

Proposed Residential Development
Land at Ilkeston Road/Sowbrook Lane
Ilkeston

Revision 0: July 2023 Report Reference: 450-POE-01-0





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0.0 Executive Summary

- 0.1 The site is shown to have various existing and improved opportunities to walk or cycle to both Kirk Hallam and Ilkeston along with enhanced public transport provision to Ilkeston.
- O.2 The site has access to all of the key services in Kirk Hallam including: Employment, Primary School, Community Centre, Nursery, Health Care (Doctors, Dentist, Pharmacy), Convenience Store, Post Office, Takeaways, Hairdressers and Place of Worship within a viable walking (<2km) and cycling distance (<5km). Some of these facilities have two options within an appropriate walking distance.
- 0.3 Further facilities are accessible within Ilkeston on foot, bike or public transport but with the exception of a library and large supermarket all of these facilities are located closer to the site in Kirk Hallam.
- 0.4 I therefore find that the site is located in a sustainable location and compliant with applicable policy.

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1.0 Qualifications and Experience of Witness

- 1.1 I am Martin Andrews and I will say:
- 1.2 I was formally instructed by Wulff Asset Management to act on their behalf on this appeal. I have provided highways advice for Wulff Asset Management throughout the planning application process.
- 1.3 I hold a Master of Engineering with Honours in Civil Engineering and I am a Chartered Civil Engineer and member of both the Institution of Civil Engineers and Chartered Institution of Highways and Transportation. I am a director of Martin Andrews Consulting Ltd of Regents Pavilion, 4 Summerhouse Road, Northampton. I have 17 years highways and transportation experience.
- 1.4 During this time, I have provided highways advice on a range of projects large and small for all types of development.
- 1.5 I have visited the appeal site and I am familiar with its location and surroundings.
- I am aware that my duty is to the inquiry to provide my untrammelled professional opinion irrespective of by whom I am instructed. I confirm that the facts stated in this Proof of Evidence are true to the best of my knowledge and belief, and that any opinions expressed are held genuinely.



2.0 Introduction

- 2.1 MAC Pre-planning Engineering has prepared the following documentation which was submitted to support the original planning application.
 - Transport Assessment (450-TA-01-A, April 2022, Core Document C16)
 - Framework Travel Plan (450-TP-01-0, April 2022, Core Document C3)
- 2.2 The application was refused before a response to the Local Highway Authority (LHA) comments could be formulated post refusal a Transport Assessment Addendum has been produced as follows:
 - Transport Assessment Addendum (450-TA-02-0, March 2023, Core Document D4)
 Included within the above document:
 - Proposed Access off Sowbrook Lane (450-TA10B) in Appendix B
 - Proposed Access off Ilkeston Road (450-TA13A) in Appendix B
 - Possible Bus Stop Locations (450-TA17) in Appendix B
 - Proposed Footway Improvement (450-TA14A) in Appendix C
- 2.3 In addition to the Addendum further engagement with the LHA has led to the following additional works being agreed as follows:
 - Provision of a footway link between the development site and the proposed footway link to the east of Ilkeston Road. This link can be seen on drawing 450-TA16A see Appendix A.
 - ii. The number 14 bus service will be upgraded with developer funding to provide an hourly service between 0700-1900 Monday to Saturday with at least two buses an hour for the period 0700-0900 and 1600-1800.
- 2.4 The additional engagement with the LHA led to them removing their objection to the scheme. Subsequently the Local Planning Authority (LPA) have accepted that reasons for refusal 2 and 3 have been overcome as set out in their Statement of Case (Core Document I5) paras 5.2 and 5.3. Therefore, my evidence in the main does not discuss the topics raised in these reasons for refusal. Some of these topics are covered by the Interested Parties and are discussed in Section 7.





- 2.5 MAC has been instructed by Wulff Asset Management to provide evidence in support of the appeal to address highway matters in particular those raised in Reason for Refusal 1 relating to the quality and suitability of the walking, cycling and public transport options.

 My colleague Mr Hawley will address matters related to planning within Reason for Refusal 1.
- 2.6 Whilst Reason for Refusal 1 includes matters relating to highways, this was not supported by the LHA as noted in Mr Atkinson's email dated 05/06/23 @ 00:12 to Mr Grundy of the LPA (Core Document F3, Page 9, Para 8 & 9), which states:
- 2.7 "Whilst the latter Reason for Refusal is transport related, it was not recommended by the Local Highway Authority in its statutory consultee response. It is noted that the site is adjacent to the New Stanton Park employment site that a range of facilities are within reasonable walking distance (up to 2km). Furthermore, the Appellant has agreed to fund an extension to the existing bus service which operates during the middle of the day so that it operates Monday to Saturday 0700-1900 every hour, for a period of 5 years post development. The Passenger Transport Authority has been consulted on this and has confirmed that the proposals would be acceptable. This would offer a benefit to the wider area served by the route. Additionally, a development wide Travel Plan would operate on the site."
- 2.8 Further, on accessibility the LHA have agreed in their Statement of Common Ground [Core Document L5 para 2.7 Bullets 3 & 4] that the development:
 - "The appeal proposal would benefit from sufficient footpath and cycleway connections with Ilkeston and Kirk Hallam to allow access to the shops, services and community facilities contained within it;
 - The site would benefit from an improved bus service which offers
 opportunities for sustainable travel. In addition to the use by the
 proposed residential development, it would also provide a credible means
 for people to commute to the existing and proposed jobs to the south and
 east of the appeal site;





 In general, there is no local Highway Authority objection to the location of the development in respect of connectivity and access to sustainable modes of transport taking account of the transport mitigation package being provided to support the proposals."

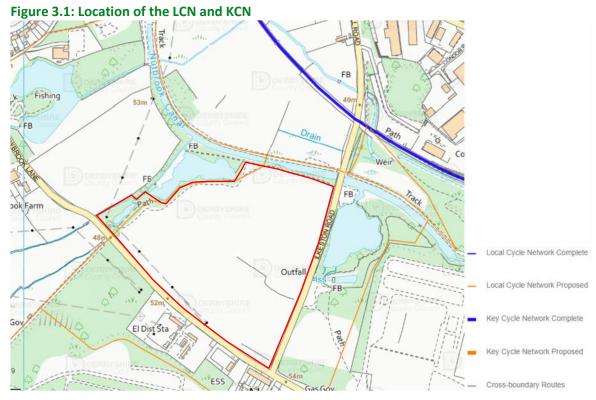


3.0 Description of Sustainable Transport Options

3.1 The proposed development has the walking, cycling and public transport connections set out below, a plan (450-TA08A) enclosed in **Appendix B** shows where these routes are and how they connect with the rest of the highway network and facilities.

Walking / Cycling

- 3.2 There is an existing footway adjacent to Sowbrook Lane which provides a connection between the site and Kirk Hallam with its many facilities. This footway is to be widened to ensure that it is predominantly 2m wide between the site and Kirk Hallam. The improvements are shown on MAC drawing 450-TA14A enclosed in **Appendix C**.
- 3.3 A 3m wide footway / cycleway will be provided within the site which links Sowbrook Lane with Ilkeston Road. This link and that described in 3.4 below will deliver part of Derbyshire County Council's (DCC) aspirations with regard to delivering a Local Cycle Network (LCN) in line with the aspirations of their Transport Plan to encourage active travel thus providing a wider benefit. For context the LCN within the proximity of the site is shown in **Figure 3.1** below.







- 3.4 A 3m wide footway / cycleway connection is to be provided on Ilkeston Road from the northeastern corner of the site to the point where Public Right of Way (PRoW) 20/24 crosses Ilkeston Road, see drawing 450-TA16A enclosed in **Appendix A**. Additionally, the appellant will provide S106 contributions to enable the LHA to deliver an offsite length of footway / cycleway to connect Ilkeston Road with Nutbrook Trail, a National Cycle Route, to the north which predominately runs east / west in this location. An existing spur and permissive right of way connects Nutbrook Trail with Ilkeston Road to the north as a footway / cycleway. This new, existing and improved link provides a sustainable walkable and cyclable connection between the Site and Ilkeston.
- 3.5 The footpath connection between Footpath 24 (FP24) and Nutbrook Trail is identified for delivery within the "New Stanton Park Biodiversity Enhancement Area Outline Habitat Management Plan" (Final Version) dated March 2022 to support planning permission ERE/1221/002. The delivery of this footpath is committed to being delivered with 12 months of completion of the ground remediation works (Condition 18 of ERE/1221/0002). The LPA confirm that this route is to be delivered, see Core Document F4, pages 2 & 3).
- 3.6 The LHA has requested that the appeal site provides S106 contributions to upgrade the footpath to a shared footway / cycleway.. It is our understanding from conversations with the LHA that the route between FP24 and Nutbrook trail is to be provided as a new footpath or a diversion of FP24 over which the highway authority will be responsible for maintenance. Therefore, the LHA will be able to undertake the further improvements of this route to a cycleway with the S106 funds being delivered by the site which will help DCC deliver part of the LCN. Whilst the delivery of the upgrade from a footway to a cycleway is of benefit to the site and the public it is not required as alternative cycling routes existing into Ilkeston as set out later in my evidence.
- 3.7 Existing footways on the eastern side of Ilkeston Road provide walking routes to the New Stanton Park development opposite the site and employment opportunities to the south. Crossing from the development site to this footway will be provided as part of the access works.
- 3.8 Footways and cycleways are provided internally and along the western frontage of Ilkeston Road along with appropriate crossing points.





Cycling

- 3.9 Sowbrook Lane which is subjected to a weight restriction can be used by cyclists to reach Kirk Hallam.
- 3.10 The proposed footway and cycleway improvements to the north, described above, will allow cyclists to use Ilkeston Road to access facilities within Ilkeston. The section of off-carriageway cycleway will allow cyclists to bypass the railway bridge pinch point safely.
- 3.11 It is also possible to use the Nutbrook Trail to reach the employment opportunities at Merlin Way and Crompton Road.
- 3.12 Cyclists can also used Lows Lane, the cycling infrastructure provided within New Stanton Park and the Nutbrook Trail to access Ilkeston in the same manner as users of New Stanton Park would to reach Merlin Way and Crompton Road and the rest of Ilkeston beyond.

Public Transport

- 3.13 The appeal site will provide new bus stops on Ilkeston Road so that all dwellings will be located less than 400m from a bus stop. Internally the spine road will be future proofed so that buses could route through the development in the future as required.
- 3.14 The existing No. 14 bus service will be improved to provide an hourly bus service from 0700-1900 Monday to Saturday with an enhanced 30 minute frequency between 0700-0900 and 1600-1800.

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Suitability of Sustainable Transport Options 4.0

- 4.1 I have described the existing and improved footway, cycleway and public transport provision above. Now I will assess how useable these routes are and whether they are safe and who they are suitable for.
- 4.2 The footway and cycleway improvements to be provided by the application have been agreed as appropriate with the LHA and comply with their standards.
- 4.3 I consider that all routes are surfaced to an appropriate standard.

To Kirk Hallam

- 4.4 The walking route to Kirk Hallam is complete, metalled and street lit for its entire length with few roads required to be crossed with appropriate crossing points provided. I would consider this walking route to be appropriate and safe for all users.
- 4.5 Cycling to Kirk Hallam would be on carriageway mixed with traffic but subjected to weight restrictions limiting access to vehicles larger than 7.5 tons. I would consider this cycling route to be a suitable and safe option for **some** residents of the site.

To Ilkeston

- 4.6 Cycling to Ilkeston is achieved via an off-road route across the canal and rail bridges. Once these points are crossed cyclists will mix with traffic on the carriageway at Quarry Hill Road to continue their journey towards Ilkeston. I would consider this cycling route to be a suitable and safe option for **some** residents of the site.
- 4.7 Walking to Ilkeston would be via the above-described route, however, there is a small gap in the provision, therefore, I would consider this route to be suitable for most walkers.

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- A walking / cycling option is provided to the employment opportunities at the Merlin Way and Crompton Road employment area. This area can be reached via use of the proposed improvements from this site to the north, the existing Nutbrook Trail or altered route proposed by New Stanton Park. This link provides a predominantly off-road cycle route between the Site and employment opportunities at Merlin Way and Crompton Road employment area of Ilkeston. I would consider this walking route to be a suitable and safe option for most walkers as the route is away from the carriageway. For cyclists the route is safe and suitable for most cyclists.
- 4.9 Additionally, the route described in paragraph 4.8 can be used for active travel into the wider Ilkeston area and the facilities it has to offer. This route forms the northern active travel route for the recently approved New Stanton Park Development. Residents routing this way could access a convenience store (2.2km), primary school (3km), supermarket (3.8km) and Ilkeston Town Centre (5km) all of which are within a reasonable cycling distance. This route is considered suitable and appropriate for uses of New Stanton Park.
- 4.10 Finally access to Ilkeston can be achieved from Lows Lane and gaining access through the proposed road network within New Stanton Park to access the cycling provision described above. I would consider this route to be safe and suitable for **some** cyclists

To New Stanton Park and Adjacent Existing Employment

- 4.11 Walking to this area can be reached using existing and proposed footways / crossing points. I would consider this walking route to be appropriate and safe for **all** users.
- 4.12 There are off carriageway routes to access New Stanton Park by bike. I would consider this walking route to be appropriate and safe for **all** users.
- 4.13 Other employment areas would need to mix with existing road traffic, therefore, I would consider this walking route to be a suitable and safe option for **all** walkers and **some** cyclists of the site.

Public Transport

4.14 Public transport will be accessible to all residents of the site from new bus stops provided for the development.

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Summary

4.15 I have considered the suitability of walking, cycling and public routes to various locations.

The appraisal is summarised below in **Table 3.1**.

Table 3.1: Summary of Sustainable Transport Suitability Assessment

Destination	Walking	Cycling	Public Transport
Kirk Hallam	All	Some	N/A
Ilkeston – town	Most	Some	All
Ilkeston – Merlin Way	Most	Most	N/A
/ Crompton Road			
Stanton Park and	All	All / Some	All
Existing Employment			

4.16 The development will provide a mix of sustainable transport options which have varying degrees of suitability for residents of the site. Whilst all routes will not be available to all users the routes provided do offer real opportunities for residents to move away from travel by private car and towards use of active travel methods or public transport in a safe way.



5.0 Accessibility

5.1 Criteria for assessing accessibility of the site is set out in the TA Addendum (Core Document D4) and Transport Assessment (Core Document C16) which I will not repeat in full here. However, the criteria can be summarised thus:

Walking

- Average walking distance is 1.3km (0.8miles) from National Travel Survey (NTS).
- 82% of journeys under 1.6km (1mile) are by foot.
- Preferred maximum walking distance is 2km, see Providing for Journeys on Foot
 (Core Document O2) and Manual for Streets (Core Document O1, para 4.4.1).

Cycling

 Journeys less than 5km are considered acceptable. Historically accepted and referenced previously in PPG13 and NPPF 2012

Public Transport

- Bus stops should be within 400m. Historically accepted since 1973 but also referenced in CIHT guidance 'Buses in Urban Developments', January 2018
 Section 4.5 point 1.
- 5.2 Some guidance refers to distances of 800m for walking, this description is typically used to describe walkable neighbourhoods. However, this is not a maximum walking distance and whilst desirable doesn't mean that developments which are located further from facilities are not walkable. This is referenced in Manual for Streets (Core Document O1, para 4.4.1) which states:

"Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800m) walking distance of residential areas which residents may access comfortably on foot. however, this is not an upper limit and PPS13 states that walking offers the greatest potential to replace short car trips, particularly those under 2 km. MfS encourages a reduction in the need to travel by car through the creation of mixed use neighbourhoods with interconnected street patterns, where daily needs are within walking distance of most residents."



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- 5.3 For developments located on the edge of settlements where the scale is not sufficient to meet the needs of a Local Centre it will often be very difficult to achieve a walking distance of 800m. Therefore, 800m should not be used as a limit to define whether or not walking is achievable for a site.
- 5.4 The proximity of the site to services has been agreed with the applicant and the LPA as set out in the Statement of Common Ground (Core Document L2). For ease of reference the table is repeated here:





Destination	Distance	Journey Time (minutes)			
Destination	(m)	Walk	Cycle		
Via Sowbrook Lane					
New Stanton Park – Employment	Adjacent – 800m	<1-9	<1-3		
Kirk Hallam Social Bar	700m	8	3		
Dallimore Primary School	740m	9	3		
Kirk Hallam Community Centre	1,100m	13	5		
Butterfly Castle Day Nursery	1,100m	13	5		
Kirk Hallam Local Centre: - Doctors - Pharmacy - Dentist - Convenience Store - Post Office - Hairdressers - Takeaway	1,200m	14	5		
Co-op Convenience Store / PFS	1,400m	17	6		
Takeaway – Captain Kirk Fish & Chips	1,400m	17	6		
All Saints Church	1,400m	17	6		
Ladywood Primary School	1,400m	17	6		
Kirk Hallam Community Academy (Secondary)	2,300m	27	10		
St John Houghton Catholic School (Secondary)	2,400m	29	10		
Via Ilkeston Road					
Leisure – Nut Brook Trail (adjacent)	100	<1	<1		
New Stanton Park – Employment	Adjacent – 800m	<1-9	<1-3		
0 100					
Quarry Hill Industrial Park	700m		3		
Ilkeston Library	2500m	-	10		
Supermarket	3900m	-	15		

Notes: 1. Assumes average walking speed of 1.4m/s and average cycling speed of 4m/s

- 2. Distances measured from the nearest entrance on either Sowbrook Lane or Ilkeston Road Add a further 200m to reach the centroid and furthest dwellings in 450m subject to internal design considerations.
- 5.5 The table shows that many facilities are located less than 1.6km (1 mile) from the site and are considered to be walkable. Comparing to national statistics, 82% of these journeys are likely to be made on foot and many of the facilities are also within the average walking distance of 1.3km. This demonstrates that facilities are located within a walkable distance of the site.





- 5.6 The site has access to all of the key services in Kirk Hallam including: Employment, Primary School, Community Centre, Nursery, Health Care (Doctors, Dentist, Pharmacy), Convenience Store, Post Office, Takeaways, Hairdressers and Place of Worship within a viable walking and cycling distance. Some of these facilities have two options within an appropriate walking distance.
- I would consider the site to be situated in a sustainable location with all key facilities located within an appropriate walking distance of the site. Further these are mostly located in one location thus there are opportunities for multipurpose trips to be made say to the doctors and pharmacy or convenience store and takeaway.
- Additionally, beyond 2km but within 5km other services are available and therefore reachable by bike. These include two secondary schools in Kirk Hallam, and a library and supermarket in Ilkeston. In addition, whilst daily needs are met as described above, Ilkeston Town Centre can be reached by bike with all of the facilities it has to offer.
- 5.9 The improved bus service, which operates adjacent to the site boundary will have new stops within 400m of the site, provides a direct connection to Ilkeston Town Centre. This ensures that facilities within Ilkeston are accessible to all.
- 5.10 The site is sustainable in its own right with all of the key facilities being located in Kirk Hallam which can be reached on foot or bicycle.
- 5.11 Furthermore, facilities are also accessible in Ilkeston, these can be reached in one of two ways; on foot or cycle:
 - i. To the north adjacent to Ilkeston Road using the proposed footpath connection between FP24 and Nutbrook Trail. This footpath is committed to being delivered with 12 months of completion of the ground remediation works (Condition 18 of ERE/1221/0002), the delivery of which has allowed the LHA to remove Reason for Refusal 2. This establishes a pedestrian connection to the north.
 - S106 monies from this development will be provided for the upgrade of this route to a cycleway and will achieve DCC's goal of delivering part of the LCN. The delivery of this has already been discussed.





- ii. Along Lows Lane and into NSP using its footway and cycleway infrastructure to connect with Nutbrook Trail and Ilkeston to the north.
- 5.12 The site is sustainable without either of the Ilkeston connections due to the site's proximity to facilities in Kirk Hallam. We do not consider that footway and cycleway connections are required to Ilkeston but we have two options for active travel access into Ilkeston. We understand the council have concerns regarding the delivery of the cycleway over third party land, however, it is demonstrated that this is not necessary and alternative options exist.
- 5.13 In addition to active travel options, an improved bus service will be delivered by the site improving connections with Ilkeston. The development will also provide electric car charging points to all dwellings which will improve uptake of ultra-low and zero emissions vehicles, which are defined as sustainable modes of transport in the NPPF.
- 5.14 Based on the proximity of the site to various services I would consider the site to be sustainably located.
- 5.15 The site is in line with local and national guidance providing:

NPPF Para 104 (c)

"opportunities to promote walking, cycling and public transport use are identified and pursued"

5.16 Further the site offers genuine choice of travel model as has been extensively demonstrated above.

NPPF Para 105

"...Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both planmaking and decision-making."



6.0 Location of Facilities

The LPA have raised concerns that the site is reliant on facilities within Kirk Hallam rather than Ilkeston. The closest facilities have been assessed for connectivity as when travelling by active travel methods travel time will be the most important characteristic rather than location. To demonstrate that Kirk Hallam is closest location to provide all facilities the below table compares the distance to each facility.

Destination -		Distance (m)	How Much Closer is Kirk	
Destination	Kirk Hallam	Ilkeston	Hallam?	
New Stanton Park – Employment	N/A	Adjacent – 800m	No difference	
Primary School	740m	1,100m Hallam Fields Junior School	360m / 4.3mins 48%	
Secondary School	2,300m	3,400m Ormiston Ilkeston Enterprise Academy	1100m / 13.1mins 48%	
Nursery – not connected to school	1,100m	1,400m West Point House Day Nursery	300m / 3.6mins 27%	
Convenience Store	1,200m	1,400m McColl's	200m / 2.4mins 17%	
Post Office	1,200m	1,400m Little Hallam Post Office	200m / 2.4mins 17%	
Doctors	1,200m	1,800m Eden Surgery	600m / 7.2mins 50%	
Pharmacy	1,200m	2,200m Peak Pharmacy	1000m / 11.9mins 83%	
Dentist	1,200m	2,500m Ward and Allison	1300m / 15.5mins 108%	

- 6.2 The table clearly shows that facilities within Kirk Hallam are considerably closer and more sustainably located that those in Ilkeston. Hence, whilst connections to Ilkeston offer additional choice, they do not improve the sustainability credentials of the site.
- 6.3 The site has active travel and public transport connections into Ilkeston and can access large employment areas of Ilkeston using all forms of sustainable transport.
- 6.4 The site is well connected to the most sustainably located facilities which can be reached on foot or cycle.



7.0 Interested Parties Response

- 7.1 Comments from interested parties on highway matters typically fall into two categories:
 - i. Accessibility of the site.
 - ii. Highway safety and capacity concerns.
- 7.2 We have demonstrated with the Transport Assessment, Addendum and above that the site is accessible to all of the key facilities within an appropriate walking and cycling distance in Kirk Hallam. Further facilities in Ilkeston are accessible via proposed footway and cycleway links to the north and an enhanced public transport provision.
- 7.3 In terms of highways safety and capacity, the application is supported by a Transport Assessment and Addendum which demonstrates that there are no significant adverse impacts on the highway network either from a capacity or safety perspective. These reports have been reviewed and approved by the LHA.





8.0 Conclusion

- 8.1 I have demonstrated that the site has a range of active travel and public transport options which allow the users of the development to utilise sustainable transport to access facilities in a safe manner.
- 8.2 The site is sustainable in its own right with all of the key facilities being located in Kirk Hallam which can be reached on foot or bicycle.
- 8.3 The site has numerous facilities located within a reasonable walking and cycling distance.

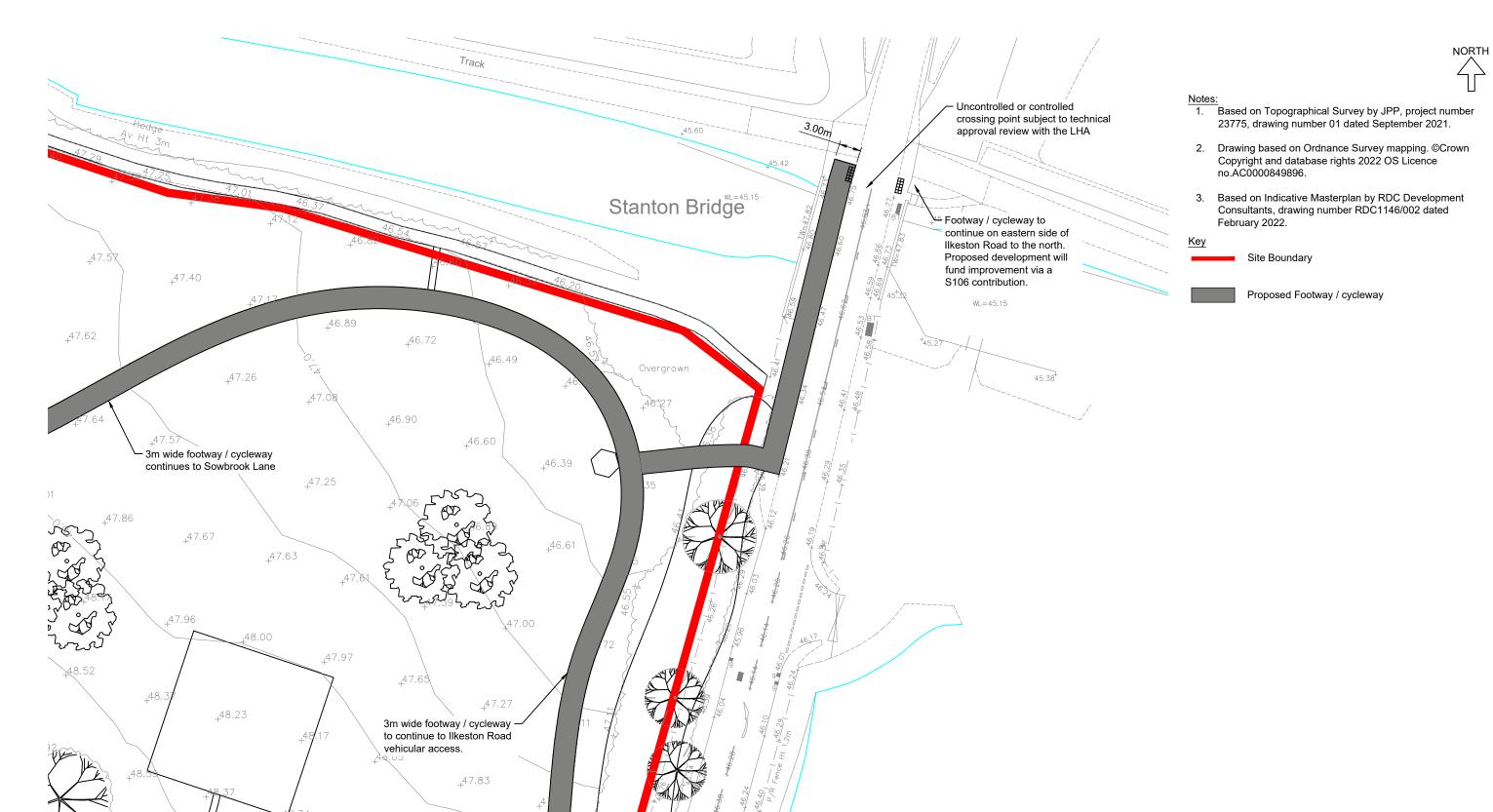
 Improved public transport also provides good links Ilkeston to access the full range of facilities in the town centre.
- 8.4 The site can access facilities using all forms of sustainable transport including walking, cycling, public transport and ultra-low and zero emissions vehicles.
- 8.5 I have demonstrated that facilities in Kirk Hallam are the closest to the site and accessible on foot or by bike and non-active travel forms of sustainable transport. There are no equivalent facilities located within Ilkeston which are located closer to the site. Hence, whilst connections to Ilkeston offer additional choice, they do not improve the sustainability credentials of the site.
- 8.6 I consider the site to be sustainably located and compliant with national and local planning policy.





Appendix A

Proposed Footway / Cycleway on Ilkeston Road MAC drawing no. 450-TA16A



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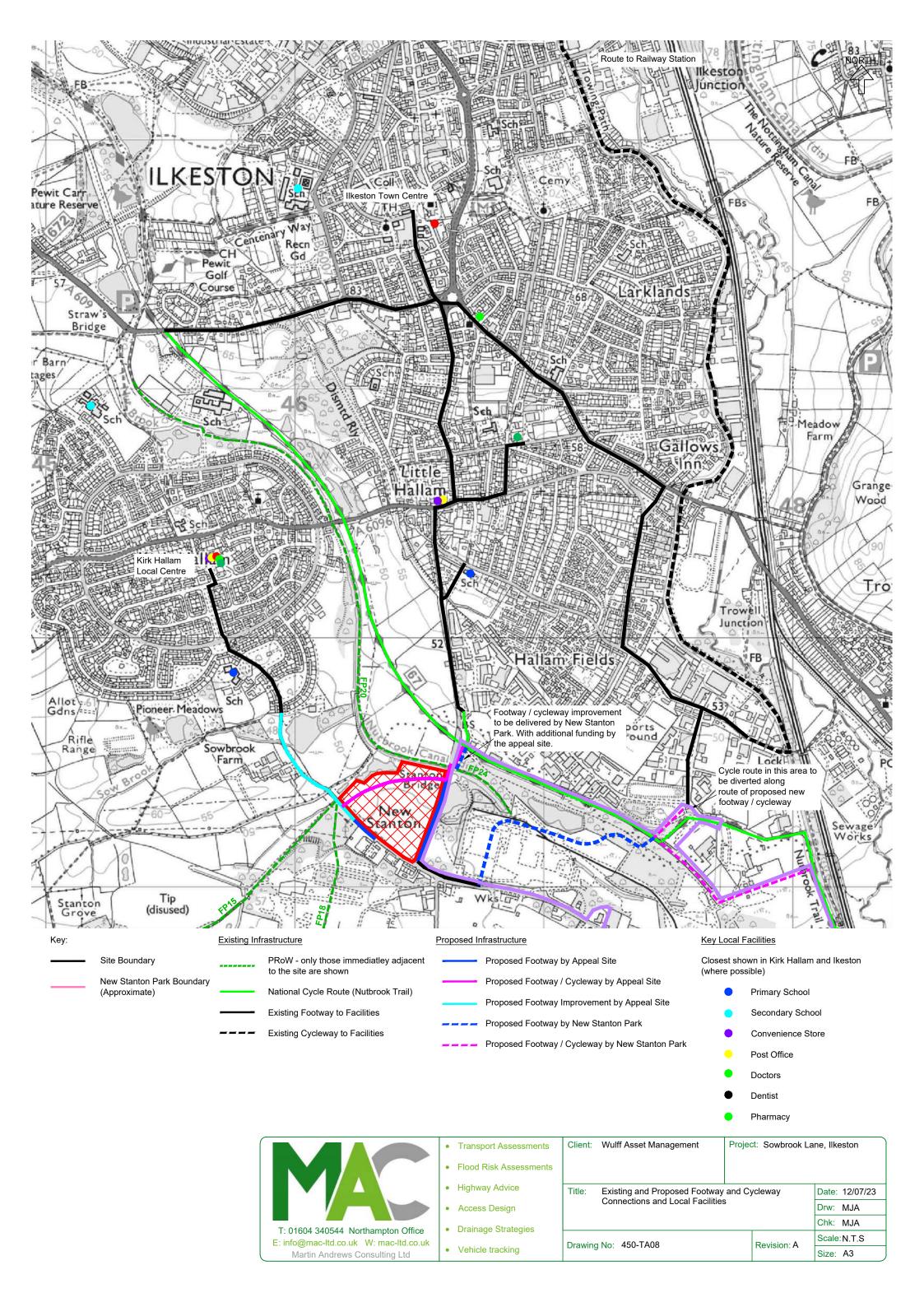






Appendix B

Existing and Proposed Footway and Cycleway Connections and Local Facilities MAC drawing no. 450-TA08







Appendix C

Proposed Footway Improvement MAC drawing no. 450-TA14A

