management plan and species protection plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the occupation of the approved dwellings, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan and species protection plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

11.

No development shall take place until samples of the external facing materials to be used on the building and the external materials for the hard surfacing areas shown on the approved plans have been submitted to and approved in writing by the local planning authority, and only the approved materials shall be used.

Reason

To safeguard the character and appearance of the barn in accordance with policies RD2 and RD9 of the North Lincolnshire Local Plan.

12.

No development shall take place until a full schedule of internal and external alteration and repair works proposed to the building, including a full specification of all materials to be used, has been submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be implemented on the site.

Reason

To safeguard the character and appearance of the barn in accordance with policies RD2 and RD9 of the North Lincolnshire Local Plan.

13.

Before the approved windows and doors are installed in the building, joinery details of all the approved windows and doors, drawn to a scale of 1:20 or 1:10, together with details of the colour of the paintwork/staining, shall be submitted to and approved in writing by the local planning authority. Thereafter, only approved scheme shall be implemented on site.

Reason

To safeguard the character and appearance of the barn in accordance with policies RD2 and RD9 of the North Lincolnshire Local Plan.

14.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

15.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To enhance the appearance of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.

16.

Notwithstanding the provisions of Classes A, B, C, D, E and G of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no extensions, alterations or buildings or enclosures shall be erected on the site or installed in the building other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the barn in accordance with policies RD2 and RD9 of the North Lincolnshire Local Plan.

17.

No development shall take place until plans detailing the boundary treatments and full details of the retention of the outer walls to Barn 3 have been submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be implemented on the site.

Reason

To safeguard the character and appearance of the barn in accordance with policies RD2 and RD9 of the North Lincolnshire Local Plan.

18.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. This must be based upon the submitted Flood Risk and Drainage Assessment, prepared by Alan Wood & Partners, dated August 2019, reference JAG/AD/JD/42779-RP001. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above ground solutions.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

19.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 17 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

20.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason:

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

Informative 1

New connections into the adjacent watercourse must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team on 01724 297522 or by email to llfadrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

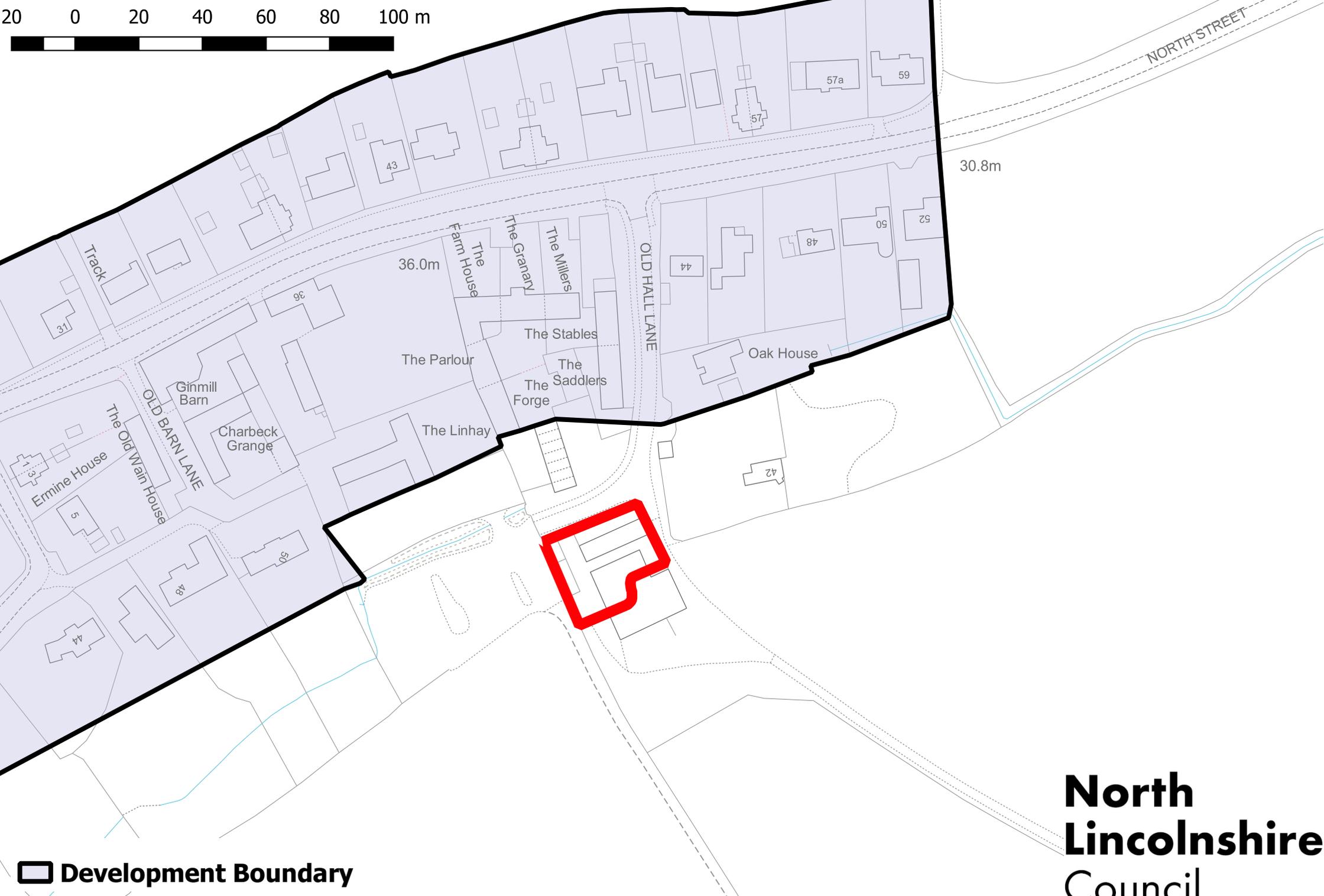
Informative 2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 3

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



 Development Boundary

PA/2019/895

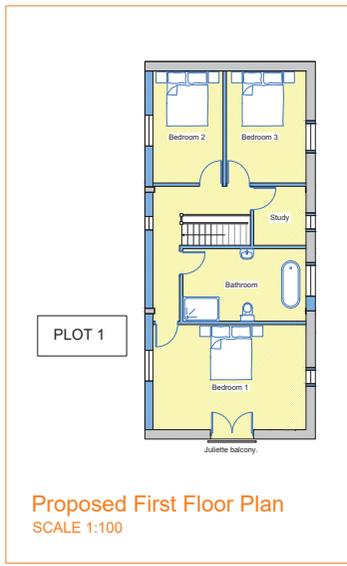
**North
Lincolnshire
Council**

PA/2019/895 Proposed floor plans (not to scale)

Road to be widened
subject to the planning
application for 10
dwellings being
approved.



Proposed Ground Floor Plan
SCALE 1:100



Proposed First Floor Plan
SCALE 1:100



General Notes											
NOTES: -											
This drawing must NOT be scaled.											
Work shall not commence until planning and building regulation approvals have been obtained in full.											
All dimensions and levels to be checked on site by contractor and any discrepancies to be reported to the architect and client prior to commencement of work on site.											
All drains & services to be located by contractor.											
This drawing is for building control purposes only. Detail design and specification shall be the sole responsibility of the contractor.											
The Contractor is to allow for those items of work which are not specifically identified in the Contract Documents but which it is reasonable to expect an experienced contractor to identify from them as being necessary (such as but without prejudice to the foregoing - screws, noggins, supports, flashings etc).											
Copyright											
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Amendments											
<table border="1"> <tr> <td>B</td> <td>Amendments made.</td> <td>05-11-18</td> </tr> <tr> <td>A</td> <td>Amendments made.</td> <td>28-11-18</td> </tr> <tr> <td>Rev</td> <td>Amendment</td> <td>Date</td> </tr> </table>			B	Amendments made.	05-11-18	A	Amendments made.	28-11-18	Rev	Amendment	Date
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<p>ETTRIDGE ARCHITECTURE LTD</p> <p>17 PRINCES DOCK STREET HULL EAST RIDING OF YORKSHIRE HU1 2LP</p> <p>(T) 07795 145796 www.ettridge.net</p> <p>Project: Barns Old Hall Lane Roxby</p> <p>Client: The Trustees of the Elwes Children's 1989 Settlement</p> <p>Drawing Title: Proposed Plans</p> <p>Compass:  Phase: PLANNING</p> <p>Drawn by: CN Checked by: DE</p> <p>Drawing No: 14 74 210 B Scale: 1:100 @ A1</p> <p>Date: NOVEMBER 2018</p>											