

Item 5 - Report on Planning Applications

Application Ref: NP/14/0479

Application Type	Outline
Grid Ref:	SN12980312
Applicant	The Hean Castle Estate
Agent	Acanthus Holden Ltd
Proposal	Development comprising 31 residential units with an amended access and with all other matters reserved (outline)
Site Location	Land off Trewayne Lane, New Hedges, Tenby, Pembrokeshire, SA69 9DW
Case Officer	Liam Jones

Summary

This application has been reported to the Development Management Committee due to the application being for a Major Development as stipulated in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

The application proposes, in outline, the erection of 31 residential units to include an amended access and with all other matters reserved. The scheme puts forward that 6 of the total 31 units are to be retained for affordable housing. The site is approximately 1.42 hectares.

Plans show the construction of a new access to the site to the west of the existing Cross Park entrance and bus stop. The access is proposed to be 5.5m wide, include 1.8m wide pavements on each side as well as a new planted hedge to replace the existing hedge. Plans show the reorientation of the Cross Park entrance and relocation of the bus shelter to the former access point. Access is not a reserved matter and is for consideration at this outline stage.

Following consideration of the policies within the Local Development Plan it can be concluded that the principle of development of this site for housing purposes, given that the site is a housing allocation, is acceptable. Subject to detailed scrutiny of the layout, appearance, scale and landscaping at Reserved Matters stage and subject to the developer entering into a Section 106 agreement to commit to the provision of affordable housing on site and other planning obligations the application is acceptable and recommended for approval.

Consultee Response

St Mary Out Liberty Community Council: Objecting. Concerns raised about the development referring to 'near Trewayne Lane' when it is in fact 'behind Cross Park'. Concern over the additional surface water that the

Item 5 - Report on Planning Applications

development would generate. Considered that this must be adequately dealt with, to prevent the additional water flowing into water course that flows behind Hunters Park. Another concern is access, and the impact that the proposed development will have on the residents of Cross Park and the surrounding area. Council are concerned that the proposed development does not really provide many opportunities for local young families to purchase at either stage. In its current form the Community Council cannot support the application although agree that a development of this size is needed over time. Until the concerns of local people are adequately addressed the Community Council cannot support the application.

Coal Authority: Reply – no objection

PCC - Community Regeneration Manager: Reply - Fees required for open access, play and recreation and Community facilities.

PCC - Head of Cultural Services: Reply - As per Section 3 of PCNPA's SPG the Library Service will require £187 per dwelling to purchase additional library stock to meet the anticipated increase in demand as a result of this development.

PCC - Waste & Recycling Manager: No objection

PCNPA - Tree and Landscape Officer: No objection

PCNPA - Park Direction: No objection

PCC - Ecologist: Conditional Consent - Conditions and further information required at reserved matters stage.

Dwr Cymru Welsh Water: Conditional Consent

Natural Resources Wales: Conditional Consent

PCC - Transportation & Environment: Conditional Consent

Public Response

The application was appropriately advertised as a Major Development in the Local Press (Pembrokeshire Herald) and through a site notice displayed at the proposed site access on 26 September 2014. Furthermore letters were sent to neighbouring occupiers.

4 No. letters of concern have been received by the Authority and full copies of these responses are held on the planning application file. Some of the concerns raised include;

Item 5 - Report on Planning Applications

- Loss of privacy: concerns about the road being close to existing property.
- Phasing of development: concern that they will build so many dwellings then stop depending on market demand.
- Access: Respondent advises that there would need to be clear access from Cross Park, Highgrove and Crestville at all times and all homes should be residential only and not for use as holiday homes.
- Privacy: Concern that bungalows at Hunter Park are 5ft lower than the land which will result in occupiers of new properties towering above with issue of overlooking.
- Flooding: Are prone to flooding with storm water and issues of capacity raised.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokehire Coast National Park website -
<http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty
 LDP Policy 06 - Rural Centres
 LDP Policy 08 - Special Qualities
 LDP Policy 09 - Light Pollution
 LDP Policy 11 - Protection of Biodiversity
 LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park
 LDP Policy 16 - Open Space and Green Wedge
 LDP Policy 29 - Sustainable Design
 LDP Policy 30 - Amenity
 LDP Policy 31 - Minimising Waste
 LDP Policy 32 - Surface Water Drainage
 LDP Policy 44 - Housing
 LDP Policy 45 – Affordable housing
 LDP Policy 52 - Sustainable Transport
 LDP Policy 53 - Impacts on traffic
 PPW7 Chapter 04 - Planning for Sustainability
 SPG04 - Planning Obligations
 SPG05 - Sustainable Design
 SPG06 - Landscape
 SPG08 - Affordable Housing
 SPG12 - Parking
 TAN 12 - Design

Item 5 - Report on Planning Applications

Officer's Appraisal

Background

The application site, which is an existing agricultural field to the east of Trevayne Lane and to the North of Cross Park, is allocated in the Local Development Plan for housing. The site is referred to as HA813 Rear of Cross Park. The allocation makes reference to the provision of 30 residential units with 60% affordable housing.

History

No planning history

Current Proposal

The application proposes, in outline, the erection of 31 residential units to include an amended access and with all other matters reserved. The scheme puts forward that 6 of the total 31 units are to be retained for affordable housing. The site is approximately 1.42 hectares.

Plans show the construction of a new access to the site to the west of the existing Cross Park entrance and bus stop. The access is proposed to be 5.5m wide, include 1.8m wide pavements on each side as well as a new planted hedge to replace the existing hedge. Plans show the reorientation of the Cross Park entrance and relocation of the bus shelter to the former access point.

The supporting information states that the scheme is intended to be developed in three phases. Phase 1 for 12 plots, Phase 2 for 10 plots and phase 3 for 8 plots. The applicant suggests that suitable conditions be attached to require each phase to be developed as part of a separate reserved matters application.

The application has been supported with the following information:

- Design & Access Statement
- Ecological Survey Report (September 2011)
- Ecological Survey Report Updated (May 2014)
- Transport Statement
- Coal Mining Risk Assessment Report

Key Issues

The application raises the following planning matters:-

- Policy and Principle of Development

Item 5 - Report on Planning Applications

- Visual Amenity and Special Qualities of the National Park
- Highway Safety, Access and Parking
- Neighbouring Amenity
- Biodiversity
- Archaeology
- Water Drainage and Flooding
- Land Stability
- Affordable Housing
- Planning Obligations

Policy and Principle of Development

The application site is located to the east of the A478 which traverses through New Hedges. The site can be described as being to the south of Trevayne Lane as well as to the rear or east of dwellings along Cross Park.

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that the determination of a planning application must be in accordance with the Development Plan unless material considerations indicate otherwise and in this case, the Development Plan comprises the Pembrokeshire Coast National Park Local Development Plan ('LDP').

In terms of principle the LDP sets out that the site is allocated for housing purposes as part of the strategic aims of the plan. New Hedges itself is defined as a 'Rural Centre' which lies partly within the National Park under Policy 6. The aims of this policy are to a) aim to meet the housing, in particular affordable housing needs, b) to encourage small scale employment developments and c) to protect and enhance the Centre's range of facilities.

The site itself is referred to in the LDP and its development therefore meets the principles of policies 6 and 44 in providing for new housing to meet the aims of New Hedges.

Visual Amenity and Special Qualities of the National Park

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategic policy which refers to the special qualities of the National Park and lists priorities to ensure that these special qualities will be protected and enhanced. Policy 15 of the LDP seeks the conservation of the Pembrokeshire Coast National Park with criteria 'a' and 'b' resisting development that would cause significant visual intrusion and/or, that would be insensitively and unsympathetically sited within the landscape. Criteria 'd' and 'e' resists development that would fail to harmonise with, or enhance the landform and landscape character of the National Park, and/or fail to incorporate important traditional features.

Item 5 - Report on Planning Applications

Policy 29 of the LDP requires all development proposals to be well designed in terms of place and local distinctiveness (criterion 'a'). Policy 30 of the LDP seeks to avoid development that is of an incompatible scale with its surroundings (criterion 'b') or is visually intrusive (criterion 'd').

Whilst all matters, apart from access, are reserved for future consideration there is need to consider the general visual amenity of the area. The site occupies a position to the rear of Cross Park and due to topography is not visible from vantage points along the A478. The site slopes gently to the south and is divided into two parcels of land by a traditional hedgerow boundary. Indicative plans and the Design and Access Statement identify that it is proposed to maintain the traditional hedgerow line as part of the development as well as include an area to act as a landscape bugger to the south most aspect of the site. Plans show the site will be surrounded by a planted boundary which will help provide some screening from existing dwellings. Furthermore an area of play space is identified within the site located near the west boundary.

The general layout of the scheme has been dictated by the form and shape of the site with the position of the access at the north-west corner of the site flowing through to the west and south with two cul de sacs shown indicatively. Plans indicate the general form of the dwellings which includes a mix of detached and semi-detached properties and subject to further scrutiny and subject to further scrutiny on the appearance, landscaping, layout and scale at reserved matters stage meets the requirements of the policies 8, 15, 29 and 30. Whilst the plans are indicative only and layout is a reserved matter, the site can be delivered in a way that does not impact unacceptably on general visual amenity of the area and the layout can be considered further via the reserved matters approval process.

The new access is proposed in a position to the north of the existing bus shelter and has which will be relocated to cover the existing Cross Park access as well as realignment of the Cross Park access to join the new development access. This development will involve removal of a section of hedgerow and an access point into the field. Plans show a new hedgerow boundary to be formed alongside the new access road as well as a new retaining wall and bank alongside the proposed new bus shelter. Subject to further details of the landscaping and boundary works being considered as part of a Reserved Matters application the access will have no adverse impact upon visual amenity and the species qualities of the National Park. As such it will comply with the requirements of policies 8, 15, 29 and 30.

In summary of the policy position it is considered that the housing site proposed forms a natural continuation of the built form of the village to the east which is allocated for housing. Subject to further scrutiny of the details as part of any future Reserved Matters application it is considered that the principle of development as part of this outline application is acceptable.

Item 5 - Report on Planning Applications

Highway Safety, Access and Parking

Policies 52 and 53 of the Local Development Plan refer to sustainable transport and the traffic impacts of proposed development.

As noted above the proposed development requires a new access and which approval is sought for as part of this outline submission. The Highway Authority at Pembrokeshire County Council has been consulted and provides no objection to the layout subject to conditions.

They advise that the estate road access will go just into the current edge of the field so as to avoid the electricity transformer posts but this will give greater separation from 1 Cross Park. It is noted that it is not possible to access the site from Hunters Park so no means of access at that point was proposed.

The Highway Authority advise "The proposal shows that access to the Cross Park estate (Airy Houses) will be relocated onto the new estate road. The users of this road will have greatly improved visibility, particularly as the bus stop lay-by will be moved out of the line of sight of oncoming traffic on the nearside lane, and otherwise the visibility splays will be to the current standard. This will be the second time since construction that the access to Cross Park has moved, with the last time being before the New Hedges bypass of the A478 Road when 30 foot by only 100 foot (9 metres by 30 metres) visibility splays were opened up and adopted as Highway.

The works within the Highway limits to move the bus lay-by and bus shelter will need to be constructed before any use is made of the new access and the Highway Authority request that a pre-commencement condition be imposed to deal with this. The applicant will also need to enter into an agreement under section 278 of the Highways Act. Furthermore reference is made to requirement to enter into a Section 106 agreement to provide £1500 per dwelling which can be used to improve the local transportation infrastructure.

In terms of layout within the site itself the Highway Authority advise that the layout of the access roads and turning heads with parking provision will be acceptable although details of how road surface water will be dealt with will be required by condition.

The conditions requested include detailed plans of levels, gradients and construction of access roads and surface water, completion of the new access and movement of bus shelter and lay-by before any other works, construction of access, estate road and turning area before construction, adequate areas for parking and turning, retention of parking spaces, trapping of surface water and provision of a surface water drainage system including the principles of

Item 5 - Report on Planning Applications

Sustainable Drainage Systems (SUDS). The Authority can impose suitable conditions to deal with these matters raised by the Highway Authority.

As such there are no objections to raise on highway grounds and the scheme complies with the requirements of policies 52 and 53 of the LDP.

Neighbouring Amenity

The submitted illustrative layout plan includes dwellings relatively near the west boundary, which adjoins the rear gardens of dwellings at Cross Park. As such, it would be necessary as part of any reserved matters application to ensure that the siting of the dwellings has regard to the requirements of policies 29 and 30 which deal with impacts upon amenity.

There is considered to be no reason why an acceptable layout cannot be achieved on this site providing adequate spacing between dwellings and to ensure the amenities of existing residents are protected.

Some comments have been raised by neighbours at Hunters Park in relation to the proximity of the development to their boundary as well as a change in levels which could impact upon their amenity by reason of new dwellings being at a higher level and overlooking properties. The application site red line boundary is positioned between 10m and 20m from the application site boundary and the illustrative layout plan itself shows a further separation of between 12m and 22m through provision of a new landscape buffer. As such there would be a separation in the region of between 22m and 42m between the rear gardens of the houses. Subject to further consideration of the details of this at reserved matters stage there is considered to be no principle object to the housing site on grounds of impact upon neighbouring amenity.

Concern has been raised about the potential phasing of the development and the potential disruption that this would bring. It is possible that existing residents would experience disturbance during the course of construction works. However, such impacts are usually an unavoidable consequence of a development such as this and it would not be reasonable to withhold planning permission on that basis. Nevertheless a construction management plan can be requested by condition to ensure that any impact as a result of the construction phase of development is minimised.

Accordingly, it is considered that the residential development in principle would not adversely impact upon the amenities of neighbouring dwellings if designed and laid out suitably, with control over the physical impact of the buildings and levels of privacy being retained for consideration with the reserved matters. In this respect it is considered that the proposal complies with the requirements of policies 29 and 30 of the LDP.

Item 5 - Report on Planning Applications

Biodiversity

An Ecological Report was produced for this site in 2011 and an updated report produced in May 2014. The reports identify that the hedgerows to the east are used by bats and the recommendations put forward are to provide for a buffer zone to be maintained between this site and the existing hedgerow and allow the gap to naturally scrub up. The report advises that the scrubby vegetation proposed will act as a buffer to the hedge and the bats would continue to use the hedge. In addition it is recommended that bat tubes be incorporated into a number of the new houses to allow bats to roost at this location in the future.

The Authority's Planning Ecologist is satisfied with the principle of development but suggests that further information including a lighting scheme for the site, details and location of the ecological enhancements to be applied and details for the buffer between the development and the eastern hedgerow to be provided.

It is considered that such requirements can be incorporated in the detailed design and the information requested can be adequately provided at a reserved matters stage and as such the principle of a housing development on this site is acceptable in relation to ecological impacts.

Archaeology

Strategy Policy 8 'Special Qualities' of the Local Development Plan requires the protection and enhancement of the special qualities of the Pembrokeshire Coast National Park. Among these recognised qualities is the historic environment. Policy 8 (Criterion 'd') requires that 'the historic environment is protected and where possible enhanced'. Welsh Office Circular 60/96 – Planning and the Historic Environment – Archaeology sets out detailed guidance on such matters and is a material consideration.

The Authority consulted Dyfed Archaeological Trust as part of the submission and a response has been received raising no comments based on historic environment constraints. As such there are no objections raised on archaeology grounds and the scheme complies with the requirements of policy 8.

Water Drainage and Flooding

The submitted DAS advises that there are no watercourses crossing the site and there is a rising main for sewerage, which crosses the site.

Natural Resources Wales has been consulted and confirms no objection in principle to the development subject to the inclusion of planning conditions to cover foul drainage, pollution control/construction management and surface water drainage in connection with the development.

Item 5 - Report on Planning Applications

Welsh Water has raised no objection to the development subject to conditions requiring a scheme for comprehensive and integrated drainage being provided as well as conditions to control water discharges.

The principle of development is considered to therefore be acceptable having regard to water matters and can be adequately dealt with through conditions and further details to be provided at reserved matters stage.

Land Stability

The application site lies within a coal risk area and as such the applicant has provided an initial study and consultation advice has been sought from the Coal Authority.

The Coal Authority confirm that the site falls within the defined Development High Risk Area and therefore within the application site and surrounding are there are coal mining features and hazards which need to be considered in relation to the determination of the application. Specifically the site is located in an area of surface coal resources where historic unrecorded underground coal mining activity may have taken place at shallow depth.

The Coal Mining Risk Assessment has concludes that the risk from shallow workings are minimal and that particular care should be taken when digging foundations to ensure that the ground founding depth is undisturbed.

The Coal Authority considers that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to the development in order to establish the exact situation regarding coal mining legacy issues on the site. As such they recommend that a planning condition be imposed requiring that these site investigation works are carried out prior to the commencement of development. Such a condition is considered to be reasonable and necessary to ensure that any potential risks are minimised.

Affordable Housing

The LDP sets out within policies 44 and 45 that schemes of housing development shall deliver affordable housing. The initial percentage of affordable housing outlined for this particular site within the housing allocation was 60%. However a review of policy which has resulted in a new recently Adopted Supplementary Planning Guidance on Affordable Housing (November 2014) sets out revised percentages across different areas of the National Park as well as placing emphasis on the need for negotiation of affordable housing on individual sites based on viability. These percentages

Item 5 - Report on Planning Applications

range from between 20% and 50% throughout different sub-market housing areas of the National Park.

The applicant's Design and Access Statement refers to the scheme having been assessed through the three dragons toolkit to analyse viability. This viability exercise found that 20% affordable housing was found to be viable for the 31 residential units proposed. Consultation with Pembrokeshire County Council has influenced the proposal for predominately two bedroom houses for the affordable units. Information provided in the DAS advises that the need analysis for the area suggests that 1, 2 and 3 bedroom properties are most in demand.

The application puts forward a mix of 2 no. 1 bedroom flats and 4 no. 2 bedroom houses as affordable housing units. This provision which is for 20% affordable housing is considered to be acceptable in line with the aims and requirements of policies 44 and 45 and the Adopted SPG Affordable Housing. Subject to the developer entering a Section 106 agreement to provide this the scheme is considered to be acceptable with regard to provision of affordable housing.

Planning Obligations

In order to ensure that new developments are positive and that any negative impacts are minimised the Authority requires new developments proposing three or more dwellings to contribute to local services and facilities. Policy 48 of the LDP sets out the policy approach and the Adopted Supplementary Planning Guidance – Planning Obligations sets out the basis and way of seeking such contributions which is primarily through a Section 106 Agreement. Contributions can be sought in connection with Transportation, Education, Libraries/Community facilities, Recreation Open Space, and Recycling/Waste Facilities.

Officers have consulted with the relevant sections of Pembrokeshire County Council and the following contributions are to be sought as part of this development:

Education	£698.19 per dwelling with more than 1 bedroom
Highways	£1500 per dwelling
Open Access, play and recreation	£948.56 per dwelling to be spent on upgrading/adding equipment to the existing village play area
Community facilities	£187 per dwelling to upgrade/add to equipment
Waste/Recycling	No contribution sought

The contributions sought are mainly below the levels of contribution stipulated in the SPG and are considered to be reasonable and necessary based on the

Item 5 - Report on Planning Applications

potential impacts of the development upon infrastructure and services within the New Hedges area.

The applicant suggests that the planning obligations be forthcoming in phases matching the phases of development. There is no objection to the principle of this, details of which would need to be negotiated in drafting a Section 106 Legal Agreement. In summary the scheme will provide necessary contributions in line with the aims of the SPG.

Conclusion

Following consideration of the policies within the Local Development Plan it can be concluded that the principle of development of this site for housing purposes, given that the site is a housing allocation in the LDP, is acceptable. Subject to detailed scrutiny of the layout, appearance, scale and landscaping at Reserved Matters stage and subject to the developer entering into a satisfactory Section 106 agreement to commit to the provision of affordable housing on site and other planning obligations the application is acceptable and recommended for approval.

Recommendation

The application be delegated to the Chief Executive (National Park Officer) / Director of Park Direction and Planning / Head of Development Management to grant planning permission subject to the interested person(s) first entering into a satisfactory Section 106 Legal Agreement or Agreements to include the following necessary planning obligations:

- Procure that 20% of the dwellings built on the site pursuant to the planning permission are built and thereafter maintained as affordable housing units in perpetuity.
- Pay a contribution of £698.19 per dwelling for the provision or enhancement of education facilities. Pay a contribution of £698.19 per dwelling for the provision or enhancement of education facilities.
- Pay a contribution of £1500 per dwelling for highway works and improvements.
- Pay a contribution of £948.56 per dwelling to provide upgrading and adding equipment to the area.
- Pay a contribution of £187 per dwelling to upgrade/add to existing community facilities.

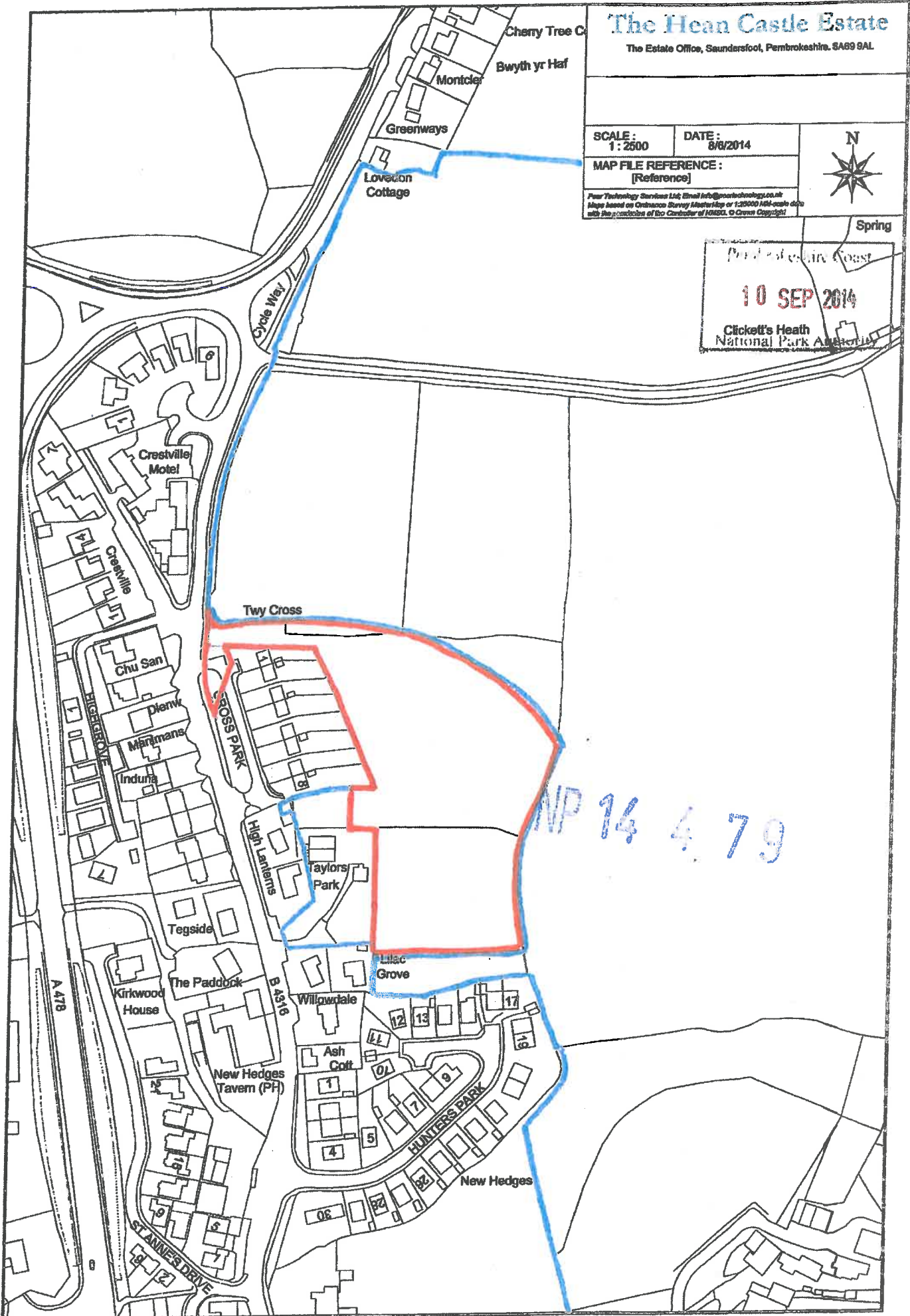
Phasing of contributions is to be negotiated with the applicant.

And subject to conditions relating to the following:

Item 5 - Report on Planning Applications

- Details of reserved matters be provided and agreed before development begins
- Application for reserved matters no later than 3 years from date of permission.
- Development to begin either before expiration of 5 years or before expiration of 2 years for the date of the approval of the last of the reserved matters
- Detailed site survey plan and existing and proposed levels to be provided as part of reserved matters.
- Reserved Matters application to have full regard to guidance and advice set out in Manual for Streets and Secure by Design
- Detailed plans of levels, gradients and construction for access roads
- New access together with bus stop lay by and shelter to be completed and present access stopped up before other work commences
- Access, estate road and turning area to be constructed up to and including road base level and be suitably drained for use of construction traffic
- Suitable areas for parking and turning within the site, loading and unloading and storage of building materials
- Access roads and footways from the existing highway to be laid out and constructed to at least surface base course level
- Surface water to be trapped not to flow onto highway
- Scheme for disposal of foul and surface water (SUDS)
- Tree protection scheme
- Landscaping scheme
- Construction Method Statement
- External lighting scheme
- Ecological enhancement scheme
- Details of buffer between residential development and eastern hedgerow
- Details of pollution prevention

If the Section 106 legal agreement is not completed within 3 months of the foregoing resolution then delegated power be given to the Chief Executive (National Park Officer) / Director of Park Direction and Planning / Head of Development Management to exercise discretion to refuse the application on the grounds of non-compliance with policies 45 and 48 of the Local Development Plan.



The Hean Castle Estate

The Estate Office, Saundersfoot, Pembrokeshire, SA69 9AL

SCALE: 1:2500 DATE: 8/8/2014

MAP FILE REFERENCE: [Reference]



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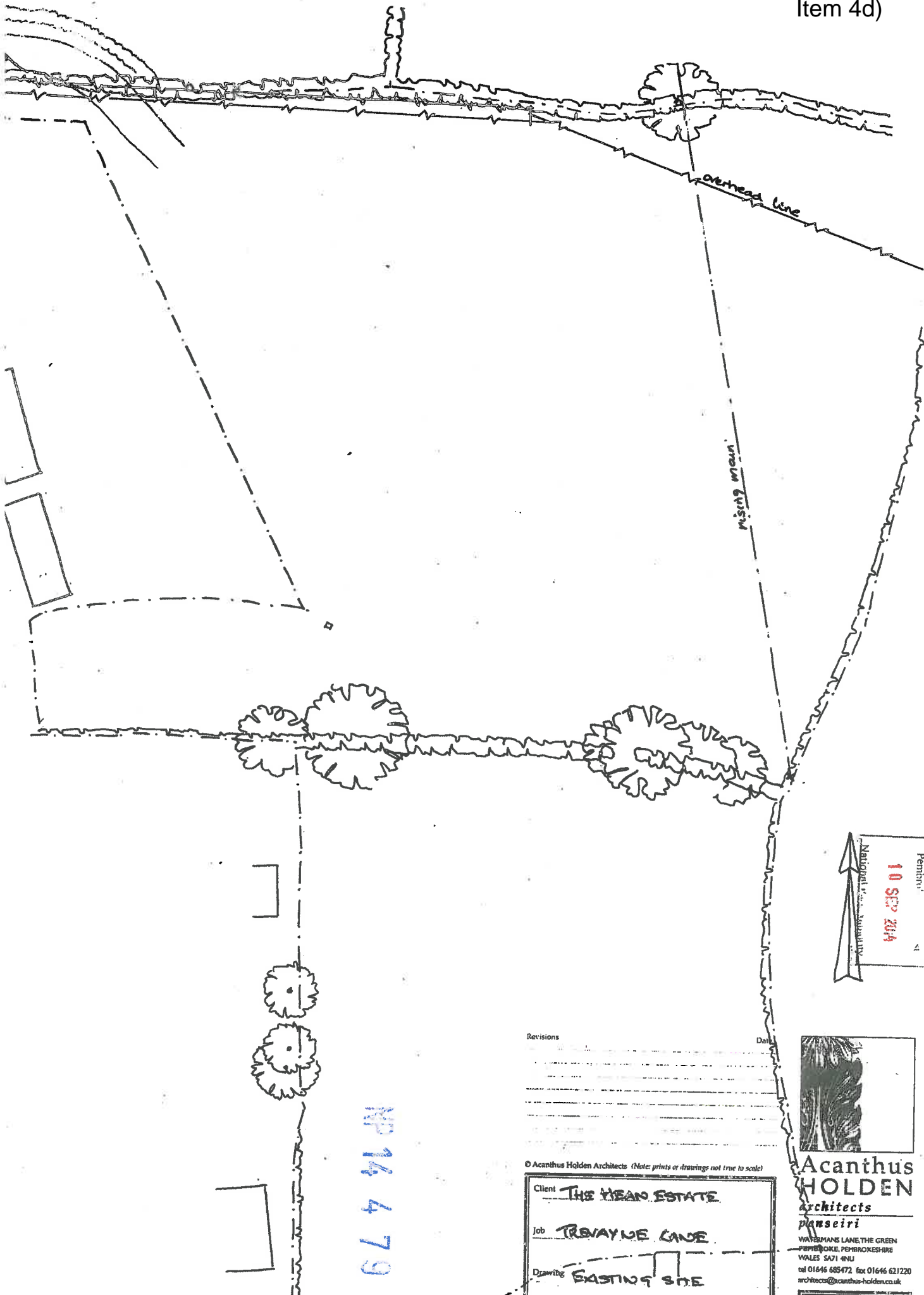
Spring

Pembrokeshire Coast

10 SEP 2014

Clickeff's Heath National Park Area

NP 14 4 79



NP 14 4 79

Perth
 10 SEP 2014
 National Weather Service

Revisions	Date



© Acanthus Holden Architects (Note: prints or drawings not true to scale)

Client	THE MEAN ESTATE
Job	TREVAUNE LAINE
Drawing	EXISTING SITE
Scale	1:500
Checked	
Date	Jan.12

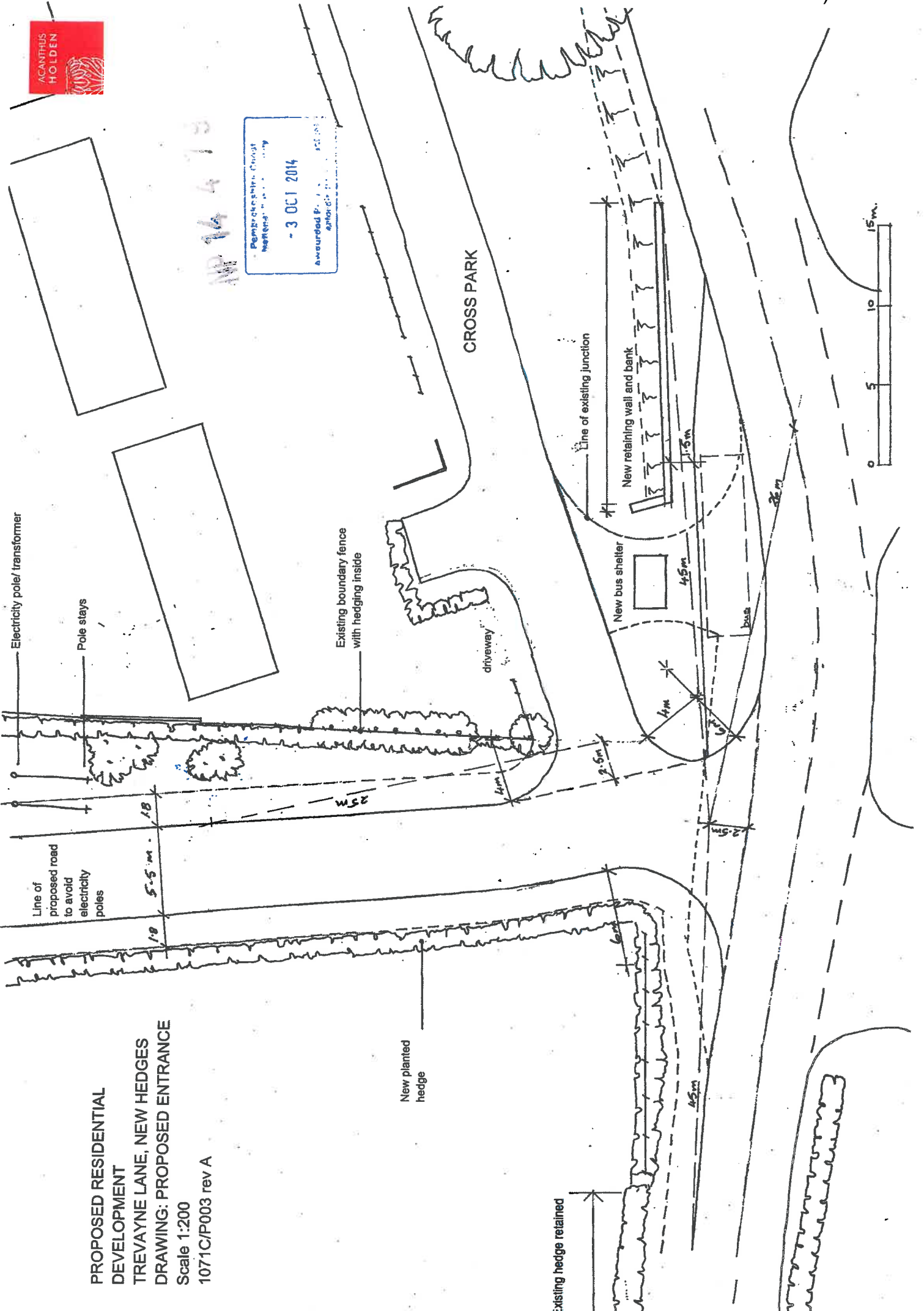
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1071 C	SL 04	Rev
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Perpetrator's Court
- 3 OCT 2014
Awarded P...
Approved P...

AP 14 4 73



PROPOSED RESIDENTIAL DEVELOPMENT
TREVAYNE LANE, NEW HEDGES
DRAWING: PROPOSED ENTRANCE
Scale 1:200
1071C/P003 rev A



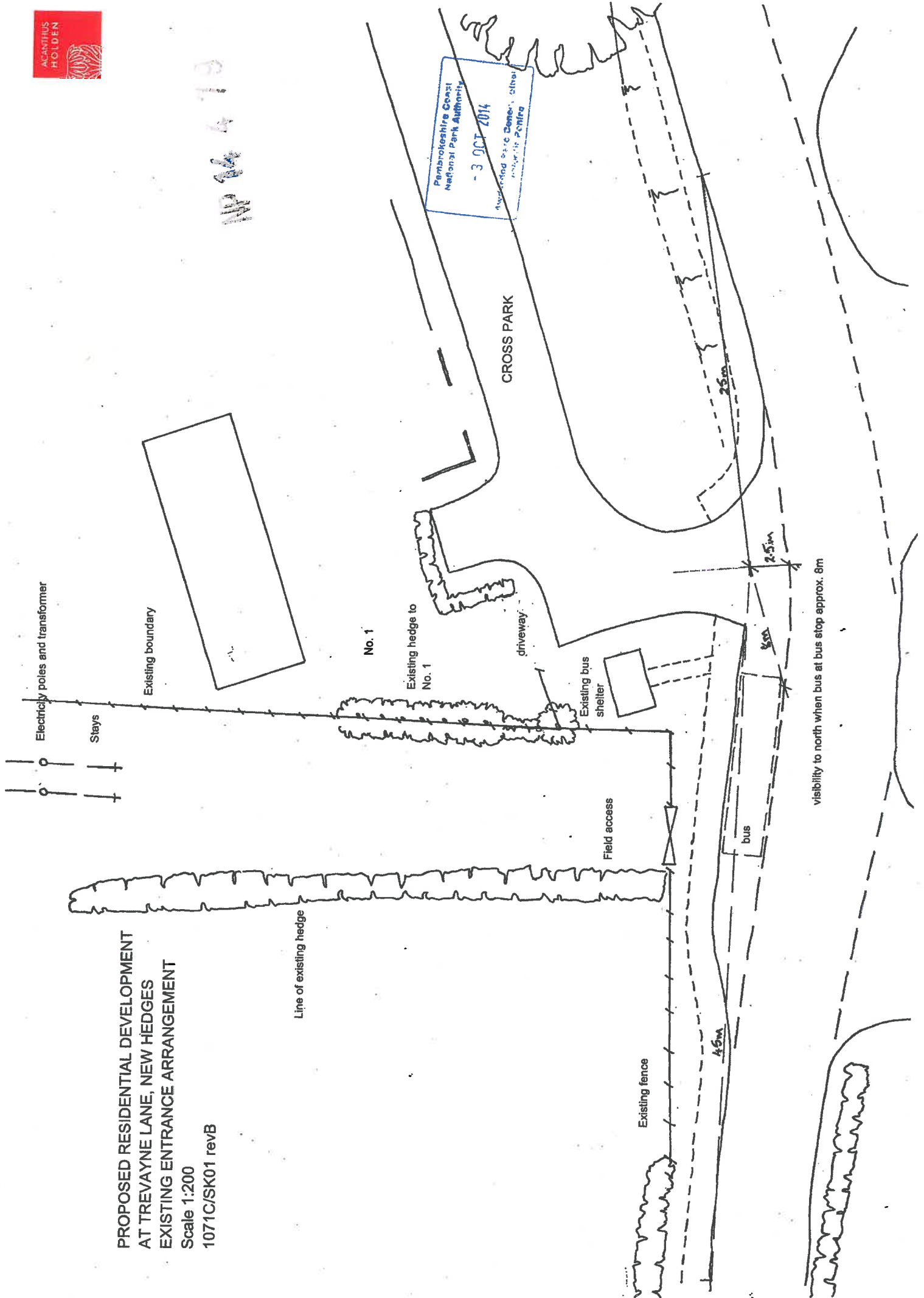
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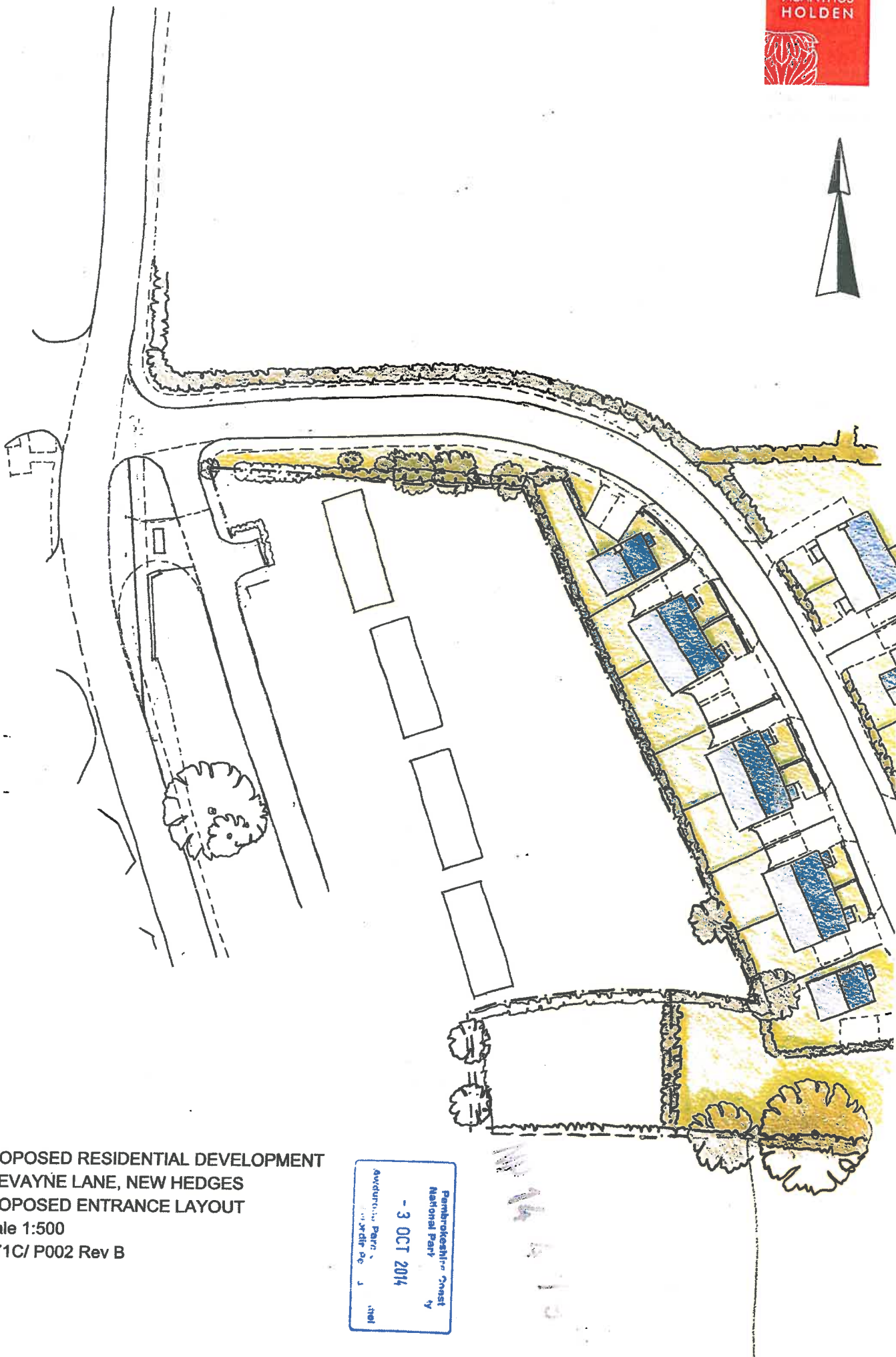
Item 4d)

PROPOSED RESIDENTIAL DEVELOPMENT
AT TREVAYNE LANE, NEW HEDGES
EXISTING ENTRANCE ARRANGEMENT

Scale 1:200

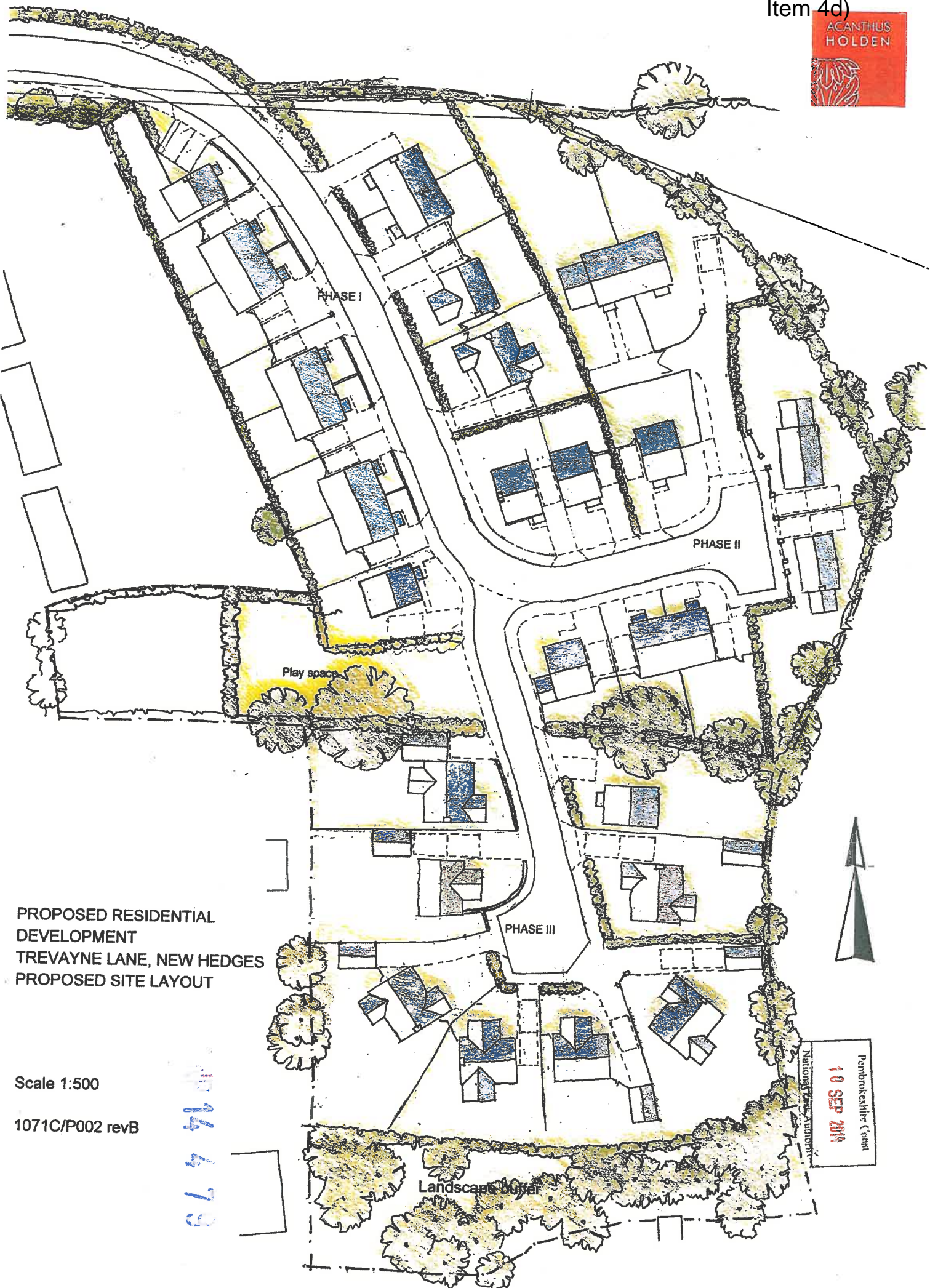
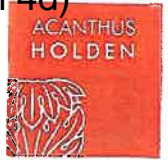
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PROPOSED RESIDENTIAL DEVELOPMENT
TREVAYNE LANE, NEW HEDGES
PROPOSED ENTRANCE LAYOUT
Scale 1:500
1071C/ P002 Rev B

Pembrokeshire Coast
National Park
- 3 OCT 2014
Awdur, Penr, ...
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PROPOSED RESIDENTIAL DEVELOPMENT
TREVAYNE LANE, NEW HEDGES
PROPOSED SITE LAYOUT

Scale 1:500

1071C/P002 revB

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National Planning Authority
10 SEP 2014
Pembrokekathor Coast

Landscaps buffer