# **DEVELOPMENT MANAGEMENT COMMITTEE 21st NOVEMBER 2022**

Case No: 22/01647/FUL (FULL PLANNING APPLICATION)

Proposal: EXTENSIONS TO COMMERCIAL PROPERTY TO

INCLUDE TWO STOREY FRONT EXTENSION AND FIRST-FLOOR SIDE EXTENSION. AMENDMENTS TO MATERIAL FINISH AND FENESTRATION OF EXISTING BUILDING, INSTALLATION OF EXTERNAL STAIRWELL, INSTALLATION OF SOLAR PANELS

AND EXTERNAL MEZZANINE ROOF TERRACE.

Location: 41 MERE VIEW INDUSTRIAL ESTATE YAXLEY PE7

3HS

Applicant: LOUIS JOYCE

Grid Ref: 519313 292829

Date of Registration: 28.07.2022

Parish: YAXLEY

### **RECOMMENDATION - APPROVE**

This application is referred to the Development Management Committee (DMC) in accordance with the Scheme of Delegation as the officer recommendation of approval is contrary to that of the Parish Council.

### 1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 41 Mere View Industrial Estate is an end of terrace commercial property located in Yaxley. The area is part commercial/part residential. There are no constraints relative to the site.
- 1.2 This application seeks permission to extend the property by adding a two-storey front extension and first-floor side extension to include parking provision beneath. Further amendments are also proposed to the material finish and fenestration of the existing building the installation of an external stairwell, Solar PV Panels and the addition of a new external mezzanine roof terrace.
- 1.3 During the lifetime of the application revised plans have been received. Neighbours and the Parish Council have been reconsulted on these.

### 2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20th July 2021) (NPPF 2021) sets out the three objectives economic, social and environmental of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'
- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
  - delivering a sufficient supply of homes;
  - building a strong, competitive economy;
  - achieving well-designed, beautiful and safe places;
  - conserving and enhancing the natural, built and historic environment
- 2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations

For full details visit the government website National Guidance

### 3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
  - LP2: Strategy for Development
  - LP5: Flood Risk
  - LP8: Key Service Centres
  - LP11: Design Context
  - LP12: Design Implementation
  - LP14: Amenity
  - LP15: Surface Water
  - LP16: Sustainable Travel
  - LP17: Parking Provision and Vehicle Movement
  - LP30: Biodiversity and Geodiversity
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
  - Huntingdonshire Design Guide Supplementary Planning Document 2017
  - Huntingdonshire Landscape and Townscape SPD (2022)
  - Huntingdonshire Strategic Flood Risk Assessment (2017)
  - Cambridgeshire Flood and Water SPD 2017
  - Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
  - The National Design Guide (2021)
    - \* C1 Understand and relate well to the site, its local and wider context
    - \* I1 Respond to existing local character and identity
    - \* I2 Well-designed, high quality and attractive

- \* B2 Appropriate building types and forms
- \*M3 Well-considered parking, servicing and utilities infrastructure for all users
- \* N3 Support rich and varied biodiversity
- \* H1 Healthy, comfortable and safe internal and external environment
- \* H2 Well-related to external amenity and public spaces
- \* H3 Attention to detail: storage, waste, servicing and utilities

Local For full details visit the government website Local policies

### 4. PLANNING HISTORY

- 4.1 7400582FUL Warehouses with ancillary office accommodation units (Permission)
- 4.2 99/11639/FUL Change of use of first floor room to taxi hire office (Permission)

### 5. CONSULTATIONS

- 5.1 Yaxley Parish Council have been consulted twice. Their initial response did not raise any matters which would be a material consideration in planning terms but did so in the second response. They object to the proposals. These objections are available to view on HDC's Public Access Site but broadly relate to the following matters:
  - \*Lack of protection for employees as the proposed roof terrace does not appear to be protected on all sides by walls/handrails to the minimum legal limit (assumed).
  - \*Impact on access for other units.
  - \*Concerns regarding the visual impact and layout (not in keeping).
  - \*Overdevelopment.
  - \* Concern regarding access to other units.

Officer comments: Whilst the concerns regarding the barriers /balustrades for the roof terrace are noted this is not a matter for consideration in the determination of this planning application. Officers consider that by virtue of the design of the proposals there won't be an 'exposed' section of the terrace. However, notwithstanding the officer opinion, this matter would be addressed as part of building regulation approval during the course of the development. The other matters raised are addressed in the proceeding sections of this report.

5.2 HDC's Urban Design Team – no objections to the revised scheme which has been produced in accordance with their advice. Further details in the proceeding sections of this report.

### 6. REPRESENTATIONS

- 6.1 Four objections have been received (two from the same address). These are available to view on HDC's Public Access site but are summarised below:
  - \* The proposed use and hours of use of the roof terrace and potential scope for noise and disturbance as a result.
  - \* Perceived lack of detail relating to the use of the terrace
  - \* Overshadowing and loss of privacy.
  - \* Impact on the appearance of the area due to design and materials.
  - \* Scope for other applications to be submitted for similar works to other properties in the vicinity.
- 6.2 One further comment has been received which does not raise an objection but comments on some individual matters summarised below:
  - \*No opposition to the planning application, proposed building looks nice and modern.
  - \* Concerns surrounding car parking/highway safety issues due to the volume of parking.
  - \* Query as to if a site visit has been carried out.

Officer comments: All of the matters raised are considered and detailed under Section 7 below. In terms of scope for other similar applications to be submitted each application is considered on its own merits. Therefore, the approval or refusal of one application does not dictate a similar outcome for future proposals either at the same site or elsewhere. Officers have carried out a visit to the site.

### 7. ASSESSMENT

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.3 In Huntingdonshire the Development Plan consists of:

- Huntingdonshire's Local Plan to 2036 (2019)
- Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
- St Neots Neighbourhood Plan 2014-2029
- Godmanchester Neighbourhood Plan (2017)
- Houghton and Wyton Neighbourhood Plan (2018)
- Huntingdon Neighbourhood Plan (2019)
- Bury Village Neighbourhood Plan (2021)
- Buckden Neighbourhood Plan (2021)
- Grafham and Ellington Neighbourhood Plan 2020-2036 (2022)
- 7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main issues to consider are:
  - The principle of development
  - Design and visual amenity
  - Residential amenity
  - Highway safety and Parking Provision
  - Flood risk and surface water
  - Biodiversity

### The Principle of the Development

- 7.6 Yaxley is defined as a Key Service Centre under Policy LP8 of Huntingdonshire's Local Plan to 2036. Policy LP8 states that each Key Service Centre is capable of accommodating some development sustainably due to the level of services, facilities and infrastructure they contain. It goes on to state that further sustainable development at Key Service Centres can contribute to the social and economic sustainability of these settlements and support a thriving rural economy.
- 7.7 Paragraphs 81 and 84 of the NPPF (2021) state (amongst other matters), that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt and that they should enable the sustainable growth and expansion of all types of business in rural areas through conversion of existing buildings and well-designed new buildings.
- 7.8 In this case, the proposals seeks to improve an existing 1970's commercial property to enable its enhancement for existing staff and to appear as a more welcoming space for clients and visitors

thus optimising its use and securing its longer-term viability as a business in a Key Service Centre of the District. The development is therefore considered to be acceptable in principle subject to compliance with the other relevant policies and considerations as set out further below.

### Design, Visual Amenity and Impact Upon the Character of the Area

- 7.9 Mere View appears typical of a mid-1970's mixed use development. In the immediate vicinity of number 41 the area is mainly commercial with red brick flat roofed 'block' development to the north of the road. Number 41 is the easternmost building in a terrace of similarly designed commercial premises and lies to the west of the junction with Willow Road. Whilst the buildings are similar in appearance there are subtle changes in design mainly relating to the fenestration and use of render. By its very nature there is a large degree of signage of varying style, colour and design in this section of Mere View. Whilst the immediate locality appears commercial there are examples of residential dwellings with the rear of dwellings on Bramble Close and Hillside Walk visible to the south and partial glimpses of Whitney Drive and Ash Close to the north.
- 7.10 This application seeks permission to make improvements to the property by adding a two-storey front extension, a first-floor side extension creating an undercroft for parking, making changes to the material finish and fenestration, adding an external staircase and Solar PV panels to the flat roof.
- 7.11 In terms of the extensions, this will result in a minor two-storey projection to the front of approx. 1.8 metres and at a width of approx. 5.93 metres terminating at the eastern point of the original building line. To the west of this will be a flat roof canopy. All of the works are contained within land under the ownership of the applicant, a path is also indicated on the submitted plans. Officers have considered the concerns of the Parish Council with regard to access to other units, but, given the provision of the path the linear access to the other units (albeit across land owned by the applicants) will be retained to some degree. It is also noted that clear access over the grass verge is available to all units and there is another path (cutting through the grass verge) within 7.3 metres of the site plus a number of others further west which all appear to link the units. Therefore, the provision of this extension is not considered to be detrimental in terms of available access. The side extension is first-floor only and provides undercroft for parking to the east. Whilst it is in line with the existing front profile and is at the same height, given the separation provided by virtue of the new front extension the front profile is 'broken' and therefore this reduces the appearance of scale and mass. Soft landscaping shall also be included to the east of the two-storey element and to the east of the building and these matters shall be secured by planning condition. The

proposed new stairwell to the rear given its location and material finish (which will be secured by condition as below) is also considered to be acceptable. The solar PV panels shall be located on the flat roof and will not be visible above the turret, therefore the impact on the streetscene as a result of this particular element is neutral.

- 7.12 Officers have considered the impacts of the amendments to the material finish and fenestration of the building. In terms of the colour, the existing/new bricks shall be painted light grey and the areas which will be cladded shall be in metal cladding. A condition shall be attached to the permission such that full details of the paint and cladding colour, windows canopy external stairs and balustrade shall be provided to the Local Planning Authority (LPA) for approval in writing prior to their addition. Further it should be noted that by virtue of Schedule 2, Part 2, Class C of and Country Planning (General Permitted Development) (England) Order (2015) (as amended) exterior painting can be carried out by exercising permitted development rights. Therefore, this operation could be completed without the need to apply for planning permission. In this case details of the paint are considered necessary to ensure that it will complement the overall design and other proposed materials.
- It should be noted that HDC's Urban Design Team have been consulted and the agent has made changes to the proposals as a result of their advice. Urban Design welcome the alignment of the front elevation of the side extension with the existing front elevation, the re-positioning/retention of the footpath, the position of the side window (to allow for surveillance of the parking area) and the landscaping (which shall be secured by condition). They have also had sight of and recommended the conditions for the proposed material finish. Therefore, Urban Design raise no objections to the proposals. Overall, whilst the concerns raised regarding the visual impacts are noted, given the overall character and appearance of the area, the elements of design changes on the adjacent buildings and works which could be undertaken to change the appearance of the building under permitted development rights the development is considered to be acceptable with regard to its impact on the character and appearance of the area, it is not considered to appear as overly bulky and the site is considered to be large enough to accommodate it without appearing overwhelmed.
- 7.14 The proposal therefore accords with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036 and the NPPF (2021) in this regard.

### **Residential Amenity**

7.15 Given the location of the proposed extensions and the degree of separation to any residential dwellings or land - approx. 27

metres building to residential boundary (at the closest point) to the north-west (Whitney Drive) and approx. 15.3 metres new building line (front projection) to residential boundary to the south (Bramble Close) there are considered to be no concerns with regard to overbearing impact, overshadowing or loss of light as a result of the development.

- 7.16 In terms of overlooking and loss of privacy, officers have given special regard to the impacts of the additional level of glazing to the east and south elevations as well as to the external stairwell and roof terrace. In this case, the glazing to the front and side elevation at first-floor level would afford views towards the Mere View Streetscene and towards the commercial units to the east on Willow Road. To the front, there is a separation distance of approx. 16 metres to the boundary with the nearest residential dwelling (at the closest point) and approx. 21.6 metres to the dwelling itself. Whilst the rear of the dwellings on Bramble Close will be visible and some views will be afforded towards the rear gardens these are similar to those available from the existing first-floor windows of the application site and the other units. The Huntingdonshire Design Guide Supplementary Document (2017) recommends a minimum distance of 21 metres between habitable rooms. Therefore, this degree of separation (building to dwelling) is considered to be sufficient and mitigate any impacts in terms of residential amenity due to loss of privacy. There is a reduced separation to the other commercial properties to the east (approx. 13 metres at the closes point) but given their use (as commercial buildings), there is no impact on habitable accommodation as a result and this is considered to be acceptable in this location.
- 7.17 To the rear, the external stairwell and roof terrace is in excess of 26 metres to any residential boundary and approx. 36 metres to the dwellings themselves. Therefore, assessing these on the recommended separation distances referenced above these are not considered to result in a significant degree of reduced privacy or overlooking. It should also be regarded that there is a large, pitched roof building (Willow Road Garage) to the north-west of the site which will also assist in obscuring some of the available views. Therefore, whilst the concerns of the residents are noted there are no justifiable reasons for refusal in this regard.
- 7.18 Careful consideration has been given to the use of the terrace area and the views of residents regarding potential disturbance from its use/hours of operation. The submitted Design and Access Statement references that the building will be in operation Monday to Friday 8:30am to 5pm and the agent has confirmed that these shall not be increased. They have also confirmed that the increased footprint of the building is not to allow for additional employees. Whilst this confirmation is welcomed officers consider that the objectors have made valid points in terms of potential disturbance arising from the use of

the roof terrace. Therefore, whilst it is not considered appropriate to restrict the operating hours of the building, a planning condition shall be attached limiting the use of the terrace to the operating hours stated in the submitted statement which should afford a suitable degree of protection for neighbouring residential properties.

7.19 Therefore, taking the above factors into consideration, subject to condition the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036 in this regard.

### **Parking Provision and Highway Safety**

- 7.20 Policy LP17 of the Local Plan seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.
- 7.21 In this case, the application details that there are six car parking spaces in place at present on the south-eastern side of the building and which will be retained, as well as the provision of four-cycle spaces. The cycle space is not a covered space but is welcomed. The submitted Design and Access Statement specifically states that the design of the building (extending only at first floor to the side) has been completed with consideration to parking provision. The plans reflect parking for six vehicles in the undercroft section of the building, though officers have also noted two further spaces to the rear and the agent has confirmed that a further two can be achieved on site when required taking the total to ten. Given the measures included as part of the development (of which parking provision appears to have been considered at an early stage and is an integral part of the design), and the fact that the existing space used for parking will still be utilised as such and will be within land under the ownership of the applicant it is considered that the proposal would not be contrary to the aims of LP17.
- 7.22 Existing vehicular and pedestrian access to the site is via Willow Road and Mere View which connects to Broadway. No changes are proposed to the way that vehicles enter and exit the site as a result of the development and so whilst no supporting evidence has been provided to demonstrate that vehicles may enter and exit the site in forward gear, given the existing provision and access (in which this matter is not controlled) and the relatively small number of vehicles able to use the site for parking, officers do not consider this to be significantly harmful. It should also be noted that whilst the plans reflect vehicles all using the same route for access, the rear (north) of the undercroft will remain

- open and so vehicles could leave by this route and make use of the existing exit onto Willow Road further north.
- 7.23 Officers have given regard to the concerns raised regarding additional vehicles using the site and the number of vehicles in the vicinity at present and any subsequent issues with visibility as a result. In terms of the number of the proposed parking spaces in the undercroft parking area, the Local Plan does not specify any parking standards for this and as outlined above, the additional footprint will not be for additional employees. Whilst the parking spaces do not strictly accord with the dimensions recommended within the Design Guide for garage space, given the 'open' nature of the design these are considered to be acceptable in practice and provide the provision stated for most standard 'domestic vehicles' in terms of size.
- 7.24 There are no restrictions (in planning terms) on the number of employees able to work from the site or to limit any visitors. Presumably the situation is similar for the adjacent commercial buildings. When undertaking a site visit it was observed that there is a significant degree of parking taking place on Mere View/Willow Road and appears to be no restrictions in place such to prevent this (such as double yellow lines). Whilst it is accepted that increased vehicle parking may be a nuisance, given the lack of restrictions imposed by Cambridgeshire County Council (as Local Highway Authority), the overall impact in terms of highway safety is considered to be low.
- 7.25 Overall, given the retained level of parking and the fact that in practice the development is unlikely to significantly increase vehicle movements associated with the site, the development is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036.

### Flood Risk

7.26 The application site lies within Flood Zone 1 as identified by the Environment Agency's Flood Risk Mapping meaning that it has a low risk of fluvial flooding. It is also not identified as an area at high risk of surface water flooding. The proposed development therefore does not require the submission of a site-specific flood risk assessment (as per the NPPF 2021). Therefore, taking this into consideration along with the relatively small footprint of the front extension and the elevated position of the side extension the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5 and LP15 of Huntingdonshire's Local Plan to 2036.

### **Biodiversity**

7.27 Policy LP30 of Huntingdonshire's Local Plan to 2036 states that a proposal should ensure no net loss in biodiversity and provide a net gain where possible. In this case no habitats of important or protected species are identified and the overall value of the site, given the operations already taking place within and surrounding it in terms of biodiversity is considered to be low. It is also considered that opportunities to provide an enhancement would be challenging. Officers welcome the addition of the soft landscaping (which will be secured by condition) which has the potential to provide some degree of biodiversity enhancement. Therefore, whilst as detailed above there will be a limited opportunity for net gain there is considered to be no net loss and the proposal is therefore considered to broadly accord with Policy LP30 of Huntingdonshire's Local Plan to 2036 in this regard.

### Conclusion

- 7.28 The proposed development is considered to be compliant with the relevant national and local policies as it is:
  - \*Acceptable in principle

And it:

- \* Is of an appropriate scale and design;
- \* Would not have a significantly detrimental impact upon the amenity of neighbours;
- \*Would not be detrimental to highway safety in the locality;
- \*Would not result in an increased risk of flooding in the locality;
- \*Is acceptable with regards to the impact on biodiversity:

There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

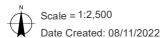
- 7.29 Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of conditions.
- 8. RECOMMENDATION APPROVAL subject to conditions to include the following
  - Time Limit
  - Approved Plans
  - Submission of details of proposed materials
  - Submission of landscaping details
  - Hours of use of terraced area

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs

### CONTACT OFFICER:

Enquiries about this report to **Kevin Simpson Development**Management Officer – <u>kevin.simpson@huntingdonshire.gov.uk</u>

### **Development Management Committee**

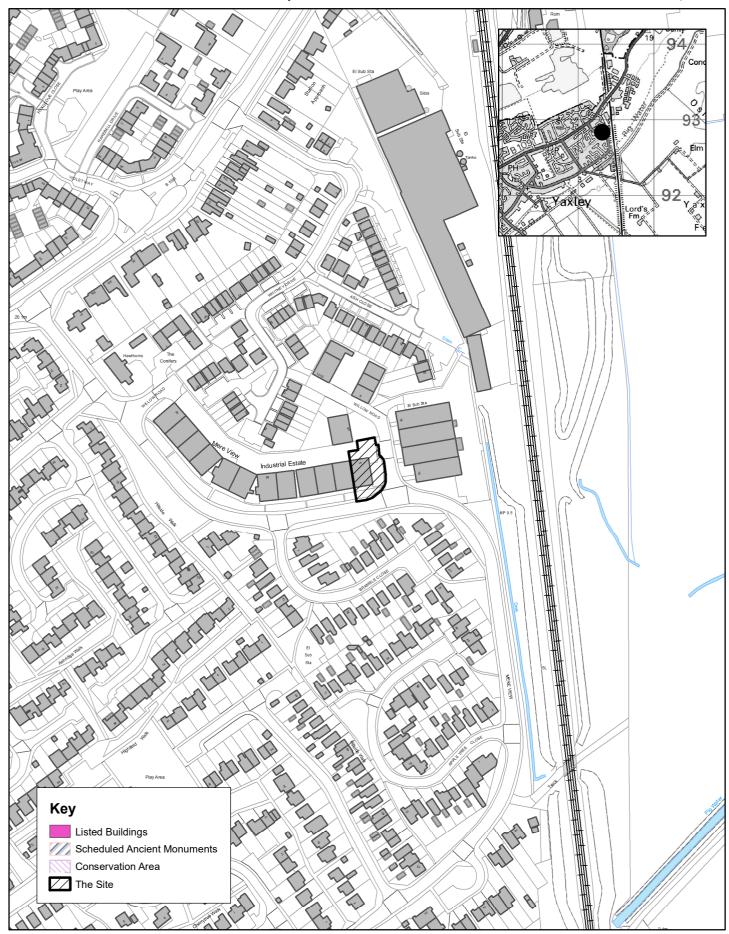


Application Ref: 22/01647/FUL

Location: Yaxley



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**From:** developmentcontrol@huntingdonshire.gov.uk

**Sent:** 13 October 2022 09:58 **To:** DevelopmentControl

**Subject:** Comments for Planning Application 22/01647/FUL

Categories: Jason

## Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 13/10/2022 9:56 AM from Mrs Helen Taylor.

### **Application Summary**

Address:	41 Mere View Industrial Estate Yaxley Peterborough PE7 3HS
Proposal:	Extensions to commercial property to include two storey front extension and first-floor side extension. Amendments to material finish and fenestration of existing building, installation of external stairwell, and installation of solar panels. cr
Case Officer:	Kevin Simpson

### Click for further information

### **Customer Details**

Name:	Mrs Helen Taylor
Email:	clerk@yaxleypc.org.uk
Address:	Yaxley Parish Council, The Amenity Centre, Main Street, Yaxley pe7 3lu

### **Comments Details**

Commenter Type:	Town or Parish Council
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	The Parish Council does not support this application as they have concerns over the impact on access for the other units, the applications visual impact and layout as it is not in keeping with the area and the issue of overdevelopment.

### Kind regards

**From:** developmentcontrol@huntingdonshire.gov.uk

**Sent:** 09 August 2022 11:46 **To:** DevelopmentControl

**Subject:** Comments for Planning Application 22/01647/FUL

## Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 09/08/2022 11:45 AM from Mrs Helen Taylor.

### **Application Summary**

Address:	41 Mere View Industrial Estate Yaxley Peterborough PE7 3HS
Proposal:	Extension to first floor of commercial property, including an external roof terrace over existing roof structure.
Case Officer:	Kevin Simpson

### Click for further information

### **Customer Details**

Name:	Mrs Helen Taylor
Email:	clerk@yaxleypc.org.uk
Address:	Yaxley Parish Council, The Amenity Centre, Main Street, Yaxley pe7 3lu

### **Comments Details**

Commenter Type:	Town or Parish Council
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	the Parish Council can not support this application as the roof terrace does not appear to be currently protected on all 4 sides by walls/handrails to the minimum legal limit (900mm) therefore the applicant is not taking due regard for the safety of their employees.

### Kind regards



All levels and dimensions to be checked on site. Report all discrepancies to architect and client.

To be read in conjunction with Structural Engineer's drawings, structure shown for indicative purposes only.

All products, or equal and approved, to be supplied and installed as per manufacturer's recommendations and standard instructions.

If in doubt, ask, before putting any work in hand.

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#### Key

Existing construction

Proposed demolition

Proposed construction

P3

20/09/2022 For Planning

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41 Mere View Yaxley, Peterborough PE7 3HS

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Existing Location Plan

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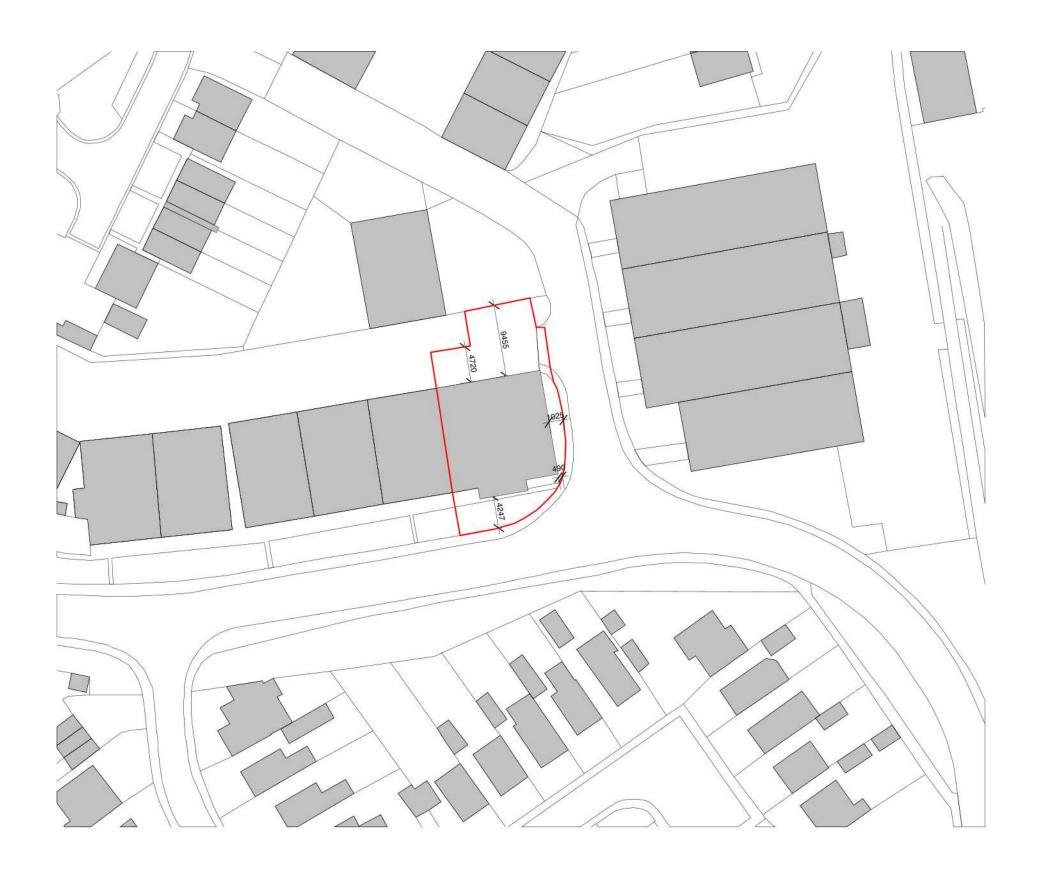
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Existing construction

Proposed demolition

Proposed construction

- - Proposed First Floor

20/09/2022 For Planning



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41 Mere View Yaxley, Peterborough PE7 3HS

**PPVS** 

Proposed Block Plan

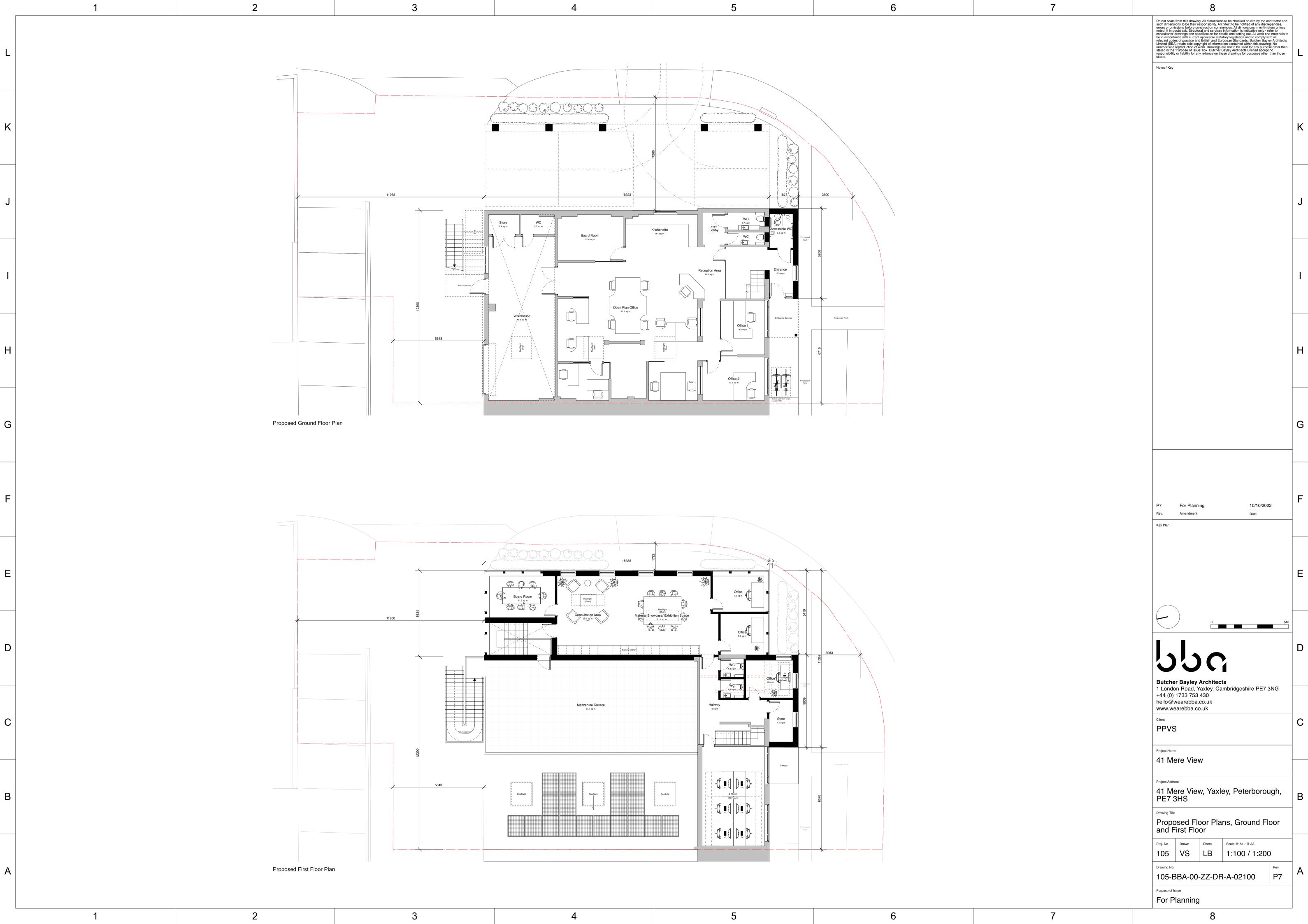
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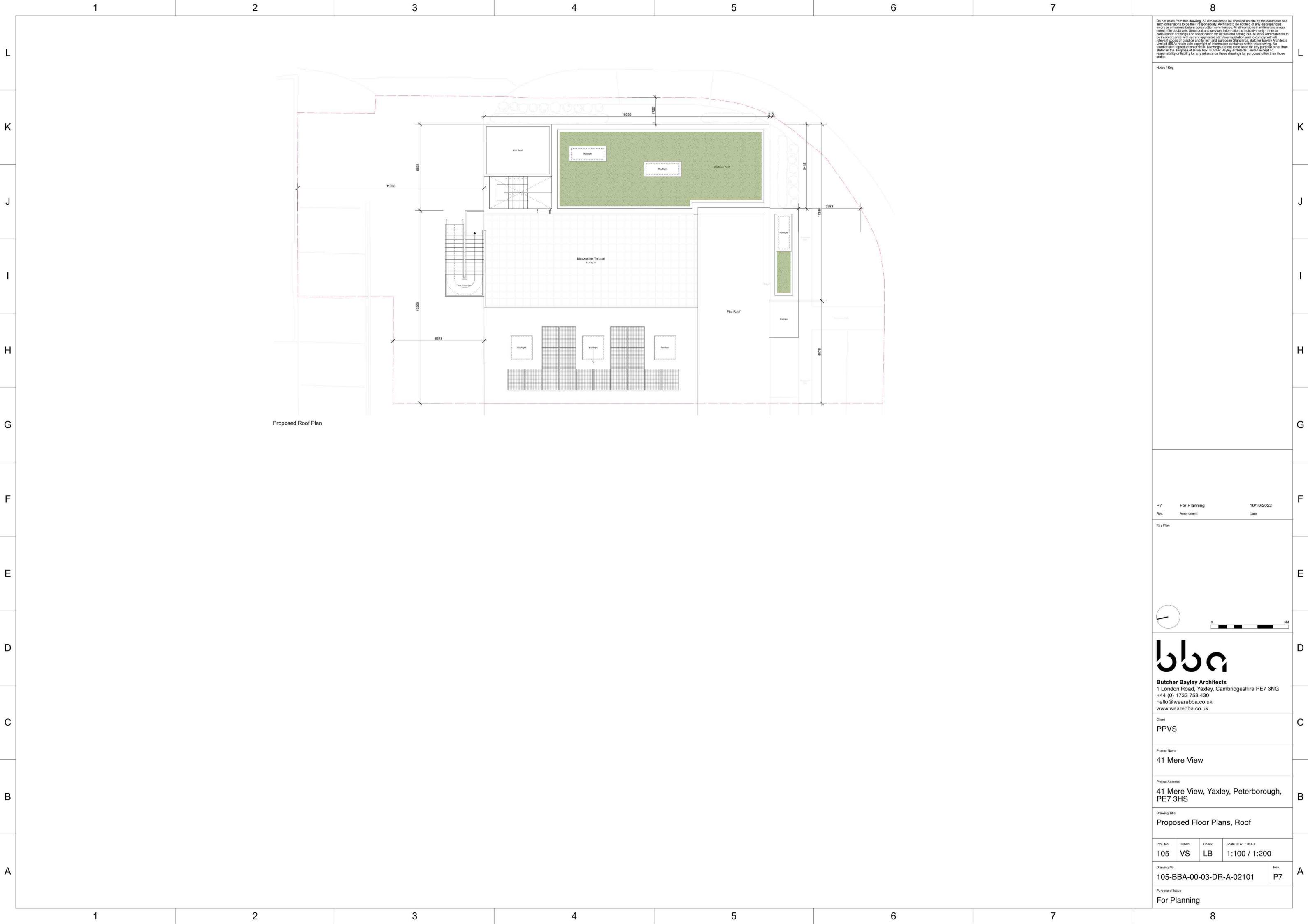
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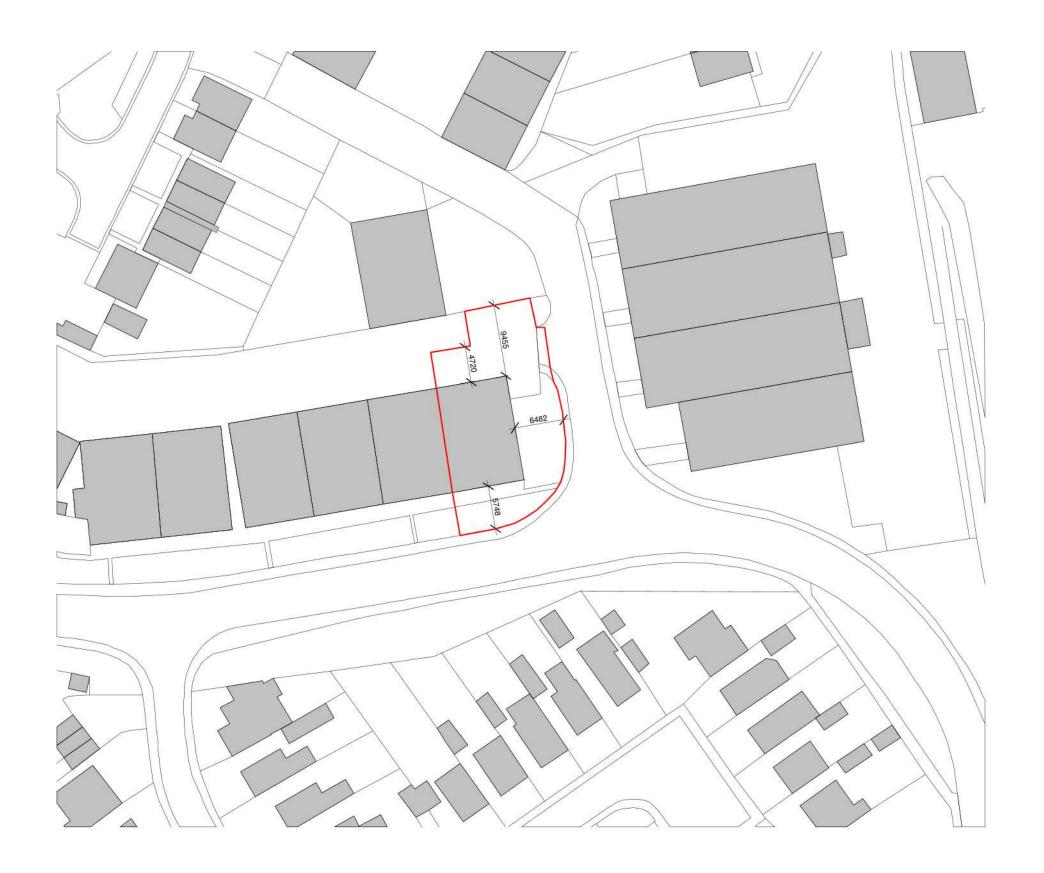
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Existing construction

Proposed demolition

Proposed construction

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20/09/2022 For Planning

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