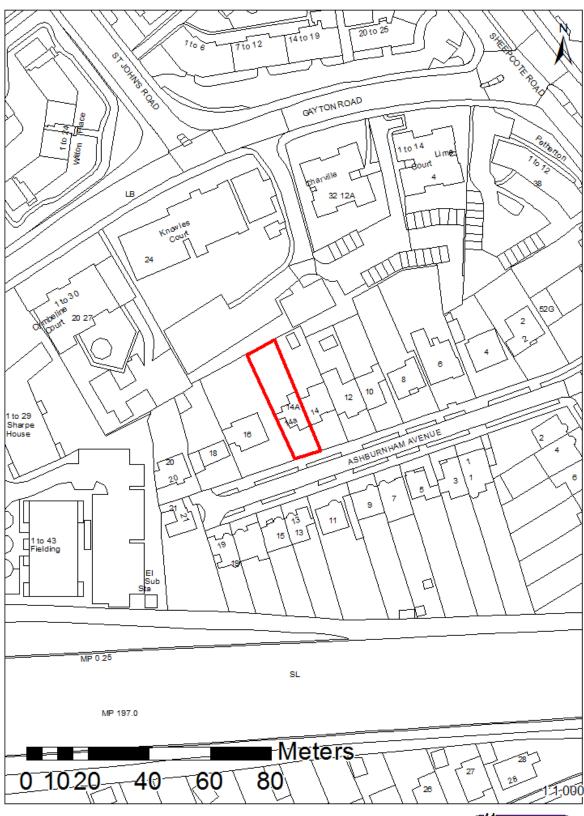


#### 14A Ashburnham Avenue HA1 2JQ

P/2116/19

# 14a Ashburnham Avenue



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# 14a, Ashburnham Avenue, Harrow, HA1 2JQ



Site Plan shows area bounded by: 515766.03, 187971.66 515907.46, 189113.08 (at a scale of 1:1250), OSGridRef: TQ15839804. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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#### LONDON BOROUGH OF HARROW

#### **PLANNING COMMITTEE**

24th July 2019

**Application Number:** P/2116/19 **Validate Date:** 08/05/2019

**Location:** 14A Ashburnham Avenue

Ward: Greenhill Postcode: HA1 2JQ

Applicant:Mr Richard LordAgent:Mr L KlimekCase Officer:Kimry Schlacter

**Expiry Date:** 03/07/2019 (extended to 30/07/2019)

#### **PROPOSAL**

Single storey and first floor front extension; two storey side to rear extension incorporating undercroft; single storey rear extension; external alterations including creation of sunken patio area (demolition of conservatory) (amended development description).

#### RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of this report.

#### REASON FOR THE RECOMMENDATIONS

The proposal would allow for extensions to a semi-detached property that are similar in scale and design to those of the attached semi to the application property, thus resulting in a more balance and symmetrical pair. Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the property and surrounding area.

# **INFORMATION**

This application is reported to Planning Committee due to high levels of public interest received under part 1, Proviso E of the scheme of delegation dated 12th December 2018.

Statutory Return Type: Householder

Council Interest: None Additional Floor Area: 52.7m<sup>2</sup>

**GLA Community** 

Infrastructure Levy (CIL)

Contribution (provisional): N/A

Local CIL requirement: N/A

## **HUMAN RIGHTS ACT**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

# **EQUALITIES**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

## **S17 CRIME & DISORDER ACT**

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

### **LIST OF ENCLOSURES / APPENDICES:**

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

#### **OFFICER REPORT**

#### Assessment

## 1.0 SITE DESCRIPTION

- 1.1 The site is located on the northern side of Ashburnham Avenue.
- 1.2 The property on the application site is a two-storey semi-detached house with an existing conservatory at rear. The front and side of the site is hard surfaced, while there is an existing patio at rear.
- 1.3 Both the application site and neighbouring sites have a significant rise in ground levels from the front to the back.
- 1.4 No. 14 adjoins the property to the east, while no. 16 adjoins the property to the east. No. 14 has an existing development which is similar to that proposed at the application site.
- 1.5 The rear boundary adjoins a parking area / service road for Knowles Court.
- 1.6 There is a tree preservation group/woodland adjoining the rear boundary.

# 2.0 PROPOSAL

- 2.1. It is proposed to demolish the existing conservatory and construct single and two storey extensions to the front, side and rear.
- 2.2. Two storey side extension and first floor front extension to adjacent part of original front catslide roofslope, both set 2.1m back from the projecting front (gabled) elevation.
  - 2.3. Single storey front extension along the western flank side, being 2.4m wide and projecting 1.15m to the front (but projecting 1.35m less than the main front elevation).
  - 2.4. The first floor front projection would extend over part of the existing cat slide roof on the recessed part of the front elevation.
  - 2.5. Two storey side to rear extension 3m deep at the rear and 4.3m wide across the rear elevation. A gap of 0.2m is maintained with the boundary.
  - 2.6. Roof to be hipped at the side, with a crown roof area set further down and to the front. The crown area would be 5m wide across the front, and 2.9m deep. To the rear, the roof would be hipped and set down from the main roof ridge by 0.15m.

- 2.7. Undercroft passage from front to rear garden beneath the first floor side extension.
- 2.8. Single storey rear extension 3m deep, with a mono-pitch roof, in-filling the area between the boundary with no. 14 and the two-storey extension. Eaves height 2.4m from natural ground level, or 2.7m from the excavated patio area.
- 2.9. Sunken patio, extending 3.1m from the proposed rear elevation and 0.5m high
  - 2.10. Replacement of window on first floor rear elevation; windows in front porch area.
- 2.11. Removal of chimney stacks

# 3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
HAR/2112	Erection of semi-	Granted
C	detached house	14/10/1949
HAR/2112/A	Erection of semi-	Granted
	detached house and garage (amended plan)	03/02/1950

## 4.0 CONSULTATION

- 4.1. A total of 32 consultation letters were originally sent to adjoining neighbouring properties regarding this application.
- 4.2. The public consultation period expired on 19/06/2019.
- 4.3. The description was amended to include the first floor front extension and sunken patio at the rear. A second set of consultation letters with the amended development description were subsequently as sent out. The public consultation for this period expired on 20/06/2019.

# 4.4. Adjoining Properties

Number of letters sent	15
Number of Responses Received (includes petition numbers)	32
Number in Support	0
Number of Objections	22
Number of other Representations (neither objecting or supporting)	0

# 4.5 A summary of the responses received along with the Officer comments are set out below:

Details of Representation / Summary of Comments	Officer Comments
Overdevelopment of site as it would increase the existing house by 50%	Please see section 6.2 for the appraisal on this point
Will destroy cottage style of the house; Detrimental to character of the original house	Please see section 6.2 for the appraisal on this point
Will result in majority of the site being built upon and loss of garden area	Please see section 6.2. Most of the development would be on land that is already hard- surfaced and a relatively small amount of additional hard surfacing is proposed
Overbearing to adjacent properties, particularly no. 16, as it would be built up to the boundary	Please see section 6.3 for the appraisal on this point
First floor side window overlooking no.16 is unacceptable.	Please see section 6.3. A condition has been attached to ensure this is obscure glazed.

All of the residents of Ashburnham Avenue should have been sent notifications, as well as the residents of and Knowles Court which is 100m away and screened by mature trees from the application site.	The legislation guiding planning procedures requires that the local planning authority notify adjoining properties (i.e. those that share a boundary with the application site) by letter or erect a site notice, for applications for householder development. There is no requirement to notify by letter neighbours which do not adjoin the property for the type of development applied for.
Construction works will impacts amenities of no.14 via dust, noise and vibration	The Considerate Contractor Code of Conduct and other environmental health guidelines and regulations would apply, as was the case when no. 14's own extensions were built.
Demolition of conservatory might affect no. 14 and Party Wall Act would apply.	Party Wall matters are outside the purview of planning and are not a material consideration.

- 4.6 Summary of Applicant's Response to public representations: N/A
- 4.7 <u>Statutory and Non Statutory Consultation</u>
- 4.8 The following consultations have been undertaken:

Consultee	Summary of Comments	Officer Comments
LBH Drainage Authority:	The applicant should submit drainage layout drawing showing two separate surface & foul water connections and outfall details. The applicant should make sure that surface water from the new construction should be disposed into surface water sewer only. We do not have any combined drainage system in Harrow and combined drainage is not acceptable. Alternatively the applicant can discharge the	Noted. An informative has been included to address this.

รเ	urface water into a soakaway	

# 5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

- 5.2 The National Planning Policy Framework (NPPF) 2019 sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application.
- In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.
- While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough. The document was published in draft form in December 2017 and is currently in the Examination in Public (EiP) stage, with the Panel's report expected in Autumn 2019. Given that the draft Plan is in the EiP stage of the formal process it holds some weight in the determination of planning applications, although lesser weight will be given to those areas of the plan that are being challenged through the EiP process (including any potential inconsistencies with the NPPF).
- 5.5 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant polices referenced within the report below and a summary within Informative 1 in Appendix 1 of this report.

# 6.0 ASSESSMENT

- 6.1 The main issues are:
  - Character and Appearance of the Dwelling and the Area
  - Residential Amenity
  - Trees and Development
- 6.2 <u>Character and Appearance of the Dwelling and the Area</u>
- 6.2.1 Ashburnham Avenue contains a mix of detached and semi-detached houses of differing architectural styles; some of which have larger crown roofs. The application property no. 14a is one of a pair of semi-detached properties. The attached property no. 14 has previously been extended at front, side and rear (see ref: EAST/616/02/FUL), with extensions very similar to those applied for in this application. The other adjoining property is no. 16, which is a relatively large detached house; council records indicate this properly has previous two-storey and single storey side extensions.
- 6.2.2 The single storey front extension would be modest in size at 1.15m depth, and would not project as far as the main front building line. The roof height would comply with the Residential Design Guide SPD, and the angle of its slope matches that of the existing cat slide roof.
- 6.2.3 The first floor front extension adjoining the section of the two-storey side extension would be set back from the main front building line by 2.1m. The roof of this section would be set down from the main roof ridge by 1.2m. The set-back and setting down of the roof would comply with the requirements of Paragraph 6.46 which seek to avoid a terracing effect on semi-detached houses, although it uses a crown roof rather than a hipped roof. It is acknowledged that the proposal would result in the loss of the cat-slide roof; on the other hand this is not a characteristic feature of Ashburnham Avenue. It is also acknowledged that the proposal would significantly alter the appearance of the property to the front, which would be highly visible in the street scene.
- 6.2.4 However, the attached property no. 14 previously had an identical cat slide roof and architecture matching no. 14a. the existing front and two storey side to rear extensions on no. 14 would be very close in appearance but the proposed first floor front extension would be slightly set further back than the existing one on no. 14, so would be smaller than no. 14's. The crown roof would also be similar, as would the size of the side extension and the roof form for it. No. 14 also has a similar ground floor front extension. Thus the proposal would effectively mirror the existing front and side extensions at no. 14, and as a consequence would restore symmetry and balance to the pair of semis.
- 6.2.5 The side extension would retain an external access to the rear garden, which is to be encouraged, via an under croft section. A small gap would be retained with the boundary. The width of the side extension would be less than one half the width of the original house; and the roof form is similar to that of no. 14.

- 6.2.6 The proposed extensions at the rear again reflect the existing extensions at no. 14, although with the addition of a single storey section. The proposed two storey rear extension would have a depth of 3m and a width of 4.3m, set away from the boundary with no. 14 by 4m. The roof would be set down from the original roof ridge and would be hipped. The proposed two storey rear extension would be therefore similar to the existing one on no. 14, but would be 1m deeper at first floor level. However, it would also be narrower than no. 14's by approximately 1.0m; and the roof of the proposal does not have a crown element thus arguably represents better design.
- 6.2.7 The single storey rear extension would comply with the Residential Design Guide SPD in terms of depth and height, and would be relatively modest addition in conjunction with the two-storey side to rear. The proposed sunken patio would be the same size as the existing one on no.14 and would result in amenity space for the current and future occupiers of the property which would be on a level with that of no. 14 and significantly lower than no.16.
- 6.2.8 For all the reasons given above, the proposal would be consider proportionate and appropriate to the character and appearance of the property, and in particular the pair of semi-detached houses, and the street scene. Given the existing extensions at no. 14 and relatively modest size of the single storey rear extension, there is no justification for refusing the proposed development for no. 14a.
- 6.2.9 In terms of floor space, the dwelling would be increased from 109.15sqm to 161.85sqm, which would represent a 48% increase. However, this percentage increase in not in itself disproportionate nor is it the only consideration. As noted above, the proposal complies with policy on points relating to depth, width, and subordinate features, and mirrors in many respects the existing development on the attached property no. 14. Thus, it is not considered to be disproportionate or excessive.
- 6.2.10 The site as existing is hard surfaces at the front and side and has an existing hard surfaced patio at the rear. The majority of the proposed extension would therefore be built upon areas which are already hard surfaced. The exception would be the sunken patio at the rear, which would match the depth of the existing patio at no. 14, thus result in a similar proportion of green landscaping as that property (excluding the larger outbuilding in the rear of no. 14). In terms of foot print, approximately 304.6sqm of the plot are not developed (excluding hard surfacing); and the proposal would increase the footprint by 32sqm, thus representing a, increase of only 10% development of the site.
- 6.2.11 In summary, the development would accord with the relevant policies of the development plan and the Council's adopted SPD: Residential Design Guide 2010.
- 6.3 Residential Amenity
- 6.3.1 The proposed front and side extensions would not be visible from the attached no. 14, due to the original projecting sections of both properties.

- No. 16's front elevation is set roughly in line with the projecting front elevation of nos. 14 and 14a; while its adjacent front corner is approximately 5m from the common boundary. The area to the front of no. 16 is a driveway area; and the conservatory extension to the facing flank of no. 16 is in use as a plant nursery / glass house. The facing flank of no. 16 contains no habitable "protected" windows (see Paragraph 6.26 of the Residential Design Guide SPD). In addition, the adjacent ground level at the side of no. 16 is approximately 30cm higher than that of the application site.
- 6.3.3 As the proposed front extensions are set back from the main projecting front elevation of that house, and so would not project beyond no. 16's front elevation, those extensions would not result in appreciate visual impacts from the front habitable windows of no. 16. The proposed front and side extensions would meet both the vertical and horizontal 45-degree code with respect to the front and side of no. 16, although give the lack of habitable windows on the flank it should be noted that the proposal is not required to meet the vertical 45-degree code here.
- 6.3.4 The two storey rear section would be set 4.9m away from the common boundary with the attached no. 14, and would meet the 45-degree code with respect to that property. In relation to no. 16, the rear elevation of no. 16 projects approximately 0.8m-1m from the adjacent rear elevation of the application property, thus the proposed two storey extension at the rear would project a maximum of 2.2m beyond no. 16's existing two-storey rear elevation. Given this, it would meet the 45-degree code with respect to the rear elevation of no. 16 as well.
- 6.3.5 The side extension is set away from the boundary by 0.2. Whilst this is a small amount, for the reasons set out above, it would not be considered overbearing.
- 6.3.6 The single storey rear section would not be visible from no. 16, but would be adjacent the common boundary with no. 14. It would accord with the Residential Design Guide SPD in terms of depth and height, and the height would be relatively low as measured from both the natural ground level and the sunken patio level of both properties.
- 6.3.7 The proposed sunken patio area would be the same approximate depth and height as the one existing on no. 14. The ground levels of all three properties rise to the rear after the edge of the proposed sunken patio.
- 6.3.8 One window is proposed on the flank of the proposed two-storey side extension facing no. 16; however this window would serve a hallway rather than a habitable room. Nevertheless, in the interest of preventing real or perceived loss of privacy to no. 16, a condition has been included to ensure this window is obscure-glazed.
- 6.3.9 The first floor of no. 14 was granted permission for a Juliet balcony as part of its two-storey rear extension under ref: EAST/616/02/FUL. It is noted a walk-out balcony has been construction on site without planning permission. As the

- proposal does not have any balconies to the rear, it would result in less overlooking and loss of privacy than the existing development at no. 14.
- 6.3.10 Knowles Court is a block of flats located to the north of the property, whose curtilage (parking area) appears to adjoin the application site at the rear. As noted in objections submitted by members of the public, this building is located over 50m away (rather than 100m) and it is shielded by mature trees which screen the development. In addition, Knowles Court is on significantly higher ground. As such, there would be no impacts on Knowles Court.
- 6.3.11 For all the reasons set out above, it is considered that the proposal would not result in undue impacts on the amenities of adjoining properties. Subject to conditions ensuring that additional windows are not placed in the flank elevations to ensure the privacy of neighbouring occupiers is maintained, the development would therefore accord with development plan policies in respect of amenity.

# 6.4 Trees and Development

6.4.1. The rear boundary of the site adjoins group of protected trees. As the proposal would be sited 17m away from the rear boundary, and on significantly lower ground, there would be no impacts on those protected trees.

# 7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The development as built has not been found to negatively impact the character and appearance of the property and the area. Furthermore, the extensions and external alterations will not have an unacceptably harmful effect on the amenity of the neighbouring occupiers subject to conditions controlling windows on the flank elevations.

# **APPENDIX 1: Conditions and Informatives**

## **Conditions**

#### 1. Timing

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

## 2. Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site Location Plan; 079 PA01; 079 PA02; 079 PA03; 079 PA04; 079 PA05; 079 PA06; 079 PA07 Suffix A; 079 PA08 Suffix A; 079 PA09 Suffix A; 079 PA10 Suffix A; 079 PA11 Suffix A; 079 PA12 Suffix A

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

## 3. Materials

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

#### 4. <u>Galzing1\_M</u>

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and reenacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plans shall be installed in the flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

# 5. <u>GLAZ\_OBS\_M - Glazing - Obscure</u>

The window(s) in the first floor flank wall of the approved development shall:

a) be of purpose-made obscure glass and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

# **Informatives**

#### 1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016): 7.3 Designing Out Crime 7.4 Local Character 7.6 Architecture

Draft New London Plan:

Policy D1 London's from and characteristics

Policy D10 Safety, security and resilience to emergency

Harrow Core Strategy (2012): CS1.B Local character

Harrow Development Management Policies Local Plan (2013): DM1 Achieving a High Standard of Development DM22 Trees and Landscaping

Supplementary Planning Documents:

Supplementary Planning Document: Residential Design Guide (2010)

#### 2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

#### 3. Party Wall Act

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

- 1. work on an existing wall shared with another property:
- 2. building on the boundary with a neighbouring property;
- 3. excavating near a neighbouring building, and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering. Also available for download from the Portal website: <a href="https://www.gov.uk/party-wall-etc-act-1996-guidance">https://www.gov.uk/party-wall-etc-act-1996-guidance</a>

# 4. <u>Protection of Highway</u>

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

# 5. <u>Considerate Contractor Code of Practice</u>

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday.

## 6. Surface and Foul Water Connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans

#### Checked

Interim Chief Planning Officer	Beverley Kuchar 12/7/19
Corporate Director	Paul Walker 15/7/19

# **APPENDIX 2: SITE PLAN**





## 14a, Ashburnham Avenue, Harrow, HA1 2JQ



Site Plan shows area bounded by: \$15766.03, 187971.65 515907.45, 189113.08 (at a scale of 1:1250), OSGridRef: TQ15838904. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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# **APPENDIX 3: SITE PHOTOGRAPHS**



Front of application site





Side passage looking towards front driveway



With attached no. 14 to the right



No. 14's front /side extension



No. 16



No. 16



Views of application site from further down the street



Rear garden





Rear elevation, with no. 14 to the left; no. 14's existing two-storey extension visible



Rear elevation of no. 14



Looking towards no. 16





Facing flank of no. 16

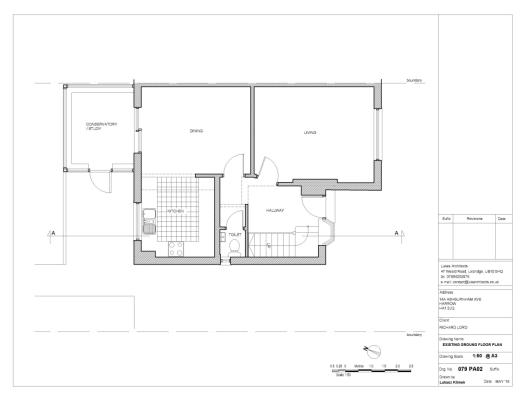


Conservatory in use as plant nursery

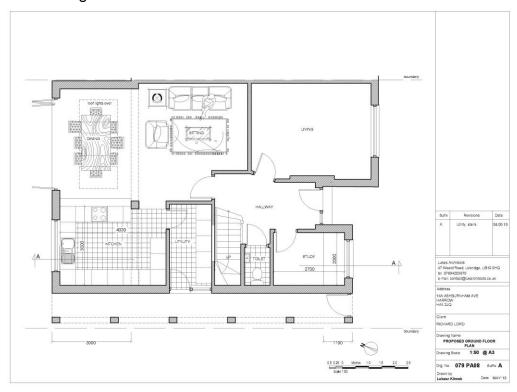


To the rear of no. 16

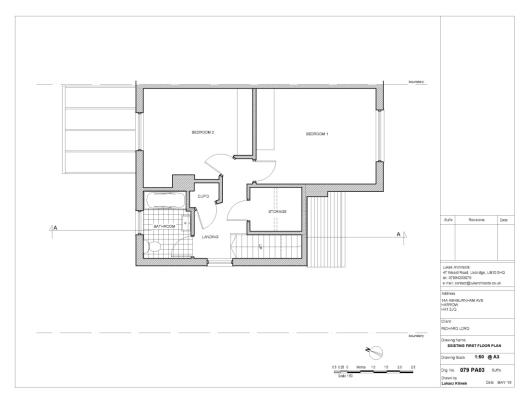
# **APPENDIX 4: PLANS AND ELEVATIONS**



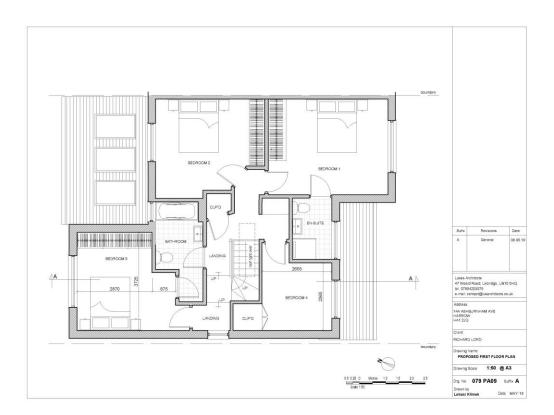
# **Existing Ground Floor Plans**



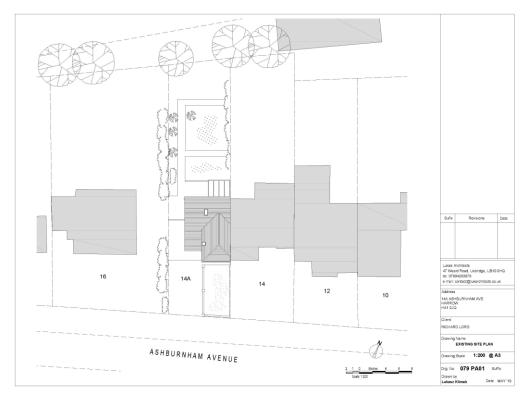
Proposed Ground Floor Plans



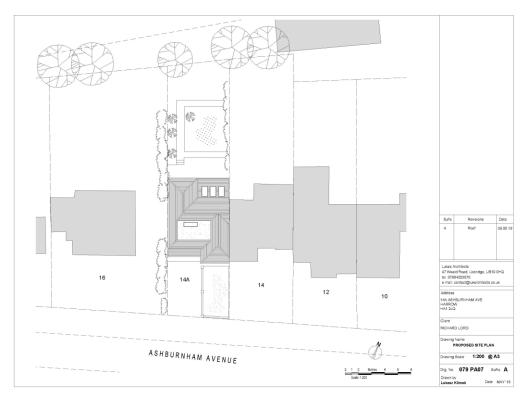
Existing Floor Plans



Proposed Floor Plans



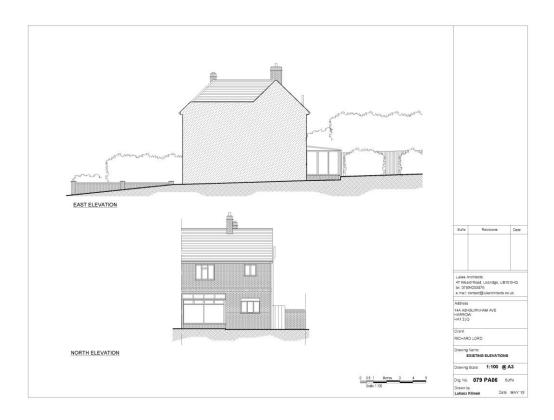
Existing Site Plan



Proposed Site Plan



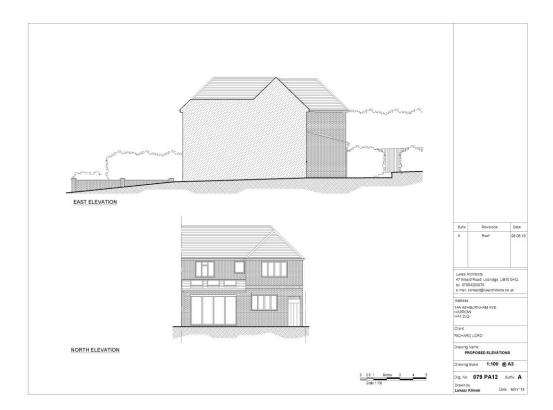
# **Existing Elevations**





Proposed

# Elevations



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