Section '3' - <u>Applications recommended for PERMISSION, APPROVAL or CONSENT</u>

Application No: 14/03384/FULL1 Ward:

Copers Cope

Address: 83 Copers Cope Road Beckenham BR3

1NR

OS Grid Ref: E: 536762 N: 170611

Applicant: Mr Matthew Arnold Objections: YES

Description of Development:

Demolition of existing buildings and erection of 8 five bedroom houses with associated works relating to a private road, parking, and landscaping

Key designations:

Conservation Area: Copers Cope Road Biggin Hill Safeguarding Birds Biggin Hill Safeguarding Area London City Airport Safeguarding London City Airport Safeguarding Birds Open Space Deficiency

Proposal

Planning permission is sought for the demolition of the existing buildings and the erection of 8 five bedroom houses with associated works relating to a private road, parking, and landscaping.

This comprises four rows of detached and linked detached dwellings with car parking spaces which creates two home zone areas with dwellings facing each other to the front elevations and at the rear. The dwellings will be three storey with the third storey contained within the roof space. The detached dwellings will be located centrally within the site with the linked detached dwellings located to the north and south of the site.

The design of the houses is traditional in format with stucco rendered bay windows, pitched slate roofs, London stock bricks and sliding sash windows. Other detail includes traditional corniced eaves, stone cills, soldier course lintels and chimneys, recessed front doors with clerestory lights over, lead clad dormer windows. Small front gardens laid to lawn with hedged sections.

Parking is provided with 14 on-site parking spaces and 7 garages. This equates to a provision of three spaces for five of the houses and two spaces for three of the

houses. A separate garage block is provided to the east of the site for three of the garage spaces. Access is provided using the existing accessway between No's 81 and 85 Copers Cope Road. A vehicle passing place is provided within the site. Bin store enclosures are provided for each house within their own curtilage.

Location

The site is located at 83 Copers Cope Road and comprises a backland area of 0.29ha size at the rear of properties between No's 81 and 89 Copers Cope Road. The site is accessed via a narrow private road off Copers Cope Road between Nos. 81 and 85 and is bounded by residential development to the north, east and south. A railway line runs along the western boundary. New Beckenham Station is situated approximately 100 metres directly to the south west. A significant residential development known as Century Way is located directly to the north of the application site, which was originally granted Outline planning permission for 39 residential units in 2005.

The site currently comprises seventeen, low rise business / industrial units comprising 2,127 m² (GIA), with floorspace areas ranging from 44m² (GIA) to 272m² (GIA) with 17 car parking spaces. Occupiers are considered to fall within Use Classes B1, B8 or Sui Generis. The majority of the existing buildings run north / south along the boundary with the railway line, although some other units back on to residential properties.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and a number of representations were received which can be summarised as follows:

Comments in objection

- In respect of the change of use concerns were highlighted that the buildings could be a creative hub for small businesses but have been deliberately run down without effort to maintain or market the units. Change of use will irreparably remove employment opportunities.
- The plot is not suitable for the density and size of houses.
- Houses are higher than immediate neighbour house at 2 Grangewood Lane and will cause loss of amenity in respect of rights of light and overlooking causing loss of privacy
- Access road is unsuitable for residential use.
- The access road is only big enough for one car at a time with no room for pedestrians.
- · Concerns regarding lighting on access road.
- Proximity of fir trees to garages on site.

Comments in Support

 Support has been indicated for the removal of the existing buildings subject to no use of Grangewood Lane being made for access of services in respect of sewerage, water, gas, electricity etc)

- Residential development is preferable to commercial use.
- Sensitive redevelopment seems preferable to steady decay
- Layout and building design are well considered and sensitively arranged.
- The area is residential in character with demand for housing. As such the proposal respects local character and makes sensible provision for parking.
- Family sized houses are rare and these are welcomed.
- Developer has been supportive and listened to local residents views during the scheme preparation.
- Planning conditions should be attached to ensure construction phase has minimum disruption, boundary arrangements are adhered to and the developer will continue constructive dialogue from the developer thus far.

The Copers Cope Residents Association have commented that they have no particular objection so long as the Council can satisfy itself the economic vitality of Beckenham is not effected, the current use is not commercially viable and its refurbishment is not economically viable. The Association also highlighted the concerns raised to them from neighbours and asked that these are taken into account in the Council's assessment.

Letters are available to Members upon request.

Comments from Consultees

Environmental Health: I have looked at this application and visited the area and would have no objections in principle to permission being granted. I am aware of the phase 1 Contamination Report which has been submitted and concur with the recommendations.

Planning Policy: Having looked at the marketing reports from both Acorn and Baxter Phillips that accompany the new planning application it would appear that Policy EMP5 has been addressed in a sufficient manner.

Technical Highways Engineer: I refer to the additional information supplied by the applicant on 23 October 2014. No objection in principle to the proposal.

Planning Considerations

BE1 Design of New Development

BE13 Development adjacent to a Conservation Area

EMP5 Development Outside Business Areas

H1 Housing Supply

H7 Housing Density and Design

H9 Side Space

NE7 Development and Trees

ER10 Light pollution

T3 Parking

T7 Cyclists

T18 Road Safety

SPG No.1 - General Design Principles

SPG No.2 - Residential Design Guidance

London Plan (July 2011)

- 3.3 Increasing Housing Supply.
- 3.4 Optimising Housing Potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

A pre-application (ref. PREAPP/13/00423) for the proposed demolition of existing buildings and erection of 8 new dwellings with associated car parking and landscaping was considered by the Council. A response was sent on 6/12/2013.

Other relevant planning history also relates to a significant residential development located directly to the north of the application site, which was originally granted Outline planning permission for 39 residential units in 2005 (ref. 05/04534), with reserved matters being granted in 2011 (ref. 11/00994). This scheme has now been completed and is known as Century Way.

Conclusions

The main issues to be considered in respect of this application are:

- Principle of Development
- Design
- Standard of Residential Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy
- Ecology and Landscaping

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Principle of Development

Policy EMP5 of the UDP states that the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that the size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use and full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses.

In response and to address the Policy requirements the applicant has submitted the following documents in support of the change of use of the site.

- A commentary on the 'market demand' for the Site in terms of its existing and potentially refurbished condition, an assessment of surrounding employment sites (Location, size, year built, comment on quality), justification that the price and associated terms are commensurate with market values based on evidence from recent or similar transactions and deals.
- 2. Marketing evidence comprising of on-site marketing signage advertising, a marketing brochure, on-line marketing and press marketing (e.g. estates gazette).
- 3. Tenancy Schedule including current number of full time employees and status of rent.
- 4. A Dilapidation Report that assesses the existing condition of buildings and costs associated with refurbishment and likely rents.
- 5. A Viability Assessment (submitted under separate cover due to sensitive commercial and confidential information).

6. A covering email outlining enquiries received to the applicants commercial agent for marketing since the submission of the planning application to the Council. Four enquiries were received with three being from residential developers.

The documents individually conclude that the cost of refurbishing the site against demand for such business units in the locality is not economically viable. Officers have reviewed the documents and concur with the findings. As such It is considered that the above documents clearly demonstrate that there are no strong economic reasons why the existing employment uses should be retained and alternative uses for the site should be sought.

Housing is a priority use for all London Boroughs and the Development Plan welcomes the provision of small scale infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

The site is located adjacent to residential land to the east and north. In this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new dwelling units on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the

surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Density

The density of the proposal would be 28 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 2 in a suburban area as 35-65 u/ha. The density of the proposal is marginally below that guidelined by this measure and is therefore considered to be acceptable.

Design, Siting and Layout

Policy 3.4 of the London Plan 2011 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range.

Policy BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained. The spacing between the properties achieves this requirement at units 3, 4, 5 and 6 in the central part of the site and at a greater distance at the dwellings to the south and north boundaries by way of the linked garages allowing wider glimpsed views between dwellings.

The rear elevations of the central houses will face directly at a distance of 15m between habitable room windows. Concerns have been raised regarding levels of privacy that future occupiers may enjoy. The Mayor's Housing SPG highlight at Standard 5.1.1 that design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces." The supporting text states "In the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 - 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density." With regard to this advice it is considered that the spacing between the rear elevations is acceptable in this case in terms of layout.

The design of the dwellings as detailed above is traditional in format, and reminiscent of properties to the north recently built at Century Way. The mass and scale is also proportional and reflective of the architectural typology of older properties on Copers Cope Road. As such it is considered that the proposal represents a high quality design that will make a positive contribution to the streetscene provided that it is suitably detailed. To ensure this, conditions are recommend to secure the materials shown on the submitted elevation plans and requiring details and samples (including on site brick panels as necessary) of facing materials to be submitted and approved by the Local Planning Authority.

Residential Amenity

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space size of the four houses to the north and south boundaries are 179m² and the central block of four houses is 167m². Table 3.3 of the London Plan requires a Gross Internal Area of 119m² for a 5 bedroom 6 person dwelling house. On this basis the floorspace provision is considered acceptable.

The shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms would have satisfactory levels of light and outlook.

The applicant has provided an annotated floorplan which confirms that the proposed units would meet Lifetime Homes. A condition is recommended to secure this.

Policy BE1 requires that adequate private or communal amenity spaces are provided to serve the needs of the particular occupants. While the depth of the rear garden may not be considered to be extensive, on balance it is considered that with the widths indicated and indicative layout illustrated, the proposed amenity of each house is acceptable for a family dwellighouse in this regard.

Overall it is considered that the proposed development has been sensitively designed to respond to the constraints of the site and would provide a good standard of accommodation for future occupiers.

Car parking

Car parking spaces have been provided for each dwelling as detailed above. The Council's Highways Officer has advised that they are satisfied with the provision indicated.

Cycle parking

Cycle parking is generally required to be 1:1 for residential development. The applicant has not provided details of a location for lockable cycle storage for the housing units. Further details can be conditioned in this regard.

Access Way and Estate Road

The existing vehicular accessway to the site will be utilised to provide access to the dwellings. No increase in width is possible due to the boundary constraints with properties at Nos. 81 and 85 Copers Cope Road respectively. Concerns have been raised regarding the the use of the accessway for access to residential properties in terms of safety for pedestrians and vehicular users. A passing place has been provided to address this issue at the gateway to the main area of the site to avoid vehicle conflicts. The accessway is also considered to be of sufficient width to ensure that the shared surface is safe for pedestrian users. The Council's Highway Officer has not raised any objections in this regard.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for each of the units within the curtilage. The location point is considered acceptable. A swept path analysis has also been submitted that details that a Council refuse truck can enter and exit the site in a forward gear. Further details can be conditioned regarding the design of a containment structure with any recommendation for approval.

Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front, rear and flank outlook for each unit overlooking amenity space or overlooking the street.

In terms of privacy, concerns were raised by an adjacent property at No 2 Grangewood Lane in terms of overlooking and loss of privacy. Officers have visited this address and viewed the concerns raised. The distance between No 2 Grangewood Lane and the proposed dwelling at unit No. 2 is circa 24m, which exceeds the minimum distance referred to within the Mayor's guidance. Furthermore, the dwellings are oblique to one another, rather than directly opposite. On this basis while the concerns are noted and taken account of and it is acknowledged that there will be some loss of privacy to No 2 it is not considered that this is sufficient to warrant withholding planning permission. Officers consider the outlook from windows to maintain a suitable level of privacy to existing neighbouring property.

Windows in the side elevations of Units 2,4,6 and 8 have also been obscure glazed and fixed shut to maintain levels of privacy to properties to the east following concerns raised by neighbours during the application consultations.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The applicant has not submitted a Sustainable Homes pre-assessment document in respect of the above policies. However, a number of criteria to achieve a sustainable development are listed in the Design and Access Statement which outlines that it will be possible for the development to meet a suitable Code Level. A condition is recommended with any approval to ensure that the development achieves this.

Ecology and Landscaping

The site is at present occupied by commercial units. The surface has been identified as having a moderate risk for potential of ground contamination. An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. Individual gardens are provided for each dwelling and these would provide opportunities for landscaping and greening of the site. These would be enclosed by a boundary structure individually and surrounding the site. Notwithstanding, the details shown on this plan, should permission be forthcoming, details of land contamination measures, full details of hard and soft landscaping and boundary treatment could be sought by condition.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form. Summary

It is considered that the proposal would bring forward additional much needed dwellings by intensifying the use of a currently underutilised brownfield site. The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

As amended by documents received on 22/10/2014.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

1 ACA01 Commencement of development within 3 yrs ACA01R A01 Reason 3 years Compliance with submitted plan 2 ACK01 ACK05R K05 reason ACA04 Landscaping Scheme - full app no details 3 ACA04R Reason A04 Boundary enclosure - no detail submitted 4 ACA07 ACA07R Reason A07

5 ACC08 Satisfactory materials (all surfaces)
ACC08R Reason C08

- Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of 1:20 or less showing bay windows, corniced eaves, stone cills, soldier course lintels and chimneys, recessed front doors with clerestory lights over, lead clad dormer windows have been submitted to and approved in writing by the local planning authority.
- (ii) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policies BE1 and H7 in the Unitary Development Plan.

- 7 ACK09 Soil survey contaminated land ACK09R K09 reason
- 8 (a) The buildings hereby approved shall achieve a minimum Code for Sustainable Homes Rating Level 4.
 - (b) No development shall commence until a Design Stage Certificate for each residential unit (prepared by a Code for Sustainable Homes qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
 - (c) Within 3 months of occupation of any of the residential units, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Code for Sustainable Homes qualified Assessor) to demonstrate full compliance with part (a) for that specific unit.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011).

- 9 No development shall commence on site until the following information has been submitted to and approved in writing by the local planning authority:
 - (a) A full site survey showing: the datum used to calibrate the site levels along all site boundaries, levels across the site at regular intervals, floor levels of adjoining buildings, full details of the proposed finished floor levels of all buildings and hard surfaces.

(b) The development shall be carried out only in accordance with the approved details.

Reason: To ensure that the local planning authority may be satisfied as to the detailed external appearance of the development in relation to its surroundings and to comply with Policies BE1 and H7 in the Unitary Development Plan.

10 ACD02 Surface water drainage - no det. submitt

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan (2011).

11 ACH04 Size of parking bays/garages

ACH04R Reason H04

12 ACH16 Hardstanding for wash-down facilities

ACH16R Reason H16

13 ACH18 Refuse storage - no details submitted

ACH18R Reason H18

14 ACH22 Bicycle Parking

ACH22R Reason H22

15 ACH29 Construction Management Plan

ACH29R Reason H29

16 ACH32 Highway Drainage

ADH32R Reason H32

- 17 (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
 - (b) Any such external lighting as approved under part (i) shall be installed in accordance with BS 5489-1:2003 and the approved drawings and such directional hoods shall be retained permanently.
 - (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.
- **Reason**: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with Policy ER10 in the Unitary Development Plan.
- Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the buildings.

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the buildings and to comply with Policies BE1 and H7 in the Unitary Development Plan.

19 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In order that and in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policies BE1 and H7 in the Unitary Development Plan.

Before the development hereby permitted is first occupied, the proposed window(s) windows to the first and second floor east facing flank walls of Units 2,4,6 and 8 shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

ACI12R I12 reason (1 insert) BE1 and H7

INFORMATIVE(S)

- The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010).

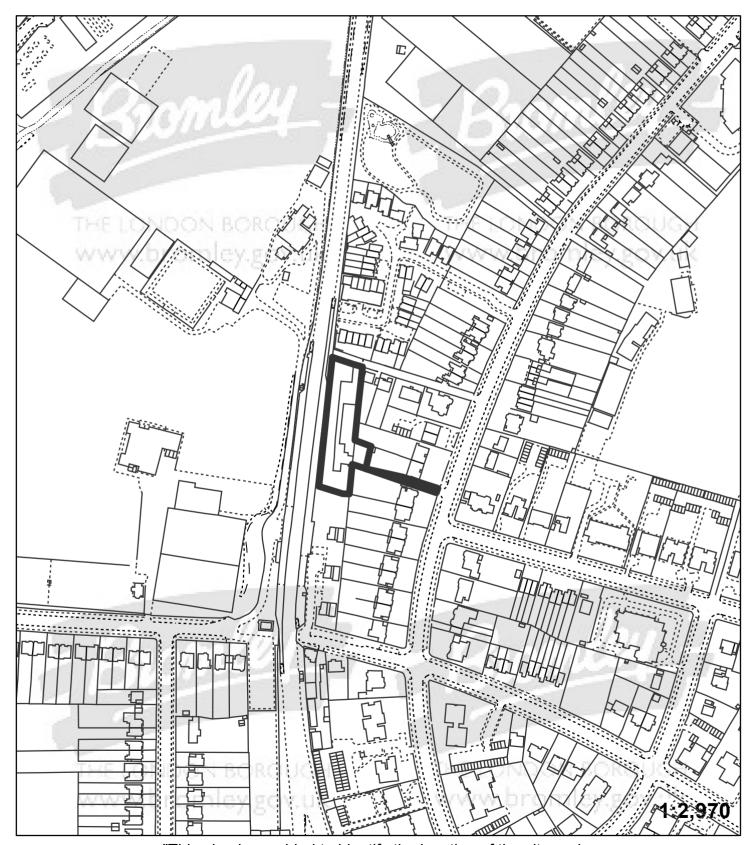
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

Application: 14/03384/FULL1

Address: 83 Copers Cope Road Beckenham BR3 1NR

Proposal: Demolition of existing buildings and erection of 8 five bedroom houses with associated works relating to a private road, parking, and landscaping



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