

F/YR25/0396/F

Applicant: Mr Eastol

**Agent: Swann Edwards
Swann Edwards Architecture Limited**

Land Northeast of 93, Dartford Road, March, Cambridgeshire

Erect 1 x self-build/custom build dwelling including the demolition of existing garage

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1 The application site is a vacant, narrow strip of land which runs behind 83-93 Dartford Road in March. The application seeks full planning permission to erect 1 x self-build/custom build dwelling including the demolition of existing garage. The 1x dwelling would be single storey, detached and would have one bedroom.
- 1.2 The application is considered unacceptable due to the cramped form of development, poor residential amenity in terms of a failure to comply with RECAP guidance, and the fact that the development has no coherence with adjoining development.
- 1.3 Additionally, in the absence of an appropriate legal agreement, the proposal fails to demonstrate that it would contribute to meeting identified self-build housing need and by association would benefit from the BNG exemption. Accordingly, this also constitutes a clear and defensible reason for refusal due to failing to meet the definition and requirements of self-build housing as set out in the Self-Build and Custom Housebuilding Act 2015 (as amended).
- 1.4 Therefore, the proposal would not comply with policies LP2 & LP16 of the Fenland Local Plan 2014 and the March Neighbourhood Plan 2017.

2 SITE DESCRIPTION

- 2.1 The application site is located within an established residential area within March and currently forms a strip of garden land. The width of the site at the largest point is some 8.6 metres. The site runs to the rear of 83-93 Dartford Road and is accessed from Dartford Road in between Nos. 93 and 94. Immediately to the north of the site is 94A Dartford Road, which forms one of a pair of 'backland' dwellings accessed via their own private drive.

- 2.2 The site is largely bordered by fencing screening it from the adjacent gardens and a dilapidated outbuilding which would be removed as part of the application is located towards the western end of the site at the rear of 91 Dartford Road.

3 PROPOSAL

- 3.1 The application seeks full planning permission for the erection of a single storey, one bedroom dwelling which would have an overall height of 4.4m. The dwelling would be orientated on an east-west alignment and would be elongated in its form with a width of 5.5m and a length of 11.2m. The main fenestration would be on the east and west elevations.
- 3.2 The dwelling would be accessed via the existing access to the site from Dartford Road which would be hard surfaced. A turning and parking area is proposed to the front of the dwelling with an area of garden, and a further area of garden is proposed to the rear. A 2m fence is indicated around the development.
- 3.3 An existing outbuilding within the site is proposed to be removed.

4 SITE PLANNING HISTORY

Application	Description	Decision	Date
F/YR17/0517/F	Erection of single-storey 1-bed dwelling with 2.4 metre high close boarded fence	Refuse	25 Jul 2017
F/YR13/0416/F	Erection of a single storey 2-bed dwelling involving demolition of existing outbuilding	Refuse	5 Aug 2013
F/YR13/0114/F	Erection of a single storey 2-bed dwelling	Refuse	12 Apr 2013

5 CONSULTATIONS

- 5.1 **March Town Council:**
Recommendation; Approval

- 5.2 **Cambridgeshire County Council Highways Authority:**
Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, I have no objection to the principal of the development, should it gain benefit of planning permission. However, in order to make the vehicle access acceptable to the highways authority the bin store as shown on the plans must be relocated outside of the vehicle access.

Comments

The development benefits from an existing vehicle access with the highway. This appears to be wide enough for shared use access with parking for the host property at the front of the existing dwelling and a new area for the proposed development. There has also been sufficient internal vehicle turning areas shown for both dwellings. As such should the bin store be located to an appropriate location outside of the vehicle access I would have no further objections.

5.3 Environment & Health Services (FDC):

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed scheme as it is unlikely to have a detrimental effect on local air quality, adversely impact the local amenity due to excessive artificial lighting or be affected by ground contamination.

Due to the close proximity of noise sensitive receptors, it is recommended that the following condition is imposed in the event that planning permission is granted:

WORKING TIMES

No demolition or construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 08:00 hours and 18:00 hours on Monday to Friday, 08:00 hours and 13:00 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:

Objections:

One letter of objection received from Dartford Road. The reasons for the objection are summarised as follows:

Objecting Comments Overview	Officer response
Cramped site	Addressed in Design Considerations and Visual Amenity of the Area section of the report.
Located across whole width of garden, causing sense of being enclosed and confined.	Addressed in Residential Amenity section of the report.
Noise concerns from traffic	Addressed in Parking/ Highways section of the report.
Drainage/flooding concerns, questioning where main soakaway and soakaways would be connected.	Addressed in Flood Risk section of the report.
Querying if a covenant would be in place to stop any windows being installed if permission is granted.	Any permission that is granted must comply with planning conditions which ensure the development is in accordance with the approved

	plans. If this does not occur, enforcement action can take place.
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Support:

Eight letters of support received from addresses in March, including West End, Foxglove Way, Newlands Avenue, Lime Grove, Fairfax Way, Wisbech Road & Cavalry Drive. The reasons for the support are summarised as follows:

Supporting Comments Overview	Officer response
Community requires diverse housing options.	Fenland Planning Authority's latest housing needs assessment for identifies a need for a range of dwelling sizes, including 1 bed dwellings. However, 1 dwelling is a very modest contribution towards meeting the housing need and therefore the harm is not outweighed by the benefits in this regard.
Sympathetic to existing neighbourhood.	Addressed in Design Considerations and Visual Amenity of the Area section of the report.
Economic benefits including employment benefits and local services benefit.	Employment will be created from the proposal and local spending would increase from the future occupiers, which would create modest economic benefits. However, it is considered that the economic benefits will be limited as the proposal is only for 1x dwelling. Whilst these small benefits are acknowledged, they do not outweigh the policy conflict and resultant harm.
Well proportioned and well designed dwelling.	Addressed in Design Considerations and Visual Amenity of the Area section of the report.
Scale respectful of plot size.	Addressed in Design Considerations and Visual Amenity of the Area section of the report.
No overlooking or loss of privacy.	Addressed in Residential Amenity section of the report.
No increase in traffic noise or congestion.	Addressed in Residential Amenity section of the report.
Improve visual amenity.	Addressed in Design

	Considerations and Visual Amenity of the Area section of the report.
Beneficial addition to housing stock.	Addressed in Principle of Development section of the report.

6 STATUTORY DUTY

- 6.1 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), the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the March Neighbourhood Plan 2017.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 12 – Achieving well-designed and beautiful places

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

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

LP9 – March

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:

LP7 – Design
LP8 – Amenity Provision
LP12 – Meeting Housing Need
LP22 – Parking Provision
LP32 – Flood and Water Management

March Neighbourhood Plan (adopted 2017)

Policy H3 – Local Housing Need

The visions, aims and objectives of the plan are that the quality of the built and natural environment is improved along with the level of provision and quality of recreational land facilities.

8 KEY ISSUES

- **Principle of Development**
- **Changes from the Previous Refused Application**
- **Self-build and Five-Year Land Supply**
- **Design Considerations and Visual Amenity of the Area**
- **Residential Amenity**
- **Parking/ Highways**
- **Flood Risk**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

9.1 Applications F/YR13/0416/F and F/YR13/0114/F were both refused in 2013, where the proposals were to erect a single storey 2 bed dwelling.

9.2 The most recent application which has been refused was reference F/YR17/0517/F. This had the same proposal as the current application. This application was refused in 2017 for the following reasons.

1) The proposal will result in a cramped and over intensive form of development due to the exceptionally narrow width of the land and the close proximity of the proposed dwelling to the boundary fences resulting in a poor form of habitable accommodation to the detriment of future occupiers. The development will have no coherence with adjoining development to the detriment of local character. The development is therefore considered to be contrary to Policy LP2 and LP16 of the Fenland Local Plan 2014 and DM3 of Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014 which seek to provide high

levels of residential amenity and ensure that developments reinforce local identity and make a positive contribution to the character of the area.

2) Policy LP15 seeks to ensure that development schemes provide well designed, safe and convenient access for all, the proposed development has been unable to provide the required visibility splays and can therefore not evidence the access is safe and suitable for its intended use, as such the proposal is considered to be contrary to Policy LP15 of the Fenland Local Plan 2014.

3)The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste and Management Design Guide SPD, Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014 and Policy LP16 of the Fenland Local Plan 2014 seek to ensure that adequate, well designed bin facilities are conveniently located with easy access for users. In view of the site location and relationship with the adopted highway the proposal will result in bins being carried over 50m from the storage area to the collection point, which is well in excess of the recommended distance of 30m, as such the development is considered to be contrary to Policy LP16 of the Fenland Local Plan 2014 and Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014.

10 ASSESSMENT

Principle of Development

- 10.1 The proposal is located within the settlement of March; LP3 and the settlement hierarchy advises that the majority of the district's new housing should take place within the Market Towns, of which March is one, hence the principle of development is supported by LP3. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of residential or visual amenity, design, parking, highways and flood risk.

Changes from the Previous Refused Application

- 10.2 As detailed within the Background (section 9) of this report, there is significant history at the site. The most recent refused application being reference F/YR17/0517/F.
- 10.3 The current application is very slightly different when compared to the previous refused application. The width of the proposed dwelling has reduced by some 0.9 metres. The depth has increased by some 2.0 metres. The height has remained similar. The below table shows a comparison of measurements between both applications.

	Previous application F/YR17/0517/F	Current application F/YR25/0396/F
Width	5.5 metres	4.6 metres
Depth	11.4 metres	13.4 metres
Maximum height	4.4 metres	4.5 metres

10.4 It is noted that the policies within the Fenland Local Plan 2014 have not changed since the previous refusal in 2017.

Self-build and Five-Year Land Supply

- 10.5 Policy LP5, Part C of the Fenland Local Plan seeks to provide, in appropriate circumstances, housing solutions that meet market expectations including self build homes, which is supported by para 62 of the NPPF. Under Section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Weight would therefore be given to this, the amount dependant on identified demand. The proposal is for a self/custom build dwelling, however the Council can currently demonstrate that the number of permissions given for self/custom builds exceeds identified demand, and as such very limited weight can be afforded to this.
- 10.6 Recent appeal decisions have consistently dismissed proposals where there was no enforceable mechanism in place to ensure that the approved dwelling would be delivered and occupied as a genuine self-build or custom-build project. These decisions reinforce the importance of securing the self-build nature of such developments through a legally binding agreement.
- 10.7 In line with best practice and national policy guidance, it is therefore considered essential that a legal agreement; typically in the form of a Section 106 obligation, is secured to guarantee the delivery of the dwelling as self-build. Without such a mechanism, there is no means by which the Council can ensure the dwelling will meet the requirements of self-build housing as defined by the Self-Build and Custom Housebuilding Act 2015 (as amended).
- 10.8 In the absence of an appropriate legal agreement, the proposal fails to demonstrate that it would contribute to meeting identified self-build housing need and by association would benefit from the BNG exemption as mentioned above. Accordingly, this constitutes a clear and defensible reason for refusal.

- 10.9 Additionally, at present the Council can demonstrate in excess of a five-year supply of available housing land and therefore very limited weight can be afforded to the delivery of housing when considering the planning balance.

Design Considerations and Visual Amenity of the Area

- 10.10 LP Policy 16 is concerned with ensuring that the development is acceptable in design terms and protects the character and appearance of an area.
- 10.11 The exceptionally narrow width and constrained nature of the site is such that the proposed development has no coherence with adjoining development and does not lend itself to being able to suitably accommodate a dwelling, the adjoining dwellings along Dartford Road and Henson Road to the rear are detached 2-storey dwellings on good sized plots, generally fronting the highway. The only exceptions to this being Nos 99 and 99a Dartford Road to the north of the site which are single-storey, however these have a much larger footprint and amenity space than the proposed development which is not considered to reflect the local built environment or settlement pattern and is therefore considered to be contrary to Policy LP16.
- 10.12 Due to the proposed development being set back behind the existing dwellings it would not appear to be visible from the streetscene and therefore would not impact on this in terms of views; the only area of the development that would be visible from the public realm would be the altered access, fencing and parking arrangements to No 93 Dartford Road.
- 10.13 When comparing the current proposal to the previous refused application, the site is still constrained. The proposed dwelling has a considerable narrow width and is still not in coherence with the adjoining development. It is considered that the proposed reduction in width of the dwelling actually creates a proposal which is more out of character. The proposal would not reflect the settlement pattern.
- 10.14 Therefore, the proposal would not be in accordance with policy LP16 of the Fenland District Council Local Plan (2014) and the March Neighbourhood Plan 2017.

Residential Amenity

Impact to neighbouring properties

- 10.15 The proposed development is located in close proximity to boundaries with other neighbouring properties including No. 85 Dartford Road, No. 87 Dartford Road, No. 97 Dartford Road and property known as Norfolk Nest.

10.16 Due to the single-storey nature of the development overlooking of neighbouring dwellings is not considered to be an issue and overshadowing is unlikely to be significant, though it is noted that the outlook from the adjoining properties will be affected.

10.17 The proposed tarmac access reduces the disturbance from vehicular movements and a new 2m high fence is proposed which also assists with mitigating impacts.

Future Occupiers:

10.18 The main habitable areas of the bedroom and living area have windows/doors to the front and rear, away from the boundaries. These are considered to provide an acceptable level of outlook. Previously the floor layout was less open plan and only served by small side windows offering limited outlook and creating an enclosed interior. The new internal layout is more open plan in nature, with rooflights to the central kitchen area and a smaller hall with a glazed door. As such, it is considered that the internal arrangements have overcome the previous refusal.

10.19 The current application is slightly different in terms of fenestration changes on the side elevations when compared to the previous refused application. The previous application had three windows on the side elevations with restricted light and outlook, whereas the current application has one single door on the side elevation and three rooflights. This arrangement is considered acceptable in terms of amenity for future occupants, particularly with outlook provided for the bedroom and living room.

Bin Drag Distance

10.20 The proposal does not comply with RECAP guidance as it will result in bins being moved more than 30m from the storage area to collection area, the bin drag is approx. 40 metres, therefore, this fails to comply with Policy LP16 and leads to poor residential amenity.

Amenity Space

10.21 Policy LP16 states that development should provide sufficient private amenity space. For dwellings, this is a minimum of a third of a plot of the curtilage. The private amenity space proposed measures approximately 157m². The application form states that the site area is 474 m². The private amenity space therefore meets the 1/3 requirement as set out within Policy LP16.

Residential Amenity Conclusion

10.22 There are minimal proposed changes to the footprint when compared to the previous refused application. Whilst there have been minor improvements in terms of fenestration arrangements, these do not negate the constraints and

location of the site which remain unchanged. The proposal creates development where there are significant concerns for the potential future occupiers of the site due to the cramped form of development, causing particularly poor residential amenity, along with unacceptable bin drag distances. The proposal is therefore not in conformity with policy LP16 of the Fenland District Council Local Plan (2014) and the March Neighbourhood Plan 2017.

Parking/ Highways

- 10.23 The proposal provides the 2 parking spaces required by LP15 and Appendix A of the Fenland Local Plan, along with a turning area to enable cars to exit the site in forward gear. The proposal does result in the loss of parking area to No.93 Dartford Road due to the creation of the access to the development site; however 2 spaces do remain to serve the existing dwelling.
- 10.24 The proposed access is located on the corner of a busy B-Class road which is also indicated as being an accident site. The development benefits from an existing vehicle access with the highway. The Highways Officer has reviewed the proposal and had no objection in principle. The existing access appears to be wide enough for shared use access with parking for the host property at the front of the existing dwelling and a new area for the proposed development. There has also been sufficient internal vehicle turning areas shown for both dwellings.
- 10.25 Whilst there is no objection in principle, the Highways Officer has stated that, in order to make the vehicle access acceptable to the highways authority the bin store as shown on the plans must be relocated outside of the vehicle access. However, it is considered that the primary bin store is located close to the proposed dwelling, and the bin collection point is only temporary on the day that the bins are collected so this would not be a significant concern.
- 10.26 The previous application had a reason for refusal as visibility splays, the Highways officer has not mentioned this in the current application and therefore, this reason for refusal is no longer appropriate.
- 10.27 Considering the above, the proposal is considered to comply with policy LP15 of the Fenland District Council Local Plan (2014) and the March Neighbourhood Plan 2017.

Flood Risk

- 10.28 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.

Biodiversity Net Gain (BNG)

- 10.29 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.30 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the nature of the development being self / custom build is exempt from statutory net gain.

11 CONCLUSIONS

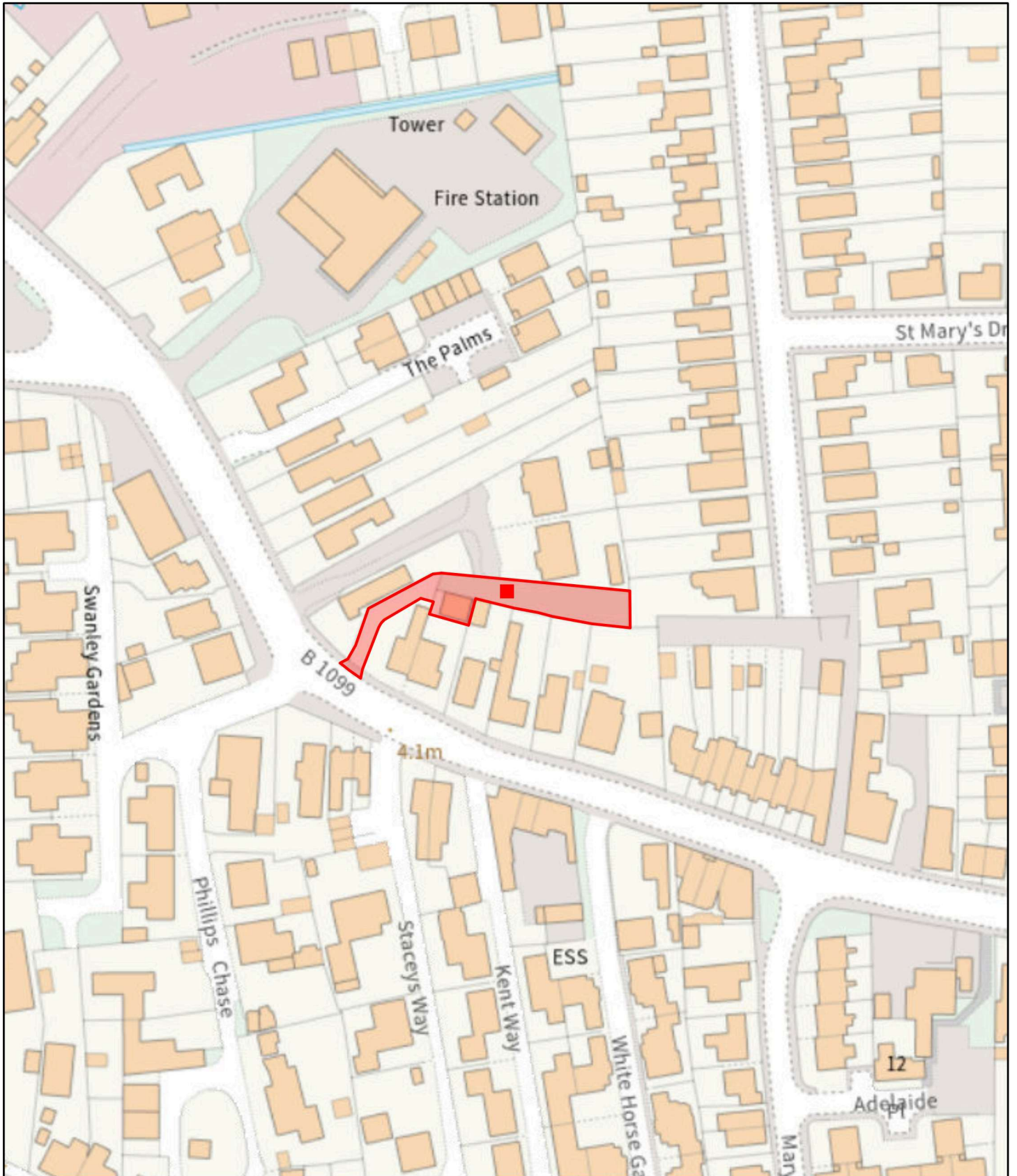
- 11.1 The application seeks full planning permission to erect 1 x self-build/custom build dwelling including the demolition of existing garage.
- 11.2 The Council can demonstrate that the number of permissions for self/custom builds currently exceeds identified demand. The Council can also demonstrate an excess of a five-year supply of available housing land. Very limited weight should therefore be given to these factors when considering the planning balance. Additionally, in the absence of an appropriate legal agreement, the proposal fails to demonstrate that it would contribute to meeting identified self-build housing need and by association would benefit from the BNG exemption as mentioned above. Accordingly, this constitutes a clear and defensible reason for refusal.
- 11.3 Whilst the proposal has overcome some of the issues previously raised, the constraints of the site still remain. It is considered that the proposal has not significantly changed and there are previous issues that are still relevant. The development is considered unacceptable due to the cramped form of development leading to poor residential amenity for future occupants of the development and a failure to comply with RECAP guidance, and the fact that the development has no coherence with adjoining development. Therefore, the proposal would not comply with policies LP2 & LP16 of the Fenland Local Plan 2014 and the March Neighbourhood Plan 2017.

12 RECOMMENDATION

Refuse; for the following reasons:

1	The proposal will result in a cramped and over intensive form of development due to the exceptionally narrow width of the land. The development will have no
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	coherence with adjoining development to the detriment of local character. The development is therefore considered to be contrary to Policy LP2 and LP16 of the Fenland Local Plan 2014 and DM3 of Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014 which seek to ensure that developments reinforce local identity and make a positive contribution to the character of the area.
2	The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste and Management Design Guide SPD, Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014 and Policy LP16 of the Fenland Local Plan 2014 seek to ensure that adequate, well designed bin facilities are conveniently located with easy access for users. In view of the site location and relationship with the adopted highway the proposal will result in bins being carried over 50m from the storage area to the collection point, which is well in excess of the recommended distance of 30m, as such the development is considered to be contrary to Policy LP16 of the Fenland Local Plan 2014 and Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland SPD (July 2014).
3	In the absence of a legal agreement or other enforceable mechanism to secure the delivery and occupation of the proposed dwelling as a self-build unit, the development fails to meet the definition and requirements of self-build housing as set out in the Self-Build and Custom Housebuilding Act 2015 (as amended).

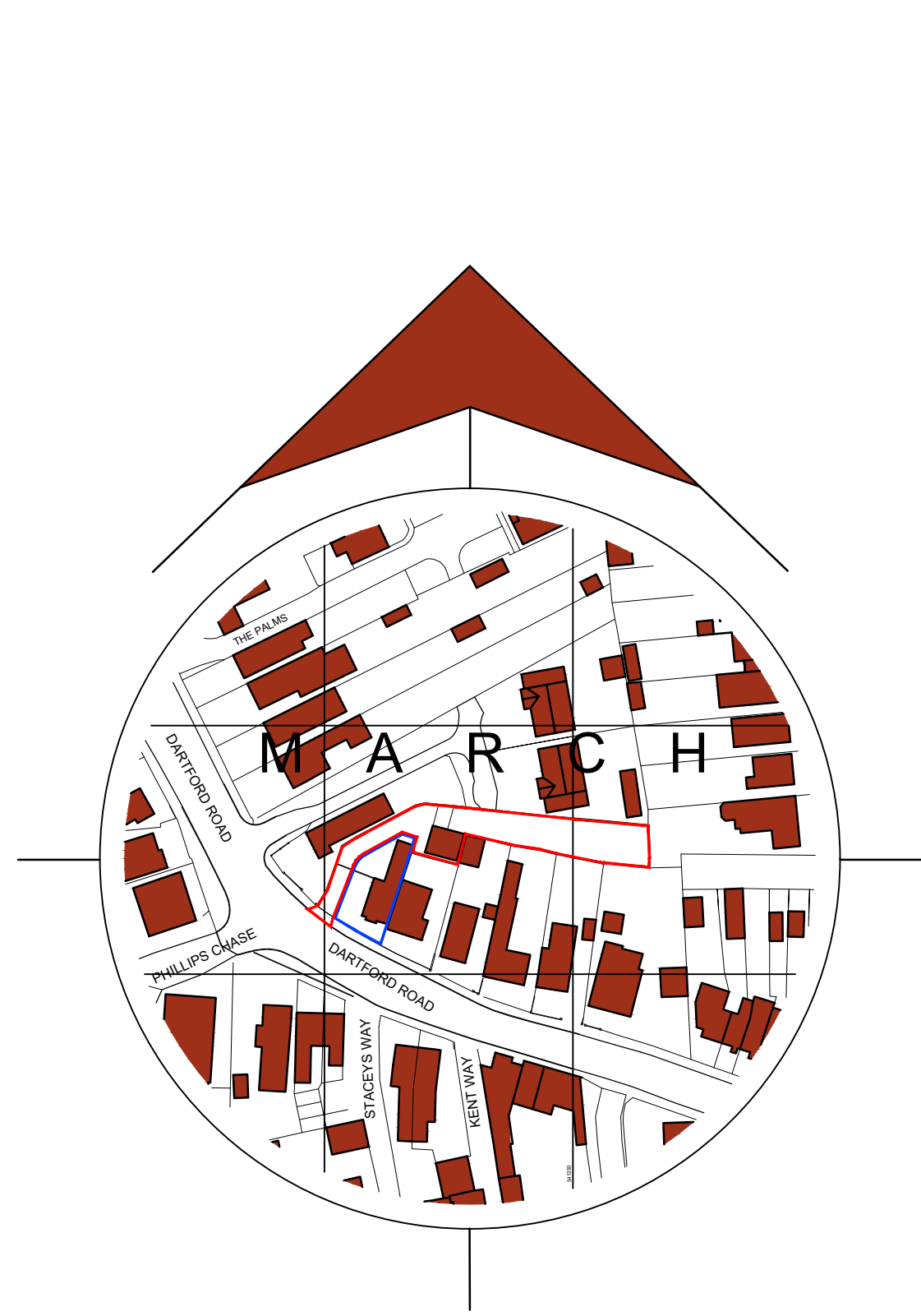


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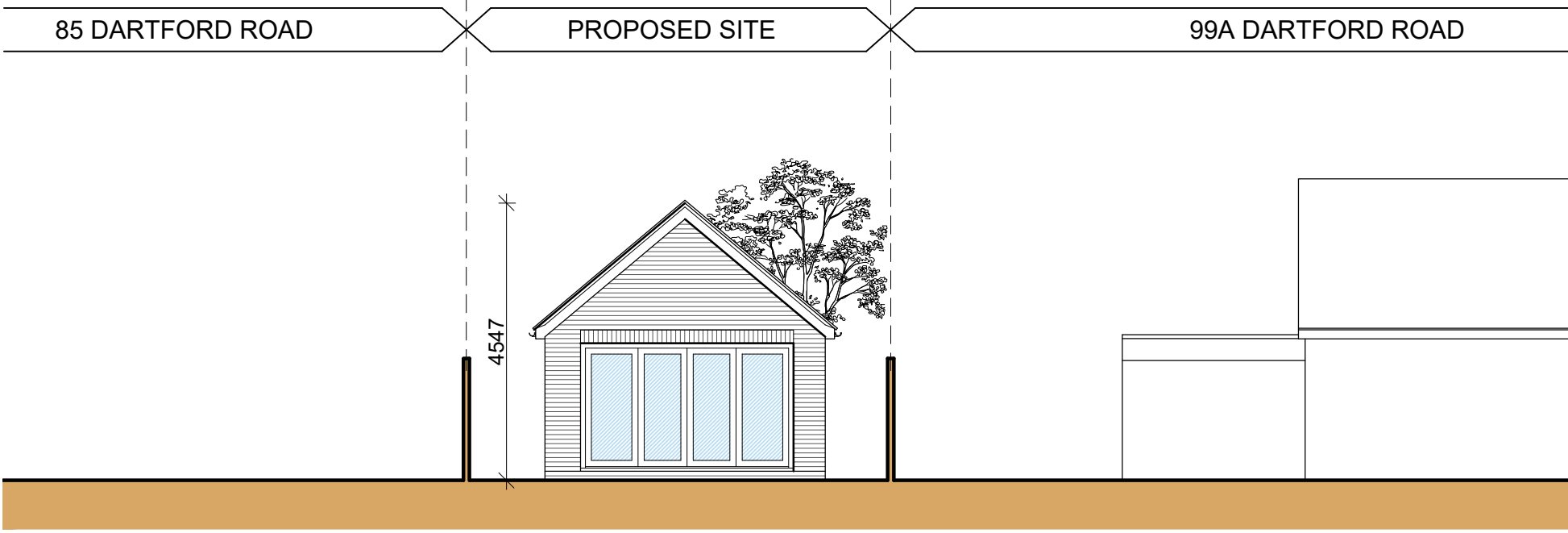
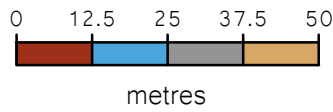
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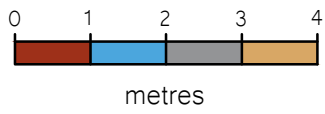
Fenland District Council



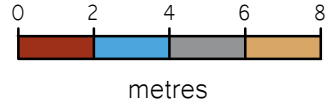
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Site Section BB
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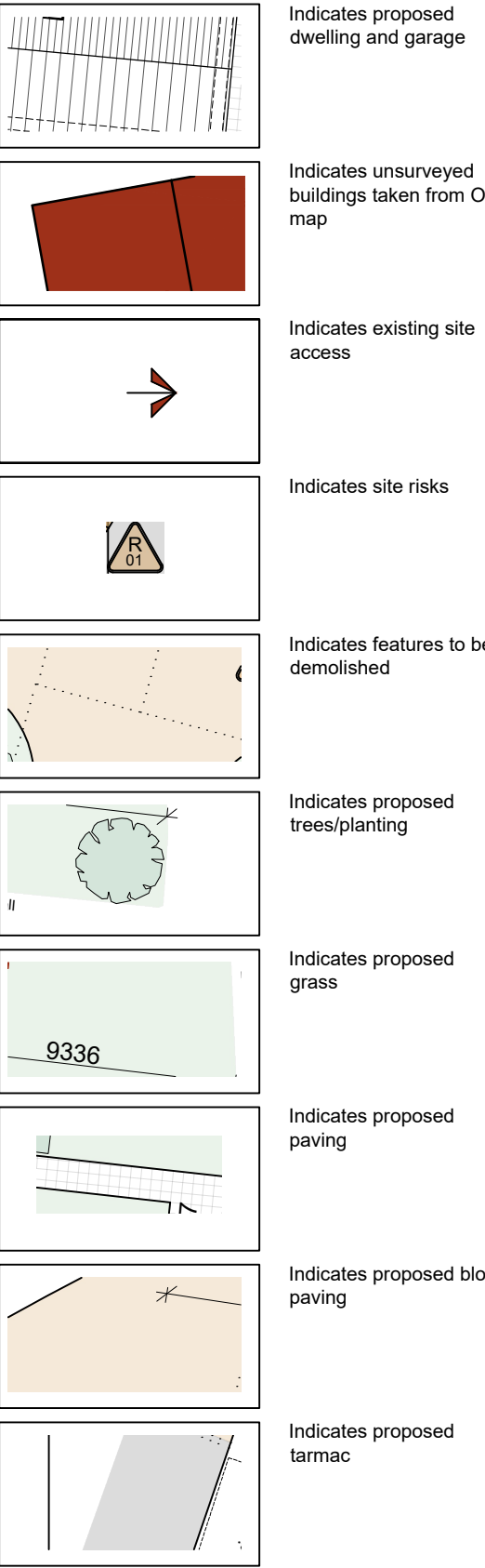


Site Plan
Scale: 1:200



- General Notes
1. All dimensions are shown in 'mm' unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers attention.

SITE KEY



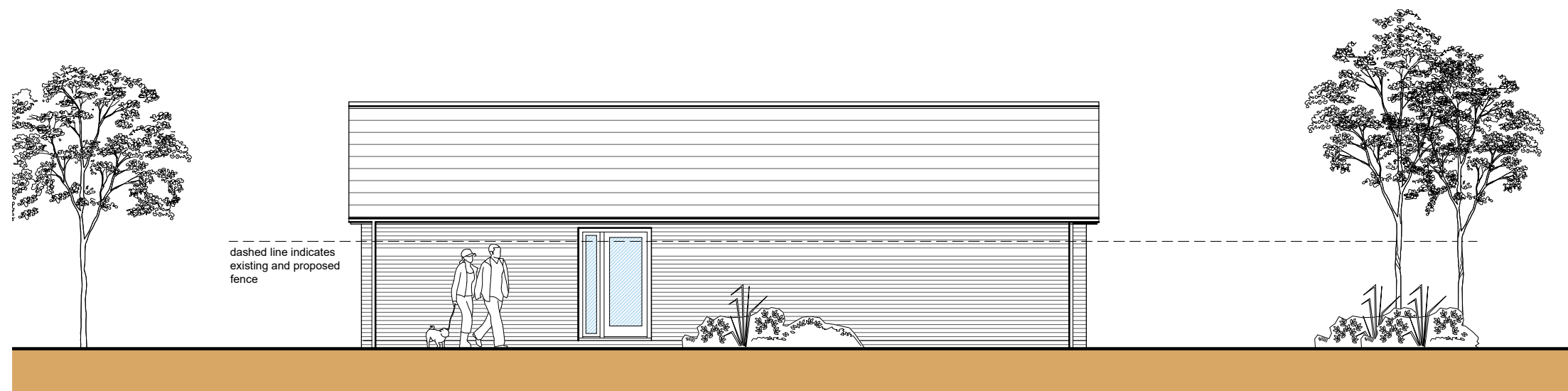
Revisions		Amendments for planning
A	May 2025	

Status
FOR APPROVAL

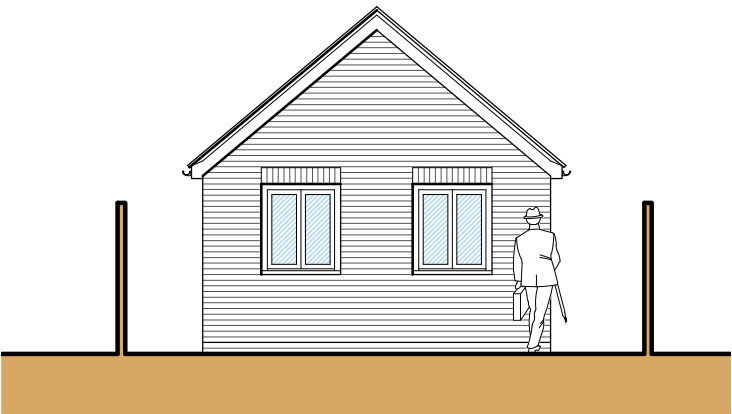
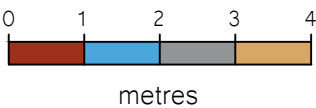
SWANN EDWARDS
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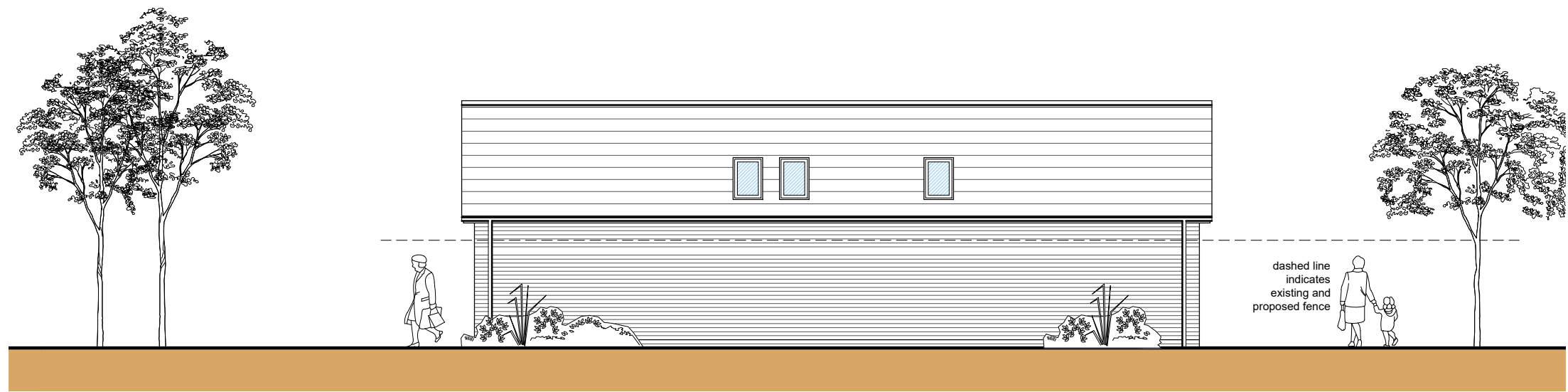
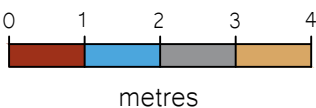
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Proposed New Dwelling Dartford Road, March PE15 8AA For: Mr Eastol	March 2025	AK
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Dwg No.	Revision	
PP1000	A	



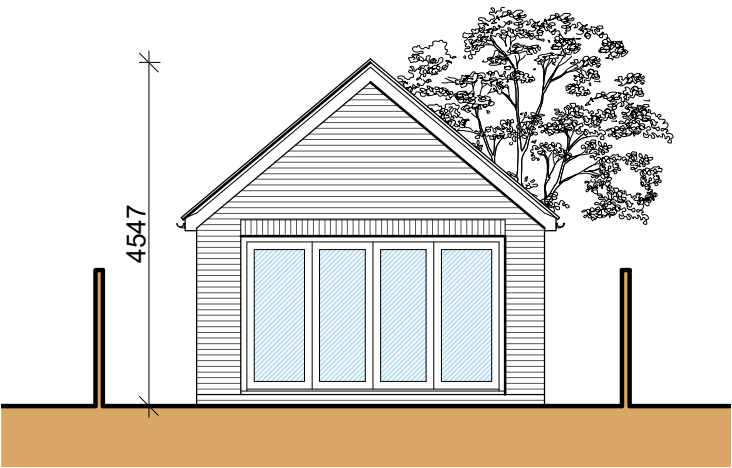
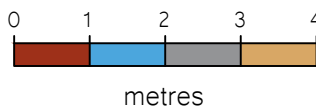
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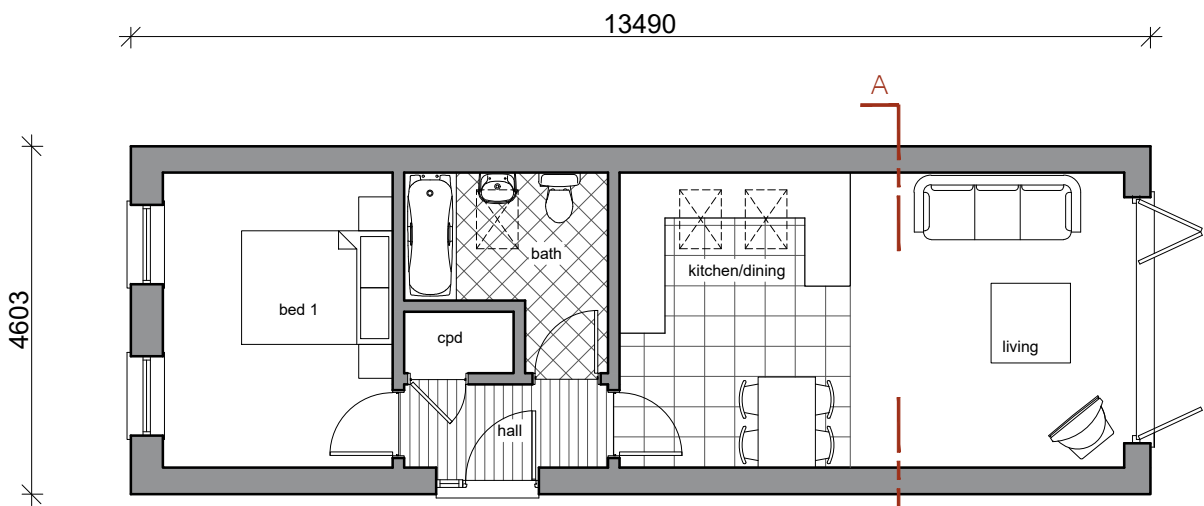
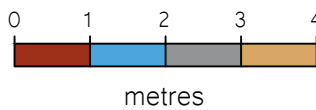
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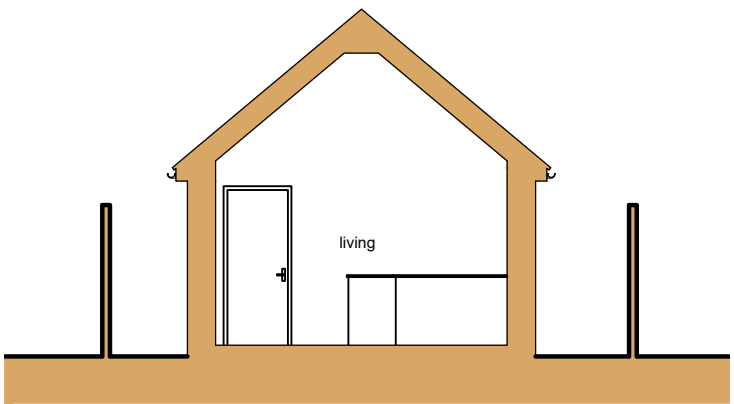
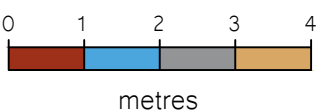
Side Elevation (N)
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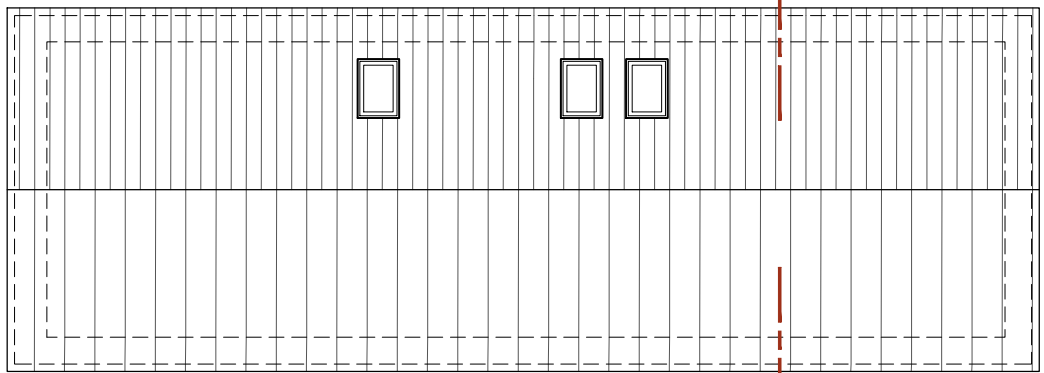
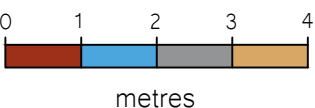
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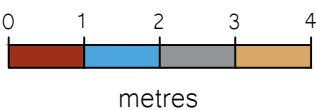
Floor Plan
Scale: 1:100



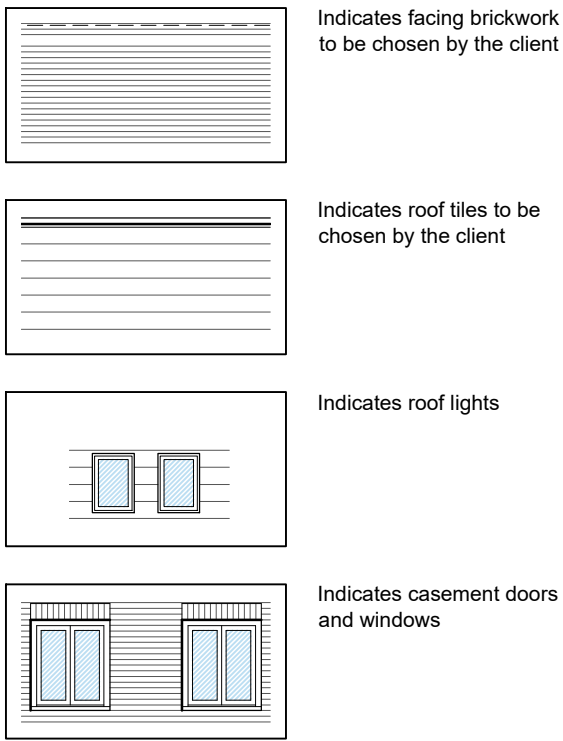
Section A-A
Scale: 1:100



Roof Plan
Scale: 1:100



MATERIALS KEY



- General Notes
1. All dimensions are shown in 'mm' unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers attention.

Revisions		
A	May 2025	Amendments for planning

PLANNING



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		Checked by JB
Drawing Title Planning Application Floor Plan, Elevations and Section	Job No. SE-2282	Sheet Size A2
	Dwg No. PP1100	Revision A