
Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 7th June 2012

Subject: APPLICATION 11/05410/FU 20.02ha of additional polytunnels for farm at Sturton Grange Farm, Berry Lane, Micklefield

APPLICANT

Makins

DATE VALID

17th January 2012

TARGET DATE

17th April 2012

Electoral Wards Affected:

Garforth & Swillington

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION:

GRANT PERMISSION subject to the specified conditions.

- 1) Standard time limit
- 2) Details to be carried out in accordance with the submitted plans
- 3) Landscape details to be submitted and implemented
- 4) New landscaping to be added to the biodiversity management plan for the holding
- 5) Surface water drainage to be provided in accordance with agreed details

Full details of the wording of the conditions to be delegated to the Chief Planning Officer, including any amendments as considered necessary.

Reason for approval: The application is considered to comply with policies GP5, N10, N25, N26, N32, N33, N35, N37A, N38B, N39A, N49, N51, LD1, and T2 of the UDP Review, as well as guidance contained within the NPPF and having regard to all other material considerations the City Council considers the proposed polytunnels are appropriate development in the Green Belt and their visual impact does not warrant refusal.

1.0 INTRODUCTION:

- 1.1 This planning application is brought to Plans Panel (East) given the planning history at the site and that Panel Members have previously determined other similar planning applications at Sturton Grange Farm. The application is presented alongside another current planning application for the renewal of permission for polytunnels and seasonal workers caravans.
- 1.2 Officers have met with Ward Cllr Mark Dobson who in view of his previous concerns about the erosion of the Green Belt and that more polytunnels equals more seasonal workers, leading to more workers caravans requests this application to be determined at Plans Panel (East).
- 1.3 The decision for Panel Members to consider relates not to the planning principle of polytunnels, as these represent agricultural development, acceptable in the green belt, but whether the visual impact of the proposed polytunnels is so great that planning permission should be refused..

2.0 PROPOSAL:

- 2.1 This application proposes to cover fields 5 and 7 within the Sturton Grange Farm holding with 'Spanish' style polytunnels laid out in an east to west direction. A total area of 20.02 hectares is proposed and would be used for the production of soft fruit (e.g. strawberries, raspberries).
- 2.2 The polytunnels would have a similar appearance to those already situated within the farm holding and comprise of a simple metal framework with plastic sheeting stretched over. Each tunnel would be approximately 3.2m high and 8m wide at ground level. The length of the polytunnels varies according to the size and shape of the field and the plastic covering is removed during the winter months when the soft fruit production ceases.
- 2.3 The additional polytunnels are indicated to be positioned to the eastern portion of the holding adjacent to the A656. The polytunnels are situated next to existing ones already on site (fields 3 and 4) and alongside a main farm track which will provide access to the main farm complex for the subsequent distribution off-site.
- 2.4 It is to be noted that the polytunnels do not extend the growing season but rather protect crops and extend the period of soft fruit production through the use of different varieties. Furthermore, the applicant has invested significantly in the use of a hydroponic system which contains the crop within raised beds. This table top production utilizes the existing on-site irrigation reservoir on site which is topped up from collected surface water run-off from across the site.
- 2.5 Accompanying the application is a scheme of landscaping in the form of a 5-7m wide buffer along the southern boundary of field 7. The submitted Flood Risk Assessment indicates that soakaways are the preferred and sustainable method of dealing with surface water disposal.
- 2.6 No additional caravans are proposed as part of the current application as sufficient capacity exists within those already on-site or permitted to accommodate the soft fruit labour requirements of the entire holding.
- 2.7 The farm holding already has a total of 48.5 hectares of polytunnels and permission for up to 84 caravans for use by seasonal agricultural workers. The caravans and 24 hectares of polytunnels were granted permission in March 2009 on a three year temporary basis (expires 18th March 2012) because the permanent siting of caravans within the Green Belt represents inappropriate development. The

remaining 24.8 hectares of polytunnels are not time restricted. The number of seasonal agricultural workers caravans already allowed by the previous permission when combined with accommodation already available within the main farmhouse buildings can cater for up to a maximum of 350 workers.

- 2.8 The number of seasonal agricultural workers employed on the holding for the previous 3 years is shown in the table below. The labour is provided through the Seasonal Workers Scheme (SAWS) which are housed in caravans in the middle of the farm holding. A projection for 2012 is also provided.

	2009	2010	2011	2012
Jan	0	0	0	50
Feb	0	0	0	50
Mar	8	24	30	35
April	8	47	50	60
May	151	100	100	100
Jun	207	292	200	200
July	182	323	200	200
Aug	160	258	300	320
Sept	144	205	300	320
Oct	72	176	250	180
Nov	27	12	50	60
Dec	0	0	0	50

3.0 SITE AND SURROUNDINGS:

- 3.1 This application relates to land forming part of the Sturton Grange Farm holding which is situated just beyond the eastern edge of the built-up area of Garforth. The main holding extends from the northern side of the Leeds to York railway line towards Ridge Road (A656) to the east and then to Aberford Road (A624) to the northwest. Part of the holding is also located on the northern side of Ridge Road (extending towards the motorway). A number of public rights of way cross the site including between field 5 and 7 and also to the south of field 7 (beyond the red line boundary).
- 3.2 The applicant is currently pursuing a diversion to lengths of footpath within the farm holding and owing to objections received about a proposed diversion to a footpath located to the western part of the holding (off Sturton Grange Lane) this diversion request is to be determined by the Planning Inspectorate. Public Rights of Way Officers are preparing written representations for 25th July 2012.
- 3.2 Field 5 is broadly level although the land level of the field is higher than the adjacent road (A656) as it passes the north-eastern side of the site. The land is already in agricultural use and at the time of site visit the framework of the polytunnels were being erected and troughs to grow the soft fruit were installed. To the east/north-east of field 5 is a thick established vegetation belt than runs to the perimeter of the farmholding. To the west of the field is a landscaping strip separating the field from fields 3 and 4. At the time of site visit field 3 contained no polytunnels and field 4 contained polytunnels to its northern half.
- 3.3 Field 7 lies to the south of field 5, separated by a public right of way. There is a dense wood to its western edge and vegetation to its eastern boundary with A656. The land level of the field is largely level although the land rises gently beyond its

southern end. To the south is the remainder of the agricultural field containing a public right of way and the farmholding's vehicular access.

- 3.4 The surrounding area is generally rural in character with the exception of the residential area of Garforth to the west. A football ground (occupied by Garforth Football Club) is also located between the residential area and the holding and includes a substantial spectator stand visible to the west of the site. The M1 motorway is located to the north, beyond the holding.

4.0 RELEVANT PLANNING HISTORY:

11/05424/FU	Variation of conditions 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 19 of previous approval 08/00988/FU to permit the retention of agricultural workers caravans and polytunnels- Decision pending.
11/04836/FU	Retrospective application for change of use of part agricultural building to form storage and distribution (B8 use)- Granted 13/02/12
10/05258/FU	Retrospective application for detached pump house, detached water treatment shed and irrigation tank- Granted 12/01/11
10/01960/DAG	Determination for enlargement of existing irrigation reservoir- Granted 08/06/10.
10/05258/FU-	Retention of water pump & treatment sheds – Granted 21/01/11
09/04902/FU-	Retention of 1 detached training/welfare building for seasonal agricultural workers and 1 detached borehole shed to farm – Granted 06/01/10
08/00988/FU–	Use of land for siting of seasonal workers caravans and an additional 24 ha of polytunnels to farm – Granted 18/03/09
06/03097/FU–	Change of use of agricultural land for siting of 60 caravans for seasonal agricultural workers – Refused 07/08/06
33/1/05/FU–	Laying out of services and detached electricity sub-station to seasonal workers caravan park (18 caravans) – Refused 11/04/06 – Appeal allowed 18/10/06
33/174/04/FU–	Use of part agricultural land as light aircraft take off/landing strip (north/south) – Granted 04/11/08
33/376/01/FU–	Laying out of access road, car parking and associated landscaping to potato manufacturing facility – Refused 19/02/02 – Appeal allowed 28/10/02
33/375/01/FU–	Change of use of agricultural building to potato product manufacturing facility with parking and landscaping – Refused 19/02/02 – Appeal allowed 28/10/02
33/374/01/MIN–	Effluent treatment plant to potato product manufacturing facility – Refused 19/02/02 – Appeal allowed 28/10/02
33/53/97/FU–	Use of part of agricultural land to light aircraft take off/landing strip – Granted 01/02/02

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 In the light of comments made by consultees, Officers have sought further clarification regarding the intended drainage strategy to deal with surface water run off and to understand the transport implications associated with the new proposed polytunnels.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by site notice displays (Major) dated 27th January 2012.

- 6.2 4 letters of representation received objecting on the following summarised grounds:
- More polytunnels will lead to more caravans, more workers and therefore more noise and disruption to residents.
 - Strawberries and raspberries not essential foods.
 - Overseas workers brought to UK result in high CO2 emissions.
 - Polytunnels are unsightly and spoil view.
 - (Existing polytunnels) have caused floods.
 - Farm-holding has destroyed nine-tenths of Stub Wood; previous court case involving restoration of country lane.
 - Existing permissions in place (e.g. increased polytunnels) have not been in use for a season as yet and so not allowed residents to record any detrimental behaviour/ loss of amenity resulting from passing migrant workers. Request decision delayed to allow residents to record/log any incident during this coming season.
- 6.3 Aberford Parish Council comments dated 22nd February 2012. No objection.
- 6.4 Officers have also met with Councillor Mark Dobson regarding this application and is fully aware of all the issues concerning this application.

7.0 CONSULTATIONS RESPONSES:

Statutory:

- 7.1 Environment Agency comments dated 14th February 2012. No objection and advice provided on sustainable drainage approaches.
- 7.2 Health & Safety Executive comments dated 6th January 2012. On safety grounds, does not advise against granting planning permission.

Non-statutory:

- 7.3 Group Surveyor (Agriculture) comments dated 3rd May 2012. In view of the previous polytunnel consents and the evident success of the existing enterprise no further agricultural observations to make.
- 7.4 Highways comments dated 9th February 2012. Further information requested about the likely changes in HGV trips associated with the new polytunnels and whether there would be any change to the existing staff travel/ car parking patterns or existing loading/ servicing arrangements.
- 7.5 *Further* Highways comments dated 8th March 2012 following receipt of additional information. The proposal is acceptable in highway terms as the additional polytunnels would not significantly change the existing operation of the site which is served by Ridge Road.
- 7.6 Public Rights of Way comments dated 19th January 2012. Public Footpaths No. 2, 3 and 4 (Sturton Grange) run through the farm holding. A Public Footpath Diversion Order is in process but no objection to the proposed additional polytunnels as long as it does not encroach onto proposed/existing routes.
- 7.7 Flood Risk Management comments dated 8th February 2012. Given the cumulative provision of over 60 hectares of polytunnels at farmholding further information was

requested on where overland flows would go should their existing on-site method of drainage fail in an extreme storm event.

7.8 *Further* Flood Risk Management comments dated 17th February 2012. Officer met the applicant at the site and viewed the hydroponic system and have no objection.

7.9 West Yorkshire Ecology Service comments dated 20th February 2012. No comments to make.

8.0 PLANNING POLICIES:

8.1 The Development Plan for the area consists of the Regional Spatial Strategy (RSS) and the adopted Unitary Development Plan Review (UDPR), along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDPR but at the moment this is undergoing production with the Core Strategy still being at the draft stage.

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.3 RSS policy E7: 'Rural economy' which seeks promote the diversification and strengthen rural economies by facilitating development of rural industries, businesses and enterprises.

8.4 The application site is located within the Green Belt as shown on the Adopted Unitary Development Plan (Review 2006) proposals map and identified by Policy N32. Other UDP policies of relevance are as follows:

GP5: Seeks to resolve detailed planning considerations including design, access and amenity issues.

N10: Developments which adversely affect public rights of way will not be supported unless suitable alternatives are provided.

N25: Site boundaries should be designed in a positive manner.

N26: Full applications should indicate how they would be landscaped.

N33: Controls development within the Green Belt

N35: Proposals which seriously conflict with protecting the best agricultural land will no be permitted.

N37A: All new development within the countryside should have regard to the existing character and where appropriate, contribute positively to restoration or enhancement objectives through landscaping.

N38B: Relevant planning applications must be accompanied by Flood Risk Assessments.

N39A: Development which will significantly increase surface water run-off should make provision for adequate drainage.

N51: New development should wherever possible enhance existing wildlife habitats and provide new opportunities.

LD1: Requires developments to be adequately landscaped.

T2: Considers issues of highway safety

Supplementary Guidance No.25 –Greening the built edge

8.5 National Planning Policy Framework (NPPF, 2012)

9.0 MAIN ISSUES

1. Requirement for Planning Permission
2. Principle of development in the Green Belt
3. Impact on visual Impact
4. Impact on residential amenity
5. Flood risk management implications
6. Highways implications
7. Public rights of way
8. Other matters

10.0 APPRAISAL

Requirement for planning permission:

- 10.1 The proposed polytunnels are to cover an area of 20.02 hectares and comprise a series of arched metal poles fixed into the ground with a clear plastic covering that shall be removed during winter months. Owing to the scale, physical attachment to the ground and degree of permanence it is considered the polytunnels require planning permission.

Principle of development in the Green Belt:

- 10.2 Fruit growing falls within the definition of agriculture and accordingly the use of polytunnels to assist with this activity represents appropriate development within the Green Belt. The recently issued NPPF outlines the purpose for designating land as Green Belt but it mostly focuses on seeking to resist inappropriate development and does not mention polytunnels specifically. It does, however, identify that the construction of new buildings for purposes of agriculture be regarded as an exception to the general presumption against allowing new buildings in Green Belt.
- 10.3 The NPPF does support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development, including promoting the development and diversification of agricultural and other land-based rural businesses. The proposed additional polytunnels will enable an expansion of the horticultural activity at the holding to meet the domestic demand for soft fruit thereby reducing the unsustainable practice of importing produce from foreign countries.
- 10.4 In view of the above and the government's commitment to support and promote economic growth in agriculture through taking a positive approach to sustainable new development, it is considered that the production of soft fruit at this site will help to reduce food miles and seek to become less reliant on foreign food imports, it is considered current planning policy is weighted in favour of the farmer. For this reason, it is considered that providing the visual impact of any proposal for appropriate development within the Green Belt is not seriously detrimental, the scheme merits support. In this regard, the NPPF does support the beneficial use of the green belt to amongst other things, retain and enhance landscapes, visual amenity and biodiversity. In view of this, the construction of polytunnels is considered to be acceptable in principle although it is still necessary to consider their visual impact.

Visual Impact:

- 10.5 In recognition that polytunnels are appropriate development within the Green Belt, the main issue for consideration as far as planning policy is concerned relates to their visual impact.
- 10.6 Although polytunnels have not historically formed part of the British rural landscape, they are becoming more commonplace as farming practices constantly adapt to keep pace with ever changing consumer demands and market forces. For these reasons it is essential that when polytunnels are proposed they are only sited in areas where their visual impact is considered acceptable, especially given their site coverage. The most sensitive of Green Belt locations should therefore be avoided although it must be recognised that they will usually need to be positioned within the Green Belt as this is where most agriculture takes place.
- 10.7 Within the above context, it is noted neither the application site or the farm holding itself fall within one of the Council's UDPR defined 'Special Landscape Areas' where visual impact considerations are elevated due to a requirement to protect a particular or dominant landscape character. As such, the principle of allowing polytunnels within the area is considered to be strong and has already been established by the grant of the previous polytunnels applications at the farm-holding.
- 10.8 Notwithstanding the above, the introduction of further polytunnels at the scale proposed will clearly have some visual impact. Given the position of the fields within the farm-holding the polytunnels will be most visually apparent to those drivers passing along the A656 and from within the holding itself due to the presence of public footpaths that cross the site. It is therefore the extent of the visual impact of the polytunnels that needs to be considered rather than the fact they would be visible.
- 10.9 Fields 5 and 7 currently comprise of open agricultural ground. These fields occupy the eastern side of the farm-holding. Along the east and north-east boundary of the site is an established planting belt that ranges between 20-50m in thickness. This planting belt will effectively screen the polytunnels when viewed from the east, offering only passing glimpses of the structures where there are breaks in the vegetation (for example, in the location of the farm access off A656). It is to be noted that at a time when the deciduous planting is not in leaf the polytunnel structures are not to be covered.
- 10.10 From within the farm holding, established planting to the west of fields 5 and 7 will screen views of the polytunnels from beyond. Under a 2008 planning permission screen planting between fields 4 and 5 was agreed to be undertaken and the level and extent of screening will only improve over time as it matures and becomes more effective. To further mitigate the visual impact of the polytunnels screen planting is also proposed along the southern edge of field 7, in effect, containing both proposed polytunnel fields within an envelop of landscape screen planting. In addition, the land levels beyond the south-eastern portion of field 7 rise to the south thereby reducing the visibility of the field when viewed from the south (where the site access and a public footpath are located).
- 10.11 Although, one objector considers polytunnels to be unsightly and spoil views, the field locations mean these additional polytunnels will be positioned well away from residential properties. Lying between those dwellings and the application site are fields containing previously approved polytunnel structures and established planting that will act to screen any distant views. For instance, Field 5 is already abutted by the polytunnels contained in fields 3 and 4 and both fields 5 and 7 are enclosed by significant levels of landscape screening which are considered to effectively filter

views of these structures so that they will not cause significant harm to the amenities of the area.

Impact on residential amenity:

- 10.12 The proposed polytunnel structures are to be positioned to the eastern side of the farm-holding (approximately 580-620m away from the nearest dwellings in East Garforth). Given the grant of approval for polytunnels within the intervening fields and the presence of established screen planting and the large separation distance the proposed polytunnel structures are not considered to have a direct amenity impact on those Garforth residents abutting the farm-holding boundary. However, objections have been received from three residents relating to concerns about the resultant expansion of the use of polytunnels at the farm-holding which would lead to an increase in foreign seasonal workers in the area (and subsequent need for more workers caravans at the farm-holding) thereby resulting in more noise and disruption to local residents.
- 10.13 The applicant confirms that the additional polytunnels would not increase the labour requirements of the holding above the 320 worker mark (which is 30 lower than originally anticipated in the 2008 application and which can be readily housed within authorised on-site accommodation). Of the four letters of objection received against this proposal, two refer to the noise and disruption from workers with one other resident commenting on the increasing presence of foreign nationals in the area. The lack of complaints received under the management and reporting condition imposed for the seasonal workers caravans under the 2008 application and the fact that only two formal objection letters have been received from residents who abut Sturton Grange Lane (out of the 11 who do) is considered significant. The local crime reduction team have been contacted about whether there have been any reported incidents along Braemar Drive and Sturton Grange Lane. According to their records, since 2009 they have received six damage reports and one breach of the peace but none of these incidents can be attributed to the workers at the farm site. For these reasons it is not considered reasonable to resist this application for additional polytunnels on residential amenity grounds.

Flood risk management implications:

- 10.14 The proposed polytunnels will cover large areas of fields 5 and 7 and each polytunnel is constructed and covered independently of its adjoining polytunnel allowing water to fall off to the ground. Whilst the potential for flooding was highlighted by a concerned local resident. Studies undertaken previously at the site concluded that the use of soakaways was an appropriate means of surface water drainage disposal. The porosity of the underlying soils allows surface and storm water drainage to drain naturally into the land. During the winter months, it is anticipated that there will be increased run-off but as the polytunnels will not be covered the surface water run-off situation would be the same as for open an agricultural land.
- 10.15 As referred to in para. 2.4, the applicant has invested in a change of farming practice at the holding with soft fruit grown on raised hydroponic beds. In drainage terms, the previous growing methods created raised planted furrows in the ground which were used and acted as water channels and barriers that accelerated run-off between polytunnels. The use of table-top propagation methods retains the grassland beneath each polytunnel on free-draining land (have small trenches running the length of each polytunnel to assist with natural percolation) and therefore is not considered to result in flooding problems off-site. The methods of on-site drainage were clarified with the Drainage Officer and as with the Environment Agency no objections are raised against this proposal.

Highways implications:

- 10.16 At the request of the Highways officer, a short transport statement accompanies the application outlining staff travel patterns, the servicing/loading arrangements on site and the likely parking implications of the proposal. Essentially, the proposal will not significantly alter the existing farming practices currently employed at the site in terms of the packing and dispatching of produce although it is anticipated the additional polytunnels would result on average in two further HGV movements per day (i.e. one and one out) at the site. On the basis that the farm labour will continue to be provided through the Seasonal Agricultural Workers (SAWS) and operate within existing limits the proposal is considered acceptable from a highways perspective.

Public rights of way:

- 10.17 The proposed polytunnels are to be sited over existing agricultural fields and will not encroach on the public rights of way that exist across the site. The applicant is currently pursuing a footpath diversion order which is subject to consideration by the Planning Inspectorate. The proposed footpath amendments will also not be affected by the proposed polytunnels. Accordingly, the Public Rights of Way section raise no objection to the additional polytunnels.

Other matters:

- 10.18 Although the proposal to cover an agricultural field with polytunnels is unlikely to contribute positively towards biodiversity, the applicant has planted extensively around the holding in the past and substantial new planting is proposed as part of this application to the south of field 7. Whilst admittedly the main function of the planting is to provide visual screening, these areas also provide considerable opportunities to increase biodiversity. For this reason it is proposed to include the new proposed landscaped areas in the biodiversity management plan which already applies to the remainder of the holding.

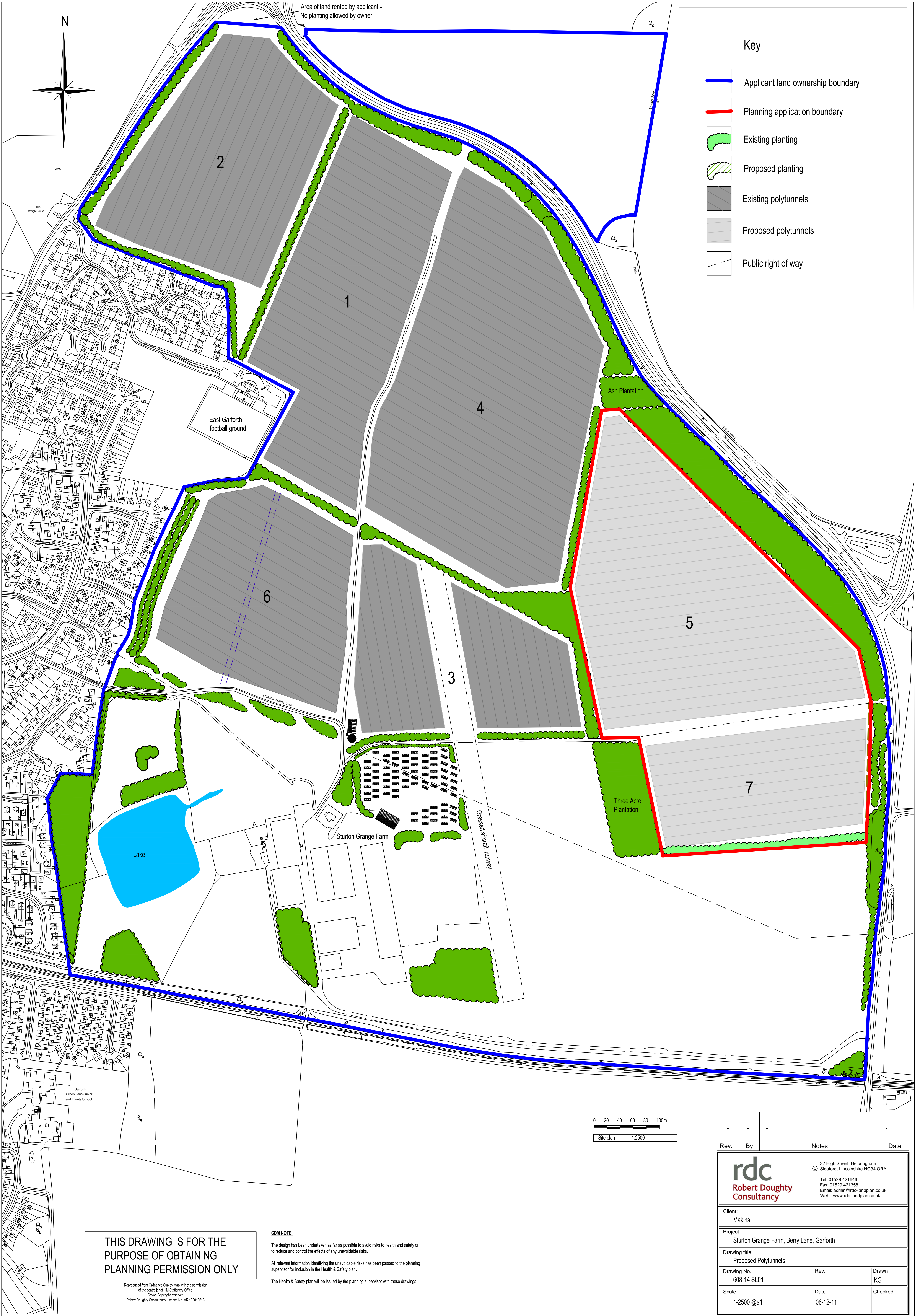
11.0 CONCLUSION

- 11.1 The use of polytunnels as a means of helping to produce more reliable food crops in the British climate is becoming more commonplace. The practice is also noted to be very sustainable as food miles are reduced by not having to rely so heavily on foreign grown imports. Whilst planning policy regarding the acceptability of such features in the countryside is currently limited, it is clear they are considered to be appropriate development for the purpose of applying Green Belt policies. As such, polytunnels are considered to be acceptable in principle and can be supported providing their visual impact is considered acceptable or can be adequately mitigated.
- 11.2 In regard to this application, the proposed polytunnels would not be sited within a Special Landscape Area and given the presence of extensive screen planting to the perimeter of the site and the prospect of further planting to the south of field 7 will act to mitigate their visual impact. This, in addition to the site's position adjacent to agricultural fields already containing polytunnels is such that it is considered appropriate to support the proposal.
- 11.3 The comments made by various neighbours who consider the prospect of further polytunnels to be unacceptable are noted, however none of the issues raised are considered to be sufficient to warrant refusal of the current application. Particularly as the increase would not take the labour requirements for the holding beyond that which has already been assessed as being acceptable. As such, this application is recommended for approval, subject to the conditions specified.

Background Papers:

Application and history files.

Certificate of ownership: Signed on behalf of the applicant



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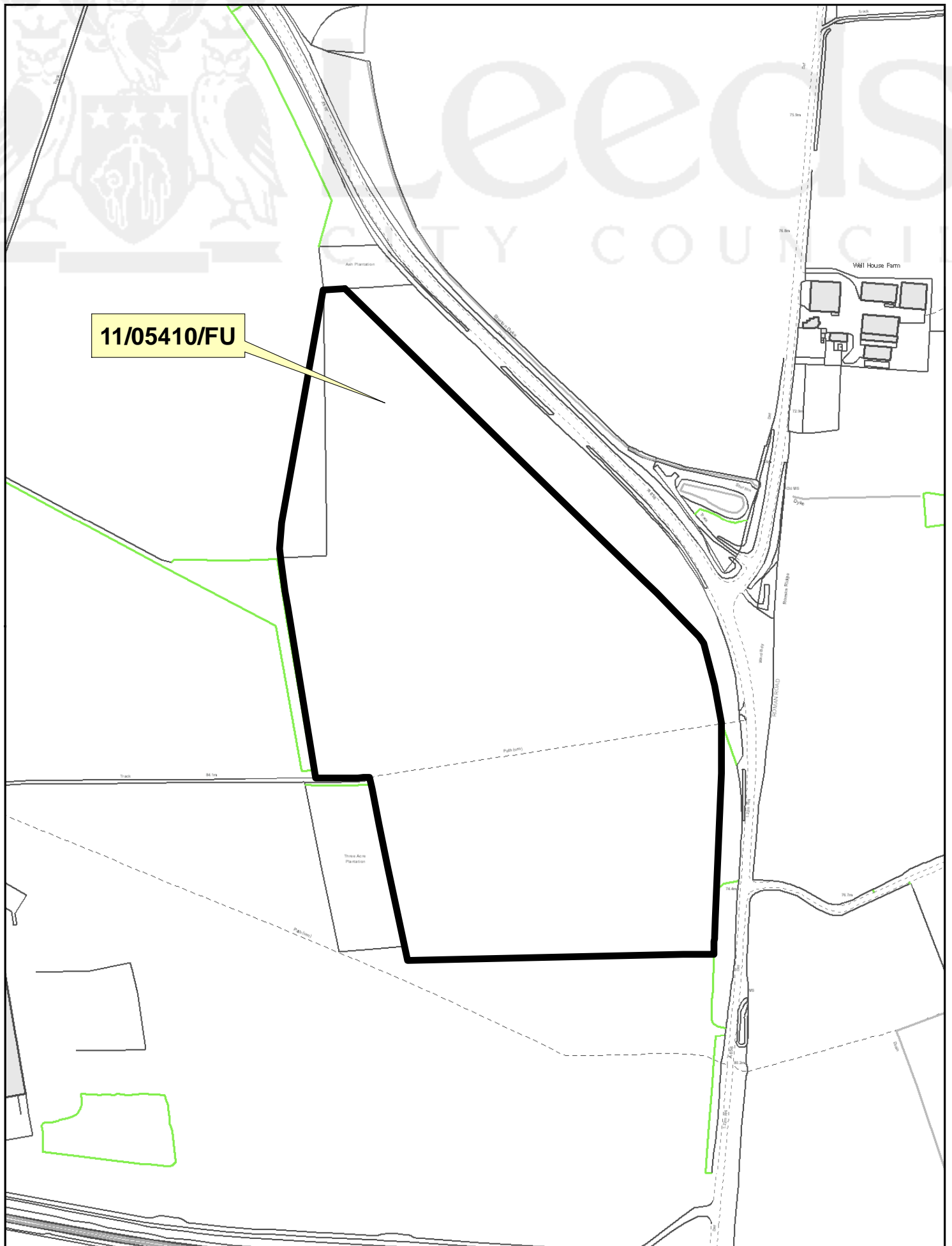
The design has been undertaken as far as possible to avoid risks to health and safety or
to reduce and control the effects of any unavoidable risks.

All relevant information identifying the unavoidable risks has been passed to the planning
supervisor for inclusion in the Health & Safety plan.

The Health & Safety plan will be issued by the planning supervisor with these drawings.

Rev.	By	Notes	Date
<div><div>rdc</div><div>Robert Doughty Consultancy</div></div> <div>32 High Street, Helpingham Sleaford, Lincolnshire NG34 0RA Tel: 01529 421646 Fax: 01529 421358 Email: admin@rdc-landplan.co.uk Web: www.rdc-landplan.co.uk</div>			
Client: Makins			
Project: Sturton Grange Farm, Berry Lane, Garforth			
Drawing title: Proposed Polytunnels			
Drawing No. 608-14 SL01	Rev.	Drawn KG	
Scale 1-2500 @a1	Date 06-12-11	Checked	

All measurements should be checked against on site conditions and any discrepancies should be brought to the attention of the
Robert Doughty Consultancy.



EAST PLANS PANEL