

# Planning Board

Report Subject	Rear of 6 Pine Vale Crescent
Proposal	Erection of a bungalow with parking spaces
Application Number	7-2016-2289-E
Applicant	Mr & Mrs D Reeves
Agent	Bennington Green
Application Valid	21 July 2016
Status	Public
Ward	RN
Service Director	Development Services
Meeting date	21 November 2016
Report author	Joscelyn Holbrook ☎ 01202 451323 ✉ <a href="mailto:planning@bournemouth.gov.uk">planning@bournemouth.gov.uk</a>
Recommendation	Grant in accordance with the recommendation within the report
Reason for Planning Board Decision	More than 10 letters of objection received.

## Previous Relevant Planning Applications and Appeals:

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1. 2009- 6 Pine Vale Crescent - Erection of two bungalows, formation of vehicular access and parking spaces – refused.
2. 2009- appeal submitted and dismissed
3. 2010 – 6 Pine Vale Crescent - Erection of two bungalows, formation of vehicular access and parking spaces – refused.

4. 2010- appeal submitted and dismissed
5. 2012- 26 and 26a Redhill Drive - Formation of vehicular access and 2 parking spaces – granted.
6. 2013 - Land rear of 26 Redhill Drive & 6 Pine Vale Crescent - Alterations, sever land and erect 2 bungalows, formation of access road and associated parking spaces – granted.

## **Summary of Proposal:**

7. Planning consent is sought for the erection of a bungalow. The land to the rear of 6 Pine Vale Crescent will be severed to enable the bungalow and access will be via Orchid Grove, an existing access off Redhill Drive.
8. The existing parking spaces for 'plot 1' will be re-sited to the east of the building. Notice was served on the owner of 'Plot 1' regarding this alteration.

## **Relevant Policies:**

9. Applications for planning permission must be considered having regard to the provisions of the Development Plan and any other relevant material considerations. The key document being the Bournemouth Local Plan. Various Development Plan Documents (DPD) make up the Local Plan, the Bournemouth Local Plan: Core Strategy (October 2012) being the overarching document. The CS has superseded the Bournemouth District Wide Local Plan (DWLP) as the strategic policy framework for the Borough although various policies in the DWLP have been retained as 'saved' policies. The Core Strategy covers the period 2006 to 2026.
10. The Affordable Housing DPD (December 2009) also makes up part of the Local Plan.
11. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions.
12. The following Policies are considered relevant to the current application:

### **Core Strategy**

CS 1: NPPF and Sustainable Development.  
CS4: Surface Water Flooding.  
CS6: Delivering Sustainable Communities.

CS16: Parking Standards.

CS21: Housing distribution across Bournemouth.

CS32- CS35: Heathland.

CS41: Design Quality.

### **District Wide Local Plan**

Policy 4.25 trees

Policy 6.8 Infill Development.

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) sets out the government strategy to achieve sustainable development. The framework is relevant to the current application and issues relating to the economy, ensuring the vitality of town centres, sustainable transport, high quality communications, housing, flooding/climate change, good design, promoting healthy communities, protecting green belt land, and conserving the natural and historic environment will be dealt with in the report where relevant.

Paragraph 50 of the NPPF would be relevant to this proposal as this seeks to provide a wide choice of high quality homes. Paragraphs 56-58 would also be relevant which refer to good design and responding to local character without harming residential amenity.

### **Other**

Affordable Housing - SPD

Dorset Heathlands Planning Framework – SPD

Residential Development: A Design Guide - PGN

Sustainable Urban Drainage Systems (SUDS) - PGN

Bournemouth Parking - SPD

### **Issues:**

13. The issues to consider in my opinion are whether the proposal complies with the relevant policies set out above and other material planning considerations set out below.

### **Impact on the character and appearance of the area:**

14. The application site is located within a residential area. Redhill Drive contains primarily two storey detached dwellinghouses and Pine Vale Crescent contains a mix of bungalows, chalet bungalows and two storey detached dwellinghouses. Number 26 Redhill Drive is a detached two storey dwellinghouse that has been sub divided into two self-contained flats. In 2013, planning

permission was granted for two bungalows to the rear of number 26 Redhill Drive. There is an access driveway to the two bungalows to the rear known as Orchid Grove.

15. This planning application relates to the erection of a bungalow to the rear of 6 Pine Vale Crescent. The land will be severed to enable the development site. The vehicular access to the proposed bungalow will be via Orchid Grove.
16. There is previous history on this site for a proposed bungalow with the main difference being a proposed access via the side of 6 Pine Vale Crescent. The refused bungalow was significantly narrower than what is proposed in this application.
17. The proposed bungalow has no roof accommodation and has a modest hipped roof. The proposal is similar to the approved units 1 and 2 of Orchid Grove. The proposed bungalow is considered acceptable in the proposed plot, it does not appear cramped and congested. The proposed bungalow is not out of character with the local area as it is a residential use in a residential area. Policy 6.8 of the Bournemouth District Wide Local Plan (February 2002) states that infill development will be supported if it will compliment and respect the character and amenity of neighbouring development. It is considered that the proposal does meet the criteria of this Policy. In addition, it says that it should provide a high standard of layout and design that ensures adequate privacy. It is considered that the layout is appropriate, it would not cause overbearing due to the modest hipped roof design and no first floor windows and therefore no harmful overlooking issues. Policy CS 21 of the Bournemouth Plan: Core Strategy, supports Policy 6.8 and states that development should be of a good design, contribute positively, whilst respecting amenity.
18. It is proposed to re site the existing parking spaces for plot 1 of Orchid Grove to enable two parking spaces in front of the proposed bungalow. Notice has been served on the owner of plot 1, evidence has been submitted to demonstrate that the developer owns the right to alter the location of the parking spaces associated with plot 1. The developer is also the freeholder of Orchid Grove. Moving the parking spaces is a civil matter. The two parking spaces in front of the proposed dwelling is considered acceptable. There is an existing parking space between the rear of plot 1 and rear of 26 Redhill Drive. The initial plan proposed three parking spaces in this location which resulted in the removal of a significant proportion of the amenity space for 26 Redhill Drive. This was considered harmful with too much amenity space being lost that was out of character. A revised plan was submitted which now proposes 2 parking spaces for plot 1. This then results in more amenity space being retain for 26 Redhill Drive which is considered a betterment.

Given that there is already one parking space, an additional space on balance is not considered adversely harmful and is not enough to warrant a refusal of planning permission.

19. The proposed dwelling is considered acceptable and complies with Policy CS 6, CS 21 and CS 41 of the Bournemouth Plan: Core Strategy (October 2012) and Policy 6.8 of the Bournemouth Plan - Core Strategy (October 2012).

**Impact on trees:**

20. There are a number of trees that have the potential to be affected by the proposed development. Submitted with the planning application was an arboricultural report. The arboricultural report estimated the diameter of the trees on neighbouring land. It is vital that the exact location and diameter of the trees is determined so that the actual impact the development will have on the trees can be assessed.
21. A letter was written to the immediate neighbours that had trees that needed to be assessed. All the neighbouring properties kindly replied and enabled access so that the Council's Tree Officer could make a full assessment. The trees were assessed as follows:

**16 Pine Vale Crescent:**

22. There is an Ash tree located at the rear of the garden, adjacent to the boundary where the development is proposed. During the consideration of the application, the owner of the tree applied for a TPO to be placed on this Ash tree. The tree was inspected by Ben Turner, Arboricultural Officer for the Council in August and a TPO was served. This gives a 6 month protection to the tree and the Council decides whether or not to confirm the TPO within the 6 month period.
23. A site visit was carried out on the 19<sup>th</sup> of August 2016 by the Case Officer and Patrick Clarke, Arboricultural Officer for the Council to all the trees and application site.
24. The arboricultural report states a root barrier has been installed which will prevent any roots to grow towards the application site. The site visit at 6 Pine Vale Crescent demonstrated the root barrier that had been installed and photographic evidence was later submitted showing the work that had taken place on the 10<sup>th</sup> of February 2016. It does not appear that the owner of the tree was made aware of this barrier, which is a civil matter.
25. This evidence demonstrating the root barrier that has been installed and therefore removing roots on the application site has now resulted in the Ash tree not being a constraint to the site.

The root barrier was installed prior to the registration of the application and prior to the TPO being served. The Council were not aware of the root barrier at the time the TPO was served. The tree is not a constraint to the development site.

4 Pine Vale Crescent:

26. There are Silver Birch trees protected by TPO located to the rear of this property. Patrick Clarke, Tree Officer carried out a site visit, and fully assessed the trees and calculated the root protection zone. These were plotted onto the site plan and do not form a constraint to the site.

22 Redhill Drive:

27. There are a group of tree protected by TPO that are located to the rear of this property. Patrick Clarke also visited the site and carried out a thorough assessment of the trees. The root protection area was calculated and plotted on the site plan. The proposed bungalow is outside of the root protection area. An amended Arboricultural Report has been submitted to increase the protection measures where the footpath is proposed, as this is within the root protection area and requires special measures.
28. The proposed dwelling is outside of the root protection area and is not a constraint to the development.
29. The Councils Tree Officer has carried out a thorough assessment of all the trees. Having assessed all the evidence collected on site, the Councils Tree Officer confirms that there are no trees that form a constraint to the development and the application is acceptable in arb terms.

**Impact on neighbouring residents:**

30. 6 Pine Vale Crescent:

This property is located to the rear of the proposed development. There is a separation distance of 23m between the two dwellings and there is not considered to be an adverse overbearing or overlooking impact.

31. 4 Pine Vale Crescent:

At the closest point, there is a separation distance of 26m and therefore the proposed dwelling is not considered to cause a harmful overbearing or overlooking impact and would not adversely affect the occupants of this dwelling.

14-20 Pine Vale Crescent:

32. These properties are located to the south east of the application site. The rear gardens of these properties run adjacent to the development site. Section 3.7 'Residential amenity' of the adopted Residential Developments – A design guide states that a minimum of 12.5m should be given between the back of a property to a side of a property. The existing rear gardens exceed this minimum requirement. On the side elevation of the proposed dwelling, adjacent to the boundary is a small en-suite window, a small utility window and door. These secondary windows and door are considered acceptable, reasonable and would not adversely affect the neighbouring residents with regards to overlooking. There is a secondary lounge window, stepped back from the boundary by 4m which is not considered to cause an adverse overlooking impact.
33. It should also be noted that the guidance in the adopted residential development document is for two storey dwellings. The proposal is single storey with no roof accommodation or first floor windows. It should also be taken into consideration that plot 2 was approved in front of number 26 Pine Vale Crescent, that has a rear garden of approximately 16m, similar to the relationship between the proposed dwelling and the rear gardens of 14-20 Pine Vale Crescent. It is recommended that a condition is included that permitted development rights are removed for roof additions and additional windows to safeguard the privacy of the immediate neighbours.

1 Orchid Grove:

34. It is proposed to re site the parking spaces associated with this dwelling. This is a civil matter. The proposed dwelling is considered acceptable and would not adversely affect the occupants of this dwelling.

2 Orchid Grove:

35. This dwelling is located to the south of the proposed dwelling. The proposal is not considered to adversely affect the occupants of this dwelling.

26 and 26a Redhill Drive:

36. An amended plan was submitted that proposes two parking spaces for plot 1 whilst retaining amenity space for the occupants of the two flats. There is an existing parking space to the front of the building in associated of the flats. The removal of one parking space associated with 1 flat is considered acceptable on balance and the proposal would not adversely affect the occupants of the flats in this building.

### 22 and 24 Redhill Drive:

37. These properties are located to the north west of the proposed dwelling. There is a good separation distance between these dwellings and the proposed bungalow. There are secondary windows located along the side elevation of the bungalow which are not considered to be harmful to the occupants of 22 and 24 Redhill Drive given the separation distance and that they are ground floor.
38. In conclusion, the proposed bungalow is not considered to adversely affect immediate neighbouring properties with regards to overbearing or overlooking.

### **Parking/Traffic/Highway Safety:**

39. The Parking SPD (adopted July 2014) indicates that the proposed 4 habitable room development that is located within Zone 3 requires 2 allocated spaces, 0.1 unallocated spaces and 0.2 visitor spaces. This equates to a parking requirement of 2.3 spaces. The application proposes 2 parking spaces for the development and the LHA considers this acceptable in this instance.
40. Although the nature of the access means that vehicles will not be able to pass each other when entering/exiting the site, the turning area provided at the eastern end of the shared access allows vehicles to enter the public highway in forward gear. This is welcomed by the LHA due to Redhill Drive's classification as a Local Distributor Route.
41. A revised plan was submitted and re assessed by the local highway authority. There is an existing parking space between the rear of plot 1 and the rear of 26 Redhill Drive. The initial plan proposed two spaces adjacent to the existing space, removing a significant amount of amenity space for 26 Redhill Drive, which was considered unacceptable by the Case Officer. The amended plan now proposes two parking spaces associated with plot 1. There is an existing parking space to the front of 26 Redhill Drive. One parking space will be displaced. A subsequent site visit was carried out and it was clear that 2 vehicles park on the approved space to the front of number 26. In this instance, the loss of the parking space to the rear of 26 is considered acceptable and the local highway authority does not raise an objection.

### **Heathlands mitigation:**

42. The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation)

which covers the whole of Bournemouth. As such, the determination of any application for an additional dwelling(s) resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 1994. It is considered that an appropriate assessment could not clearly demonstrate that there would not be an adverse effect on the integrity of the sites, particularly its effect upon bird and reptile habitats within the SSSI.

43. Therefore as of 17<sup>th</sup> January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards mitigation measures towards the designated sites. A capital contribution is therefore required and in this instance is £355, plus a £75 administration fee. A legal agreement has been drafted to provide this contribution.

### **Affordable Housing:**

44. The Council's affordable housing DPD is relevant to applications for residential development and sets out an approach to achieving contributions towards the delivery of affordable housing in the borough. However in the light of the most recent changes to the NPPG, which states that schemes for 10 units or fewer should not be subject to affordable housing contributions, a contribution has not been sought on this application.

### **Community Infrastructure Levy:**

45. The development proposal is liable to a community infrastructure levy charge. The proposal is 87.65m<sup>2</sup> which has been calculated as a CIL contribution of £6,135.50.

### **Representations:**

46. 18 letters of objection have been received, including a petition with 50 signatures, raising the following material planning issues:
  - Impact on the Ash tree at 16 Pine Vale Crescent;
    - o Evidence has been provided to demonstrate a root barrier. This tree is not a constraint to the development.
  - Overbearing towards 18 Pine Vale Crescent;
    - o The single storey dwelling is not considered to be overbearing.
  - Concerns that Orchard Grove is a driveway and not a road, so only one vehicle can drive in or out at one time.
    - o There will be very low levels of traffic movement with 6 parking spaces.

- Noise and disruption from the development;
  - o This is not a reason to refuse planning permission.
- Impact on wildlife;
  - o No evidence has been provided to demonstrate what wildlife will be affected.
- Closeness to boundaries;
  - o The separation distances are considered acceptable.
- Loss of property value especially Orchid Grove;
  - o This is not a material planning consideration.
- Overshadowing;
  - o The single storey dwelling is not considered to cause an adverse overshadowing impact to neighbouring dwellings.
- Loss of privacy and overlooking;
  - o Privacy is not considered to be adversely affected. There are no first floor windows proposed.
- Objection to the re siting of parking spaces, owned by number 1 Orchid Grove;
  - o This is a civil matter.
- Notice not being served correctly, found out by reading the site notice.
  - o The objector has not been prejudiced as they were aware of the application.
- Adverse impact on protected trees;
  - o There are no trees that are a constraint to this development.
- Adverse impact on parking;
  - o There is an acceptable level of car parking proposed.
- Cramped layout;
  - o The layout is not cramped.
- Previous refusals;
  - o The previous refused applications related to an access onto Pine Vale Crescent and a significantly narrower dwelling.
- Concern that the development will result in a security threat, with nothing but a fence protecting the rear of the neighbouring properties;
  - o No evidence has been provided why this will increase a security issue.
- Removal of healthy trees in the area.
  - o No evidence has been provided that any trees protected by TPO have been removed.
- Noise and disturbance from proposed dwelling.
  - o The new dwelling is not considered to cause an adverse noise and disturbance impact. It is a residential area and a residential use proposed.
- Loss of amenity space for ground floor flat 26 Redhill Drive.
  - o Revised plans have been received to retain more of the amenity space.

47. No letters of support have been received.

## Conclusion:

48. In accordance with paragraphs 186 and 187 of the NPPF the Council takes a positive and proactive approach to development proposals focused on solutions. The Council work with applicants/agents in a positive and proactive manner by:
- offering a pre-application advice service,
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions,
49. In this instance, a thorough site visit was carried out assessing all the potentially affected trees. The agent was updated of the issues and a revised plan was received. The revised plan overcame concerns and therefore a favourable recommendation was given.

## Recommendation

50. Delegate authority to the Head of Planning & Regulation to grant permission following the satisfactory completion of a Section 106 Agreement with the following terms and with the following conditions both of which are subject to alteration/addition by the Head of Planning & Regulation provided any alteration/addition does not go to the core of the decision. (In the event that the Section 106 agreement is not satisfactorily concluded within a reasonable timescale the Head of Planning & Regulation may refuse the application).

### Section 106 terms

Heathland mitigation (SAMM): £355 plus £75 admin.

### Conditions:

#### **1. Development to be carried out in accordance with plans as listed**

The development hereby permitted shall be carried out in accordance with the following approved plans: 4607:3A, 4607:2

Reason: For the avoidance of doubt and in the interests of proper planning.

#### **2. Prior Approval of Materials (Bricks & Tiles)**

No development shall take place until details/samples of the bricks and tiles to be used on the external surfaces of the proposed development have been submitted to and approved in writing by

the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **3. Implementation of the approved Arboricultural Method Statement**

The tree protection measures as detailed in the arboricultural method statement dated 20<sup>th</sup> September 2016 and prepared by Mr A J Scott shall be implemented in full and in accordance with the approved timetable and maintained and supervised until completion of the development.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).

### **4. On site working hours (inc demolition) restricted when implementing permission.**

All on-site working, including demolition and deliveries to and from the site, associated with the implementation of this planning permission shall only be carried out between the hours of 8 a.m. and 6 p.m. Monday - Friday, 8 a.m. and 1 p.m. Saturday and not at all on Sunday, Public and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policies CS14 and CS38 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **5. Method statement to be submitted to include operatives' car parking, noise reduction measures, storage of materials**

No site clearance or development work shall commence until there has been submitted to and approved in writing by the Local Planning Authority a Method Statement that includes the following measures:

- a) parking arrangements for operatives and construction vehicles working on-site;
- b) noise reduction measures; and the
- c) details and siting of equipment, machinery and surplus materials on the site.

The parking arrangements for operatives and construction vehicles shall be implemented prior to development commencing and the development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in the interest of highway safety in accordance with Policies CS38, CS41 and CS14 of the Bournemouth Local Plan: Core Strategy (October 2012).

#### **6. Plot 1 Parking spaces:**

The two parking spaces for plot 1, hereby approved shall be provided prior to the removal of their existing parking spaces and shall be kept available for these occupants of plot 1 and retained thereafter.

Reason: to ensure that there is no loss of parking spaces and in accordance with Policy CS 16 of the Bournemouth Plan: Core Strategy (October 2012)

#### **7. Access/Turning/ Parking**

Prior to the occupation of the development hereby approved, the access and areas for turning and parking, with parking spaces measuring 2.6m by 5m shall be constructed in accordance with the approved details and permanently retained and kept available for the residents or visitors of the development hereby permitted at all times.

Reason: In the interests of highway safety and in accordance with Policies CS14 and CS16 of the Bournemouth Local Plan: Core Strategy (October 2012).

#### **8. No Permitted Development for Enlargements of the dwelling(s)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements of the dwelling(s) shall be constructed without the grant of further specific planning permission from the Local Planning Authority.

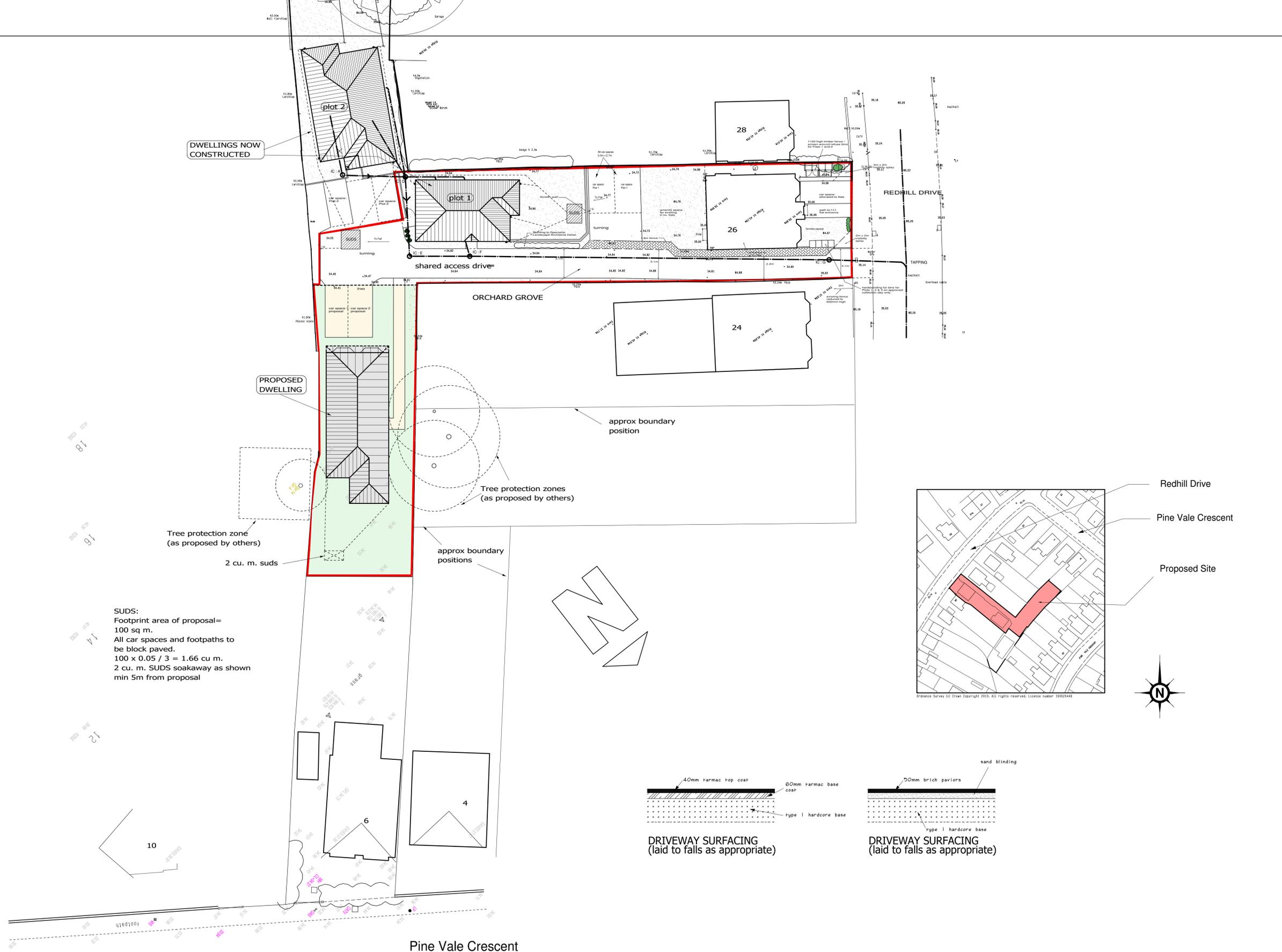
Reason: To enable the Local Planning Authority to retain control over the development of the site in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

#### **9. No Permitted Development for Windows, Dormer windows.**

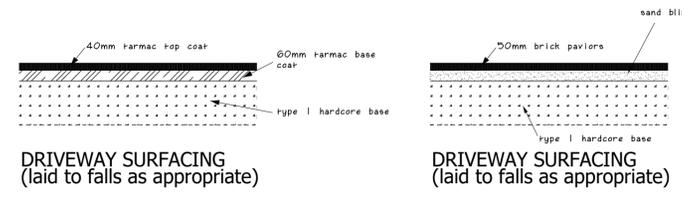
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed or dormer windows shall be constructed without the grant of further specific planning permission from the Local Planning Authority.

Reason: To avoid loss of privacy for adjoining properties in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

INFORMATIVE NOTE: The applicant is advised that there should be no storage of any equipment, machinery or materials on the footway/highway this includes verges and/or shrub borders or beneath the crown spread of Council owned trees.



SUDS:  
 Footprint area of proposal =  
 100 sq m.  
 All car spaces and footpaths to  
 be block paved.  
 $100 \times 0.05 / 3 = 1.66$  cu m.  
 2 cu. m. SUDS soakaway as shown  
 min 5m from proposal



**PROPOSED DWELLING ON  
 SITE AT r/o 6, PINEVALE CESCENT,  
 REDHILL, BOURNEMOUTH.**

**SITE AND LOCATION PLANS**  
 (detailed planning: sheet 2 of 2)

e mail: [info@benningtongreen.co.uk](mailto:info@benningtongreen.co.uk)

**benningtongreen**

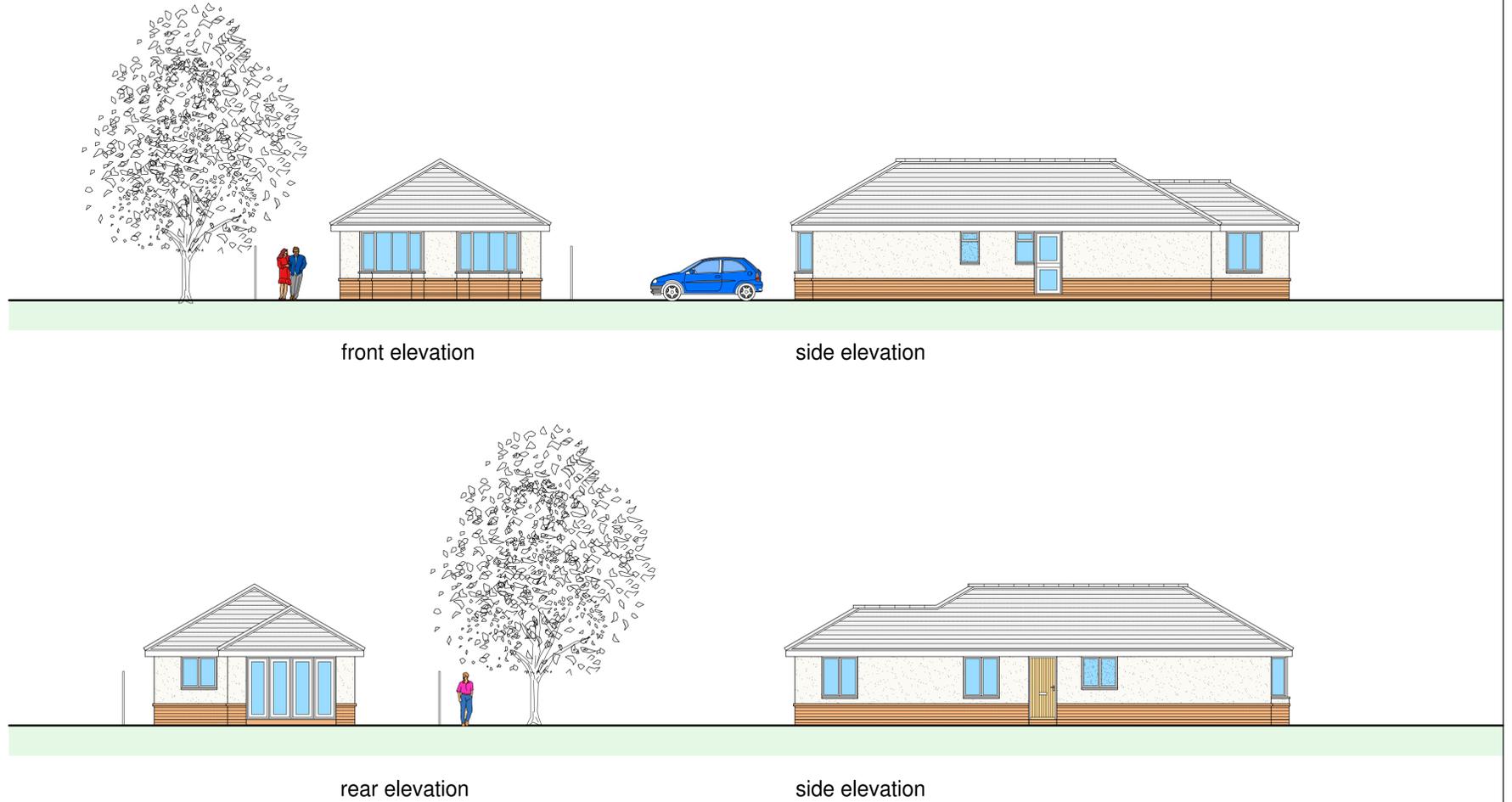
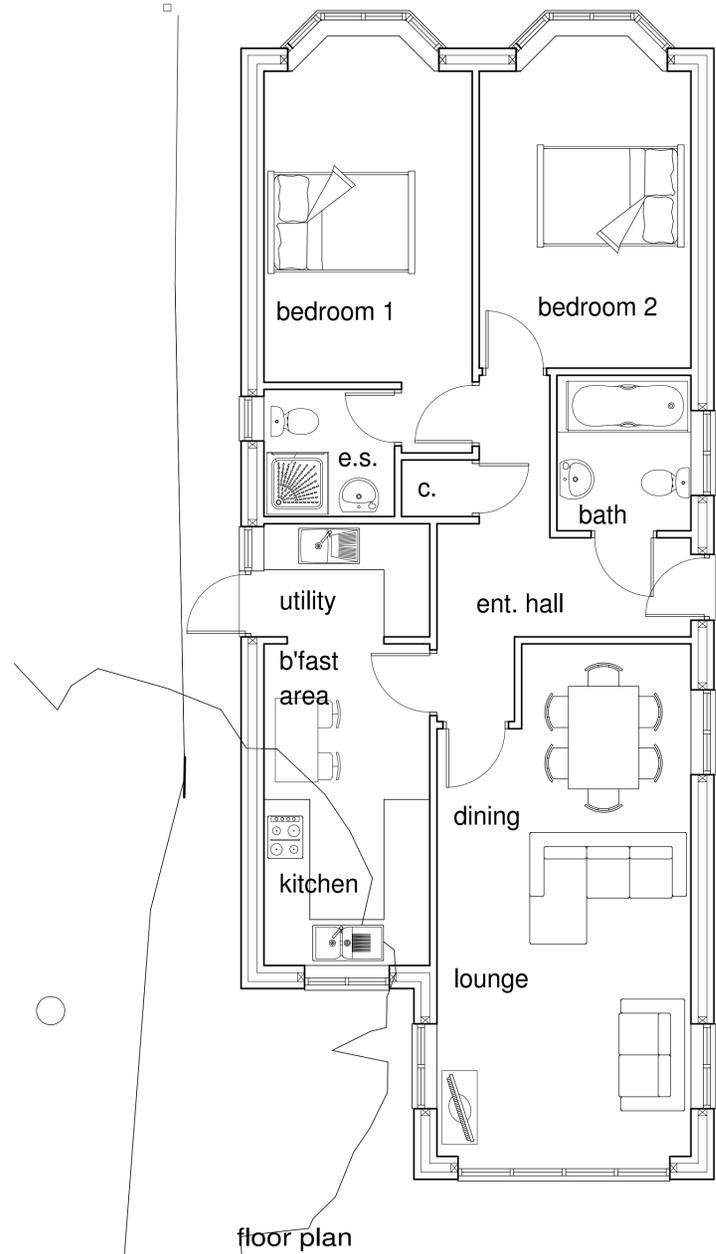
Fairview House  
 17 Hinton Road  
 Bournemouth BH1 2EE  
 01202-766584

Anniversary House  
 25 Abbott Road  
 Bournemouth BH9 1EU  
 01202-549590

REVISIONS:	
00/00/2015	x x x

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5). CLIENTS AND CONTRACTORS TO BE AWARE OF THEIR RESPONSIBILITIES/DUTIES UNDER CDM REGULATIONS.	
DRAWN BY:	J.G.H.
DATE:	OCTOBER 2016
SCALE:	1:200
JOB NO:	BG4607
DRAWING NO:	4607:3A





PROPOSED DWELLING ON  
SITE AT r/o 6, PINEVALE GESCENT,  
REDHILL, BOURNEMOUTH.

FLOOR PLANS AND ELEVATIONS

(detailed planning: sheet 1 of 2)

e mail: [info@benningtongreen.co.uk](mailto:info@benningtongreen.co.uk)



**benningtongreen**

The Pagoda  
30, Avenue Road,  
Bournemouth BH2 5SL

01202-766584

Anniversary House  
25 Abbott Road  
Bournemouth BH9 1EU

01202-549590

REVISIONS:

00/00/2015 x x x

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DRAWN BY:

JGH

DATE:

JUNE 2016

SCALE:

1:50 & 1:100

JOB NO:

BG4607

DRAWING NO:

4607:2

