### F/YR19/0286/F

Applicant: R J B (East) Ltd Agent : Morton & Hall Consulting Ltd

Land north and south of Grosvenor House, Grosvenor Road, Whittlesey

Erection of 2 x 2-storey buildings comprising of 1no retail unit, 7 x 1-bed and 2 x 2-bed flats with parking involving demolition of outbuilding and boundary wall.

Reason for Committee: Referred by Head of Planning

#### 1. EXECUTIVE SUMMARY

- 1.1. The proposal is for the construction of 9 new flats and a single retail unit on the site, which lies within the town centre boundary of Whittlesey.
- 1.2. The site lies partly within the boundary of the Whittlesey Conservation Area and is close to multiple listed buildings.
- 1.3. The proposed buildings flank either side of the existing Grosvenor House, and amendments have been made to the proposal to ensure a more sympathetic design within the street scene.
- 1.4. The proposal is located in close proximity to Grosvenor House and would have a detrimental impact on the light received within some of the rooms within that building, which would be detrimental to their future use.
- 1.5. The parking provision within the application site is below the required levels, however the site is centrally located with extremely good links to public transport.
- 1.6. The site is within Flood Zone 1, the zone of lowest flood risk.
- 1.7. The other concerns regarding the proposal, including servicing of the retail unit and refuse collection, can be adequately controlled by means of appropriate planning conditions, however the impact on light to the rooms of the adjacent building is such that the application is recommended for refusal.

#### 2. SITE DESCRIPTION

- 2.1. The application site is located within the Town Centre of the settlement of Whittlesey, and encompasses land surrounding the former Council Offices known as Grosvenor House.
- 2.2. Grosvenor House itself is a two-storey building with a white rendered frontage facing Grosvenor Road, and white painted brick to the remainder of its elevations. It has a pantile roof, with black joinery details, which include projecting glazed bay windows to the front elevation.

- 2.3. The site contains an area of open land to the north of Grosvenor House, enclosed within a 1.8m close boarded fence, beyond which is the access and service yard to the Co-op Supermarket that lies to the north of the application site
- 2.4. To the south of the site lies a mature Wellingtonia tree, beyond which is a range of commercial premises at the junction of Grosvenor Road and Eastgate Mews.
- 2.5. The land to the west comprises the business premises located on High Causeway, including the grade II listed building known as 6 High Causeway and the grade II\* Vinpenta House.
- 2.6. Grosvenor Road lies to the east of the site, beyond which is a bus stop and town centre car park.
- 2.7. The southern part of the site, comprising the access road, lies within the Whittlesey Conservation Area.

## 3. PROPOSAL

- 3.1. The proposal is for the construction of two detached two-storey buildings (Units A and B) flanking the existing Grosvenor House to both the north and south sides. The southern building (Unit B) is proposed to contain four single-bedroom residential units, with a further five residential units and a retail space on the street frontage at ground floor level in the northern unit (Unit A).
- 3.2. There are 7 parking spaces proposed as part of the scheme
- 3.3. Full plans and associated documents for this application can be found at: <a href="https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PP0TPLHE01U00">https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PP0TPLHE01U00</a>

#### 4. SITE PLANNING HISTORY

F/YR04/3038/F	Erection of 2 x 1-bed semi-detached houses	Granted 21/4/2004
F/0641/80/F	Erection of a double garage	Permission 8/8/1980
F/99/0549/F	Erection of a 2-storey rear extension to provide ground floor workshop and first floor 2-bed flat	Granted 24/1/2000
F/0071/84/F	Change of use of first floor storerooms to retail sales and erection of replacement storerooms	Granted 15/3/1984
F/0171/80/F	Extension to shop premises	Granted 21/3/1980
F/0596/80/F	Use of land for garden supply and sales centre	Refused 20/8/1980
F/YR03/0821	Erection of a 3-storey building for use as a veterinary surgery with offices and a 2-bed flat over	
F/1239/88/O	Residential development – 3 x 1-bed flats	Permission 6/8/1989

#### 5. CONSULTATIONS

# 5.1. Whittlesey Town Council

Recommend refusal due to over intensification of the site.

This response implies there are impacts in relation to visual impact, access and amenity relationships. (These matters will be addressed under the appropriate separate headings in the assessment section of the report below).

## 5.2. FDC Conservation Officer

The proposal put forward is acceptable. Condition requested regarding approval of materials.

## 5.3. **FDC Environmental Health**

*No objections*. Recommend a construction management plan to prevent noise and dust nuisance during the construction phase, and a noise impact assessment and details of any mechanical extraction/ventilation proposed.

# 5.4. Cambridgeshire County Council Lead Local Flood Authority

Based on the submission of additional information, the LLFA has removed its objection to the proposal, but requests conditions regarding a surface water drainage scheme and details for their long term maintenance to be subject to conditions.

# 5.5. Cambridgeshire County Council Historic Environment Team (Archaeology) No objections or requirements.

# 5.6. Cambridgeshire Constabulary Designing Out Crime Officer

*No objections*. Recommend parking areas are lit to British Standards, and entrance to the flats is controlled to residents only.

# 5.7. Cambridgeshire County Council Highways Authority

Need to consider if the parking is sufficient for the proposal.

Parking spaces need a 6m forecourt depth (detailed on amended plans). Visibility splays should be drawn to back of footway (pedestrian splay detailed on amended plans).

Vehicle to vehicle visibility splays should be shown on plans.

Access should be 5m wide by 10m sealed and drained away from the highway. How are retail units to be serviced.

#### 5.8. **FDC Head of Business and Economy**

Supportive of the overall scheme.

Concerned that overflow parking will place added pressure on the Town Centre Car Parks.

Can't see how retail units will be served by delivery vehicles – would object to deliveries being made directly from Grosvenor Road and as a minimum would seek to restrict delivery times to before 7am or after 6pm, Monday to Saturday. Concern regarding bin collection proposals.

## 5.9. **FDC Engineering Manager**

Development generally welcomed. Development should where possible limit the use of HGV's.

Development appears to have insufficient parking.

Grosvenor Road has a Traffic Regulation Order to prohibit on-street parking, and traffic flow along the road should not be impeded.

Consideration should be given to the number of pedestrian movements generated due to the lack of a formal crossing over Grosvenor Road.

# 5.10. Whittlesea Society

No objection. Proposal should improve the area visually.

## 5.11. Tree Officer

Do not consider that the tree will be significantly impacted by the proposal. New road surface within the root protection area of the tree will need to utilise a permeable wearing surface. There should be an arboricultural presence on site during works within the RPA of the tree.

### 5.12. Local Residents/Interested Parties

No comments have been received from members of the public in relation to the proposal.

## 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).
- 6.2. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

# 7. POLICY FRAMEWORK

# **National Planning Policy Framework (NPPF)**

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 80: Significant weight should be placed on the need to support economic growth and productivity.

Para 117: Promote effective use of land

Para 118: Opportunities and benefits of the reuse of land

Para 127: Well-designed development

Para 170: Contribution to and enhancement of the natural and local environment.

Para 175: Harm to habitats and biodiversity.

Para 189: Applicants should describe the significance of any heritage assets affected.

Para 192: LPAs should take account of desirability of sustaining the significance and positive contribution of heritage assets.

Para 194: Harm to or loss of significance of a heritage asset should require clear and convincing justification.

Para 195: Substantial harm should result in refusal unless substantial public benefits outweigh it.

Para 196: Less than substantial harm should be weighed against public benefits.

Para 197: Effect of development on significance of non-designated heritage assets should be considered.

# National Planning Practice Guidance (NPPG)

Determining a planning application

## 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

LP6 - Employment, Tourism, Community Facilities and Retail

LP11 – Whittlesey

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

LP18 – The Historic Environment

LP19 – The Natural Environment

#### 8. KEY ISSUES

- Principle of Development
- Flood Risk
- Heritage, Visual Impact & Character
- Residential Amenity
- Impact on Grosvenor House
- Highway Safety
- Other Matters

#### 9. BACKGROUND

- 9.1. The application site forms part of a relatively extensive planning history in the area, however the only permission relevant to the current proposal was granted in 2003 and was not implemented. That permission related to the construction of a three-storey building on the northern part of the site that incorporated Grosvenor House within the resulting structure.
- 9.2. Pre-application advice was sought regarding the current scheme in 2018 for a scheme broadly similar to the original submission, incorporating 3-storey buildings to either side of Grosvenor House. The response provided to that request was that the scheme would not be supported due to its impact on the street scene and the setting of the nearby listed buildings.

## 10. ASSESSMENT

# **Principle of Development**

- 10.1. Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy.
- 10.2. Whittlesey is a Market Town, one of four settlements within the highest level of the hierarchy where the majority of the development within the District is expected to take place over the plan period

- 10.3. Policy LP6 of the Fenland Local Plan sets out the strategy in relation to employment, tourism, community facilities and retail. Development is encouraged that would maintain and enhance the vitality and viability of the town centres, subject to it being appropriate of a nature and scale appropriate to the role and function of its proposed location. Retail development is directed in the first instance to the Primary Shopping Frontages and the Primary Shopping Area, and then Town/District centre locations.
- 10.4. The application site lies within the town centre boundary, however it is not designated as a Primary Shopping Frontage. The Primary Shopping Frontage includes the supermarket to the north of the site, Blunt's Lane to the northwest, High Causeway to the west and Eastgate to the south, meaning that the application site and Grosvenor House are the only parts of the block on which they are located that are not designated as Primary Shopping Frontage.
- 10.5. The proposal includes the provision of a retail unit within part of the ground floor level of Unit A, with the remainder of the development comprising residential units. The introduction of a new retail unit into the defined Town Centre is acceptable as a matter of principle, and the residential units proposed would not fundamentally alter the character of the area as one dominated by retail premises.
- 10.6. On that basis, there are no policies that oppose the type of development proposed as a matter of principle, and consideration needs to be given to detailed matters.

#### Flood Risk

- 10.7. Policy LP14 of the Fenland Local Plan and paragraphs 155-165 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk, with both documents steering development in the first instance towards land at a lower risk of flooding.
- 10.8. The application site lies within flood zone 1, which is the lowest flood risk category. The LLFA have confirmed that they have no objection subject to conditions requiring submission of the detailed surface water drainage proposals and their maintenance arrangements.

#### Heritage, Visual Impact & Character

- 10.9. Policy LP18 addresses matters concerning the historic environment within Fenland, noting that development proposals will be required to describe and assess the significance of any heritage asset, identify the impact of proposed works on its character and provide justification for those works, especially if they would harm the setting of the asset.
- 10.10. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both 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.
- 10.11. In this regard, the proposal has been amended significantly from the initial submission details to ensure that the proposed buildings have an acceptable impact on their surroundings. The proposed number of retail units has been

reduced in order to reduce the overall height of the proposed buildings and reduce the proposed number of storeys within each building from 3 to 2. This has resulted in the overall height of the buildings now being of a similar height to Grosvenor House rather than being higher than that building. The position of the buildings themselves on the site has also been amended to increase the separation of Unit B from the public footpath along Grosvenor Road, securing the visual primacy of Grosvenor House within the street scene.

- 10.12. The street scene drawing provided alongside the application demonstrates that the proposed buildings do not result in over intensive development through a cramped appearance, particularly when taking into consideration the site plan and the setting back of their front elevations. There remain gaps in the built frontage to both the south and north of the site to provide access and ensure retention of the mature Wellingtonia.
- 10.13. The proposed buildings are indicated as being constructed using cream brick under a dark grey roof tile. The immediate vicinity of the application site is notable for its use of brick as a construction material, and although Grosvenor House is finished in a white painted brick, this building is of particular note because the finish is unusual rather than a typical example of construction materials within the area. It is also noted that the vast majority of bricks used in the vicinity of the application site are of a weathered yellow/cream finish rather than a red brick and there are only sporadic examples where that brick finish has been painted/rendered.
- 10.14. The Conservation Officer has confirmed that the proposal put forward is acceptable, subject to a condition requiring the approval of detailed materials for the construction of the buildings as the bricks are not considered to be appropriate.

## **Residential Amenity**

- 10.15. Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal, with the guideline for non-flat development being one third of the plot area.
- 10.16. Given the town centre location of the development, there is not a high proportion of residential uses within the area likely to be affected by the scheme although several of the buildings nearby do benefit from first floor residential premises. In line with the requirements of policy LP2 and LP16, consideration has been given to the amenity levels of the proposed dwellings.
- 10.17. In this regard, the amendments to the scheme address the nature of the residential amenity relationships between the proposed flats and the surrounding buildings, features and uses (see paragraph 10.20 onwards for consideration of the impact on non-residential uses). In particular, the mature Wellingtonia tree to the south of the proposed access has had a substantial impact on the proposals for Unit B, and amendments have been made to ensure that the main windows into habitable rooms within the proposed flats have been positioned to ensure they are not overshadowed by the foliage of the tree to avoid pressure being created for the tree to be reduced or removed in the future by occupants of the unit.

- 10.18. The proposed flats do not benefit from any external amenity areas of their own, however given the town centre location and the nature of the units themselves, this is considered to be acceptable as such buildings are seldom accompanied by external amenity land.
- 10.19. The amenity levels within the proposed development are acceptable in terms of the relevant policies of the development plan.

## **Impact on Grosvenor House**

- 10.20. Following concerns raised with the agent with regard to the proximity of Unit B to the windows in the side elevation of Grosvenor house, this unit has been moved further to the south, leaving a separation of approximately 2m between its side elevation and that of Grosvenor House, rather than the 1.2m originally shown.
- 10.21. This separation distance is not considered to be sufficient to mitigate the harm caused to the ingress of natural light into the rooms within Grosvenor House served by those windows, last used, as far as can be ascertained, as offices/meeting rooms. It is considered that should the development be permitted the future use of Grosvenor House could be prejudiced due to this lack of natural light, and that this would therefore be contrary to policy LP16(e) of the Fenland Local Plan (2014) which requires development to not adversely impact on neighbouring users
- 10.22. Notwithstanding the planning situation, Members should perhaps be aware that offices do have a 'right to light' in law.

# **Highway Safety**

- 10.23. Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport.
- 10.24. Appendix A of the Fenland Local Plan addresses the matter of parking provision as part of development proposal, with parking standards for residential development dependent on the number of bedrooms within a property, and commercial provision on the basis of floorspace provision within the unit.
- 10.25. According to those parking standards, the development would require 12 parking spaces for the residential units, and a further 5 spaces for the retail unit.
- 10.26. It is noted however that Appendix A also states that "where a site has good public transport links, such as in a central area of a market town, a reduction in car parking provision may be negotiated and, in special circumstances, nil parking provision may be appropriate".
- 10.27. The applicant has also provided an analysis of the usage of the public car park opposite the site on Grosvenor Road outside normal working hours in the morning and evening, when visitors to the properties may be expected.
- 10.28. The site is, as noted earlier, is located directly adjacent to the main town centre and primary shopping area of Whittlesey, and benefits from having a bus stop directly opposite adjacent to the car park on Grosvenor Road. Although not located in the centre of the town, Whittlesey also has a railway station linking it to Peterborough and Cambridge. The site is therefore considered to have extremely good public transport connections, and given this and the proximity of the public car park, it is considered that the shortfall in this instance (of 10

spaces) is acceptable on that basis, particularly given the benefits that the proposal brings to the area in other respects such as bringing into active use the currently disused land to either side of Grosvenor House, the investment in retail provision within the town centre and the provision of a number of residential units in a sustainable location, contributing towards the housing targets for the District.

10.29. The proposal uses an existing vehicular access, with the removal of a section of wall allowing the scheme to gain access into the turning and parking area for the proposal The plans have been amended following the initial comments of the Local Highways Authority removing some of the parking spaces that did not appear practical, and adding in visibility splays and a sealed and drained access. Comments regarding the method of deliveries is addressed separately below.

#### **Other Matters**

### Deliveries.

- 10.30. Concerns have been identified with regard to the servicing of the retail unit with regard to deliveries and similar concerns regarding the collection of refuse from the building.
- 10.31. The applicant has responded in this regard, stating that deliveries will be limited due to the reduction from the original proposal to a single commercial unit, and the provision of a rear entrance to the unit allowing delivery vehicles to pull off the road. The response also notes that deliveries will only be on certain days, but does not specify what those days will be. The response concludes by indicating that they would be willing to consider a condition to control such matters.

## 11. CONCLUSIONS

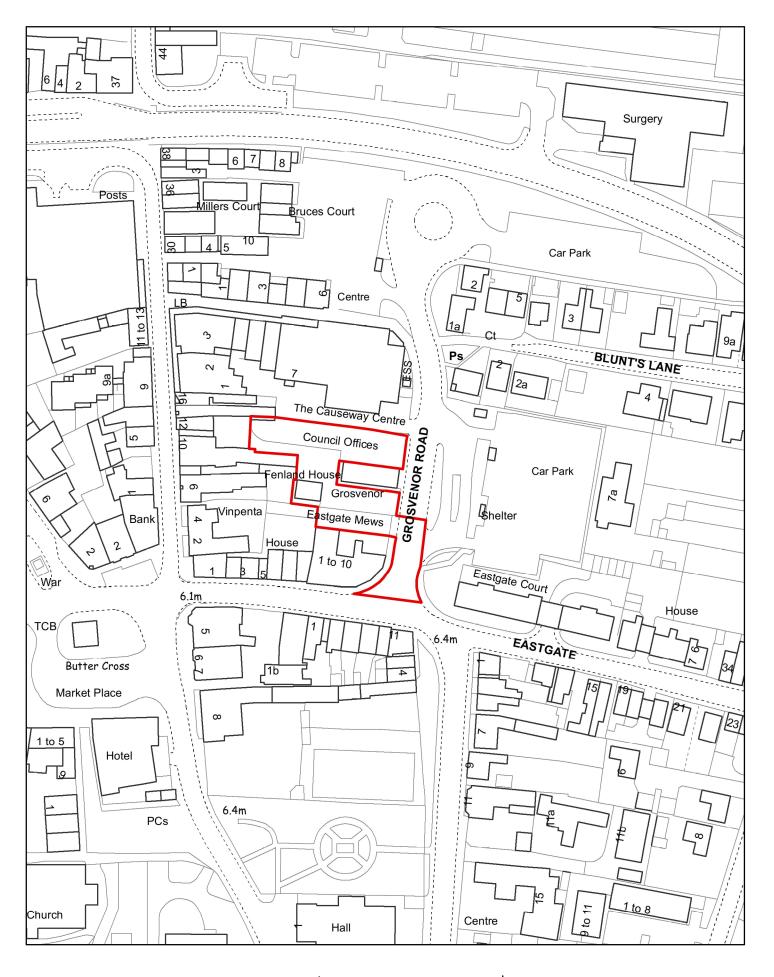
- 11.1. In conclusion therefore, the principle of the development of the site is in accordance with the locational policies of the development plan, the impact of the development on flood risk in the area is within acceptable tolerances, and the intensification of the access to the site will not result in unacceptable risk to highway safety.
- 11.2. The parking provision associated with the development is below the levels set out in the Development Plan, however the sustainability of the location mitigates this impact and the parking standards within the plan allow for lesser provision in such areas where appropriate.
- 11.3. The visual impact of the proposal on its immediate setting is acceptable in terms of the requirements of the policies of the Local Plan. The development now retains the primacy within the street scene of the existing Grosvenor House building, with the proposed new buildings utilising aspects of its construction and appearance to reinforce the distinctiveness of the area. The proposal will have satisfactory residential amenity standards and will not result in harm to neighbouring residential amenity.
- 11.4. Delivery facilities are proposed in relation to the property and can be controlled through the use of an appropriately worded planning condition, with FDC retaining control over the access to the land as landowner to ensure that access to the building is undertaken in an appropriate manner.

11.5. Notwithstanding the above matters, the proposed Unit B would be located in such a position in relation to Grosvenor House, and would be of a sufficient scale, that its presence would have a detrimental impact on the light received by multiple rooms within that building that may prejudice their future use for currently permitted purposes. This impact is considered to be of sufficient significance as to outweigh the beneficial aspects of the scheme and justify its refusal.

### 12. RECOMMENDATION

REFUSAL for the following reason:

1. Policy LP16 of the Fenland Local Plan requires development to deliver and protect high quality environments within the district, with paragraph (e) of that policy noting that development will only be permitted if it can demonstrate that it does not adversely impact on the amenity of neighbouring users for reasons including loss of light. The proposal is for the construction of a two-storey building that is located 2m from the windows serving offices/meting rooms within the adjacent commercial building, and the scale and proximity of the proposal is such that the building would have a detrimental effect on the light received by those windows and would potentially prejudice the future use of that building. The scheme would therefore be contrary to policy LP16 (e) of the Fenland Local Plan (2014).



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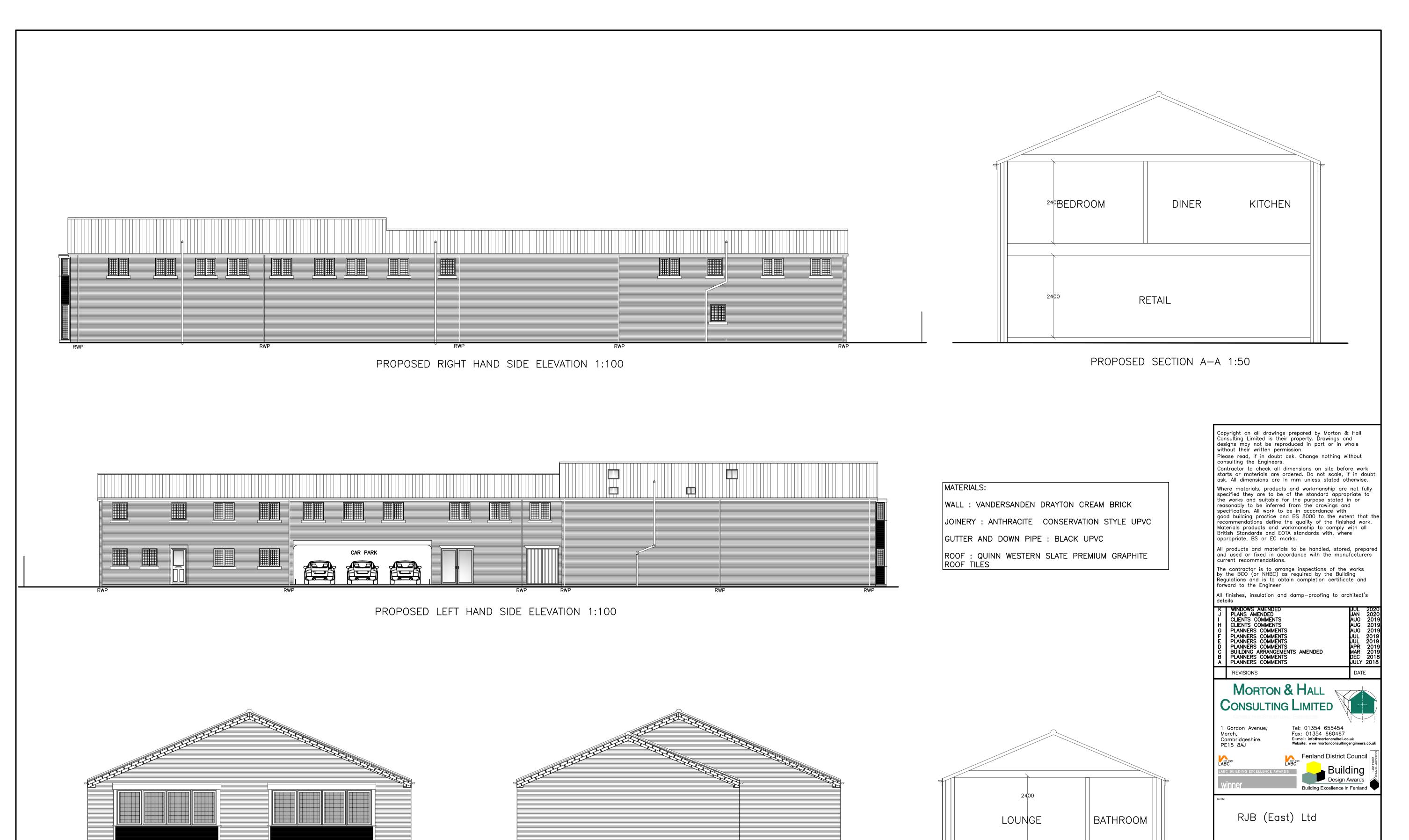
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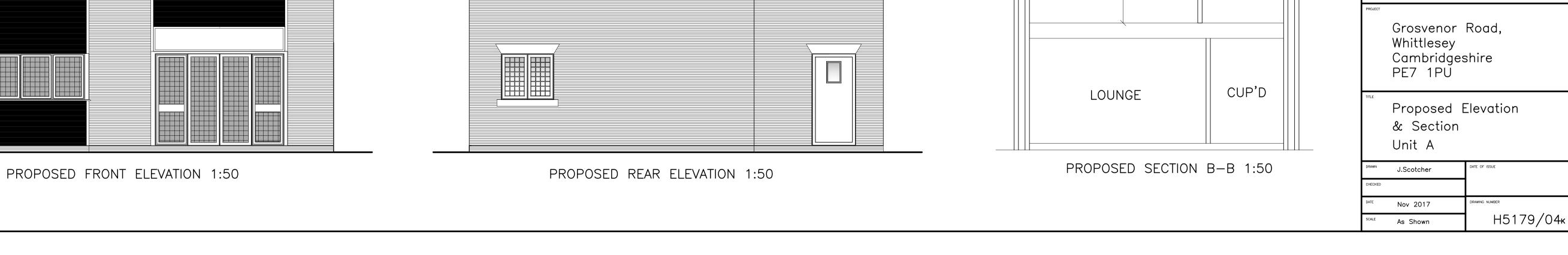
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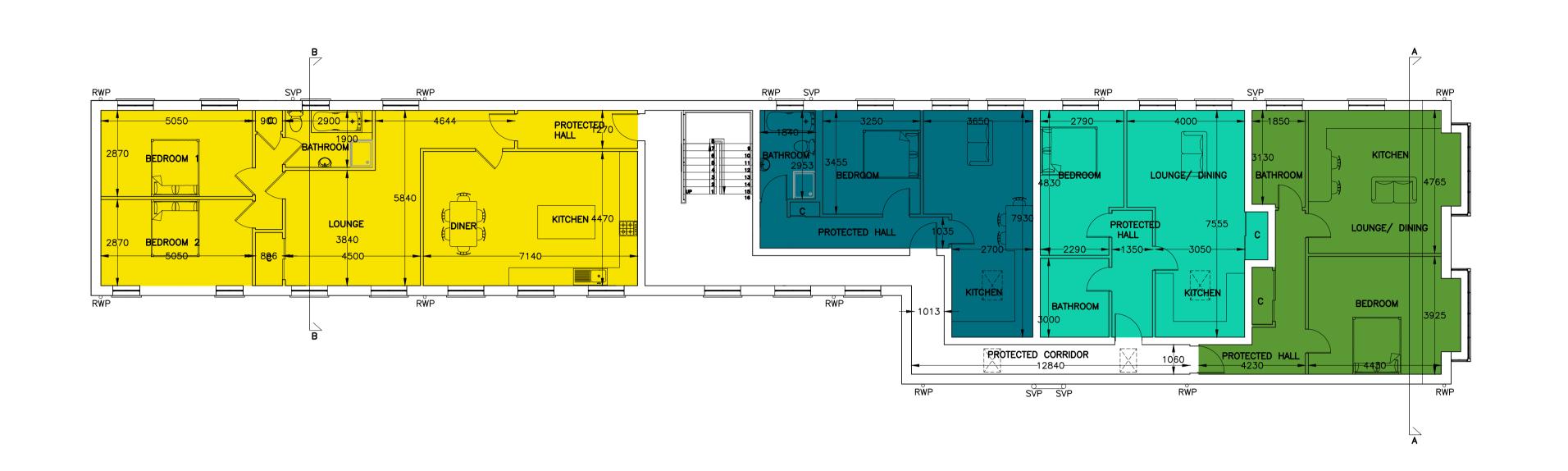
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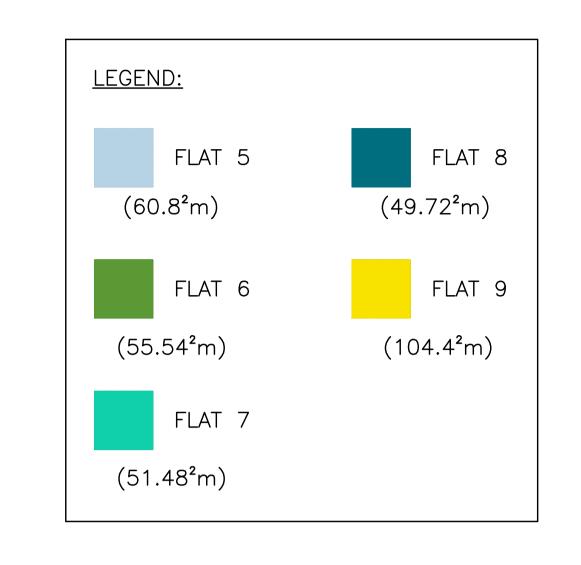
CAMBRIDGES HIRE
Fenland District Council

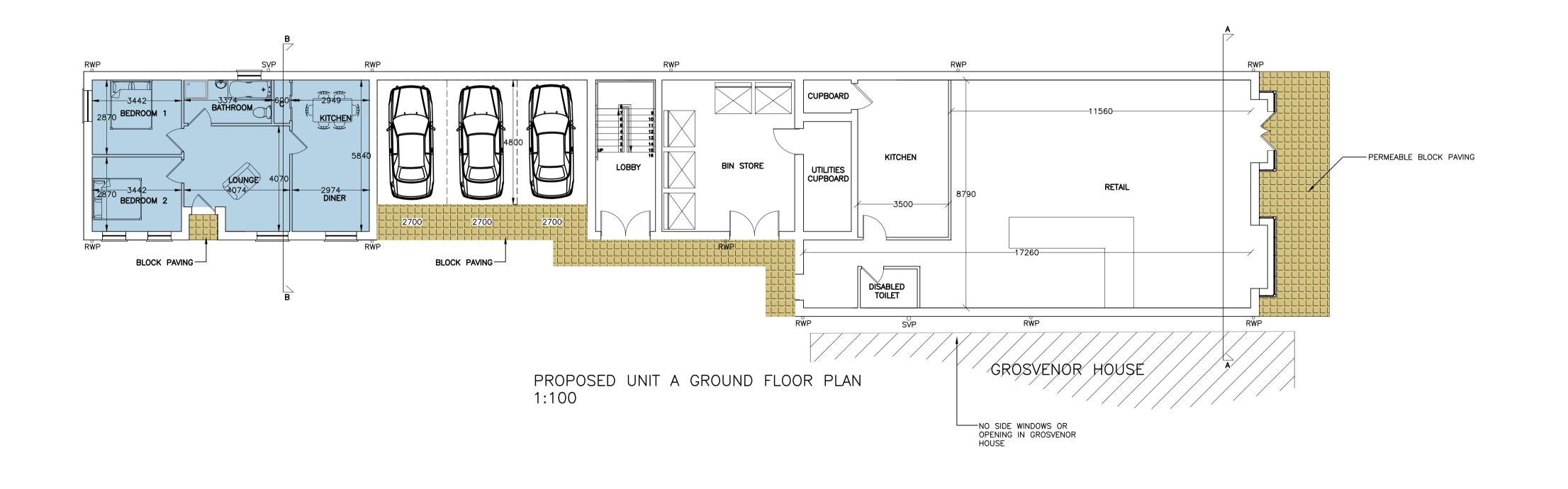








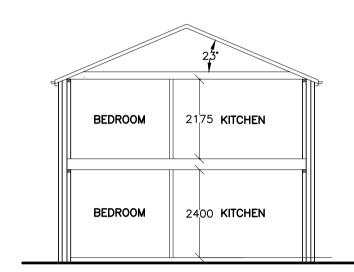




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PLANS AMENDED
CLIENTS COMMENTS
CLIENTS COMMENTS
PLANNERS COMMENTS
PLANNERS COMMENTS
BUILDING ARRANGEMENTS
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PROPOSED SECTION Y-Y 1:100



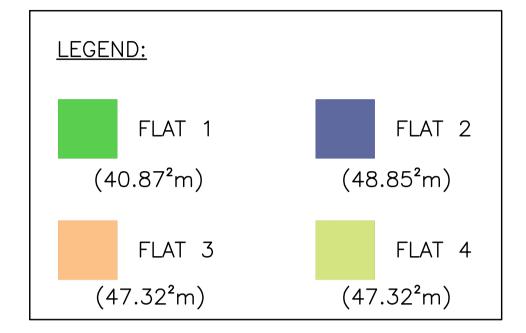
WALL: VANDERSANDEN DRAYTON CREAM BRICK

JOINERY: ANTHRACITE CONSERVATION STYLE UPVC

GUTTER AND DOWN PIPE : BLACK UPVC

ROOF: QUINN WESTERN SLATE PREMIUM GRAPHITE

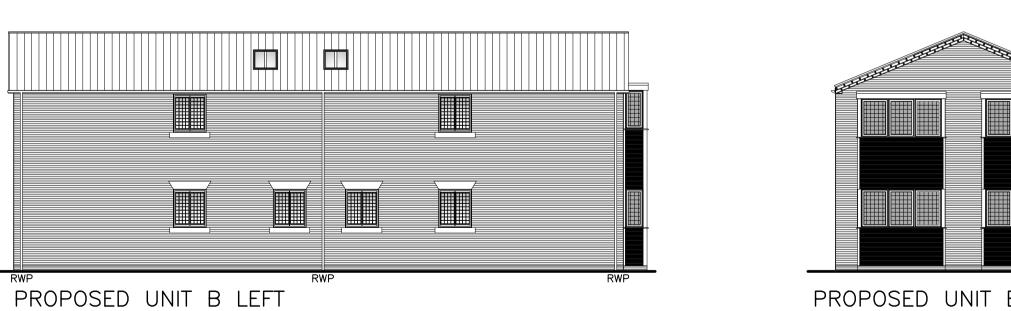
ROOF TILES

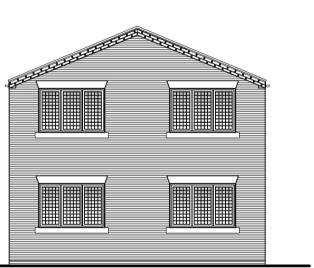




PROPOSED UNIT B RIGHT HAND SIDE ELEVATION 1:100

HAND SIDE ELEVATION 1:100

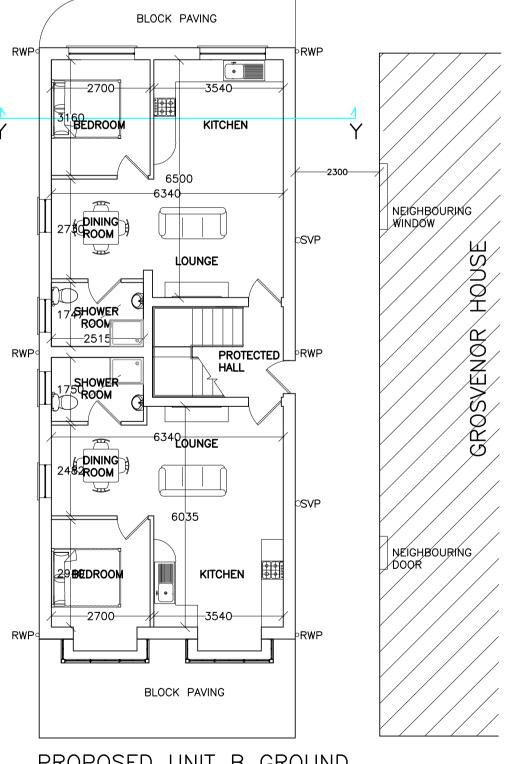




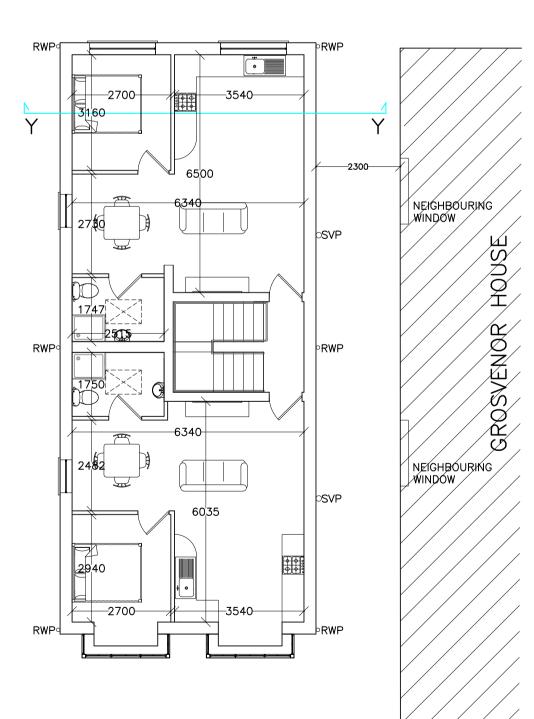
PROPOSED UNIT B REAR ELEVATION 1:100



PROPOSED UNIT B FRONT ELEVATION 1:100



PROPOSED UNIT B GROUND FLOOR PLAN 1:100



PROPOSED UNIT B FIRST FLOOR PLAN 1:100

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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 th 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





RJB (East) Ltd

Grosvenor Road, Whittlesey Cambridgeshire PE7 1PŬ

Proposed Building Arrangements Unit B

DRAWN	J.Scotcher	DATE OF 1330E
CHECKED		
DATE	Nov 2017	DRAWING NUMBER
SCALE	As Shown	H5179/05