

Application No: 13/1050M

Location: Peter Ashley Ltd, Styal Moss Nurseries, 38, Moss Lane, Styal, Wilmslow, SK9 4LG

Proposal: Change of Use from a Mixed Use of Landscaping Contractors Business and the Parking Of 200 Motor Vehicles unconnected with the Landscaping Contractors Business to a Mixed Use of Landscaping Contractors Business, the Parking of Motor Vehicles Unconnected with the Landscaping Contractors Business and the Development of a Wildlife and Nature Area for Community and Educational Use. The Removal of all Buildings/Units on Site and their Replacement with One Single Storey Building to Include Office/Workshop and Store.

Applicant: Peter Davies, Peter Ashley Ltd

Expiry Date: 14-Jun-2013

Date Report Prepared: 23.05.2013

SUMMARY RECOMMENDATION

REFUSE:

INAPPROPRIATE DEVELOPMENT IN THE GREEN BELT; NO 'VERY SPECIAL CIRCUMSTANCES' THAT CLEARLY OUTWEIGH THE HARM.

MAIN ISSUES

- Whether the proposal is inappropriate development in the Green Belt, and if so whether very special circumstances have been demonstrated.
- Design issues/impact on the character and appearance of the area (Green Belt)
- Impact on residential amenity
- Highways safety
- Landscape & nature conservation issues

REASON FOR REPORT

It is a constitutional requirement for the application is to be determined by the Northern Planning Committee, s it is an application for a commercial site covering an area between 1,000 and 9,999 sq m.

DESCRIPTION OF SITE AND CONTEXT

The planning history needs to be borne in mind in order to clearly understand and appreciate the nature of the site and the context of the application.

Following the outcome of an appeal against the issuing of an Enforcement Notice, the site to which the application relates has a lawful mixed use comprising a) a landscaping contractor's business and b) parking for 200 motor vehicles (not associated with the landscaping contractor's business).

However, it is noted that at this point in time the applicant has not complied with the Enforcement Notice. It would appear that the applicant is awaiting the outcome of the current planning application.

The site covers an area of approx. 3.7 hectares and is accessed off Moss Lane, Styal. There are residential properties with relatively large curtilages to the east, west and south of the site. Beyond the northern boundary of the site is Manchester Airport's Operational Zone, an area of which is now used for parking vehicles.

At the southern boundary there are gates at the entrance to the site with a brick wall across the boundary; there are hedges to the eastern and western boundaries and there is a bank/earth mound at the northern end of the site.

The access into the site leads to an internal access road which runs parallel to the western boundary of the site and provides access to the whole site.

Within the site there are polytunnels, a glasshouse, shipping containers, a storage container, an implement store, a number of portacabins & portable structures (some used as offices), areas of hard-standing, areas used for the open storage of materials and areas used for the parking of vehicles (car parking for airport users).

The site lies within the North Cheshire Green Belt, as defined in the Local Plan.

DETAILS OF PROPOSAL

The proposed seeks full planning permission for

“Change of use from a mixed use of landscaping contractors business and the parking of 200 motor vehicles unconnected with the landscaping contractors business to a mixed use of landscaping contractors business, the parking of motor vehicles unconnected with the landscaping contractors business and the development of a wildlife and nature area for community and educational use. The removal of all buildings/units on site and their replacement with one single-storey building to include office/workshop and store.”

It is noted that revised plans have been received during the course of the application reducing the area to be designated for airport car parking.

RELEVANT HISTORY & RESULTANT POSITION ON SITE

The site has a complex history dating back to the early 1990s:

- 67156P Permission granted in June 1991 for an implement store and internal access road.
- 68994P Advertisement consent granted in November 1991.
- 68995P Planning permission granted in November 1991 for construction of earth mound.
- 71618P Retrospective application for change of use to garden centre. Approved subject to s106 restricting the sale and display of products or materials. Records show that the s106 was not completed. (Apparently garden centre was active between 1990 and 1998, when it was replaced by sale of Koi carp).
- 96/1093P Planning permission granted in September 1996 for erection of glasshouse.
- 97/1093P Application for a dwelling was refused in February 1997.
- 02/2423P Planning permission granted for a 20m high column with 6 antennae and a 2.1m high palisade fence.
- 04/0718P Planning permission granted for entrance gates and wall in May 2004.
- 04/1588P Application for a dwelling with triple garage and new access was refused in August 2004.
- 04/2707P Application for two-storey workshop withdrawn in February 2005.
- 05/0883P Resubmitted application for two-storey workshop was refused planning permission in May 2005 and was later dismissed at Appeal in February 2006.
- 06/0032E 14 September 2006 – Enforcement Notice issued re alleged unauthorised material change of use of land from horticultural use to parking of motor vehicles unconnected with the horticultural use, siting of 3 No. portacabins and formation of areas of hard-standing. The requirements of the Notice were appealed (March 2008); appeal was dismissed but the Notice was corrected and varied but Inspector agreed with LPA that all vehicles not connected with the landscaping contractor's business should be removed from site. In July 2008 applicant successfully applied for permission to judicially review the decision made by the Planning Inspectorate. The High Court ordered re-determination of the appeal decision. A further Public Local Inquiry took place in January 2012. A new Inspector dismissed the appeal and the Enforcement Notice was corrected and varied again. Of particular relevance, the Inspector concluded that the parking of 200 cars on site (unconnected with the landscaping contractor's business) had occurred in excess of 10 years and therefore no enforcement action could be taken in respect of this number of cars. The applicant applied for

permission to appeal this decision but this was dismissed. The outcome concludes the situation as follows:

- The whole site was deemed to be a single planning unit
- Parking for a max. of 200 cars (not connected with the landscaping contractor's business) can take place on site, not restricted to any particular area of the site.
- The hard-standing (at the northern end of the site) laid in 2003/2004 has to be removed.
- The area of land from which the hard-standing has to be removed has to be seeded. However, this doesn't prevent cars from actually parking on the seeded area afterwards.
- The twin portacabin has to be removed.

POLICIES

It is noted that the North West Regional Spatial Strategy has now been revoked

Macclesfield Borough Local Plan – saved policies

BE1 (Design principles for new developments)
DC1 (High quality design for new build)
DC3 (Protection of the amenities of nearby residential properties)
DC6 (Circulation and access)
DC8 & DC37 (Landscaping)
DC9 (Tree protection)
NE3 (Conservation & enhancement of the rural landscape)
NE11 (Nature conservation)
NE15 (Habitat enhancement)
NE17 (Major development in the countryside)
NE18 (Access to nature conservation areas)
GC1 (New buildings in the green belt)
RT8 (Access to the countryside)
T21 (Airport-related development)
T23 (Airport operational area)

National Planning Policy Guidance

National Planning Policy Framework

CONSULTATIONS

Environmental Health:

No objections, subject to conditions re hours of development and dust control.

Manchester Airport:

No objections, subject to conditions re landscape and pond design details, a restriction on bird feeding and an informative regarding use of cranes on site.

Heritage & Design - Nature Conservation:

No objections, subject to a condition re details of the wildlife/education facility.

Heritage & Design - Landscape:

No objections, subject to conditions re details of landscaping.

Strategic Highways Manager:

The Strategic Highways Manager has requested an automatic traffic count at the access to the site for a period of 7 No. days. However, no additional information has been submitted as of 23.05.2013.

PARISH COUNCIL**Styal Parish Council:**

No objections

REPRESENTATIONS

1 No. representation has been received from the occupant of a neighbouring property. An objection is raised on the grounds of highways safety – the increase in independent car parking areas off Moss Lane has resulted in high volumes of vehicles along Moss Lane, many driving dangerously, and erosion of the road surface resulting in many potholes.

APPLICANT'S SUPPORTING INFORMATION

The following additional information has been submitted:

Planning, Design & Access Statement
Landscape Statement

Details of the documents can be read on file. The case for the proposed (as outlined in the above documents) is summarised as follows:

- I. It is asserted that the proposed new building is an appropriate form of development in the green belt in accordance with para. 89 of the NPPF (i.e. a replacement building in the same use which wouldn't affect the openness of the green belt). It is suggested that if the LPA consider that the proposed building is an inappropriate form of development then 'very special circumstances' exist that outweigh the harm caused by inappropriateness.

- I. It is acknowledged that the provision of car parking on the site is an inappropriate form of development. However, it is asserted that 'very special circumstances' exist that outweigh the harm caused by inappropriateness.
- II. The 'very special circumstances' presented is the assertion that the proposed scheme is preferable to the 'fall-back' position (i.e. the resultant position following the outcome of the Enforcement Notice) in terms of a) impact on openness of the green belt, b) community benefit and c) overall betterment to the site.
- III. The proposed involves removal of all buildings/units on site, to be replaced with 1 No. single-storey, timber-clad building (office, workshop and store). The footprint of the building would be approx. 445 sqm, with a height of 3m for the Office area and 5.9m for the workshop area. The building would have a mono-pitched 'green roof' over the office area. It is claimed that the floor area of the other buildings/structures on site is approx. 850 sqm – hence, a 52% reduction in footprint of buildings/structures on site.
- IV. There would be a parking area adjacent to the proposed building for staff (staff of both the landscaping contractor's business and the airport car parking business) and machinery associated with the landscaping contractor's business.
- V. Access to the site would remain off Moss Lane.
- VI. There would be 3 No. parking areas in total on the site: 1) a visitor parking area associated with the wildlife area; 2) an area (as noted) adjacent to the proposed building and 3) an area for parking vehicles (to be used for the airport car parking business).
- VII. The area to the north of the site is the area to be designated for parking vehicles in connection with the airport parking business. This is one of the areas where vehicles are currently parked. The *Planning, Design & Access Statement* (para. 6.39) states that approx. 500 motor vehicles would be sited on this area. NB. It is noted that the submitted revised site plan illustrates parking for 252 vehicles in the designated area if parked in a formal car parking layout. The area would be improved by using an industry standard geocrate system (placed over a layer of gravel for drainage purposes) with topsoil and seed to provide a reinforced parking area. The applicant is prepared to enter into a legal agreement with the Council restricting the parking of vehicles not associated with the landscaping contractor's business to this designated area. However, the applicant does not wish a restriction to be imposed regarding number of vehicles that could be parked on the area – this would allow vehicles to be parked bumper to bumper (para. 7.09 of the *Planning, Design & Access Statement*). The legal agreement would include details of rotational parking to ensure successful growth of the grass.
- VIII. Having the parking designated to this specified area would ensure that such vehicles could not park anywhere else on site.
- IX. The site is to be landscaped as illustrated on the submitted plans.
- X. It is asserted that the proposed landscaping, removal of buildings/structures, erection of 1 No. replacement building and the designated area for parking of vehicles not associated with the landscaping contractor's business would result in a) an overall improvement to the appearance of the site, b) an improvement in terms of openness of the Green Belt, c) an enhancement of wildlife and d) provision of a community/educational facility. Management of the site could form part of a legal agreement in perpetuity.
- XI. The planning policies referred to in the *Planning, Design & Access Statement* include RSS policies (which do not now apply), the Local Plan policies listed above and various sections of the NPPF, i.e. para. 14 presumption in favour of sustainable

development; para. 19 support economic growth; para. 28 support economic growth in rural areas; para. 79 importance of green belts; para. 80 purposes of including land within the green belt; para. 87 inappropriate development in the green belt is harmful by definition; para. 89 new buildings in the green belt are inappropriate (though there are some exceptions); para. 90 other forms of development in the green belt that are not inappropriate (providing they preserve openness and do not conflict with the purposes of including land within the green belt); para. 109 planning system should contribute and enhance the natural local environment and para. 118 when determining applications planning authorities should aim to conserve and enhance biodiversity.

OFFICER APPRAISAL

Principle of Development

The principle of the proposed is, at the outset, unacceptable as it is considered that the proposed constitutes inappropriate development in the green belt. For the application to be approved the applicant has to demonstrate that very special circumstances exist which clearly outweigh the harm caused by inappropriateness and any other harm.

Policy

The relevant policies are listed above and relate to the issues identified.

Impact on the character and appearance of the area and green belt

'Fall-back' position

The 'fall-back' position needs to be clearly understood in order to be able to compare it with the proposed.

As noted above, the Enforcement Notice a) allows the applicant to park up to 200 vehicles on the site (anywhere on the site); b) requires the applicant to remove the area of hard-standing laid in 2003/2004 and seed with grass seed (this area of hard-standing covers an area of approx. 10,000 sqm and c) requires the applicant to remove the twin portacabins from the site.

It is acknowledged that the 200 cars allowed could be parked anywhere on the site. However, the question of where such parking would actually occur, once the area of hard-standing has been removed and seeded, needs to be asked. It is considered that parking cars on the re-seeded/grassed area would not be desirable and therefore would be less likely - the fact that the area has been hard-landscaped unlawfully previously illustrates this point. Therefore, the 200 cars are likely to be parked elsewhere on the site, i.e. on the remaining areas of hard-standing. If the applicant had complied with the enforcement notice, as they are required to do by law, then it may be more feasible to properly assess the "fallback position". In the absence of compliance with the Notice, the fallback position is more uncertain. The existing site plan indicates that the areas of hard-standing that will remain on site are a strip to the east of the internal access track stretching from the entrance up to the glasshouse and a gravelled area north of the glasshouse/portacabins. These areas measure approx. 3,500 sqm in total.

Apart from the buildings/structures that will also remain on the site the rest of the site is covered with vegetation/brambles and an area used for green waste (from the landscaping business). These areas are not suitable for car parking.

Proposed parking areas

Although the area to be designated as the area for parking vehicles associated with the airport car parking business has been reduced a little on the revised site plan, the area still covers approx. 5,200 sqm. The plan illustrates formal parking spaces, with 4m wide aisles, for 252 vehicles. This area is to be covered in a geocrate material (placed over a layer of gravel) with a covering of topsoil and seeded. The Landscape Officer has indicated that this will not look like grass, and that the quality of the appearance of such systems can vary greatly.

A parking area is proposed around the proposed building (for staff connected with both business and machinery associated with the landscape contractor's business). This area of hard-standing, to the south and west of the proposed building, covers approx. 1,300sqm.

A third parking area is proposed, to the east of the entrance, for visitor parking associated with the wildlife and nature reserve area. This area of hard-standing covers approx. 500 sqm.

Hence, the visitor and staff parking areas cover approx. 1, 800 sqm in total.

As regards green belt policy, it is acknowledged in the application that the proposed car parking for the airport car parking business is an inappropriate form of development in the green belt. This is a well established point, as the use of land in this way erodes the openness of the Green Belt and conflicts with the purposes of including land in the Green Belt through encroachment.

Comparison of parking areas – proposed and 'fall-back'

It is considered that the proposed parking areas are not substantially different to the parking areas that exist on site at present (remembering that the largest area to the north is an unlawful area).

The 'fall-back' position could have 200 cars parked anywhere on site; though it is considered that the likely parking areas would be the remaining areas of hard-standing on site and there may be dependencies on the weather and ground conditions. The proposed development would have cars associated with airport parking at the northern end of the site (confined to this area), staff parking around the proposed building and visitor parking near the entrance. It is noted that these 3 No. parking areas could, if cars were parked bumper to bumper (as is mainly the case on site now with the extensive unlawful airport car parking), accommodate around 550 cars.

Hence, it is considered that within the proposed scheme all the areas designated for car parking are too large; but in particular the area designated for the airport car parking business is too extensive. This part of the proposal is an inappropriate form of development in the green belt. It is also considered that the proposed car parking area for the airport car parking business has an impact on the openness of the green belt.

It is considered that the fall-back position is a material consideration in favour of the proposed development. However, it is not considered that this proposal offers material benefits to the openness or appearance of the Green Belt when compared to the fallback position. It follows that this consideration does not carry sufficient weight so as to clearly outweigh the identified harm to the Green Belt.

Proposed building

The proposed includes removing all existing buildings & structures on site and erecting a single-storey building for office, workshop and storage.

It is claimed that the total footprint of the existing buildings & structures on site is approx. 850 sqm and that the footprint of the proposed building covers an area of approx. 445 sqm, and therefore there is a reduction in footprint of approx. 405 sqm (52%). However, it is noted that the range of buildings & structures being referred to includes a polytunnel and a glasshouse, 2 No. light-weight structures which are glazed or covered in other transparent material. These 2 No. structures have a total footprint of approx. 568 sqm; if this is deducted from the 850 sqm referred to this leaves 282 sqm of buildings and other, more solid, structures. The proposed, solid, building has a footprint that is actually 123 sqm larger than the more solid buildings & structures on site. Hence, it is considered that, although the overall footprint of buildings and structures of the proposed is less than exists, if the lightweight structures are not included in the comparison the proposed structure results in an increase in solid buildings on site.

As regards green belt policy, it is asserted within the application that the proposed building is an appropriate form of development in the green belt, based on an interpretation of bullet point 4 of Para. 89 of the NPPF, which states that certain, exceptional, forms of development in the green belt are appropriate, one of which is the *“replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”*. It is stated that the new building will be used for the same purposes as existing buildings/structures on site (office, workshop and storage) and that it will, as noted above, have a much smaller footprint than the total footprint of existing buildings/structures on site and be smaller and less bulky. Consequently, it is claimed, the proposed would not adversely affect the openness of the green belt.

It is considered that this section of the NPPF has been misinterpreted. The exception in para. 89 of the NPPF refers to ‘a’ (single) building being replaced and the one that replaces it being in the same use and not being materially larger. In this instance what is being replaced are numerous buildings and the one building proposed is materially larger than any single building/structure on site. Hence, it is considered that the proposed building does not meet the criteria of bullet point 4 of para. 89 of the NPPF.

That said, it is stated within the application documentation that the proposed is a redevelopment of the site. It is noted that bullet point 6 of para. 89 of the NPPF allows for partial or complete redevelopment of sites in the green belt, providing there is no greater impact on openness. It is considered, on balance, that the removal of all existing buildings & structures on site and the replacement with 1 No. building as proposed would have no greater impact on the openness of the green belt than the existing situation.

Proposed wildlife/nature area (and additional landscaping)

The wildlife/nature reserve area is to cover approx. half the area of the site – mostly the area that is currently vegetation & brambles and the area used for 'green waste'. The details of this are to be finalised. The wildlife/nature reserve area would be for community/educational use.

As regards green belt policy, bullet point 2 of para. 89 of the NPPF allows for certain forms of development in the green belt for outdoor sport and recreation, so long as openness of the green belt is maintained and there is no conflict with the purposes of including land within the green belt. It is claimed within the application that the proposed wildlife/nature reserve area is therefore an appropriate form of development in the green belt which preserves openness and accords with this element of the NPPF. This is not disputed. It is considered this point carries neutral weight in the planning balance.

Very special circumstances

Bearing in mind the discussion above, it is concluded that the proposed, primarily due to the extent of designated car parking area for the airport car parking business, is inappropriate development in the green belt and that this also has a detrimental impact on openness of the green belt. This harm carries substantial weight.

Within the application it is contended that there are very special circumstances that outweigh the harm. These are that the proposed scheme is preferable to the fall-back position as it is claimed that the combination of a) removing all the buildings/structures and replacing them with one, b) creating a wildlife/nature reserve area for community/education use and c) designating a specific area of the site to be used for parking vehicles (rather than them being allowed to park anywhere within the site), will improve the openness of the green belt and tidy up the appearance of the site.

Having weighed up the elements of the proposed scheme and the fall-back position it is considered that, either individually or cumulatively, the considerations presented in favour do not clearly outweigh the identified harm - inappropriate development in the green belt that has a detrimental impact on openness of the green belt and encroachment. As such very special circumstances do not exist to allow an approval of planning permission.

Impact on residential amenity

The site currently has a lawful mixed use status for a landscaping contractor's business and parking for 200 vehicles not associated with the landscaping business. The proposed (revised) scheme would be a mixed use of landscaping contractor's business, community/education use for the wildlife area and parking of vehicles not associated with the landscaping business in a designated area of the site (the northern end) but not confined to a specified number of vehicles. The layout submitted indicates approx. 250 spaces if cars were parked formally. However, parking vehicles bumper to bumper (which is how they are primarily parked on the site at present) could result in many more vehicles being parked within the requested designated area (eg. up to another 150 vehicles). It is considered that this additional increase in activity (vehicle movements) over and above the current lawful level that the site has permission for (i.e. 200 vehicles) would have a detrimental impact on the amenities of the occupants of neighbouring properties.

A condition could be imposed to limit the number of cars parked on the site at any one time (e.g. a maximum of 200) to a particular area on the site. Such a condition would need careful consideration for enforceability, but it could be achieved. Bearing in mind that such a condition could be imposed it is considered that the impact on amenity could be controlled to a degree. There would potentially still be an impact on amenity above the potential fallback position, particularly as the practical operation of the fallback position is questionable. However, the impact is not considered to be so significant to warrant a refusal in its own right.

Highways safety

Insufficient information has been submitted at this stage to enable the Strategic Highways and Transportation Manager to conclude whether or not the proposed would create any highways safety issues or not. Further information is awaited, i.e. the details of the outcome of a traffic count requested previously. This information will enable the Strategic Highways Manager to decide whether or not any further information is required. However, given that the business has been operating for well over 5 years at high levels of parking numbers (200) with no known safety issues, it is not considered that an objection on highway safety grounds could be sustained.

Landscape & nature conservation issues

Landscape

From the information submitted the Landscape Officer concludes that it is unclear exactly what the landscape proposals are and therefore recommends conditions be attached, should the application be approved, requiring details of the landscaping (hard and soft) to be submitted.

Nature conservation

The Nature Conservation Officer has concluded that the proposed would have no adverse effects on wildlife. However, he has recommended a condition be attached to any approval requiring details of the wildlife area/education facility to be submitted for approval. Again, it is unclear from the information submitted what the area would actually consist of, how it would be managed, and what level of visitor interest there might be. It is claimed within the application documentation that the applicant has approached local schools. However, no details/evidence is available to indicate what interest there is.

CONCLUSIONS AND REASON(S) FOR THE DECISION

In summary, using the site as a mixed use site (landscaping contractor's business, an area designated for the airport car parking business and a wildlife/nature reserve area for community/educational use is acceptable.

The proposed removal of all buildings/structures on site and replacement with 1 No. building as outlined is considered to have no greater impact on the openness of the green belt and therefore accords with bullet point 6 of para. 89 of the NPPF.

The proposed wildlife/nature reserve area is considered to accord with numerous Local Plan policies that seek to maintain and promote access to the countryside/wildlife areas and to accord with the NPPF guidance on development within the green belt. It is noted, however, that potential use by members of the community and educational institutions has not been clearly demonstrated. The principle of simply landscaping the area identified would be acceptable to the Local Planning Authority.

The proposed car parking areas are all considered to be too extensive, in particular the size of the area designated for airport car parking. For example, the *Planning, Design & Access Statement* (para. 4.16) states that the visitor parking area for the wildlife area can accommodate up to 10 vehicles; for 10 vehicles an area measuring 25m x 5m would suffice. The proposed visitor parking area measures approx. 38m x 14m (i.e. covering over 500 sqm). The area designated for airport car parking illustrates a formal layout for parking 252 vehicles. However, if vehicles were parked bumper to bumper, as is the case at present, it is considered that 400 vehicles could be parked on this area. It is stated within the application documentation that the applicant is willing to enter into a legal agreement that specifies the area to be used for airport car parking. However, it is also stated that the applicant doesn't want a restriction on numbers. It is acknowledged that, for ease of monitoring in the future a designate area for parking would, in principle, be beneficial. However, given that the lawful use allows only 200 vehicles to be parked on site it is considered that the extent of area proposed for the airport car parking is too extensive, is inappropriate development in the green belt and has a detrimental impact on the openness of the green belt. As such, the proposed constitutes an inappropriate form of development in the green belt.

The applicant has asserted that very special circumstances exist that overcome the identified harm, i.e. the nature of the site under the fall-back position and the assertion that the proposed is preferable in terms of impact on openness of the green belt and tidying up the appearance of the site. It is considered that the proposed would have a greater impact on the green belt than the fall-back position due to the extensive parking areas. Importantly, it cannot be demonstrated that the proposed development offers any significant benefits above the situation that would arise through compliance with the Enforcement Notice. The considerations put forward, either individually or cumulatively, do not clearly outweigh the harm to the green belt. Very Special Circumstances have not been demonstrated.

It is also considered that the increase in vehicles using the site over and above the 200 that are lawfully allowed would have a detrimental impact on the amenities of neighbouring properties, although this impact could be limited to an acceptable level by condition.

Whilst information is lacking in respect of highways impact, the historic operation of the site suggest that the impacts are acceptable in terms of highway safety.

It is recommended the application be refused for the reasons outlined.

Application for Full Planning

RECOMMENDATION: Refuse approval

Inappropriate development in the green belt, no very special circumstances.

2. Detrimental impact on openness of green belt and encroachment into it.

3. Contrary to guidance

development in green belt, which is a material consideration.

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