
F/YR22/1137/F

Applicant: Mr J Burton

**Agent : Mr Jordan Scotcher
Morton & Hall Consulting Ltd**

Land West Of 70-71 South Green And Fronting, Fieldside, Coates, Cambridgeshire

Erect single storey 1-bed dwelling and formation of a new access

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officer recommendation

1. EXECUTIVE SUMMARY

- 1.1 The site is part of the rear garden of 75 South Green in Coates which has rear access to a parallel street – Fieldside. The host property is a large semi-detached dwelling with an “L” shaped curtilage extending from South Green to Fieldside. The rear garden wraps around no. 74 South Green which has a minimal rear garden and a pair of small semi-detached bungalows no. 70 and 71 South Green back onto the site (to the southeast). They are separated from the site by a detached pre-fab single garage.
- 1.2 No. 81 Fieldside is a detached two storey dwelling to the northwest of the site. The property is orientated at right angles to the highway resulting in the vast majority of the windows facing south and onto the application site. An area for parking serving the property separate it from the application site (approx. 8.4m away). A 1.8m high close boarded fence makes up the boundary to the plot with the adjacent properties.
- 1.3 The proposal is for the construction of a modest, one bed, single storey “L” shaped dwelling at the application site. The ridge height would measure approx. 4m, with an approx. width of 6.6m and approx. depth of 10m.
- 1.4 Policy LP16 of the Fenland Local Plan (2014) requires development to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area, enhancing their setting and responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The application would introduce an additional dwelling on a narrow and constrained plot, resulting in a contrived development. The proposed dwelling would therefore not make a positive contribution to the local distinctiveness, character of the area and its setting and would create an adverse impact on the street scene. The proposal would therefore fail to accord with the above requirements and would be contrary to Policy LP16 of the Fenland Local Plan (2014).
- 1.5 Policy LP2 and LP16 (e) seek to ensure that development does not adversely affect the amenity of neighbouring or future occupiers. The height and proximity of the proposed dwelling would be an excessively dominant structure when

viewed from the main windows of No 81 Fieldside. It would also unacceptably detract from the outlook from No 81. Furthermore, the first-floor windows of No 81 would overlook the private amenity space to the proposed dwelling. Therefore, this would also result in a poor quality of development with regard to the quality of the amenity of the future occupiers. The proposal is therefore considered to be contrary to Policy LP2 and LP16 (e).

1.6 Overall, the proposed development is considered to be unacceptable, and the recommendation is one of refusal.

2. SITE DESCRIPTION

- 2.1 The site is part of the rear garden of 75 South Green in Coates which has rear access to a parallel street – Fieldside. The host property is a large semi-detached dwelling with an “L” shaped curtilage extending from South Green to Fieldside. The rear garden wraps around no. 74 South Green which has a minimal rear garden and a pair of small semi-detached bungalows no. 70 and 71 South Green back onto the site (to the southeast). They are separated from the site by a detached pre-fab single garage.
- 2.2 No. 81 Fieldside is a detached two storey dwelling to the northwest of the site. The property is orientated at right angles to the highway resulting in the vast majority of the windows facing south and onto the application site. An area for parking serving the property separate it from the application site (approx. 8.4m away). A 1.8m high close boarded fence makes up the boundary to the plot with the adjacent properties.
- 2.3 Fieldside is an unclassified road, unmade along lengths of it, but with numerous properties accessing onto it.
- 2.4 The site is located within flood zone 1.

3. PROPOSAL

- 3.1 The proposal is for the construction of a modest, one bed, single storey “L” shaped dwelling at the application site. The ridge height would measure approx. 4m, with an approx. width of 6.6m and approx. depth of 10m.
- 3.2 Two parking spaces are to be provided within the site accessed from Fieldside. A small private amenity space would be located at the north-eastern end of the plot.

Full plans and associated documents for this application can be found at:

[F/YR22/1137/F | Erect single storey 1-bed dwelling and formation of a new access | Land West Of 70-71 South Green And Fronting Fieldside Coates Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/1137/F)

4. SITE PLANNING HISTORY

Reference	Description	Decision
F/YR17/0997/F	Erection of a single storey 1-bed dwelling and 1.8 metre high timber fence	Refuse 14.12.2017
F/YR17/0410/F	Erection of a 2-storey 2-bed dwelling	Withdrawn 07.07.2017
F/YR07/0277/F	Erection of a 3-bed detached chalet bungalow with single integral garage	Refuse 04.05.2007
F/YR04/4275/O	Erection of a bungalow	Grant 12.01.2005
F/YR04/3416/O	Erection of a dwelling	Approve 05.07.2004

5. CONSULTATIONS

5.1 Whittlesey Town Council

The Town Council recommend refusal due to over intensification of site which could be detrimental to the health and wellbeing of any occupants.

5.2 CCC Definitive Map Team

The site is proposed to be accessed via public Byway 26, Whittlesey. To view the location of the Byway and Footpath please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has no objection to this proposal, the Byway must remain open and unobstructed at all times.

Informatives

Should you be minded to grant planning permission we would be grateful that the following informatives are included:

- Public Byway 26 must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).*
- Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980). There is no legally defined and recorded width for Public Byway 26. Where there is no legally defined width for a public right of way, we are not able to advise what the width would be. As the dimensions are not known, we cannot guarantee that the applicant would not be encroaching upon the highway. The applicant therefore would proceed with any development that might affect the highway at their own risk*
- No alteration to the Byway's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).*
- The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).*

- *The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of the byway is damaged as a result of increased motorised vehicle usage, the Highways Authority is only liable to maintain it to a byway standard respectively. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.*

Furthermore, the applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website at https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences_and-permits/

5.3 **FDC Environmental Health**

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposals.

This service would however welcome a condition on construction working times due to the close proximity to existing noise sensitive receptors, with the following considered reasonable:

No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

5.4 **Local Residents/Interested Parties**

Supporters: Seven letters of support have been received (2 x March Road, Coates, 1 x Peakes Drive, Coates and 4 x Eastrea) these may be summarised as follows:

- Design is perfect for the site
- Fieldside has been developed over the last couple of years with a wider road and new houses opposite
- New developments in Whittlesey/Coates area do not contain bungalows therefore this proposal would provide for someone looking a smaller dwelling
- Enhance the setting and character of the area and the design and location would complement the properties surrounding the site
- Represents infill development
- The dwelling proposed is a bungalow meaning that the height is kept to a minimum and also reduces any potential overlooking
- The site is in flood zone 1

6. **STATUTORY DUTY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan

for the purposes of this application comprises the adopted Fenland Local Plan (2014).

7. POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Context – C1

Identity – I1

Built Form – B2

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan.

Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy

LP2 – Spatial Strategy for the Location of Residential Development

LP4 – Securing Fenland's Future

LP5 – Health and Wellbeing

LP7 – Design

LP8 – Amenity Provision

LP12 – Meeting Housing Needs

LP19 – Strategic Infrastructure

LP20 – Accessibility and Transport

LP22 – Parking Provision

LP24 – Natural Environment

LP28 – Landscape

LP32 – Flood and Water Management

8. KEY ISSUES

- **Principle of Development**

- **Visual Impact and Character**
- **Residential Amenity**
- **Access and Highway Safety**
- **Flood Risk**

9. BACKGROUND

9.1 The application site has been subject to numerous planning applications over the years which have been refused, the most relevant application being the most recent application F/YR17/0997/F at the site for the 'Erection of a single storey 1-bed dwelling and 1.8-metre-high timber fence' in 2017.

9.2 The application was refused for two main reasons as outlined below:

- 1 Policy LP2 and LP16 (e) seek to ensure that development does not adversely affect the amenity of neighbouring or future occupiers. The height and proximity of the proposed dwelling would be an excessively dominant structure when viewed from the main windows of No 81 Fieldside. It would also unacceptably detract from the outlook from No 81. Furthermore, the first floor windows of No 81 would overlook the private amenity space to the proposed dwelling. Therefore this would also result in a poor quality of development with regard to the quality of the amenity of the future occupiers. The proposal is therefore considered to be contrary to Policy LP2 and LP16 (e). The proposal would also be inconsistent with Paragraphs 17, 56-61 of the NPPF.*
- 2 The addition of a dwelling between the front elevation of No 81 and the rear elevations of No 70 and 71 would result the loss of an open area which contributes to the character of Fieldside. The incremental growth which would result from this additional dwelling, and due to the narrowness of the plot which has resulted in a contrived proposal, would not make a positive contribution or result in the high quality of built environment required by LP16. The proposal would also be inconsistent with Paragraphs 17, 56-61 of the NPPF.*

10. ASSESSMENT

Principle of Development

- 10.1 Policy LP3 of the Fenland Local Plan 2014 has categorised Coates as a Limited Growth Village where a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability including small village extension.
- 10.2 Policy LP12 Part A of the Fenland Local Plan 2014 provided further guidance and highlights that new development will be supported where it contributes to the sustainability of the settlement and does not harm the wide-open character of the countryside. To ensure this there are a number of criteria expressed in this policy namely (a) - (k). These criteria, in summary, to seek to achieve compliance with the settlement hierarchy in terms of among to development whilst also ensuring that developments respond to the existing built form and settlement character, retain and respect existing features of the site and locality, respect biodiversity and ecology and provide appropriate servicing etc. This policy also advises that if a proposal within or on the edge of a village, in conjunction with other development built since 2011 and committed to be built (i.e. with planning permission) increases the number of dwellings in a 'limited growth' village by 10% or more then the

proposal should have demonstrable evidence of clear local community support for the scheme, Coates has already exceeded its 10% threshold thereby activating this policy requirement. The scheme comes forward with no evidence of community consultation having been undertaken in respect of this proposal.

- 10.3 It is clear that the scheme fails to address the requirements of LP12 in so far as they relate to community engagement and this is disappointing. However, the LPA is mindful of the 2017 appeal decision (APP/D0515/W/17/3182366) where the Planning Inspector in considering an appeal which was solely based on the failure of a scheme to achieve support under LP12, found that the failure to achieve community support in accordance with Policy LP12 should not render an otherwise acceptable scheme unacceptable.
- 10.4 Against this backdrop it is not considered that the scheme could be refused purely on the grounds of LP12 threshold considerations. As such, the principle of development is acceptable.

Visual Impact and Character

- 10.5 Policy LP16 of the Fenland Local Plan 2014 requires development to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area, enhancing their setting and responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.
- 10.6 The site is part of the rear garden of 75 South Green in Coates which has rear access to a parallel street – Fieldside. The host property is a large semi-detached dwelling with an “L” shaped curtilage extending from South Green to Fieldside. The rear garden wraps around no. 74 South Green which has a minimal rear garden and a pair of small semi-detached bungalows no. 70 and 71 South Green back onto the site (to the southeast). They are separated from the site by a detached pre-fab single garage.
- 10.7 No. 81 Fieldside is a detached two storey dwelling to the northwest of the site. The property is orientated at right angles to the highway resulting in the vast majority of the windows facing south and onto the application site. An area for parking serving the property separate it from the application site (approx. 8.4m away). A 1.8m high close boarded fence makes up the boundary to the plot with the adjacent properties.
- 10.8 Fieldside is considered to be semi-rural in nature with the rural feel increasing as one moves southwards along Lake Drove, where development becomes more sporadic into the open countryside. The style, scale and density of the built form along Fieldside and South Green varies.
- 10.9 It is noted that an application to ‘Erect 8 x 2 storey 3-bed dwellings and a 2.0-metre-high brick wall’ has been approved immediately southwest of the site under planning reference F/YR20/0301/F, however that site differs significantly to the application site brought forward within this application in not only its context but overall size of the site.
- 10.10 Whilst the proposal is not considered to impact adversely on the character of the surrounding countryside or the shape of the settlement as assessed under Policy LP12 of the Fenland Local Plan above, the addition of a dwelling in this location is considered to be contrary to Policy LP16 of the Fenland Local Plan 2014. The application would introduce an additional dwelling on a narrow and constrained plot

increasing further the confinement on the existing dwelling no. 81 located to the northwest. Although the proposed dwelling has been reduced in size to that brought forward under application F/YR17/0997/F, the proposed development would nevertheless result in a contrived proposal. The proposed dwelling would therefore not make a positive contribution to the local distinctiveness, character of the area and its setting and would create an adverse impact on the street scene.

Residential Amenity

- 10.11 Policy LP2 and Policy LP16 (e) of the Fenland Local Plan 2014 seeks to ensure that development does not adversely affect the amenity of neighbouring or future occupiers of a dwelling.
- 10.12 As with the previous refusal at the site a major concern of the proposal is its proximity to the existing dwelling at no. 81 Fieldside, as already addressed above the proposed dwelling would further confine no. 81. It is acknowledged that the proposed dwelling ridge height has been reduced from 5.1m to 4m and the proposed dwelling has been moved away from the boundary with no. 81 Fieldside by approx. 1m, making a total separation distance of approx. 8.4m. Nonetheless, the height and proximity of the proposed dwelling would still be an excessively dominant structure when viewed from the main windows of no. 81 Fieldside. It would also unacceptably detract from the outlook from no. 81.
- 10.13 Again, as with the previous refusal, the first-floor windows of no. 81 would overlook the private amenity space of the proposed dwelling. Therefore, this would result in a poor-quality development in regards to the quality of the amenity of future occupiers.
- 10.14 The proposal is therefore considered to be contrary to Policy LP2 and LP16 (e) of the Fenland Local Plan 2014.

Access and Highway Safety

- 10.15 The proposed access would be opposite one of the shared accesses approved for the dwellings under application ref. F/YR20/0301/F. No. 70 and 81 Fieldside both have existing access in the immediate vicinity. It is therefore considered that the additional proposed access would not result in any additional highway safety issues. The nature of the roadway would make drivers take care when accessing/egressing Fieldside in this location.

Flood Risk

- 10.16 The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under building regulations; accordingly, there are no issues to address in respect of Policy LP14.

11. CONCLUSIONS

- 11.1. Policy LP16 of the Fenland Local Plan (2014) requires development to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area, enhancing their setting and responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The application would introduce an additional dwelling on a narrow and constrained plot, resulting in a contrived development. The proposed dwelling would therefore not make a positive contribution to the local distinctiveness, character of the area and its setting and would create an adverse

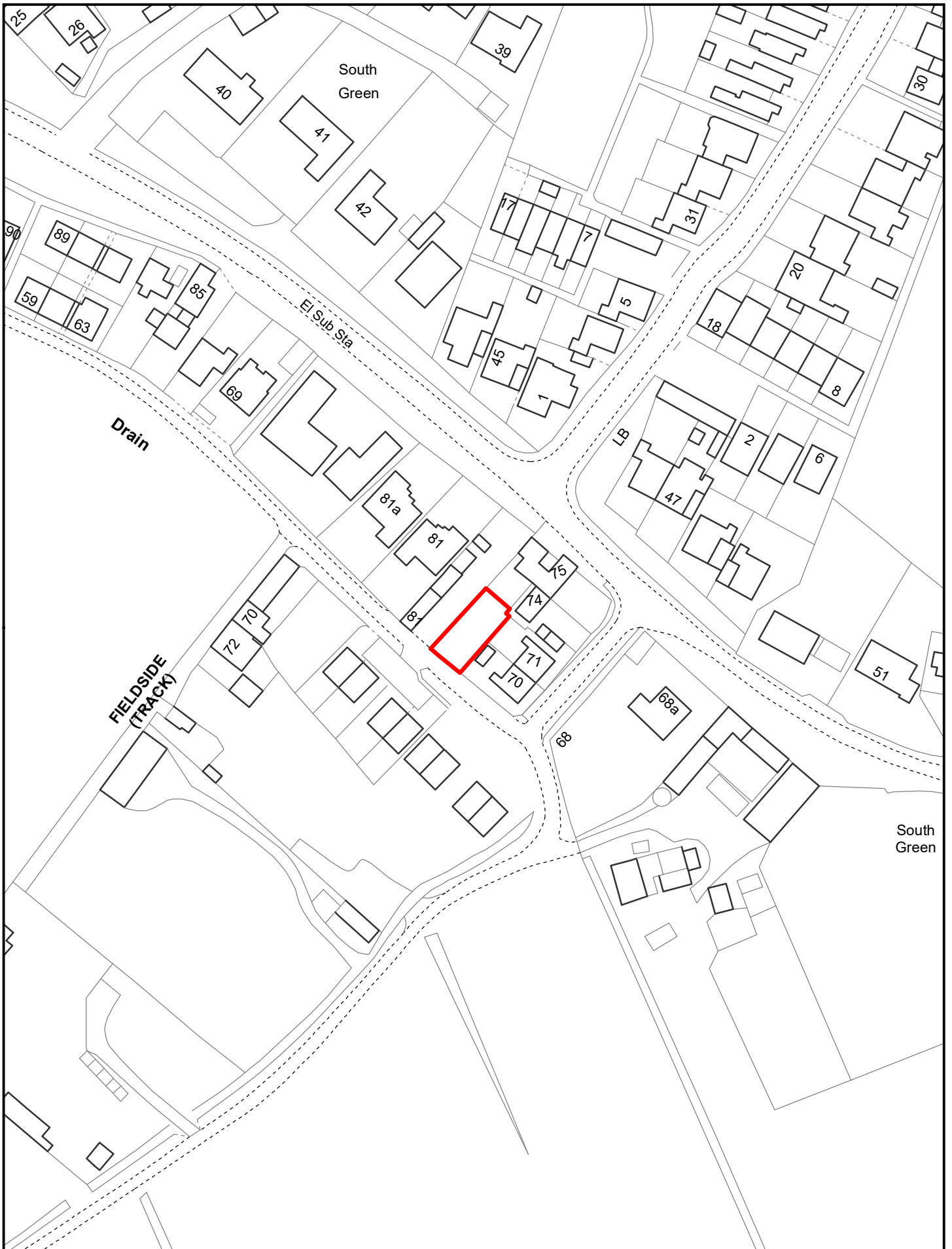
impact on the street scene. The proposal would therefore fail to accord with the above requirements and would be contrary to Policy LP16 of the Fenland Local Plan (2014).

11.2. Policy LP2 and Policy LP16 (e) of the Fenland Local Plan 2014 seek to ensure that development does not adversely affect the amenity of neighbouring or future occupiers of a dwelling. The height and proximity of the proposed dwelling would be an excessively dominant structure when viewed from the main windows of No 81 Fieldside. It would also unacceptably detract from the outlook from No 81. Furthermore, the first-floor windows of No 81 would overlook the private amenity space to the proposed dwelling. Therefore, this would also result in a poor quality of development with regard to the quality of the amenity of the future occupiers. The proposal is therefore considered to be contrary to Policy LP2 and LP16 (e) of the Fenland Local Plan 2014.

12. RECOMMENDATION

Refuse; for the following reasons:

1	Policy LP16 of the Fenland Local Plan (2014) requires development to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area, enhancing their setting and responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The application would introduce an additional dwelling on a narrow and constrained plot, resulting in a contrived development. The proposed dwelling would therefore not make a positive contribution to the local distinctiveness, character of the area and its setting and would create an adverse impact on the street scene. The proposal would therefore fail to accord with the above requirements and would be contrary to Policy LP16 of the Fenland Local Plan (2014).
2	Policy LP2 and LP16 (e) seek to ensure that development does not adversely affect the amenity of neighbouring or future occupiers. The height and proximity of the proposed dwelling would be an excessively dominant structure when viewed from the main windows of No 81 Fieldside. It would also unacceptably detract from the outlook from No 81. Furthermore, the first-floor windows of No 81 would overlook the private amenity space to the proposed dwelling. Therefore, this would also result in a poor quality of development with regard to the quality of the amenity of the future occupiers. The proposal is therefore considered to be contrary to Policy LP2 and LP16 (e).



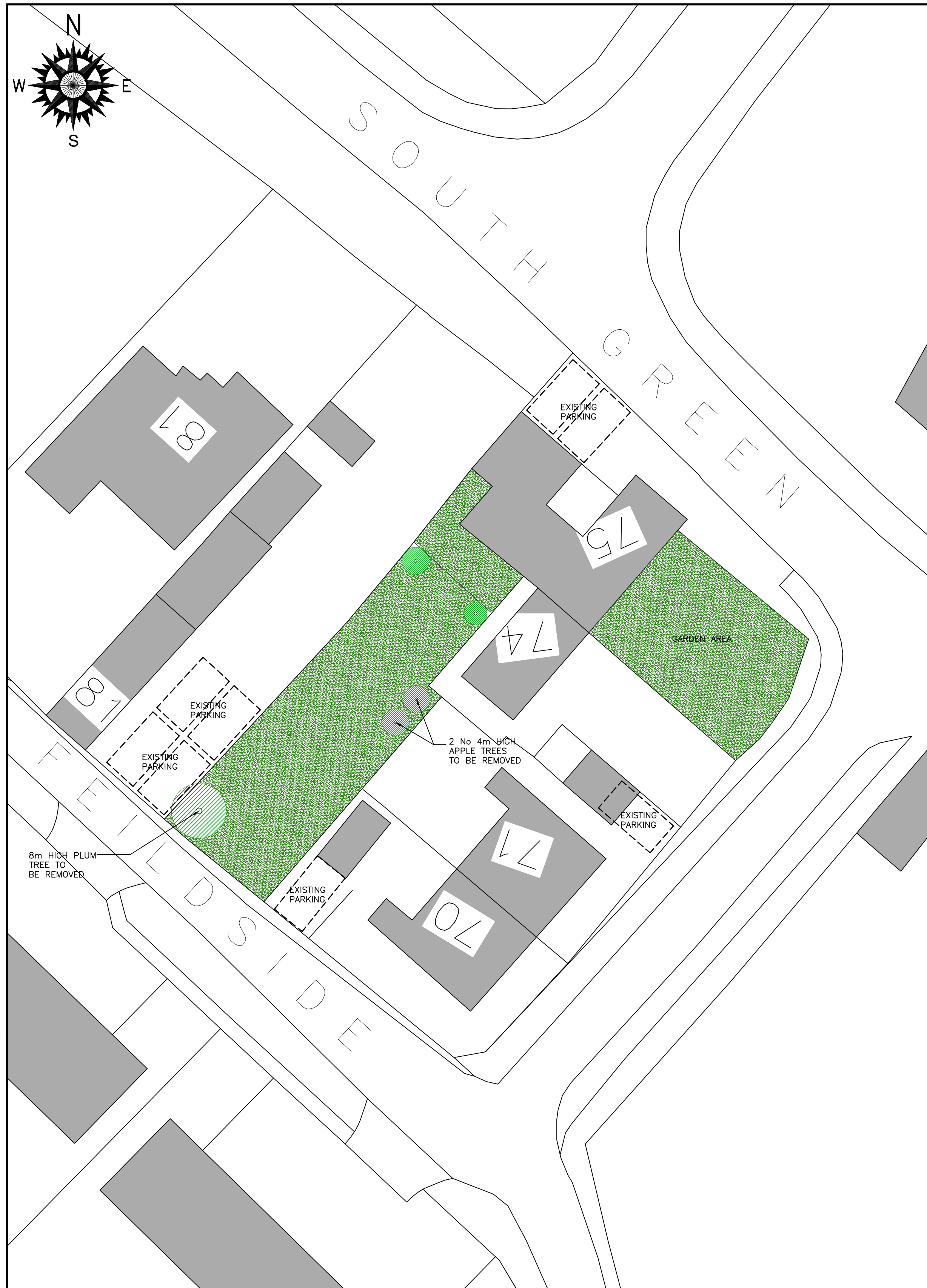
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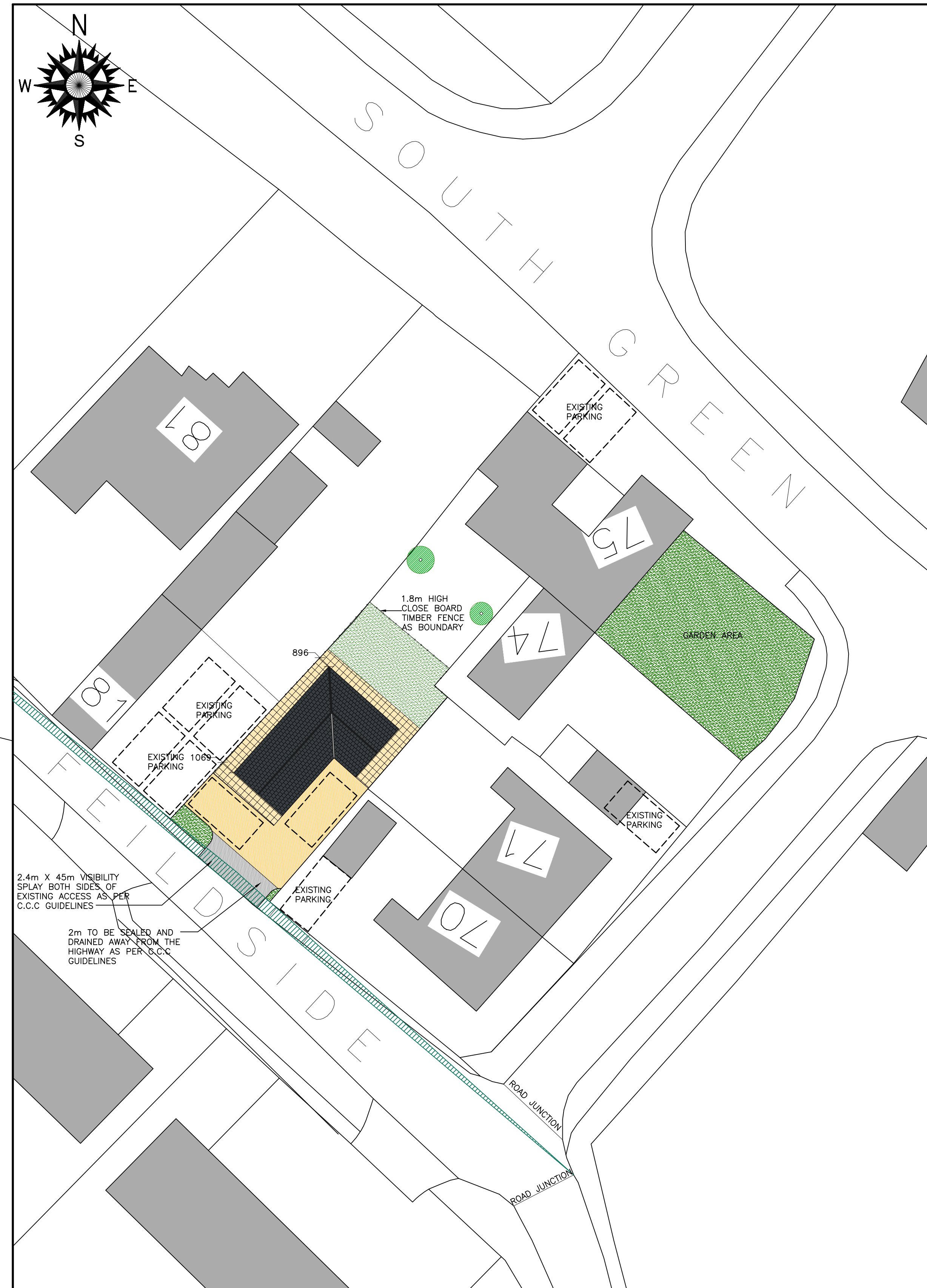




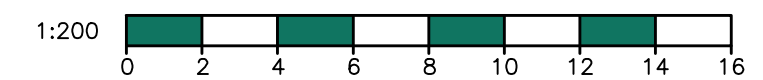
EXISTING SITE PLAN (1:200)



- PERMEABLE BLOCK PAVING (NON SLIP)
- GRASS
- TARMAC
- GRAVEL
- EXISTING DWELLINGS
- PAVEMENT
- SLAB PAVING
- VEGETATION

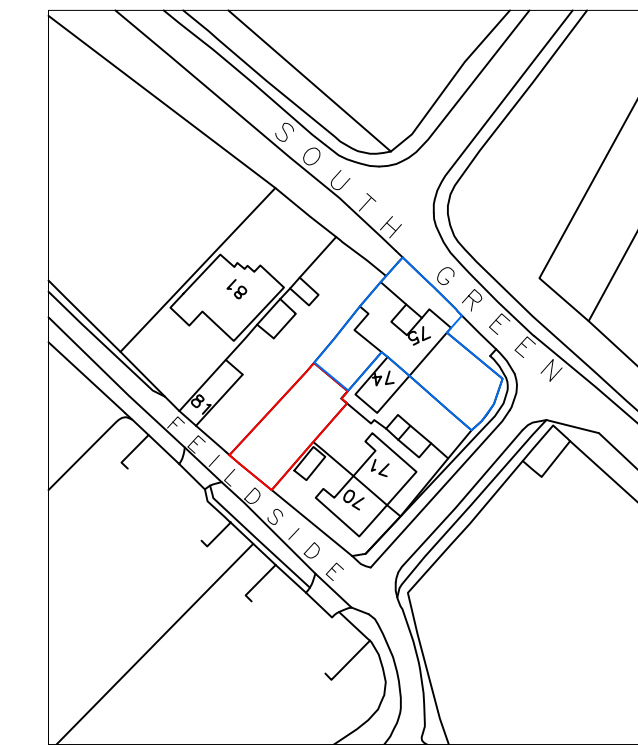


PROPOSED SITE PLAN (1:200)

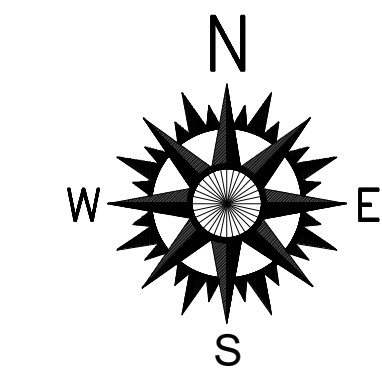
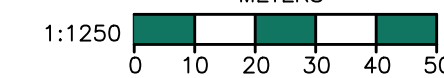


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- EXISTING DWELLINGS
- PAVEMENT
- SLAB PAVING
- VEGETATION

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 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and COTC standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details



LOCATION PLAN (1:1250)



REVISIONS	DATE

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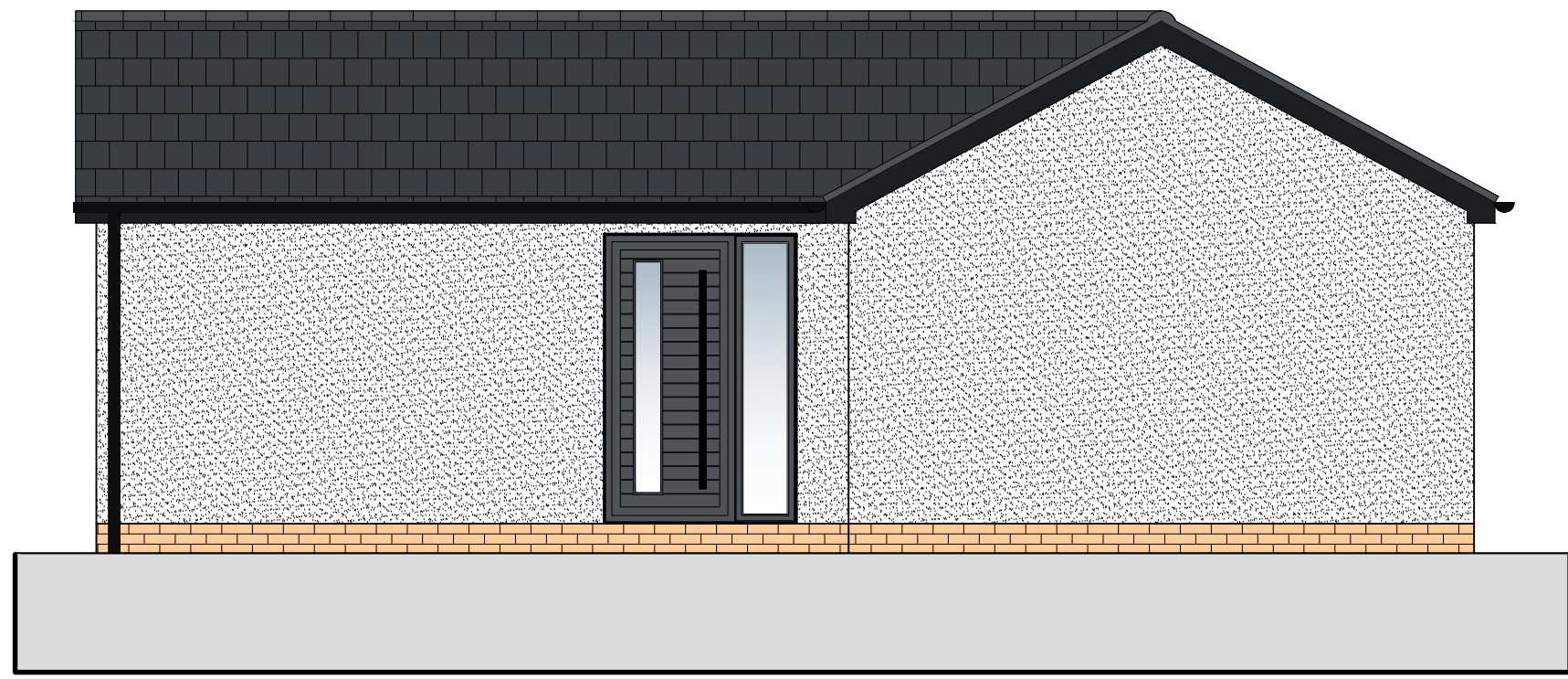
LABC Fenland District Council Building Design Awards winner

CLIENT
 Mr J Burton

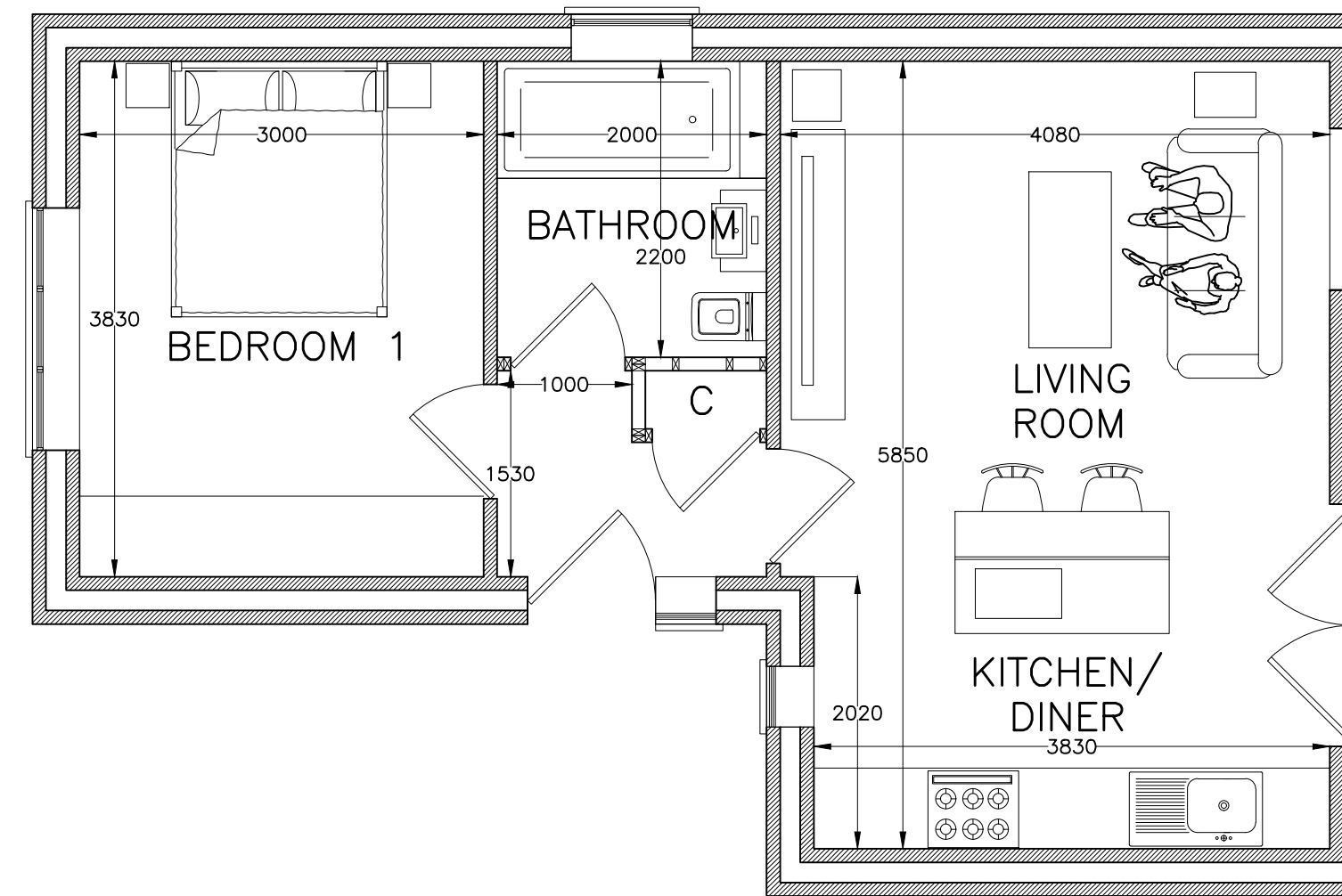
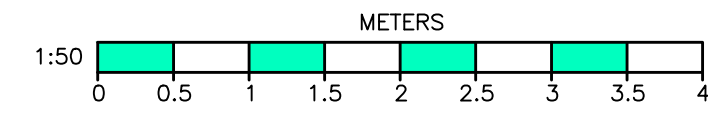
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 75 South Green, Coates, Cambs, PE7 2BL

TITLE
 Existing & Proposed Site Plan

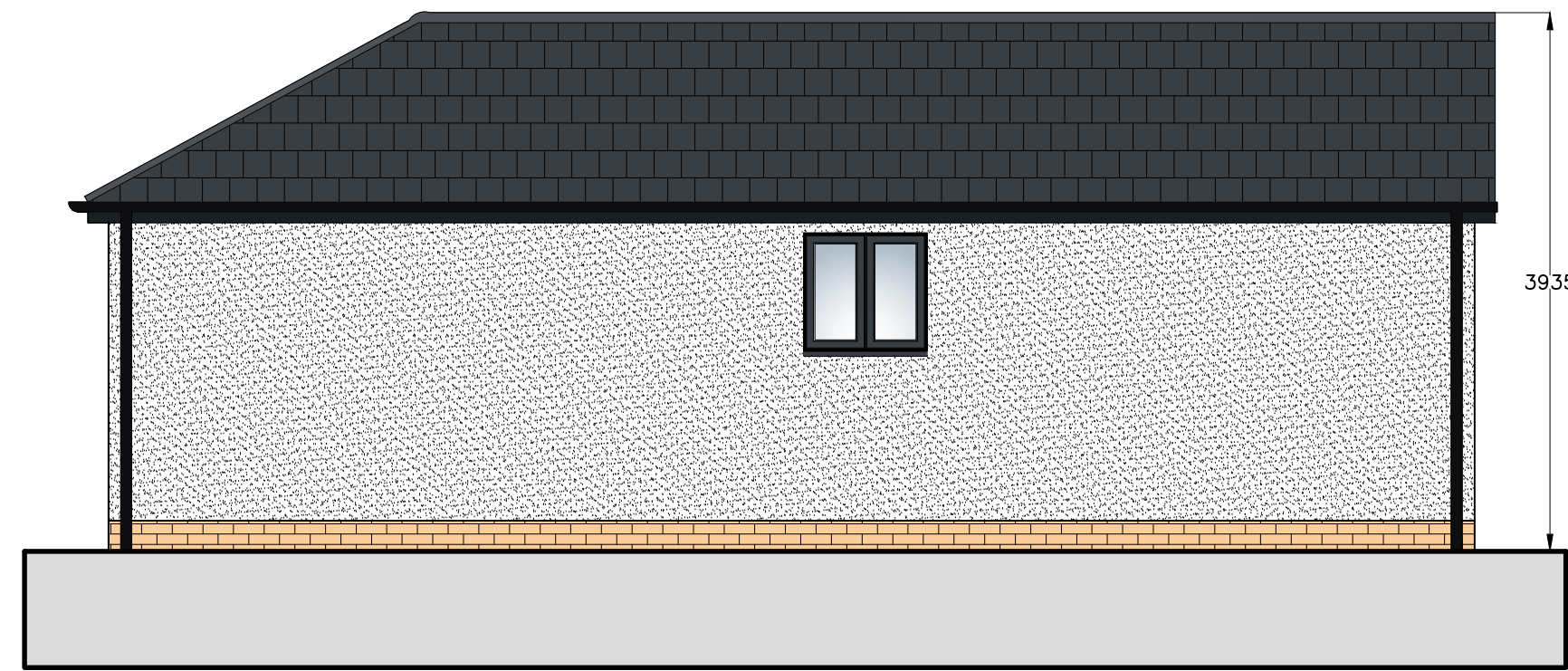
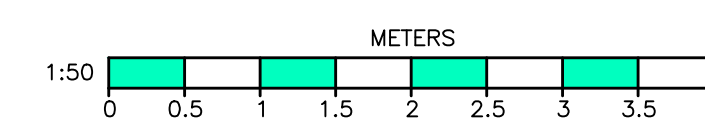
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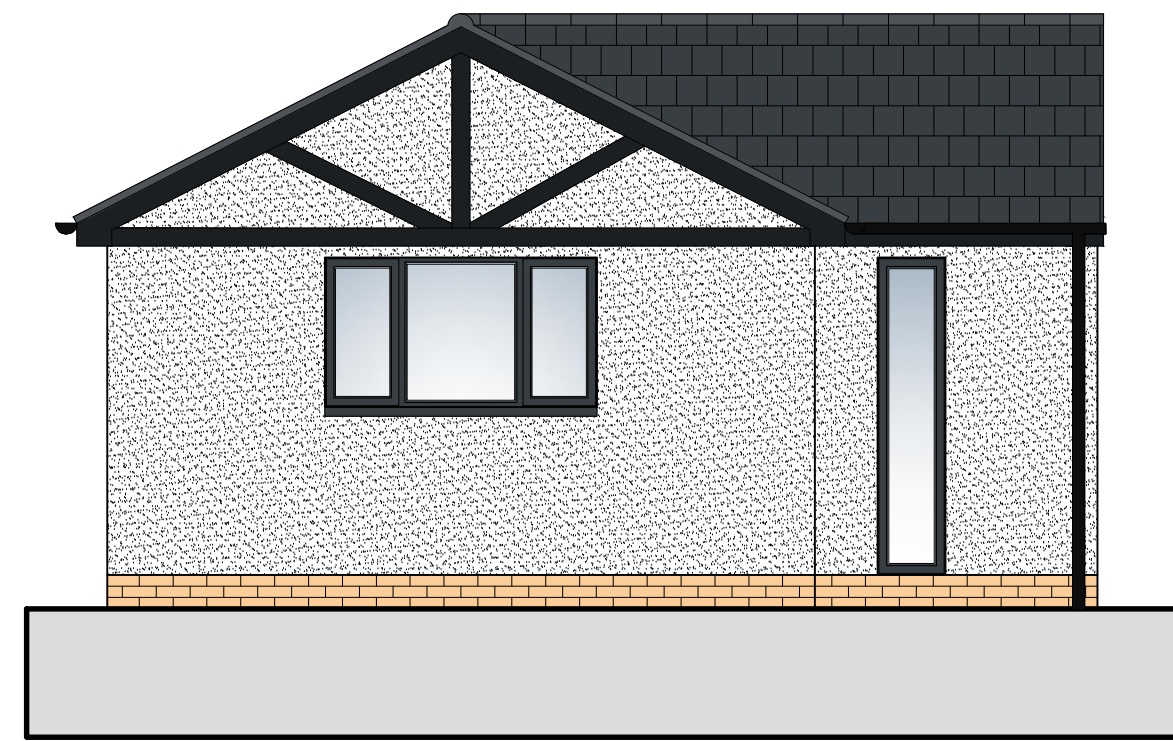
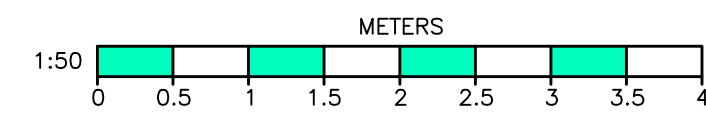
PROPOSED RIGHT HAND SIDE ELEVATION (1:50)



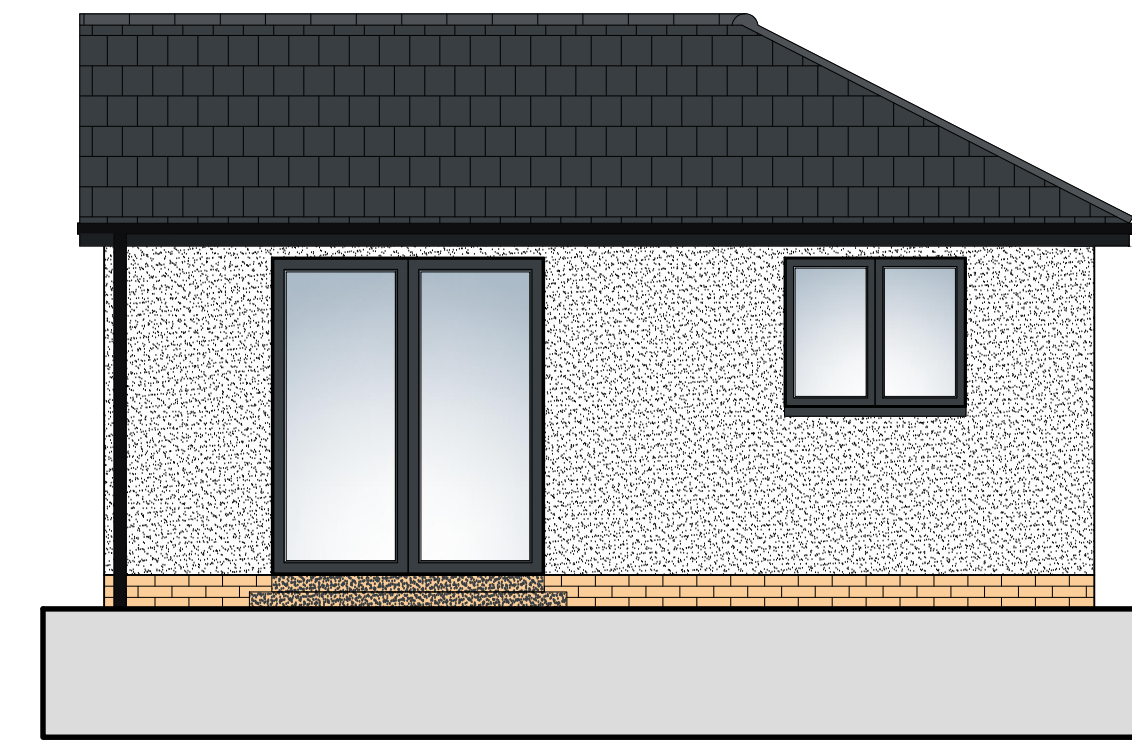
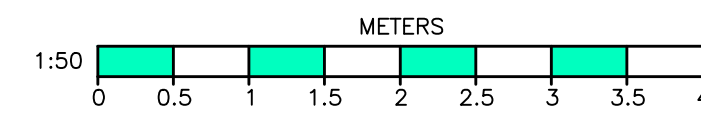
PROPOSED FLOOR PLAN (1:50)



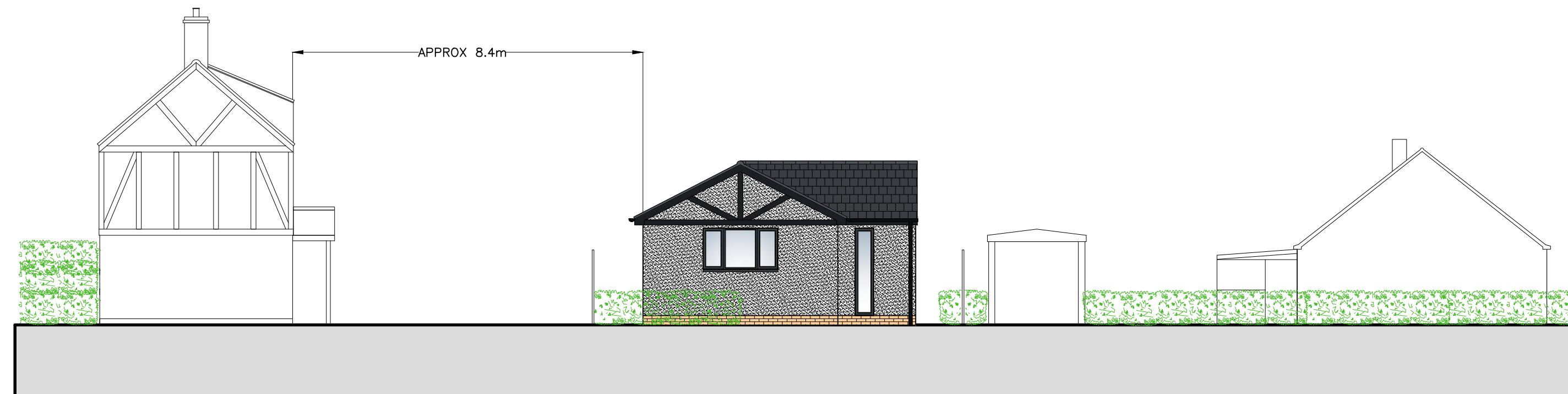
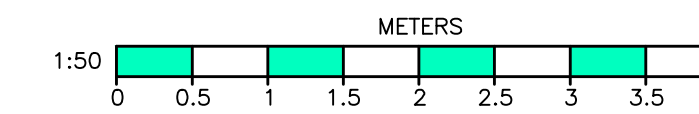
PROPOSED LEFT HAND SIDE ELEVATION (1:50)



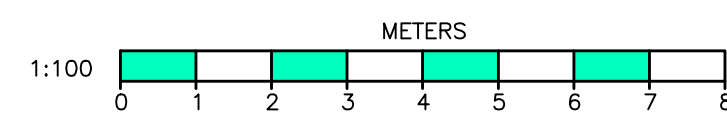
PROPOSED FRONT ELEVATION (1:50)



PROPOSED REAR ELEVATION (1:50)



PROPOSED STREET SCENE (:100)



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 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details

A		PLANNERS COMMENTS	JUN 2023
REVISIONS			DATE
<p>MORTON & HALL CONSULTING LIMITED CONSULTING STRUCTURAL ENGINEERS</p> <p>1 Gordon Avenue, March, Cambridgeshire, PE15 8AJ Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk</p>			
CLIENT			
Mr J Burton			
PROJECT			
75 South Green, Coates, Cambs, PE7 2BL			
TITLE			
Proposed Building Arrangements & Street Scene			
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