

Committee Date	23-Mar-2011
Application Type	Full
Application Ref	NP/11/068 Grid Ref: SN13240062
Applicant	South Terrace Properties Ltd
Agent	Mrs A Dallimore, C2J Architects
Proposal	Construct 39 apartments with on-site parking & amenity facilities; 68 bed hotel, 3 commercial units & replacement Cinema with car parking, servicing facilities & new access road
Site Location	Royal Gatehouse Hotel, White Lion Street, Tenby, Pembrokeshire, SA70 7ET

Summary

This application seeks consent for the re-development of this key site in Tenby town to provide 39 apartments, a 68 bed hotel, 3 commercial units, a replacement cinema, a public square, a new access and car parking, and road improvements at the junction of The Norton and White Lion Street. The application is one of several applications for Tenby town which are linked through the provision of affordable housing and infrastructure payments.

The application raises key issues in relation to affordable housing, infrastructure payments, the mix of uses and their location, demolition of the cinema and design and amenity issues. It is considered that the provision of affordable housing and infrastructure payments are acceptable as part of the suite of applications for Tenby town but as a "stand alone" proposal this application would not provide any affordable housing and would therefore be contrary to policy.

It is considered that the mix of uses proposed for the site is acceptable and that whilst the location of the hotel without a seaside frontage is regrettable that this can be supported in this instance. The demolition of the existing listed cinema is considered to be justified and meet the requirements of Circular 61/96 due to the relative lack of importance of the main building in historic and architectural terms. It is not considered to be in the public interest to retain the main building in this instance. However, the façade is to be retained and the overall design of the proposal is considered to offer a combination of traditional vernacular design and an unashamedly modern link to the secondary frontage of the site. It is considered that the design is acceptable and would conserve the character of the Conservation Area, the listed building and the wider area.

The application is recommended for approval subject to design amendments and satisfactory plans relating to highway improvements. Any consent would also be the subject of conditions and a Section 106 agreement in relation to the delivery of affordable housing and infrastructure payments.

Consultee Response

The Victorian Society: Objecting - Recommend refusal

Tenby Chamber of Trade & Tourism: Concern - The Chamber consider these sites to be very important to the economic future of Tenby and following consideration by the members at the monthly meeting last week we would like to reiterate the comments submitted back in May 2010.

The business community of Tenby continues to be concerned about the economic sustainability of Tenby as a tourist destination. We consider that it is critically important to retain a mix of accommodation for our visitors, and are disappointed that the plans for the hotel remain the same "squeezed in" behind the apartments.

We note that the proposed apartment block still contains a high number of small apartments rather than larger family sized units. They are likely to be purchased as second homes or holiday lets, and will be empty for much of the year thereby making little contribution to the Tenby community and economy.

Although the plans show a 162 seat cinema the economic viability of a stand alone single screen cinema is doubtful. Entertainment facilities are sorely needed in this tourist resort and this is an ideal opportunity to provide a multi-functional entertainment area that could include a cinema.

This is the perfect, once in a lifetime, opportunity to widen White Lion Street, to improve pedestrian safety on both sides of the road and to ease manoeuvring at the junction of larger delivery vehicles and ideally the small local buses.

Tenby Conservation Forum: Reply - In general we are pleased to see that many of the criticisms made by the Conservation Forum (and others) in response to the previous proposals have been addressed. There are still aspects of the design which fall short of that which we should ideally wish to see but taking into account present commercial realities, we consider that, subject to the changes expressed below, there is no reason to refuse these proposals.

We note that there is no improvement in the proposals in respect of the hotel, although we have previously argued that the greatest benefit to Tenby from this scheme could be achieved by the inclusion of a high quality hotel with conference facilities. However, we recognise the difficulty of attracting a suitable operator and prepared to accept the inclusion of a cinema as an alternative. We do, however, consider that more space needs to be allowed at the north end of the design to allow for a stage and some changing facilities. If the proposal gave Tenby a cinema that could also be used for theatrical performances and small concerts, we would consider that the scheme met our requirement and also gives something back to Tenby.

There is a lack of detail concerning materials and various aspects of the design, The Royal Gatehouse site in particular calls for the highest standards. We recommend that any approval should be subject to the Authority's officers having the right to review the architectural details and proposed materials as the detailed specifications are produced, and to require changes within the framework of the overall proposals.

We are disappointed that the opportunity created by the demolition of the Royal Gatehouse has not been used to make a greater improvement to White Lion Street. Especially during pedestrianisation, this is an important two way access road. We consider that the visual relationship between the pinch point at the seaward end of White Lion Street and the public square behind is important but would not be adversely affected if one metre were added to the width of the carriageway. We recommend this as a requirement of approval.

2nd reply - We are very concerned about the width of the carriageway of White Lion Street towards the Norton. This is currently a problem and with the repopulation of the adjoining sites following development we believe that the difficulties will be multiplied. It is necessary to increase the carriageway by at least one metre. This should not be achieved through any loss or reduction of the pillared veranda and iron balustrade proposed but by moving the White Lion Street frontage of the Gatehouse replacement north by a corresponding amount. In addition we trust that there will be Section 106 agreements that provide for the phasing and staged completion of the work in a manner which is beneficial to Tenby.

PCC - Transportation & Environment: Reply - Road improvement acceptable in principle however requested further information in respect of the carriageway and footway improvements.

Countryside Council for Wales: No objection

Welsh Water: Conditional Consent

Environment Agency: Conditional Consent

PCC - Head of Public Protection: Conditional Consent - Gatehouse proposal should be subject to a condition on plant noise

Tenby Town Council: Approve

Ancient Monuments Society: No Response Received

Tenby Civic Society: No Response Received

Dyfed Archaeological Trust: No Response Received

Public Response

No public response received.

Policies

Local Development Plan

LDP Policy 01 - National Park purposes and duty

LDP Policy 02 - Tenby Local Service and Tourism Centre

LDP Policy 08 - Special Qualities

LDP Policy 11 - Protection of Biodiversity

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 20 - Scale of Growth

LDP Policy 29 - Sustainable Design

LDP Policy 31 - Minimising Waste

LDP Policy 32 - Surface Water Drainage

LDP Policy 36 - Loss of Hotels and Guest Houses

LDP Policy 45 – Affordable housing

LDP Policy 48 - Community Facilities and Infrastructure Requirements

LDP Policy 49 - Retail in the National Park

LDP Policy 50 - Town and District Shopping Centres

LDP Policy 52 - Sustainable Transport

LDP Policy 53 - Impacts on traffic

SPG01 - Affordable Housing

SPG03 - Sustainable Design

SPG04 - Planning Obligations

SPG07 - Conservation Area Statements

SPG08 - Validation of Planning Applications

National Policy

PPW4 Chapter 04 - Planning for Sustainability

PPW4 Chapter 05 - Conserving and Improving Natural Heritage and the
Coast

PPW4 Chapter 06 - Conserving the Historic Environment

PPW4 Chapter 07 - Supporting the Economy

PPW4 Chapter 08 - Transport

PPW4 Chapter 09 - Housing

PPW4 Chapter 10 - Planning for Retailing and Town Centres

PPW4 Chapter 12 - Infrastructure and Services

TAN 02 - Planning and Affordable Housing

TAN 04 - Retailing and Town Centres

TAN 05 - Nature Conservation and Planning

TAN 11 - Noise

TAN 12 - Design

TAN 13 - Tourism

TAN 18 - Transport
TAN 22 - Planning for Sustainable Buildings
Circular 61/96 - Conservation Areas

Officer's Appraisal

Background

Planning permission was refused last year for the re-development of this site for 39 apartments, a 68 bed hotel and 3 commercial units with associated infrastructure on the grounds that the proposal did not provide adequate justification for the loss of a cinema, the partial demolition of a listed building and did not provide affordable housing. In addition the development was considered to be of an inappropriate design that was out of character with the Conservation Area, the listed façade of the Playhouse cinema and Tenby town. (NP/10/130).

Current Application

The application site comprises the area formerly occupied by the Gatehouse Hotel that was destroyed by fire in 2008, the existing Playhouse cinema building, the car park adjacent to the cinema and the buildings and area of land to the north of the cinema car park that are situated to the rear of properties fronting Deer Park. The site occupies one of the most prominent, important and key locations in Tenby and any proposals on this site require the most careful and detailed consideration. The application proposes to remove the remaining rubble and buildings from the site, with the exception of the façade of the Playhouse cinema which will be incorporated into the new scheme. The proposed development would comprise a frontage and corner development to the Norton and White Lion Street comprising 39 full residential apartments on six floors. The area to the rear of this block and with a frontage to White Lion Street would comprise a new five storey building, falling in height to four and three storeys, comprising a 68 bed hotel on four floors with commercial (A3 – food and drink uses) on the ground floor. The existing Playhouse cinema façade would be retained, with a newly constructed building to the rear comprising a replacement cinema on the ground floor and some of the hotel rooms referred to on the two floors above. A new public square would be provided to the front of the cinema and hotel entrance fronting White Lion Street and the scheme makes allowance for improvements to the pavement and carriageway widths at the junction of White Lion Street and the Norton. Car parking would be provided in a basement area below the apartment block with an entrance from the Norton, with further parking to the west of the new cinema, accessed from a new entrance from Deer Park (referred to in application NP/11/064). An accompanying listed building application for the part demolition of the cinema building and its redevelopment has been submitted under reference NP/11/069.

The application was accompanied by a Design and Access Statement, an archaeological appraisal, a bat survey, an affordable housing statement, a statement in respect of the partial demolition of a listed building, a structural survey in relation to the basement and highway retaining wall and the retention of the cinema façade, a transport statement and a pre-assessment statement in respect of the Code for Sustainable Homes and BREEAM.

Officers Considerations

This application is on the agenda as it is a major application in the National Park (more than ten dwellings).

The application site is situated within the defined settlement area for Tenby and within the town centre. It is also part of the larger allocation in the LDP relating to the former Gatehouse site and garage site fronting Deer Park, which is designated for a mixed use development comprising, residential, hotel, cinema and retail uses. The site has for a number of years, been in a declining and run-down state of appearance. The fire in 2008 has clearly resulted in the site becoming a significant eye-sore and this application for its re-development is therefore welcomed in principle. For members' information, the former Gatehouse hotel which was a listed building has now been de-listed, with the only remaining listed building on site being the Playhouse cinema. The site is also partially situated within the Conservation Area, the defined area including the frontage area to the Norton that was formerly occupied by the hotel, with the boundary following the eastern boundary of the cinema building, rendering this building outside the Conservation Area. Conservation Area consent has however been previously granted for the demolition of the remaining parts of the former hotel due to their physical condition.

In the context of the policies set out above, the application raises a number of key issues and these are:

- Affordable Housing
- Infrastructure Payments
- The acceptability of the Mixed Uses Proposed and their location
- Demolition of the Cinema
- Design and Amenity

Affordable Housing and Infrastructure Payments

The issues raised in the general report in relation to these key development sites in Tenby are relevant in respect of affordable housing, infrastructure payments and commercial use provision. In respect of the first, as set out, this individual proposal does not include the provision of any affordable housing, but the provision being made at the Delphi Hotel site would be provided in relation to this scheme as part of the overall suite of applications for the re-development of Tenby. It is considered that the provision of affordable housing on a separate site to this development is acceptable in this

instance and is justified in terms of numbers, mix of size and tenure. However, this provision would only be acceptable *providing the other schemes go ahead* and as a "stand alone" proposal it should be noted that this application would fail to meet adopted planning policy as no provision of affordable housing is made in respect of this individual development.

In addition to the provision of affordable housing, this proposal would make a contribution to other essential infrastructure including education, public open space, highway improvements and provision of a new cinema and public square. As set out these contributions are considered to be acceptable and in line with policy as an accumulation of all the schemes relating to the Tenby re-development. As a stand alone proposal, this particular application would need to be re-assessed in this regard.

The acceptability of the Mixed Uses Proposed and their location

With regard to the mix of uses proposed, as set out in the general report it is considered that the cumulative proposals in relation to the sites as a whole would result in an acceptable provision of commercial units, mainly being A1 and A3 in use.

With regard to this particular scheme, the application proposes a mix of residential apartments, a hotel, a cinema and restaurant uses. It also includes a public "square" outside the cinema/restaurant. The site is situated within the town centre defined limits, and is a key location for providing uses that will complement and add to the services and provisions already within the town as required by both LDP and national policies. The inclusion of a replacement cinema will provide a community facility which it is considered will encourage greater footfall to this part of Tenby and assist in its regeneration. The comments from consultees and third parties in relation to the viability of this facility are noted, but the planning system should not dictate the types of uses proposed based on the possibility of these failing in the future. Planning policy requires consideration to be given to the loss of community facilities which was of concern on the previous application, and the replacement of this facility with a new modern cinema is considered to be an acceptable and welcomed proposal.

The comments raised in relation to the location of the proposed hotel to the rear of the apartments are also noted, and the previous application was refused partly on the ground relating to the lack of any frontage hotel to the Norton and the associated impact on the intrinsic qualities of the resort. This recommendation was on the basis that none of the re-development schemes included a frontage hotel as they included the loss of the Royal Lion hotel. It is now proposed under application NP/11/066 to retain the Royal Lion as an apartment/hotel, which provides a level of self catering apartments but with communal reception and management. This falls under the same use class as a hotel, and would be subject to conditions relating to the occupancy of the rooms. This would therefore result in the retention of a frontage hotel as required by policy 36 of the LDP.

As a "stand alone" application, the former hotel use on this particular site is no longer in evidence, due to the building being destroyed by fire. Legal advice has been sought on whether the former hotel use would still remain in planning terms, even though the building has been destroyed. The advice received is that the hotel use cannot be carried out without the presence of a building, and the destruction of the building has therefore resulted in the site having a "nil" use in planning terms. As such, the loss of the hotel on this site has already occurred and policy 36 would therefore not have any weight in the consideration of this application on a stand alone basis. Whilst the comments from the consultees are therefore noted in this respect, it is not considered that the loss of the frontage hotel in this application is contrary to development plan policy, having occurred already through the loss of the building. The application does also provide a hotel use, albeit to the rear of the apartments, but it does provide an important focal point to bring life and vitality to the public square and cinema frontage proposed in the scheme. In addition, the retention of a hotel use in the Royal Lion does re-dress the balance in terms of the loss of frontage hotels in this location and provide a more appropriate mix of uses to the area. As such although it is somewhat regrettable that the new hotel does not have a seaside frontage, it is considered to be an acceptable proposal. The combined applications do therefore comply with policies relating to the retention of existing hotels.

Demolition of the Cinema

A further consideration in this application relates to the proposal to replace the cinema building which is listed as Grade II and an application for the demolition of part of the building has been made under application NP/11/069. With regard to its demolition, the applicant states that its architectural value predominantly relates to the front elevation to White Lion Street with the exterior having little architectural merit and which does not make a positive contribution to the character and appearance of the building or the conservation area. It is stated that the building has been significantly altered and retains little detailing of architectural or historical significance. However, in view of the importance of the façade the scheme has been developed to retain and repair this as an integral part of the re-development proposals.

Circular 61/96 sets out the steps that should be taken prior to permission being granted for the complete or substantial demolition of a listed building and essentially sets out three key "tests". These relate to:

- i.) the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use.
- (ii) the adequacy of efforts made to retain the building in use.
- (iii) the merits of alternative proposals for the site.

It is considered that this scheme represents a substantial demolition of this building, and as such this policy advice is relevant. The applicant's submission states that the form and layout of the cinema does not meet current market requirements which is geared to smaller multi screen facilities. It is stated that opportunities to utilise the building for alternative uses are

limited by its form and poor condition. Since the last refusal a structural survey has been carried out and has been provided with the listed building application. It does not provide costs of repairs, but does conclude that substantial work is required to put the cinema back into full repair – largely comprising of works to roofs, render, joinery, rainwater goods, internal finishes and services. The Authority's Conservation Officer has inspected the building externally and internally and would agree with the findings of the report.

Notwithstanding the condition of the building, its importance is clearly highly relevant. It is clear that the majority of the affected finishes/details are relatively modern in date (cement render, asbestos sheet roof, casement windows, much internal detail), the building having been substantially altered and extended prior to listing in 1977. The pedimented façade and the interior balcony are the main historic features. The former is to be retained, the latter proposed for removal. The balcony is relatively plain and does not have the opulence typical of many cinemas and theatres of the early C20. It does not form part of an architectural ensemble, the rest of the interior space being of utilitarian character. In itself, the balcony is of little architectural and historic merit, and retention in situ does not appear to be in the public interest.

Deliberate neglect does also have a bearing in 'weighting' the relevance of costs, but while the building has a run-down appearance, minimal works have kept it weather tight and safe for public use, and no formal listed building enforcement has been necessary.

The Authority's Conservation Officer is satisfied that it would not be in the public interest to seek the full restoration of the cinema. Legislation does not permit enforcement measures to secure the restoration of listed buildings to their appearance prior to listing: to perpetuate the appearance of what presently exists would seem disproportionate in this case. The incorporation of the front elevation within the redevelopment retains the key architectural feature as a façade to a new cinema facility to the rear and keeps this prominent landmark for the public to enjoy. This is supported by the list description which states that this is 'included for street façade and as the remains of a C19 assembly room'.

The Circular also requires consideration to be given to the adequacy of efforts to retain the building in use. Whilst the current cinema has now closed, the proposal is for a replacement cinema, designed to meet modern requirements and with tiered seating. In this case, had the building been of greater architectural and historic merit, a case should be made for retention to serve the new cinema. However, in light of the conclusions above and with regard to the fact that upgrading to modern standards is likely to impact on what little is left of the historic interior; this suggests that retention is not in the public interest. A replacement facility is proposed within the development.

The Circular also prescribes the open marketing of such a building to retain it in use. Given its central location within the application site, together with the advice provided above, this does not seem reasonable in the case of the

Playhouse: such action is more applicable to an individual property, whereas the cinema is historically contiguous to the former hotel complex.

The third test in the Circular relates to the merits of alternative proposals for the site. In this case, the façade is to be incorporated within the scheme, fronting commercial units and the entrance to the new cinema facility. While the sole retention of a façade is not generally an acceptable approach (61/96 para 98), it has been identified above that the façade is the chief feature of interest. Its retention has been carefully considered and a method statement available for its structural treatment during construction. The new extensions are set well back and give the façade due prominence. The glazing of the arcaded openings with simple fenestration is 'honest' and respects the character of the façade

In conclusion to this aspect of the application, it is considered that the partial demolition of the cinema is justified and that the criteria laid out in the Circular has been adequately addressed.

Design and Amenity

In addition to the above, a key issue in considering this application is the detailed design of the proposal. It cannot be emphasised enough the importance of this site in both its local context in Tenby, but also in terms of the contribution it makes to the wider National Park, both visually, socially and economically. The design of the proposal is the result of numerous meetings, pre-application and post refusal discussions with officers. It was agreed at an early stage of discussions that the Norton frontage building should replicate the former Gatehouse building with a more contemporary element to the White Lion Street frontage linking to the former Playhouse façade. This approach was also fully endorsed by the Design Commission panel.

The proposal that has been presented does now attempt to replicate the former Gatehouse in design terms although includes an additional floor; achievable in the same height as the previous building by lowering the ceilings and distances between the floors. It is considered that the massing of the buildings proposed are acceptable and provides an appropriate solution in scale terms to read with the context of the surrounding buildings.

Since the last refusal the applicant's agent has amended the scheme to provide a far more faithful replica of the original Gatehouse, albeit meeting more modern standards. The design of the basement area to the Norton, whilst still providing the "service" elements to the apartments above in terms of the car park and disposal of waste, cycle store etc, has been carefully designed to provide a more attractive presentation to the public pavement. This has been achieved through providing a rustication to the render (a finish that is typical throughout Tenby town) and providing ventilation grills and car park gates that are wrought iron to reflect the detailing of the balconies on the upper floors. The window proportions and details of these with recessive sizes from ground to roof, the dormer details and mouldings and general fenestration to the Norton is now considered to far better replicate the original

building and will sit well within the surrounding Victorian architecture which provides the "picture postcard" image of Tenby when viewed from North Beach.

The frontage to White Lion Street has also been altered, providing a transition from the more traditional building through a glazed link to a further traditionally proportioned and detailed building and then linked to the retained cinema façade with a very modern approach. The new cinema is bold and modern in design with a combination of finishes and textures to soften its overall massing. Whilst the "link" is unashamedly modern, it is considered that subject to full detailing of the materials and colours to be used that this provides an exciting new design for Tenby in a location where this can be accommodated whilst conserving the character of the Conservation Area and wider area. The proposal, whilst linked to the retained listed cinema façade, does not seek to overwhelm this in proportion or design and retains this as a dominating part of the overall scheme. It is however considered that the cinema roof behind needs to be reduced in terms of its overhang to minimise any potential dominance of the listed building and this amendment has been requested from the applicant's agent.

The development has also been designed to be sustainable, with the residential elements designed to meet Level 3 of the Code for Sustainable Homes and the commercial elements Very Good in the BREEAM standards. The achievement of these levels is in accordance with both national standards and in compliance with the Authority's own policies in relation to sustainable design.

It is also considered that the scheme is acceptable in terms of its relationship with adjoining properties and does not cause any adverse harm to privacy or amenity.

The proposal to provide a "public square" is also welcomed in principle, and it would provide an important circulation area for this part of the town. Furthermore, the improvement to the White Lion Street and The Norton junction is considered to be essential for improving highway safety at this pinch point in the town. This proposal will provide a new pavement adjacent to the Royal Lion together with a new pavement alongside the new building. A number of representations have been made in respect of the road improvement and the Highways Officer has requested further information in respect of the carriageway and footway improvements, and in particular with regard to the proposed re-instatement of the colonnaded verandah on the White Lion frontage and how this will impact on pedestrian movement. It is hoped that further information in respect of this aspect of the development will be available at the meeting and a verbal report will be given.

It is therefore considered that subject to conditions requiring approval of the architectural details, finishes and colours that this scheme is now acceptable in design and amenity terms.

Other Matters

It will be noted that no objections have been received from statutory consultees with the exception of the comments of the Highways Officer which are discussed above. A number of consultees require conditions to be imposed on any permission. In addition, in view of the constraints of both this site and Tenby generally it is imperative that the means of construction, hours of working, storage etc are agreed. The full details of this will not be known until the contract is let but it is considered that work should start with the new road, and development commence on the Norton frontage and progress back through the site to the land adjacent to Clifton Rock, utilising the new access at this point. It is therefore considered that any consent should be subject to conditions requiring a construction method statement to be agreed prior to the commencement of work.

Conclusion

In conclusion it is considered that this proposal provides a once in a lifetime opportunity to re-develop a key site in Tenby town that will provide the catalyst for overall regeneration of the area. The proposal provides a mix of uses that will provide both housing (affordable and market), employment, tourist opportunities and leisure uses that are conducive to Tenby's economic and social well being. The design is considered to sit well with the town's historic vernacular buildings Conservation Area, and the adjacent listed building whilst also providing a modern and bold approach to the secondary frontage of the site. It is considered that this development is acceptable (providing the other developments on this agenda for the re-development of Tenby go ahead) and subject to the design amendments referred to, and the receipt of satisfactory plans relating to the highway improvements it is recommended for approval. Any approval would be the subject of conditions and a Section 106 agreement in respect of the delivery of affordable housing and infrastructure payments.

Recommendation

That subject to the design amendments in relation to the cinema roof, and the receipt of satisfactory plans relating to the highway improvements it is recommended that planning permission be granted. Any approval would be the subject of conditions and a Section 106 agreement in respect of the delivery of affordable housing and infrastructure payments.

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21 FEB 2010

Application Site
Land Under Applicants Control

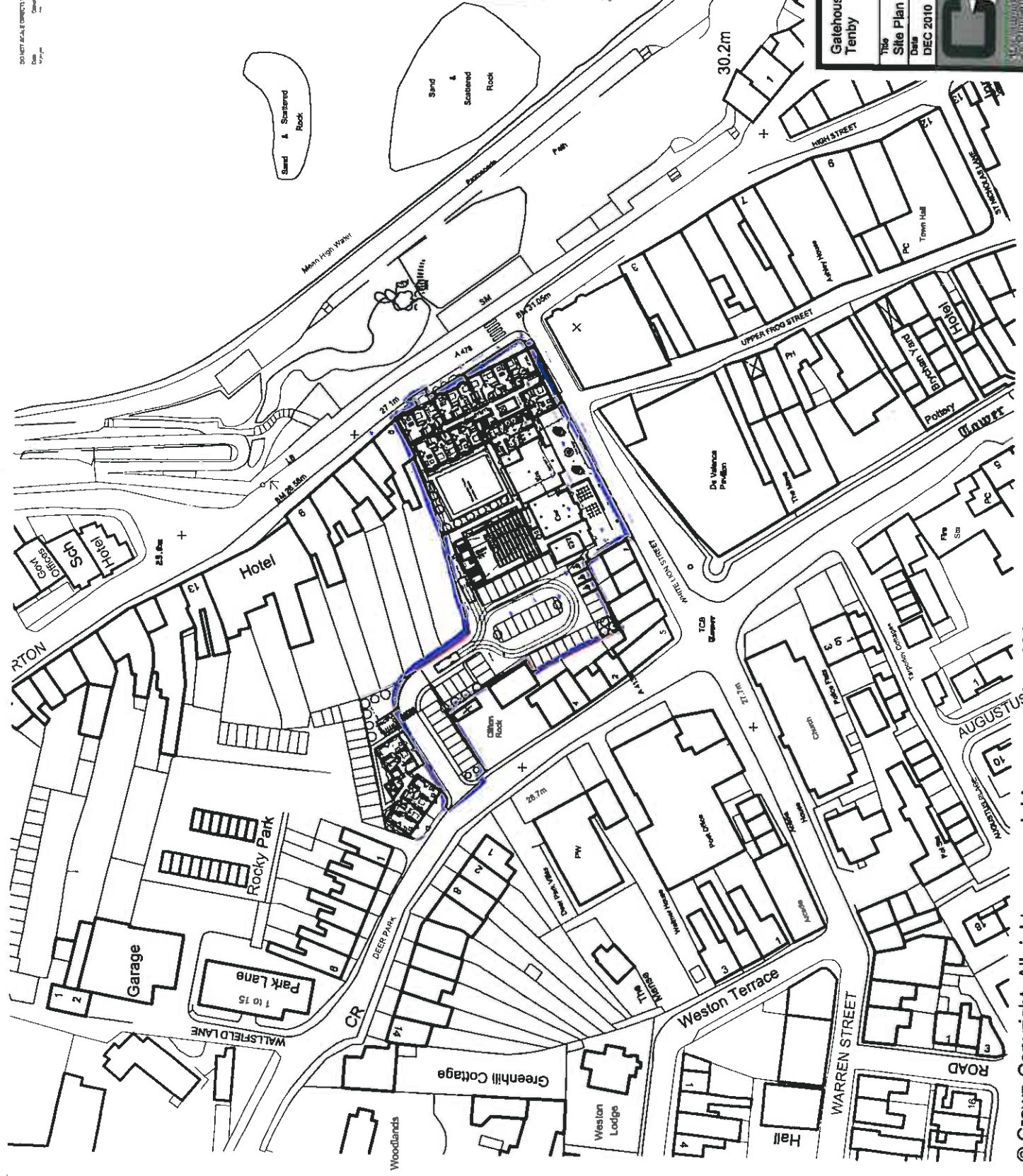
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Perthshire Council
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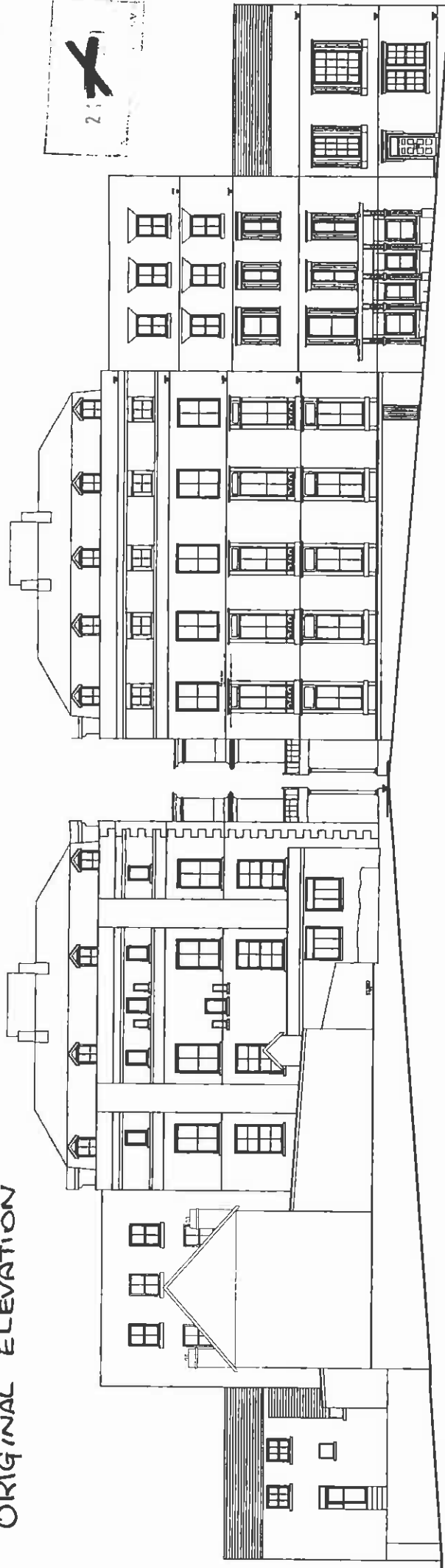
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Date	DEC 2010		



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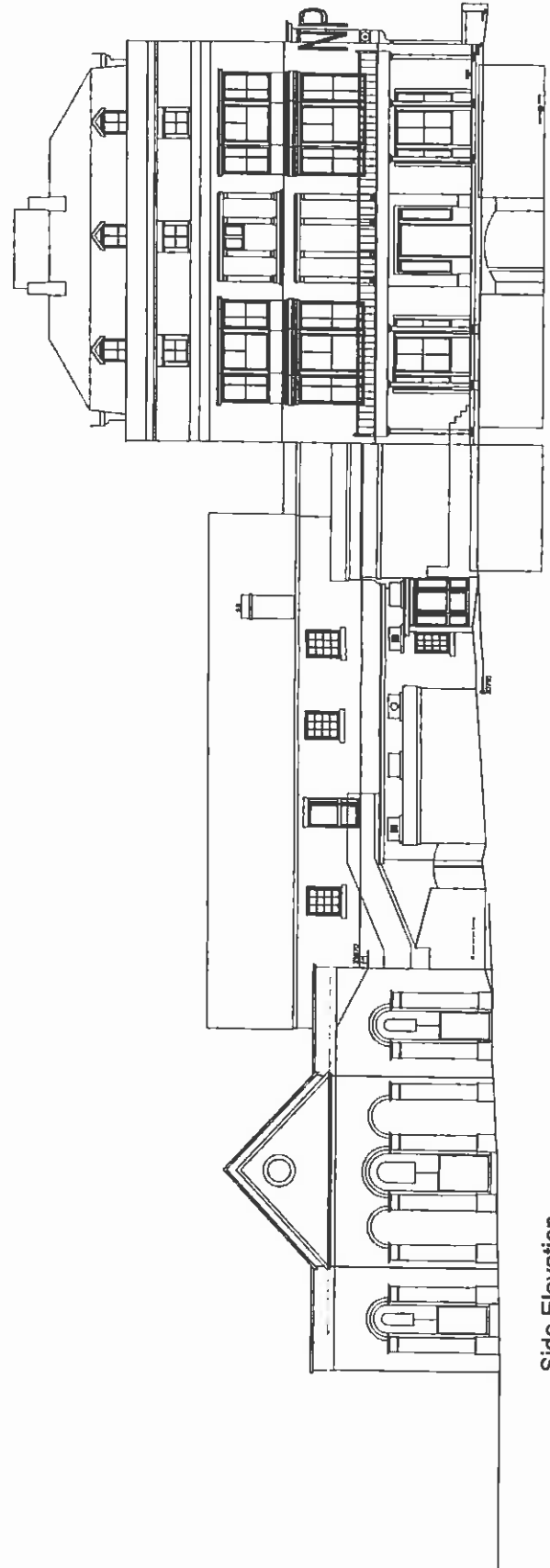
ORIGINAL ELEVATION



Rear Elevation

Front Elevation

Side Elevation



14 FEB 2011

NP 11 0 6 8

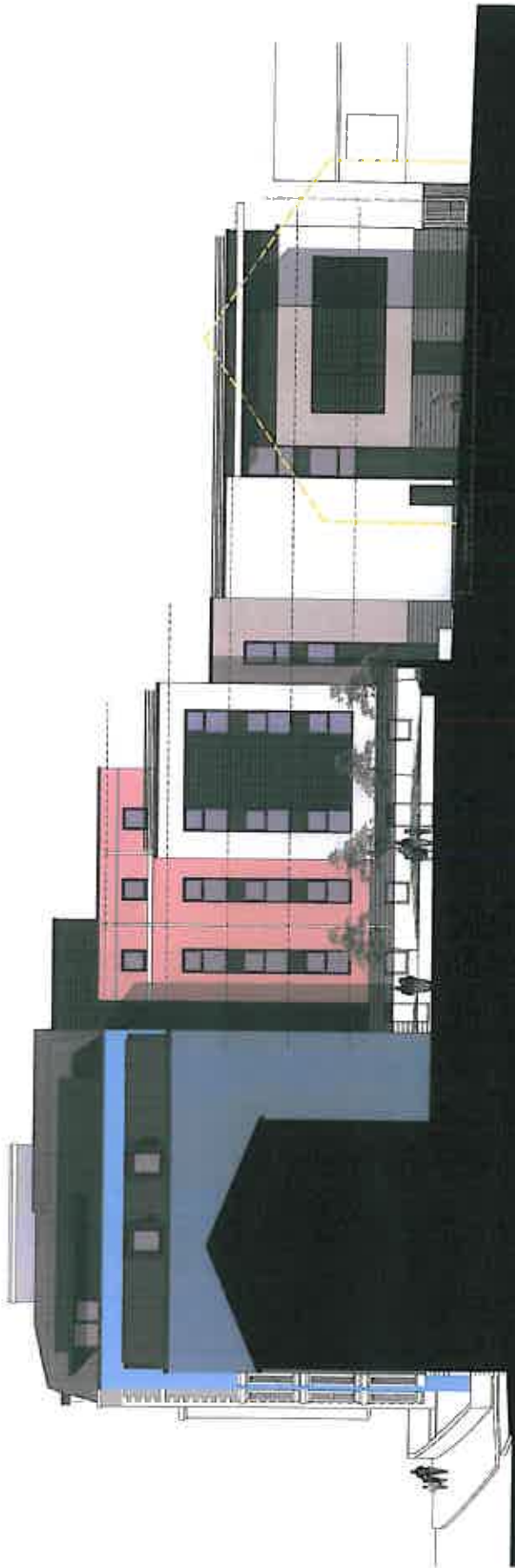
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For external material finishes please see drawings AL(30) 01-05



Elevation A - 1:100



Elevation C - 1:100

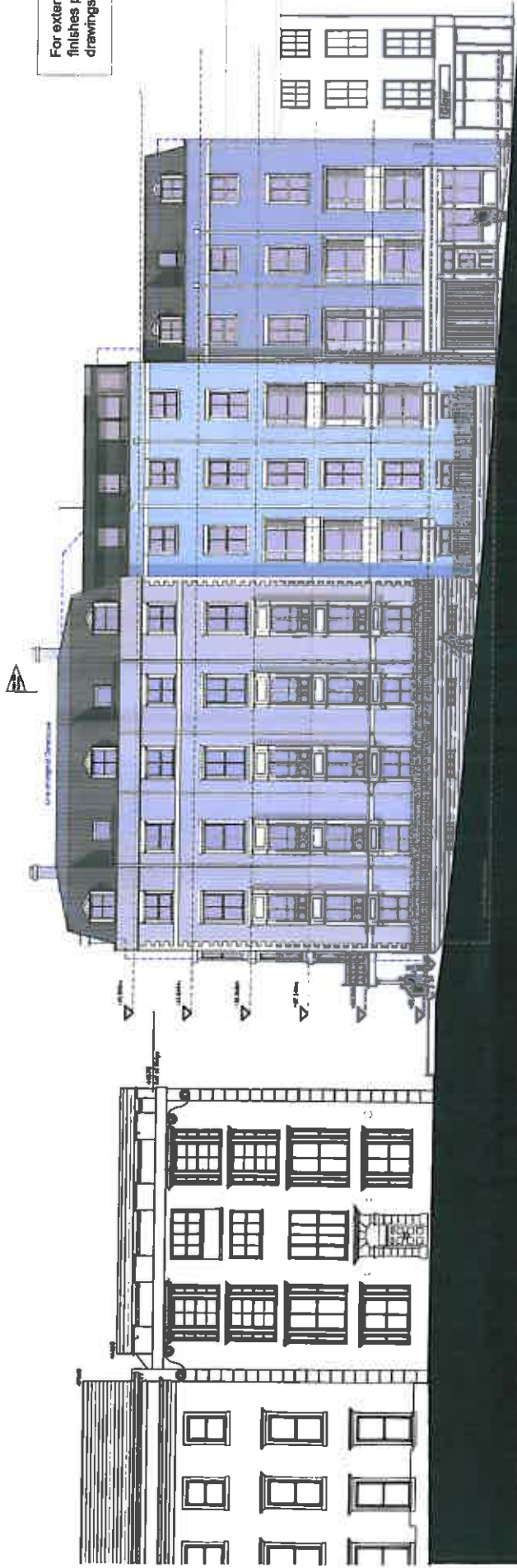
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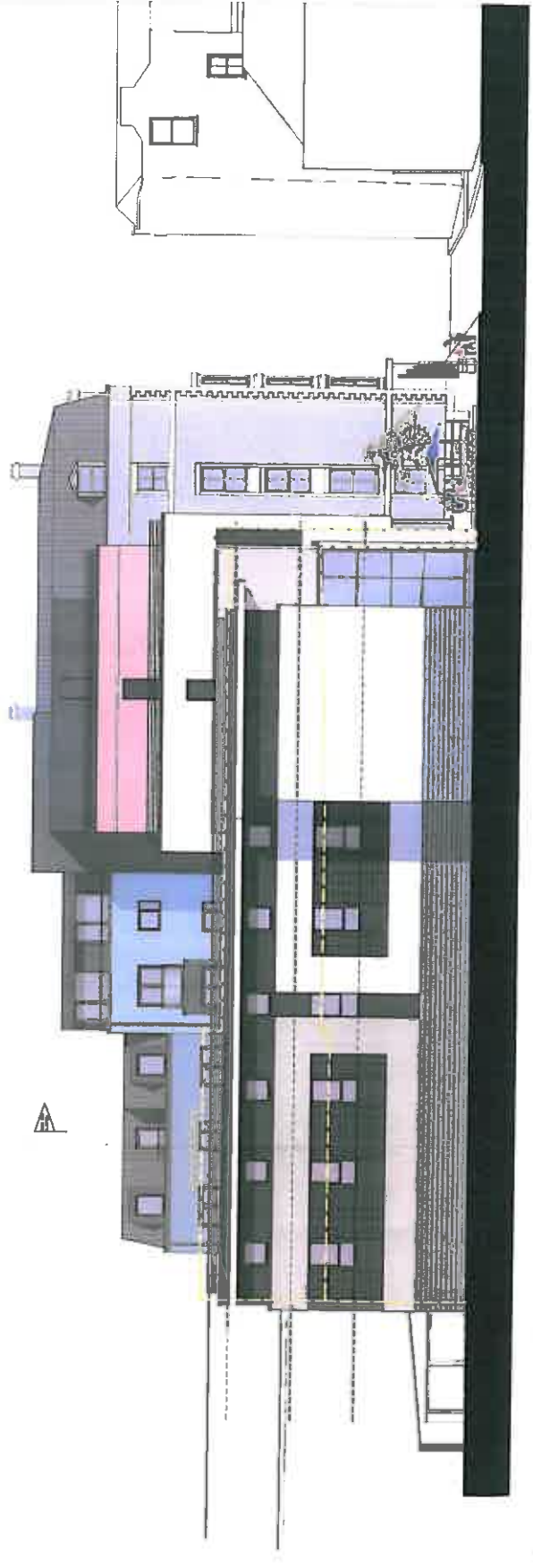
NP 10 5 63

Company Name	Architect	Date
Project Name	Client	Scale
Proposed Location	Site	1:100
Drawn By	Checked By	

For external material finishes please see drawings AL(30) 01-05



Elevation B - 1:100



Elevation D - 1:100

19 FEB 2006
NP 11 0 6 R
NP 10-5-63

