

Report to Planning Committee

25 October 2023

Application Reference	DC/22/67797	
Application Received	12 December 2022	
Application Description	Proposed residential development comprising	
	of 45 dwellings, landscaping and car parking.	
Application Address	Site of 30-144 Mounts Road	
	Wednesbury	
Applicant	Mr Iqubal Singh	
Ward	Wednesbury South	
Contact Officer	Douglas Eardley	
	douglas_eardley@sandwell.gov.uk	

1 **Recommendations**

- 1.1 That planning permission is granted subject to conditions relating to:
 - i) External materials in accordance with submitted details;
 - ii) Electric vehicle charging provision and retention;
 - iii) Construction environmental management plan;
 - iv) Low NOx boilers, provision and retention;
 - v) Provision and retention of car parking;
 - vi) Drainage;
 - vii) Site investigation and remediation;
 - viii) External Lighting scheme;
 - ix) Finished floor levels;
 - x) Boundary treatments;
 - xi) Landscaping in accordance with submitted details;
 - xii) Electric vehicle charging;



- xiii) Detailed method statement setting out job and apprenticeship opportunities which may arise during the construction of the development and/or when the development is brought into use;
- xiv) Coal Authority Intrusive site investigations/remediation works;
- xv) Noise assessment;
- xvi) Construction times;
- xvii) Construction Surface Water Management Plan; and
- xviii) Permitted development removal.

2 Reasons for Recommendations

2.1 The development would provide much needed housing to national internal standards, with parking, landscaping and cycle and waste storage accommodated within the layout.

3 How does this deliver objectives of the Corporate Plan?



Quality homes in thriving neighbourhoods

4 Context

- 4.1 The application is being reported to your committee as the proposal has received 7 objections.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

Mounts Road, Wednesbury

5 Key Considerations

- 5.1 The site is allocated for Housing in the Development Plan.
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)



Proposals in the Development Plan Planning history Amenity concerns – Overlooking/loss of privacy from apartments/balconies, loss of light and outlook from proposed apartments. Anti-social behaviour. Design concerns - Layout (apartments, road layout, parking (next to their properties would cause safety and security issues) and rubbish bins (attract vermin) Highways considerations – Increase in traffic Environmental concerns – Noise and increased levels of rubbish and air pollution from increased traffic. Japanese knotweed on site. Ecology concerns – loss of wildlife.

6. The Application Site

6.1 The application relates to a site on the north-western side of Mounts Road, Wednesbury. The site is currently vacant and is made up of general shrubs and overgrowth. To the north of the site there is an embankment down to a disused railway line; to the east and south there is residential development and to the west are industrial units. The site falls within Housing Allocation Area H8.4 – Holloway Bank, Wednesbury.

7. Planning History

7.1 The site previously had planning permission (DC/14/56970) granted subject to conditions for a proposed residential development of 45 dwellings and associated car parking, landscaping and access. However, the layout of the previously approved scheme DC/14/56970 is no longer deliverable due to conflict with the surveyed coal mine shafts and resulting engineering requirements and viability. In response, this application has been designed by the applicant to ensure no conflict with the surveyed coal shafts, whilst delivering new housing on a parcel of brownfield land.



7.2 Relevant planning applications are as follows:

DC/14/56970	Proposed residential	Grant Permission
	development of 45	subject to Conditions
	dwellings and associated	- 07.07.2014.
	car parking, landscaping	
	and access.	

8. Application Details

- 8.1 This is a full planning application for the development of 45 dwellings, which would consist of 7 five bedroom houses, 5 four bedroom houses, 3 three bedroom houses, 4 two bedroom houses, 2 two bedroom bungalows, 12 two bedroom apartments and 12 one bedroom apartments.
- 8.2 Apart from the bungalows (single storey in height), all the houses would be two storeys in height, while the apartments would be three storeys in height. Due to poor ground conditions, the site layout has been influenced by the constraints of the site.
- 8.3 Vehicular and pedestrian access to the site would be taken off Mounts Road. There are two proposed vehicular entrances to the site off Mounts Road; the main estate road and a private drive next to the existing residential property of 28a Mounts Road.
- 8.4 Car parking is provided within the site in the form of parking bays, private driveways and garages. Pedestrian connections are provided across the site for ease of movement.
- 8.5 New green space would be provided throughout the site, however private gardens would form most of the green space. A landscape plan has been provided to indicate how the landscaping of the site would be delivered.



9. Publicity

9.1 The application has been publicised by neighbour notification letter and press notice with a total of 7 objections being received to the original and amended proposals.

9.2 **Objections**

Objections have been received on the following grounds:

- Amenity concerns Overlooking/loss of privacy from apartments/balconies, loss of light and outlook from proposed apartments. Anti-social behaviour.
- ii) Design concerns Layout (road layout, parking (next to their properties would cause safety and security issues) and rubbish bins (attract vermin).
- iii) Highways considerations Increase in traffic.
- iv) Environmental concerns Noise and air pollution from increased traffic. Increased levels of rubbish. Japanese knotweed on site.
- v) Ecology concerns loss of wildlife.

Non-material objections have been raised regarding loss of property value.

These objections will be addressed in section 13 (Material considerations).

10. Consultee responses

10.1 Planning Policy

Planning Policy have received confirmation from the District Valuer that the proposal is not viable for affordable housing. In general, Planning



Policy have confirmed that they are satisfied with the amended proposal and that it is generally complaint with policy.

10.2 Highways

Following the receipt of satisfactory amended plans to indicate parking provision and pedestrian visibility splays, Highways has no objection.

10.3 Pollution Control (Air Quality)

Have requested the imposition of conditions relating to electric vehicle charging provision, low NOx boilers and a construction environmental management plan.

10.4 Pollution Control (Contaminated Land)

Have requested the imposition of standard conditions relating to site investigation/remediation.

10.5 Pollution Control (Air Pollution and Noise)

Due to the proximity of existing commercial and industrial premises to the south-western aspect of the site, it is recommended that an environmental noise survey and noise risk assessment is carried out, including acoustic design/glazing. It is also recommended that construction working hours are limited to Mondays to Fridays 08.00 to 17.30, Saturdays 09.00 to 13.00 and no work on Sundays and Public Holidays. Furthermore, a construction environmental management plan is required. All of these matters can be covered by the imposition of conditions.

10.6 West Midlands Police

No objection.



10.7 Lead Local Flood Authority

Following the submission of satisfactory details, they have no objection to the proposal; however, they have requested the imposition of a condition relating to a Construction Surface Water Management Plan.

10.8 Severn Trent Water

They have requested the imposition of their standard drainage condition.

10.9 Urban Design Officer

Following the receipt of satisfactory amended plans to indicate improvements to the schemes layout and design, Urban Design has no significant issues with the proposal.

10.10 The Coal Authority

Have requested a condition requiring a scheme of intrusive site investigations to be carried out to establish the risks posed to the development by coal mining activity with remediation works and/or mitigation. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration confirming that the site is, or has been made safe and stable for the proposed development shall be submitted to the local planning authority.

10.11 Tree Preservation Officer

No concerns with the proposal and supports the trees to be planted as part of the landscaping scheme. Conditions would be imposed to ensure landscaping on site is implemented in accordance with submitted details.

10.12 Employment and Skills

Have recommended the imposition of their standard condition pertaining to the submission of a detailed method statement setting out job and



apprenticeship opportunities which may arise during the construction of the development and/or when the development is brought into use.

11. National Planning Policy

11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be considered to reflect the character, needs and opportunities for each area. The Framework refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts. It also states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

12. Local Planning Policy

12.1 The following polices of the council's Development Plan are relevant:

CPS4: Place Making DEL1: Infrastructure Provision HOU1: Delivering Sustainable Housing Growth HOU2: Housing Density type and Accessibility HOU3: Delivering Affordable Housing EMP5: Improving Access to the Labour Market TRAN2: Managing Transport Impacts of New Development TRAN4: Creating Coherent Networks for Cycling and Walking ENV3: Design Quality ENV5: Flood Risk, Sustainable Drainage System and Urban Heat Island Effect ENV7: Renewable Energy ENV8: Air Quality SAD H1: Housing Allocations SAD H3: Affordable Housing SAD EMP2: Training and Recruitment SAD EMP4: Relationship between Industry and Sensitive Uses



SAD TRAN3: Car Parking SAD HE5: Archaeology & Development Proposals SAD EOS9: Urban Design Principles SAD DC6: Land Affected by Contamination, Ground Instability, Mining Legacy, Land of unsatisfactory Load Bearing Capacity or Other Constraints

- 12.2 Low NOx boilers would be required by condition (DEL1).
- 12.3 The proposal would contribute to the housing targets identified in policy HOU1 by providing housing on previously developed land to meet local housing need.
- 12.4 In regard to policy HOU2 the proposal meets the aspirations of this policy by meeting the needs of the local populace and provides a diverse range of housing types, which are accessible by not only vehicles, but also pedestrians.
- 12.5 The provision of cycle storage would make the proposal compliant with TRAN4. This is proposed as part of the scheme for the apartments (satisfactory cycle storage details submitted as part of the application)/dwelling (within gardens).
- 12.6 Policies CSP4, ENV3 and SAD EOS9 refer to well-designed schemes that provide quality living environments. Through the development of the scheme, and the amendments to the proposal which have been received throughout the determination of this application, it is considered that the design meets the requirements of policies CSP4, ENV3 and SAD EOS9. The Agent has also submitted a materials layout plan (137/ML/01 REV A). As these are external materials are deemed satisfactory, an external materials condition would be imposed to ensure that the development is carried out in accordance with the details shown on plan (137/ML/01 REV A). Furthermore, due to the design, layout and general plot sizes of the dwellinghouses, it is also proposed to impose a condition to remove permitted development rights concerning Classes A, AA, B, C, D, E and



F of Schedule 2 (Part 1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

- 12.7 Air quality mitigation (boilers and electric vehicle charging) can be ensured by condition, in accordance with ENV8.
- 12.8 The requirements of policies HOU3 and SAD H3 would not be applicable in this instance, because as confirmed above in section 10.1 of this report, Planning Policy have received confirmation from the District Valuer that the proposal is not viable for affordable housing.
- 12.9 The requirements of policies EMP5 and SAD EMP2 can be satisfied through the impositions of relevant conditions pertaining to the submission of a detailed method statement setting out job and apprenticeship opportunities which may arise during the construction of the development and/or when the development is brought into use.
- 12.10 In regard to policies TRAN2 and SAD TRAN3, it is noted that following the submission of amended plans, that the Council's Highways team has no objection; therefore, it is considered that the amended proposal would be compliant with this policy.
- 12.11 Following the receipt of satisfactory information, Planning Policy has confirmed that the amended proposal is complaint with policy ENV7 and that there is no requirement for any subsequent conditions pertaining to this matter.
- 12.12 The proposal site falls within Housing Allocation Area H8.4 Holloway Bank, Wednesbury, so as the proposal is for residential, it would be complaint with the provisions of policy SAD H1.
- 12.13 In regard to the comments from Pollution Control (Air Pollution and Noise) above in section 10.5 of this report, it is considered that though the imposition of conditions to ensure that an environmental noise survey and noise risk assessment is carried out, that the amended proposal would be complaint with the provisions of policy SAD EMP4.



- 12.14 It is noted that through the previous approval (DC/14/57551) discharge of condition details were submitted in relation to Condition 23 and the Archaeological Assessment. Subsequently Condition 23 of DC/14/57551 was formally discharged as the archaeological assessment demonstrated that there was no potential for significant archaeological findings or requirements for further investigation on site. Therefore, it is considered that the aspirations of SAD HE5 have previously been met and that there is no requirement for archaeological conditions.
- 12.15 The comments and requirements of the Coal Authority, as mentioned in section 10.10 of this report above, would ensure that the amended proposal would be compliant with the provisions of policy SAD DC6.
- 12.16 Following the requirement for the imposition of conditions from the Lead Local Flood Authority (section 10.7 above) and Severn Trent Water (section 10.8 above), the amended proposal would be compliant with the provisions of policy ENV5.

13. Material Considerations

13.1 National and local planning policy considerations have been referred to above in Sections 11 and 12. With regards to the other material considerations, these are highlighted below:

13.2 Planning history

The site previously had planning permission (DC/14/56970) granted subject to conditions for a proposed residential development of 45 dwellings and associated car parking, landscaping and access. However, the layout of the previously approved scheme DC/14/56970 is no longer deliverable due to conflict with the surveyed coal mine shafts and resulting engineering requirements and viability. In response, this application has been designed by the applicant to ensure no conflict with the surveyed coal shafts, whilst delivering new housing on a parcel of brownfield land.



13.3 Amenity concerns – Overlooking/loss of privacy from apartments/balconies, loss of light and outlook from proposed apartments. Anti-social behaviour.

In respect of overlooking/loss of privacy from the apartments/balconies, it is noted that whilst the latter half of the rear gardens of the objector's properties may be slightly overlooked by the apartment block in the northern extremity of the site, the actual dwellinghouses of the objectors would not. Neither of the two apartment blocks proposed would directly face windowed elevations of dwellinghouses on Mounts Road. It is considered that overlooking generally occurs to a garden from other neighbouring properties (existing or proposed) in a residential setting to some degree. Therefore, when assessing any material harm of overlooking/loss of privacy that could be a resultant of the apartment block in the northern extremity of the site, it is considered that there would not be significant planning grounds to warrant refusal of DC/22/67797 on loss of privacy to the objector's properties in this instance.

- 13.4 Concerning loss of light and outlook from the proposed apartments, it is noted that the nearest residential property of 28a Mounts Road is over 19 metres away from the closest apartment block in the northern extremity of the site. When this is coupled with the orientation of the sun from east to west, it is considered that there would not be significant planning grounds to warrant refusal of DC/22/67797 on loss of light and outlook in this instance
- 13.5 Whilst objectors raise concerns in respect of anti-social behaviour, the proposal is for a residential development, in a predominantly residential area. When this is coupled with the fact that the West Midlands Police has no objection to the proposal, it is considered that there would not be significant planning grounds to warrant refusal of DC/22/67797 on anti-social behaviour in this instance.



13.5 **Design concerns - Layout (road layout, parking (next to their** properties would cause safety and security issues) and rubbish bins (attract vermin).

The objectors state that the road and car park next to their properties would increase the risk of security issues regarding intruders and could potentially make it easy access to their garden/property. I have considered the road layout and parking next to the objector's properties and given that the West Midlands Police has no objection to the proposal, I am satisfied that in general, the safety and security issues to the objector's properties would be no greater than that which currently exists on site.

13.6 Regarding the rubbish bins attracting vermin, it should be noted that the bins next to the objector's properties would be stored within a bin store, details of which can be seen on the submitted plan – BIN-01 REV A. Therefore, it is considered that as the bins would be stored within a bin store, it would assist in reducing vermin being attracted to the rubbish bins.

13.7 Highways considerations – Increase in traffic.

It is noted that the site is currently vacant and the proposed introduction of a residential development on the site could lead to further traffic in the area. However, Highways do not object to the proposal and proposal would only see the introduction of 45 dwellings. Given that off-street parking is provided with the development site, there would be little to no impact on on-street parking on Mounts Road etc. Therefore, it is considered that there would not be significant planning grounds to warrant refusal of DC/22/67797 on increase in traffic/highway issues in this instance.



13.8 Environmental concerns – Noise and air pollution from increased traffic. Increased levels of rubbish. Japanese knotweed on site.

In general, the Councils Pollution Control team have raised no significant concerns with the proposal regarding noise and air pollution from increased traffic. It is considered that through the imposition of conditions requested by Pollution Control above in sections 10.3 and 10.5 (pertaining to electric vehicle charging provision, construction method statement and construction working hours) this would assist in reducing noise and air pollution from increased traffic.

- 13.9 It is noted that the proposal would see the introduction of 45 dwelling on the site, which would lead to a requirement to deal with increased levels of rubbish. However, given that the 45 dwellings would have bins for storage of rubbish, the increased levels of rubbish would be able to be stored satisfactorily whilst awaiting collection on the allocated day.
- 13.10 The matter of Japanese knotweed on the site is outside of the remit of the determination of this planning application. However, the Agent/Applicant are aware that there is Japanese knotweed on the site. The Agent has confirmed that the Applicant has engaged contractors to treat the japanese knotweed and as this entailed complete removal rather than the lengthier process of treatment on site, this has meant areas of the site have had the knotweed and soils extracted.

13.11 Ecology concerns – loss of wildlife.

It is noted that the objectors have stated that through the introduction of the proposal on the site there would be a loss of wildlife. The Applicants have submitted a Phase 1 Habitat Survey report with their application, which details the surveys/wildlife encountered on site. In general, the site was considered within the report to be of negligible potential for wildlife. However, I consider that whilst the opportunity exists to develop the site for residential purposes, there is also the opportunity through the introduction of the landscaping proposed for the scheme, that it could assist in attracting wildlife back to the area.



14. Conclusion

On balance, the proposal accords with the provisions of relevant development plan policies and there are no significant material considerations which warrant refusal that could not be controlled by conditions.

15 Alternative Options

15.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant polices and there are no material considerations that would justify refusal.

16 Implications

Resources:	When a planning application is refused the applicant		
	has a right of appeal to the Planning Inspectorate, and		
	they can make a claim for costs against the Council.		
Legal and	This application is submitted under the Town and		
Governance:	Country Planning Act 1990.		
Risk:	None.		
Equality:	There are no equality issues arising from this proposal		
	and therefore an equality impact assessment has not		
	been carried out.		
Health and	None.		
Wellbeing:			
Social Value	None.		
Climate	Sandwell Council supports the transition to a low		
Change	carbon future, in a way that takes full account of the		
	need to adapt to and mitigate climate change.		
	Proposals that help to shape places in ways that		
	contribute to radical reductions in greenhouse gas		
	emissions, minimise vulnerability and improve		
	resilience; encourage the reuse of existing resources,		
	including the conversion of existing buildings; and		

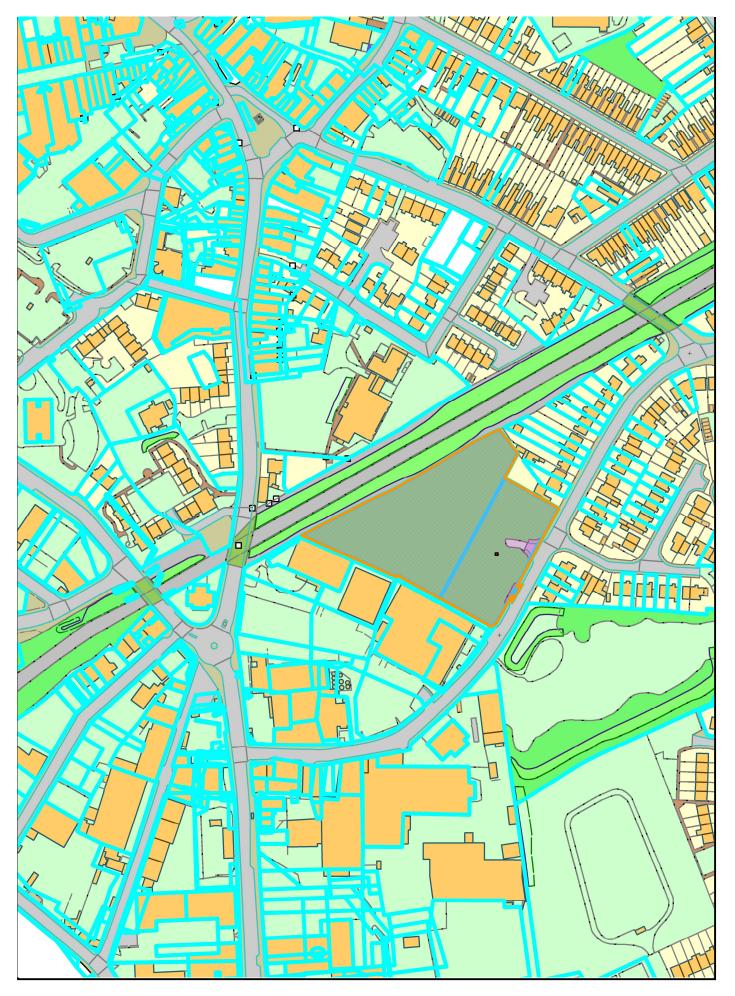


support renewable and low carbon energy and
associated infrastructure, will be welcomed.

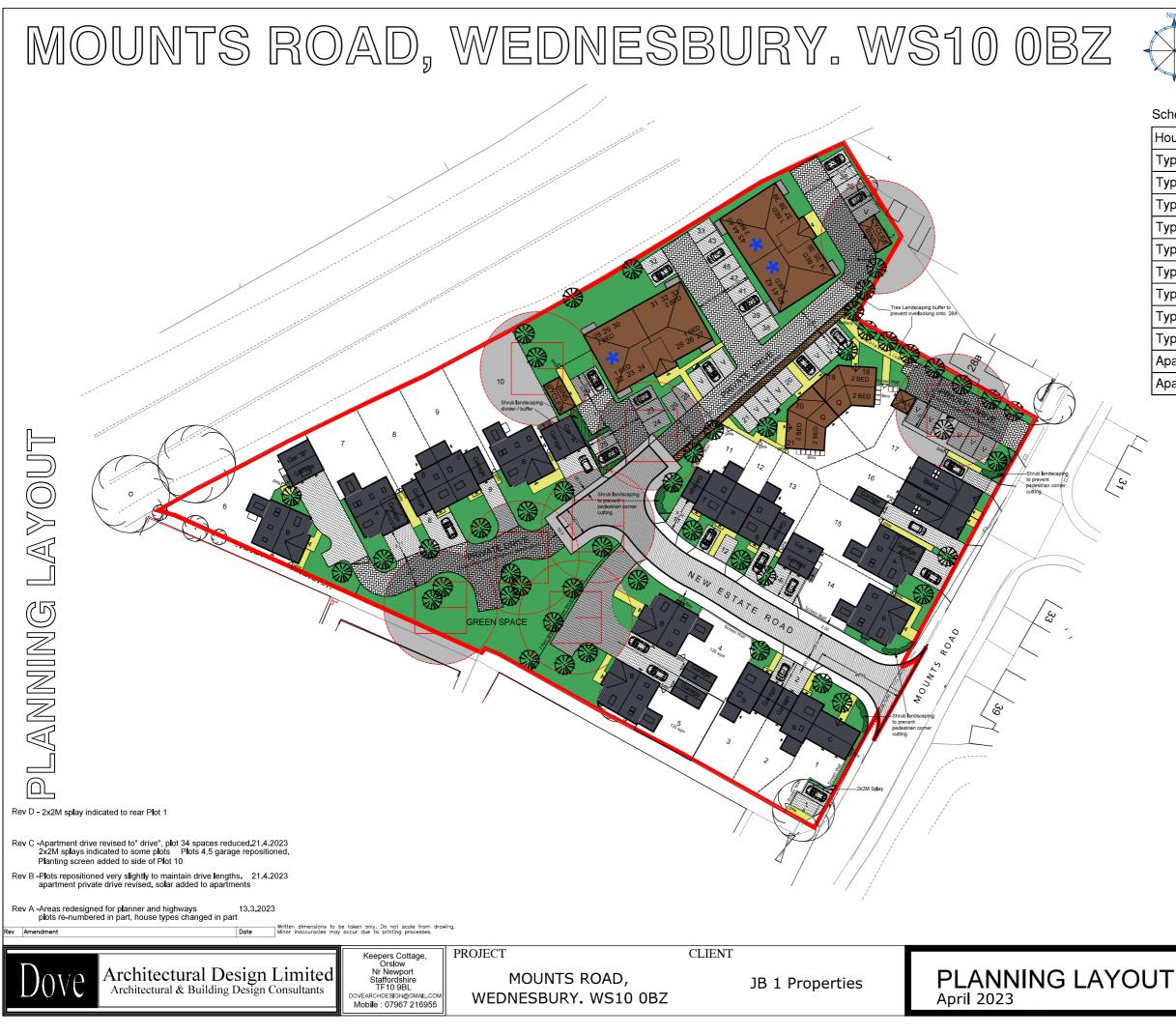
17. Appendices

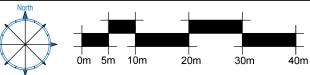
Context plan **Planning Layout** Garage A **Apartment Layout** Apartment elevation Floor Plan A **Elevations A** Garage B Bin, Bike store Floor Plans B **Elevations B Bungalow** Floor plans C House type C Floor plans CD **Elevations CD** House type C House type R Street Scene Elevations Q Floor plans Q Floor plans S **Elevations S** Floor plans T **Elevations T**











Schedule of Accommodation

House Type	Qty	Bed	Size (m²)
Туре А	2	5	174
Туре В	5	5	194
Type Bungalow	2	2	64
Туре С	1	3	90
Type Q - GF	2	2	63
Type Q - FF	2	2	78
Type R	1	3	74
Type S	5	4 106	
Туре Т	1	3	88
Apartment A1	12	1	51
Apartment A2	12	2	61
	45		1043

ocation of electric vehicle

ation of 6 kwP Solar PV stem for each roof – total is



4.8M Wide drive with 1.2M wide footpath. defined with contrasting block paving and flush concrete kerb, total carrageway width 6.0M

PRINT TO FIT

A2

DRAWING No

137/PL/01

D

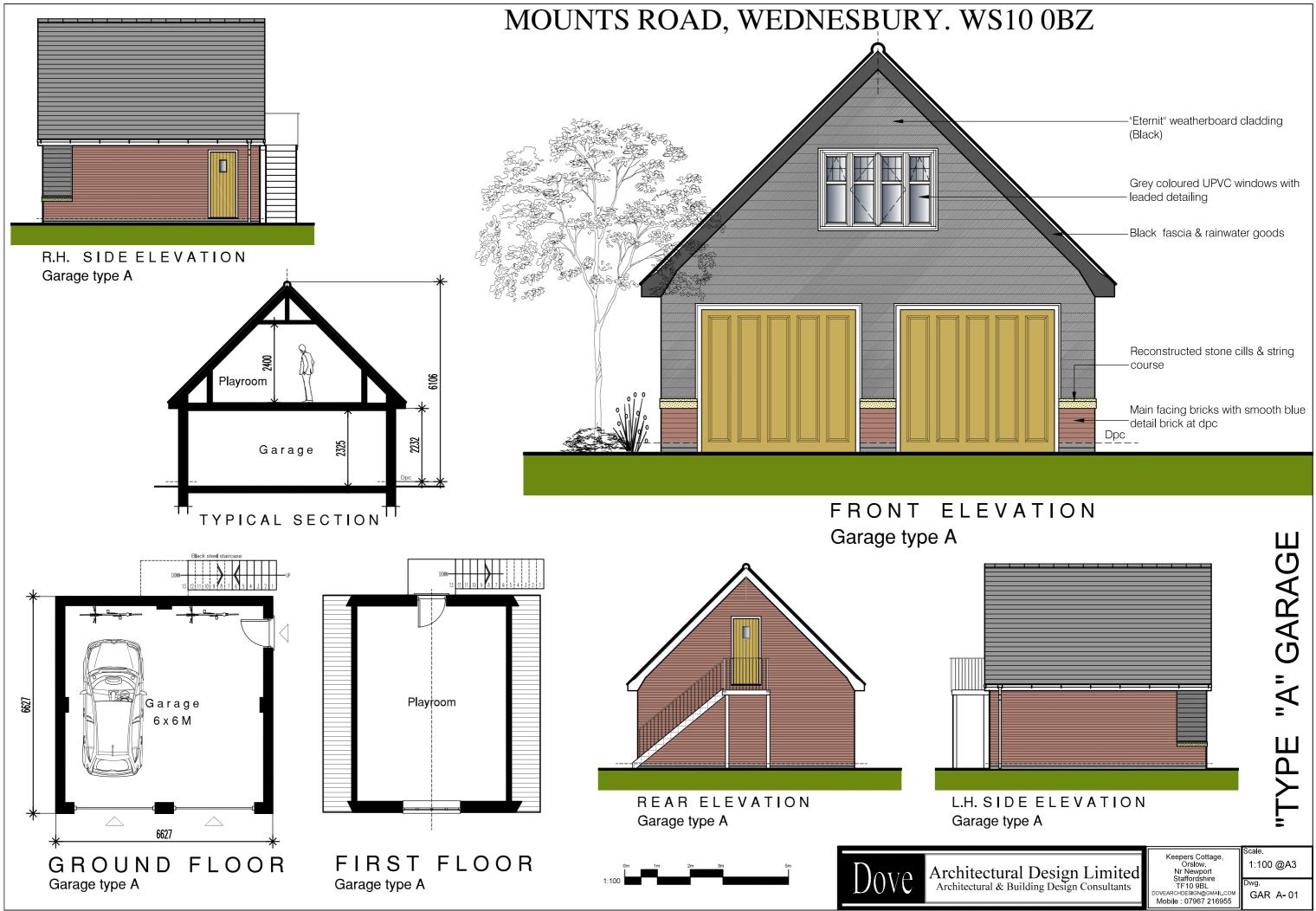
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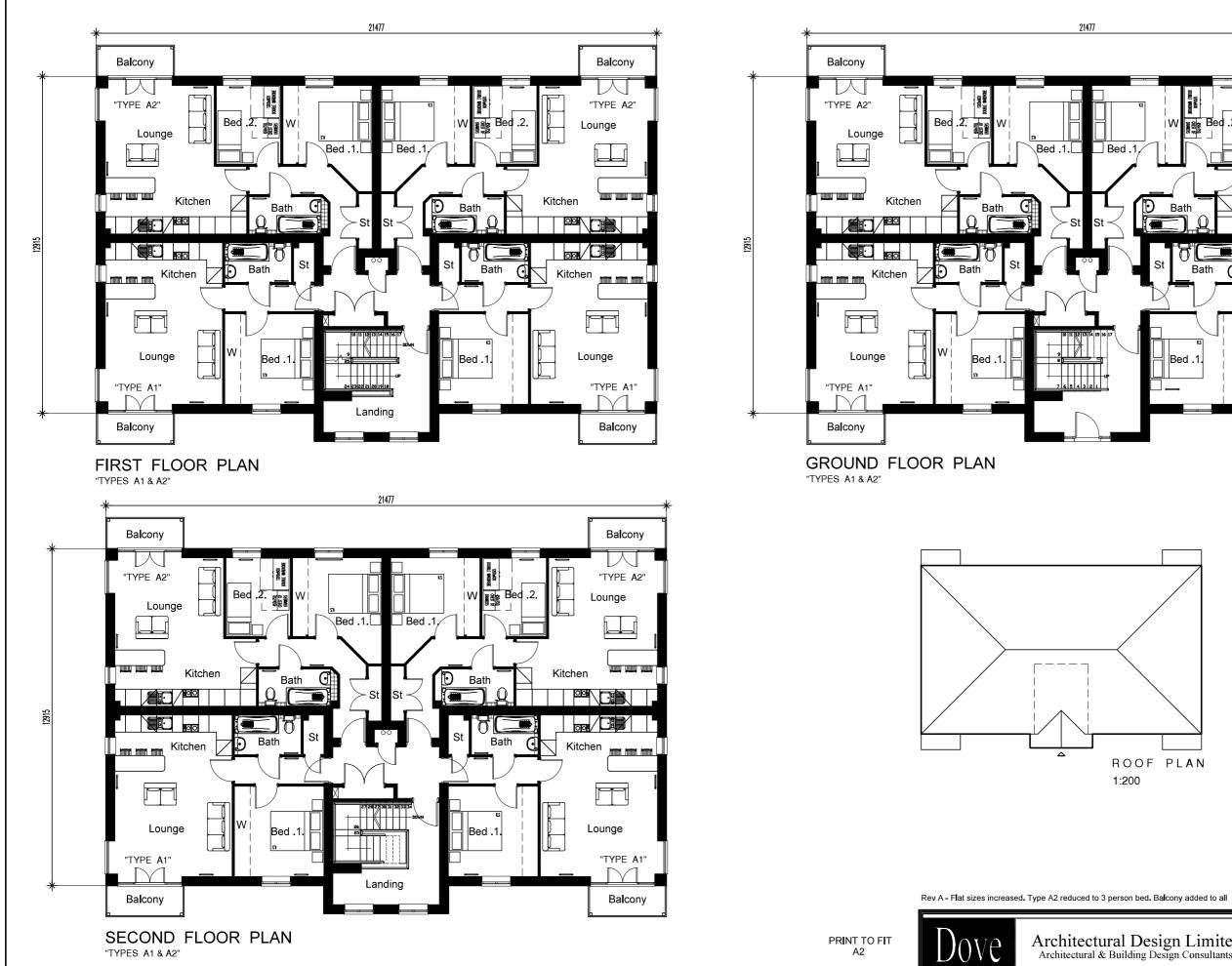
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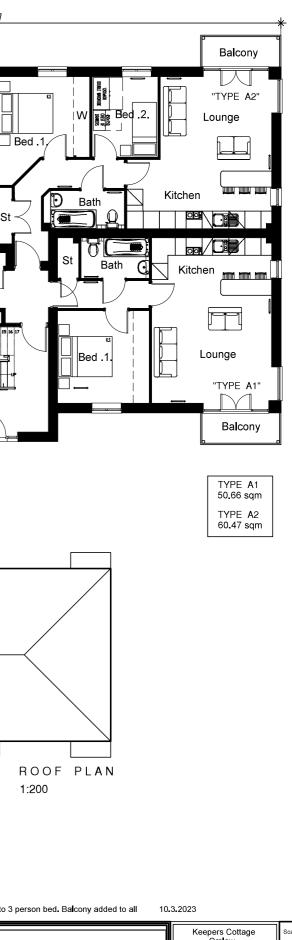
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Mar, 2023

Location of SHRUB LANDSCAPING to prevent pedestrian corner cutting. See landscaping proposals for further information

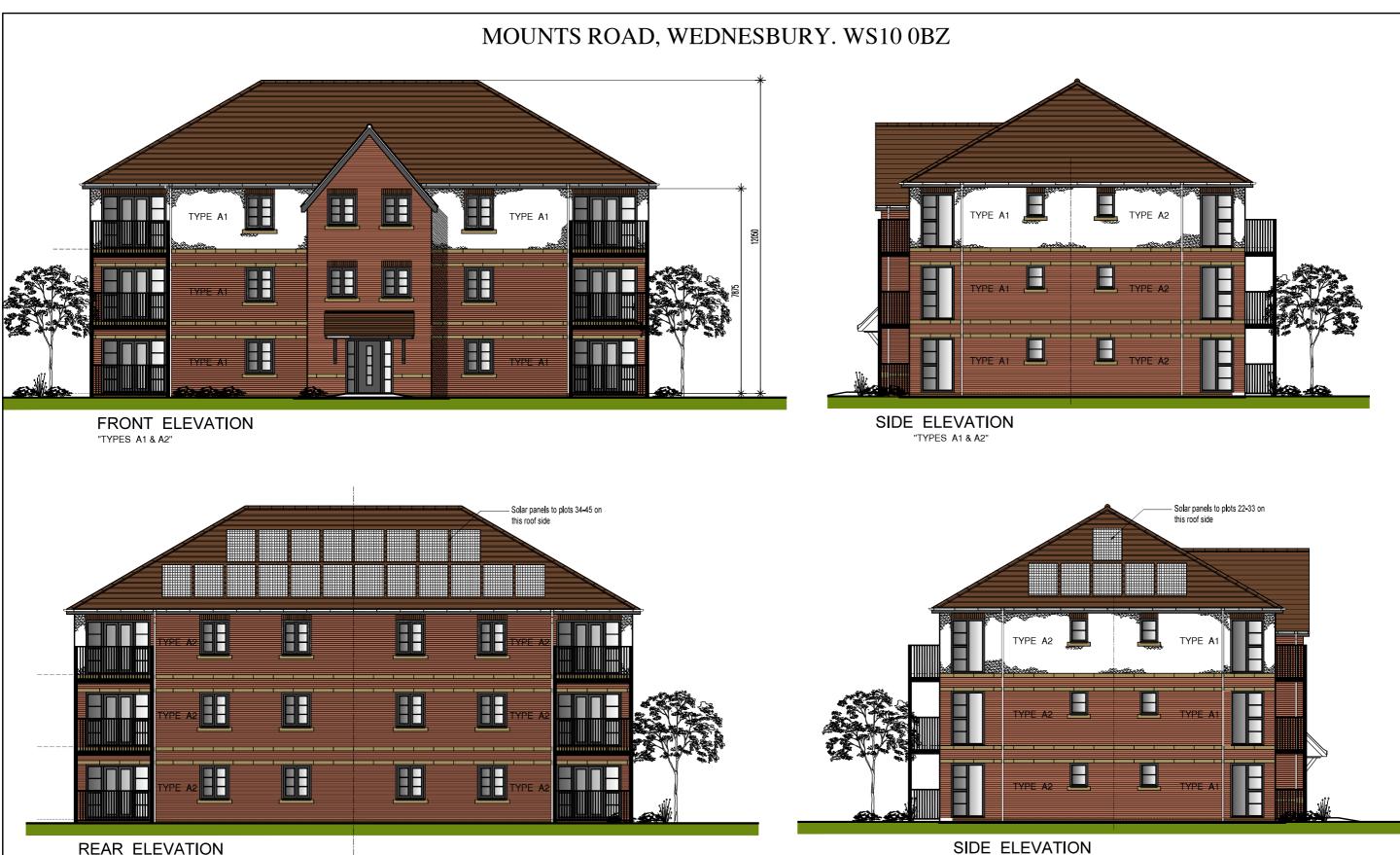






PLANS FLOOR A2" Š Ă TYPE "APARTMENT

Jed. Balcony added to all 10	.5.2025	
Design Limited ng Design Consultants	Keepers Cottage Orslow, Nr Newport, Staffordshire, TF10 9BL DovEARCHDESIGN@GMAIL.COM Mobile: 07967 216955	Scale. 1:100@A2 ^{Dwg.} MOUNT A1A2- 01 A



REAR ELEVATION "TYPES A1 & A2"

"TYPES A1 & A2"

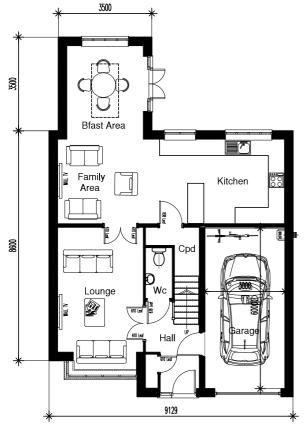
Rev B - Indicative solar panels added to roof for planning Rev A - Flat sizes increased. Type A2 reduced to 3 person bed. Balcony added to all

PRINT TO FIT A2

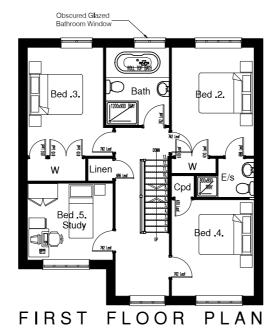


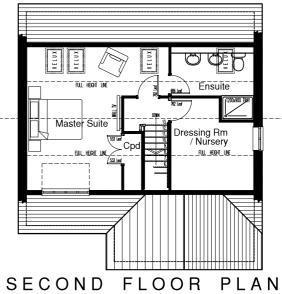
ELEVATIONS A2" Š Å ТҮРЕ "APARTMENT

21.4.2023 10.3.2023 Keepers Cottage Orslow. Nr Newport. Staffordshire. TF10 9BL DOVEARCHDESIGN@GMAIL.COM Mobile : 07967 216955 1:100@A2 Architectural Design Limited Architectural & Building Design Consultants MOUNT A1A2-02 в



GROUND FLOOR PLAN









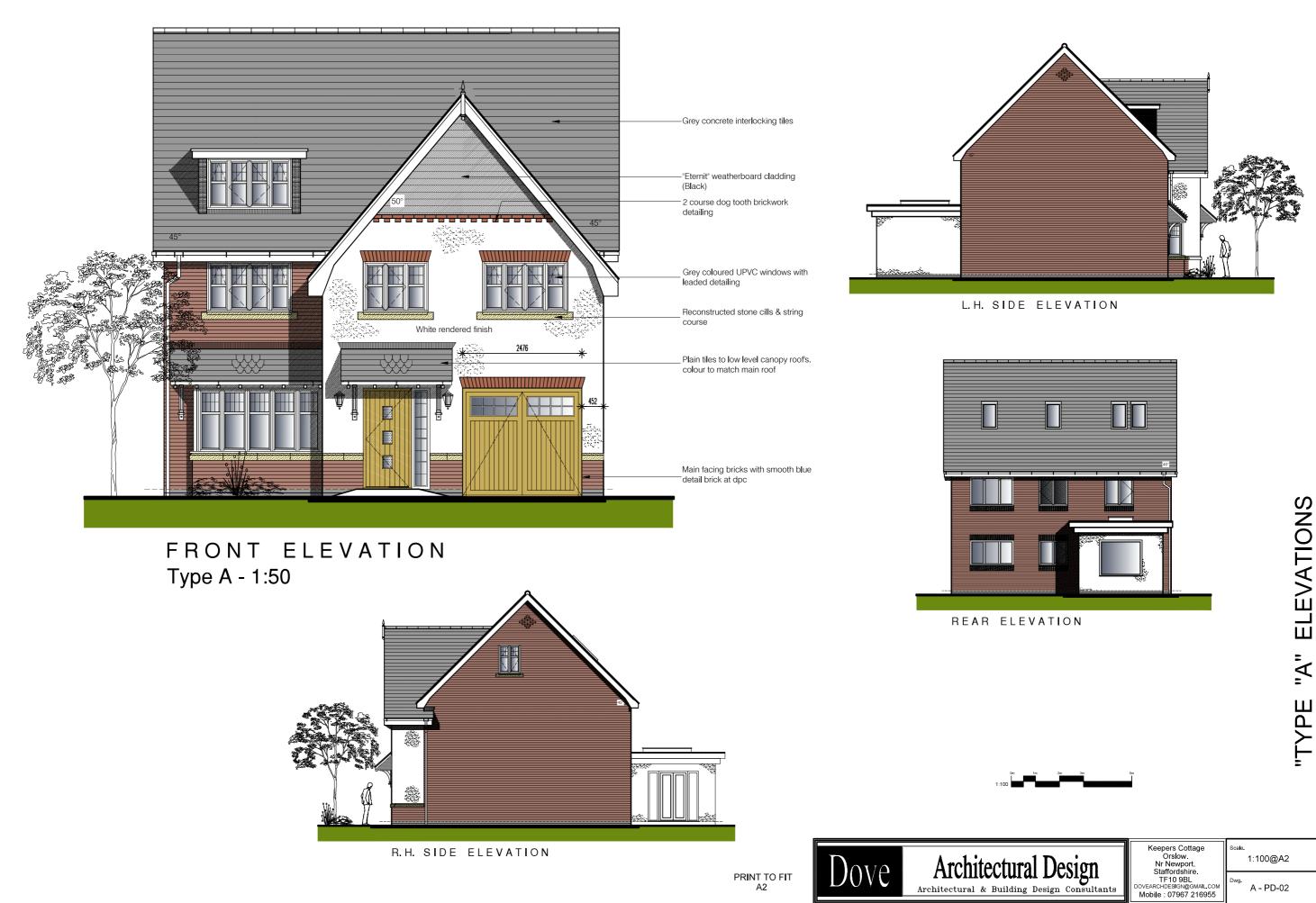
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"A" FLOOR PLANS "TYPE

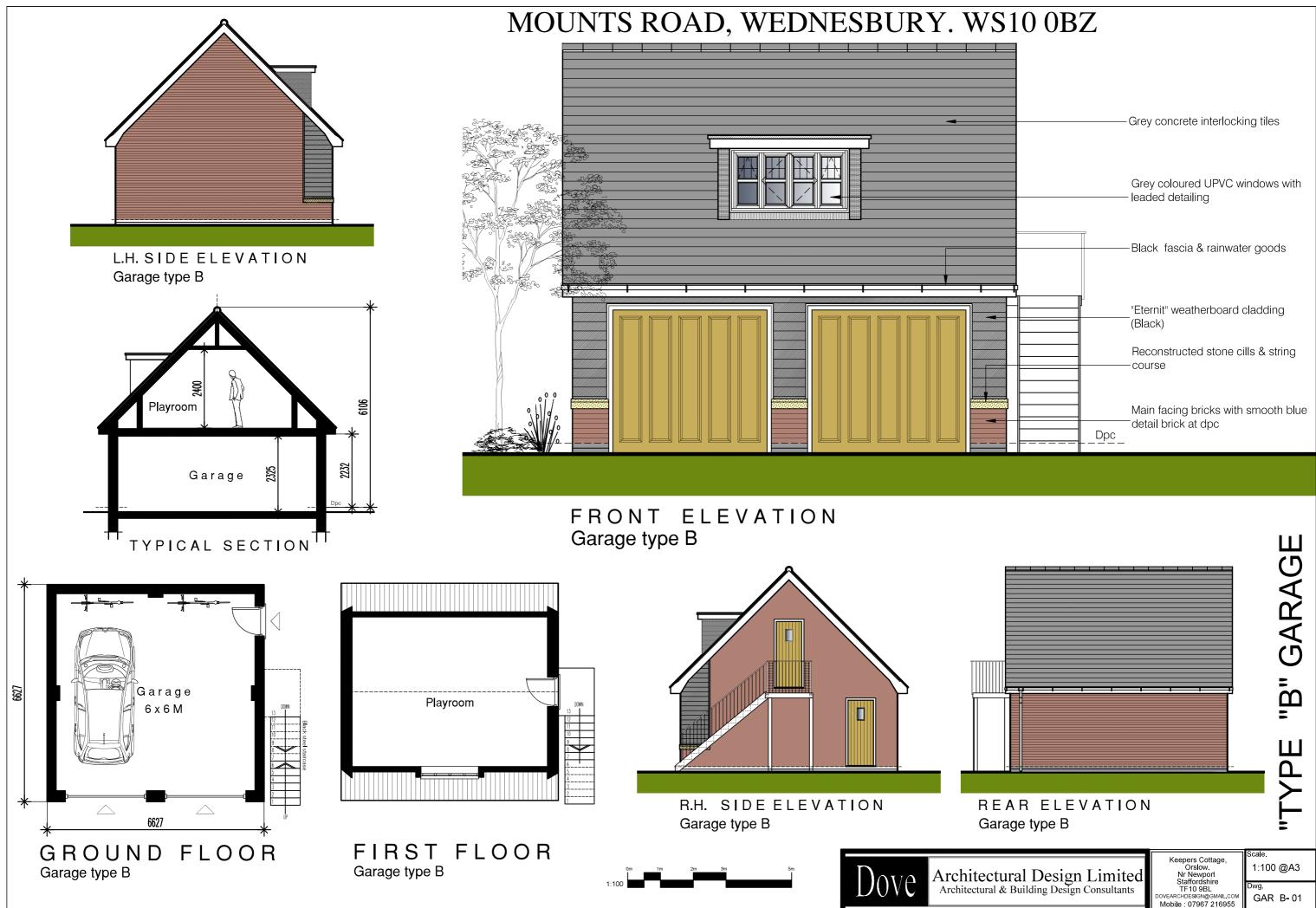
Keepers Cottage
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Staffordshire.
TF10 9BL
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Mobile : 07967 216955

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A - PD-01



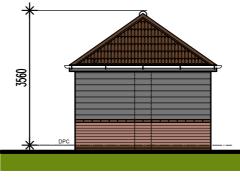
"A" "ТҮРЕ



10 0BZ	
	-Grey concrete interlocking tiles
	Grey coloured UPVC windows with - leaded detailing
	-Black fascia & rainwater goods
	_"Eternit" weatherboard cladding (Black)
	Reconstructed stone cills & string – course
	Main facing bricks with smooth blue detail brick at dpc

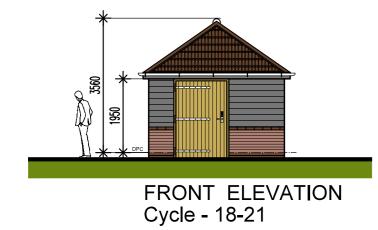


FRONT ELEVATION Bin .1.



SIDE ELEVATION Bin .1.

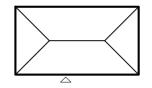


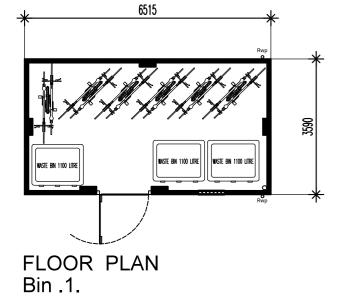


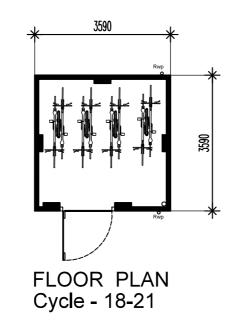


SIDE / REAR ELEVATION Cycle - 18-21

ROOF PLANS 1:200



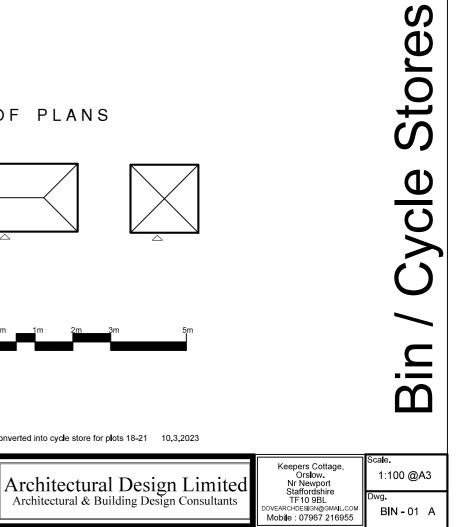


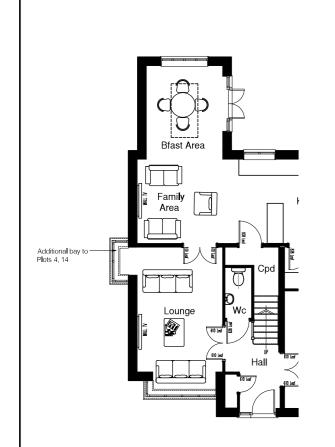


Rev A - Small bin store converted into cycle store for plots 18-21 10.3.2023

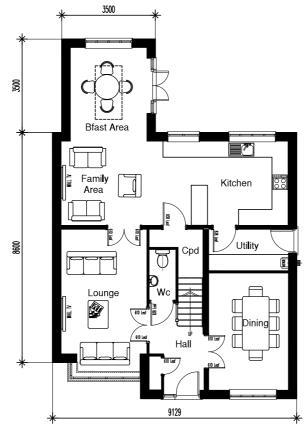


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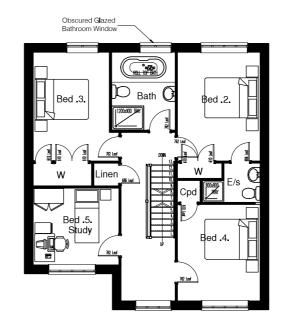




PLOTS 4, 14 Only



GROUND FLOOR PLAN

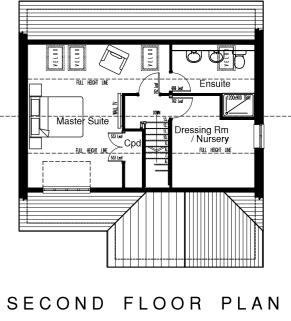


FIRST FLOOR PLAN

Rev A - Bay window extract added for plots 4, 14 - 13.3 2023

JOVA

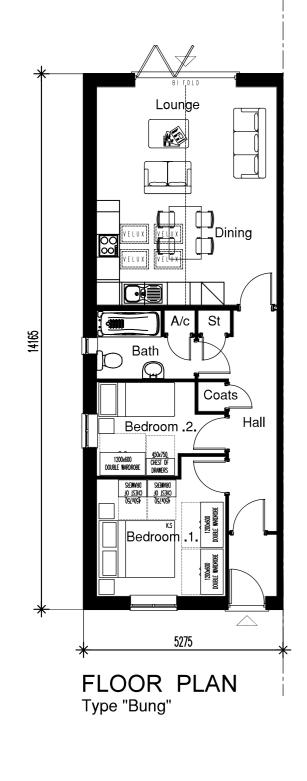
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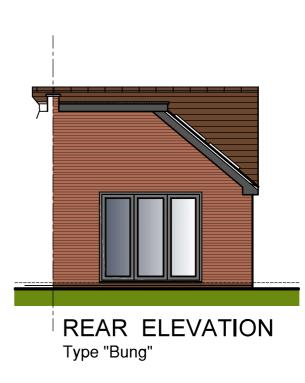
PLANS FLOOR ۳" "ТҮРЕ

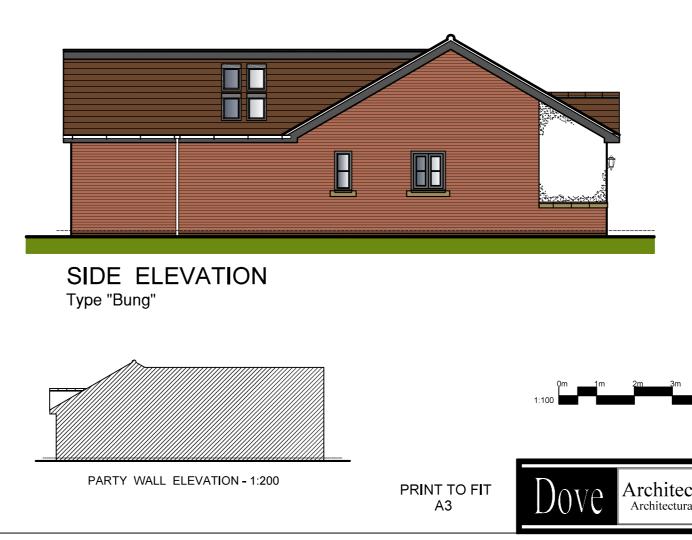
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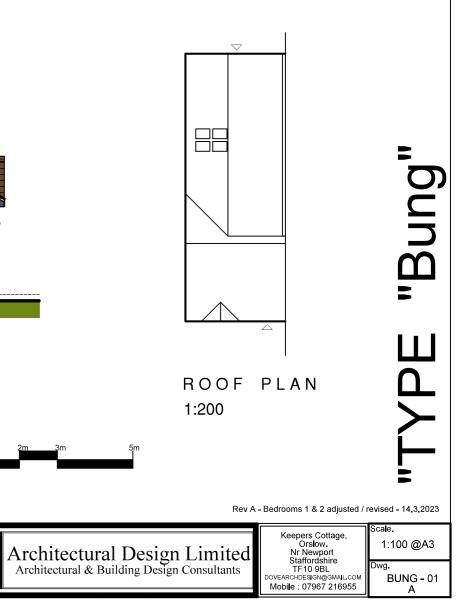


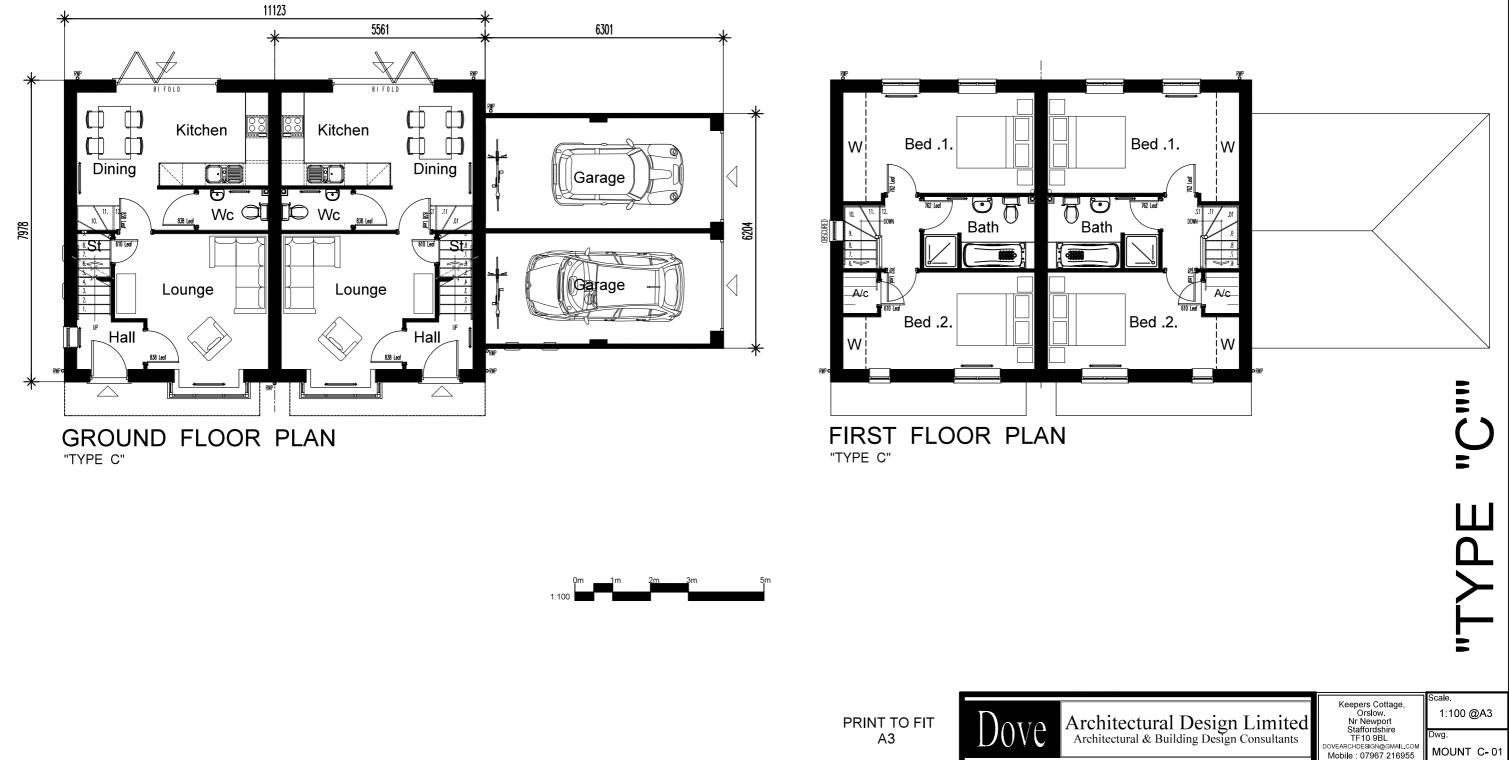




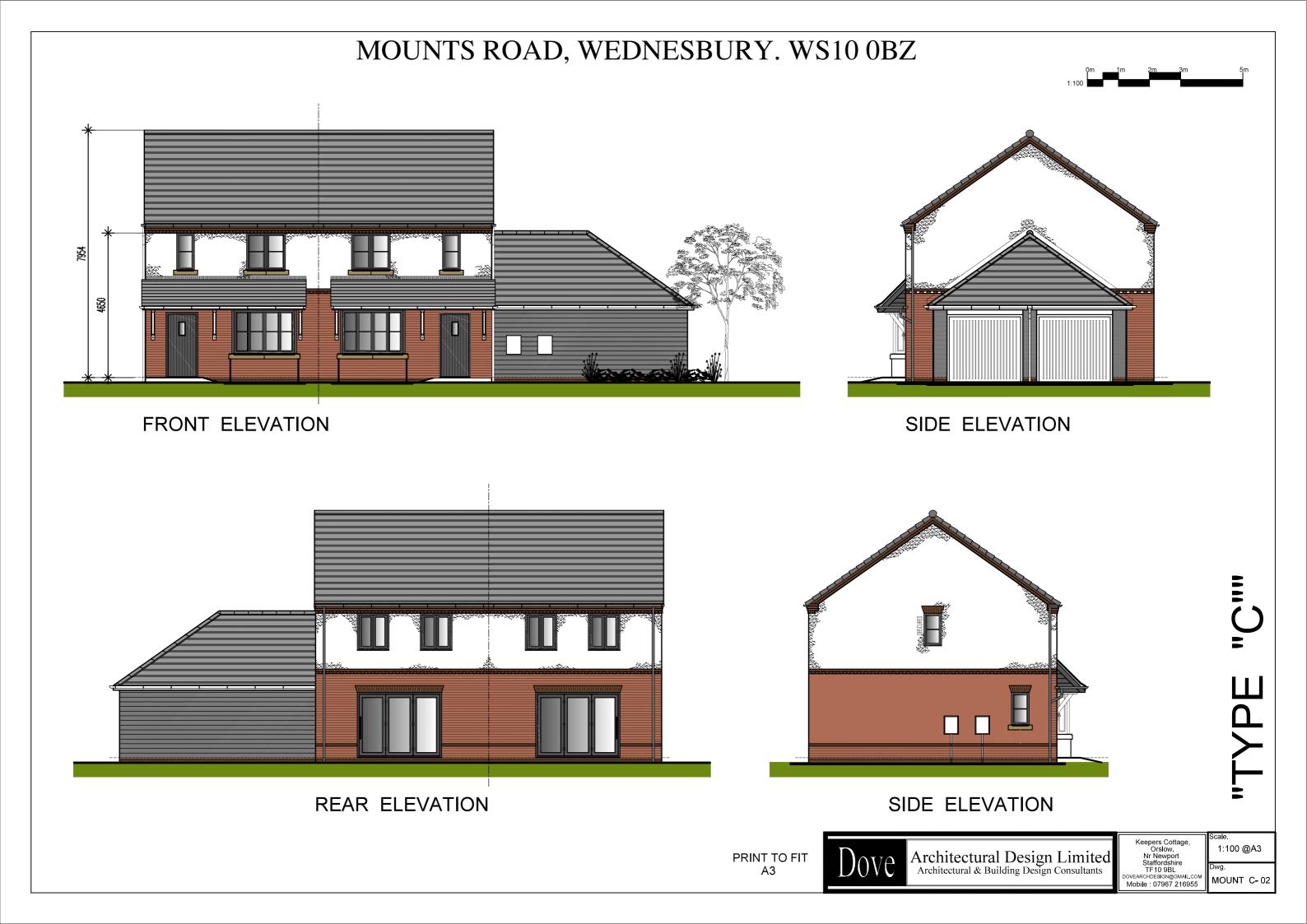


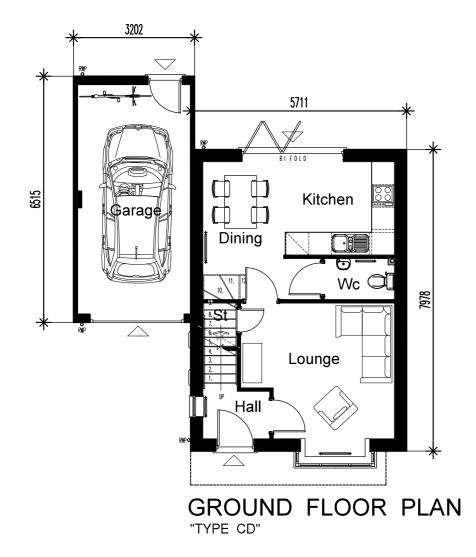


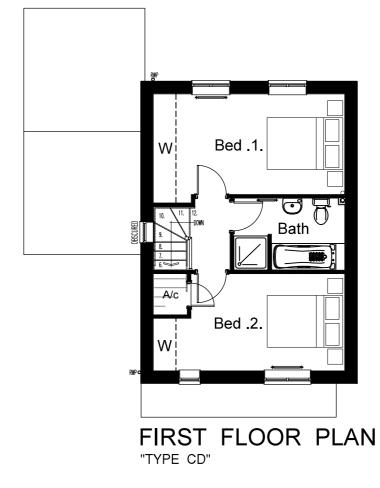










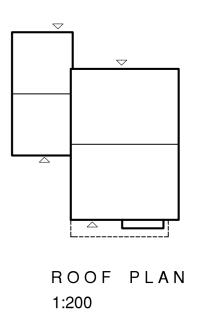








A3





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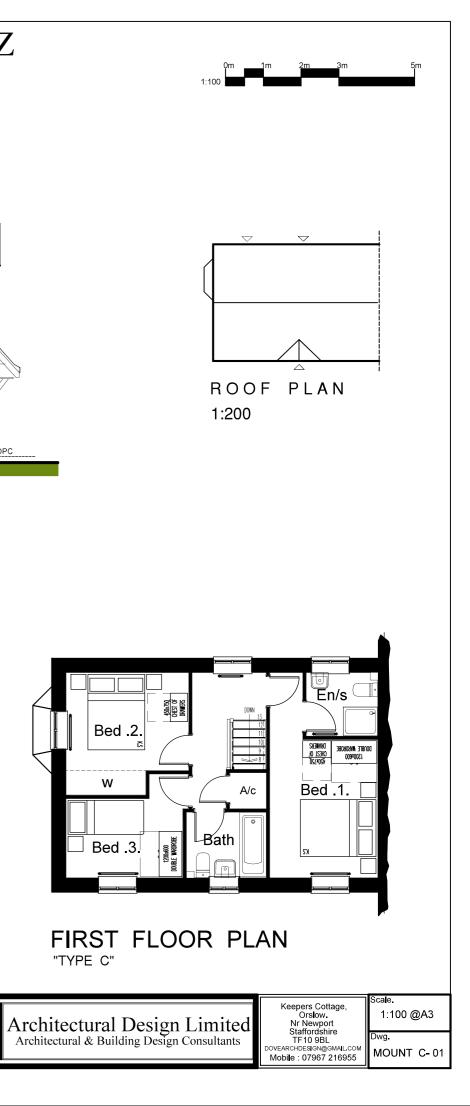
DOVEARCHDESIGN@GMAIL.COM Mobile : 07967 216955

MOUNT CD-01



MOUNTS ROAD, WEDNESBURY. WS10 0BZ 7962 8 **REAR ELEVATION REAR ELEVATION** ONTO MOUNTS ROAD 8638 $\overline{}$ Plot •8 Kitchen 6178 Lounge <u>∐</u>⊉inin**ģ**⊥ Hall ۵ GROUND FLOOR PLAN "TYPE C" "TYPE C" FRONT ELEVATION PRINT TO FIT)ove

A3

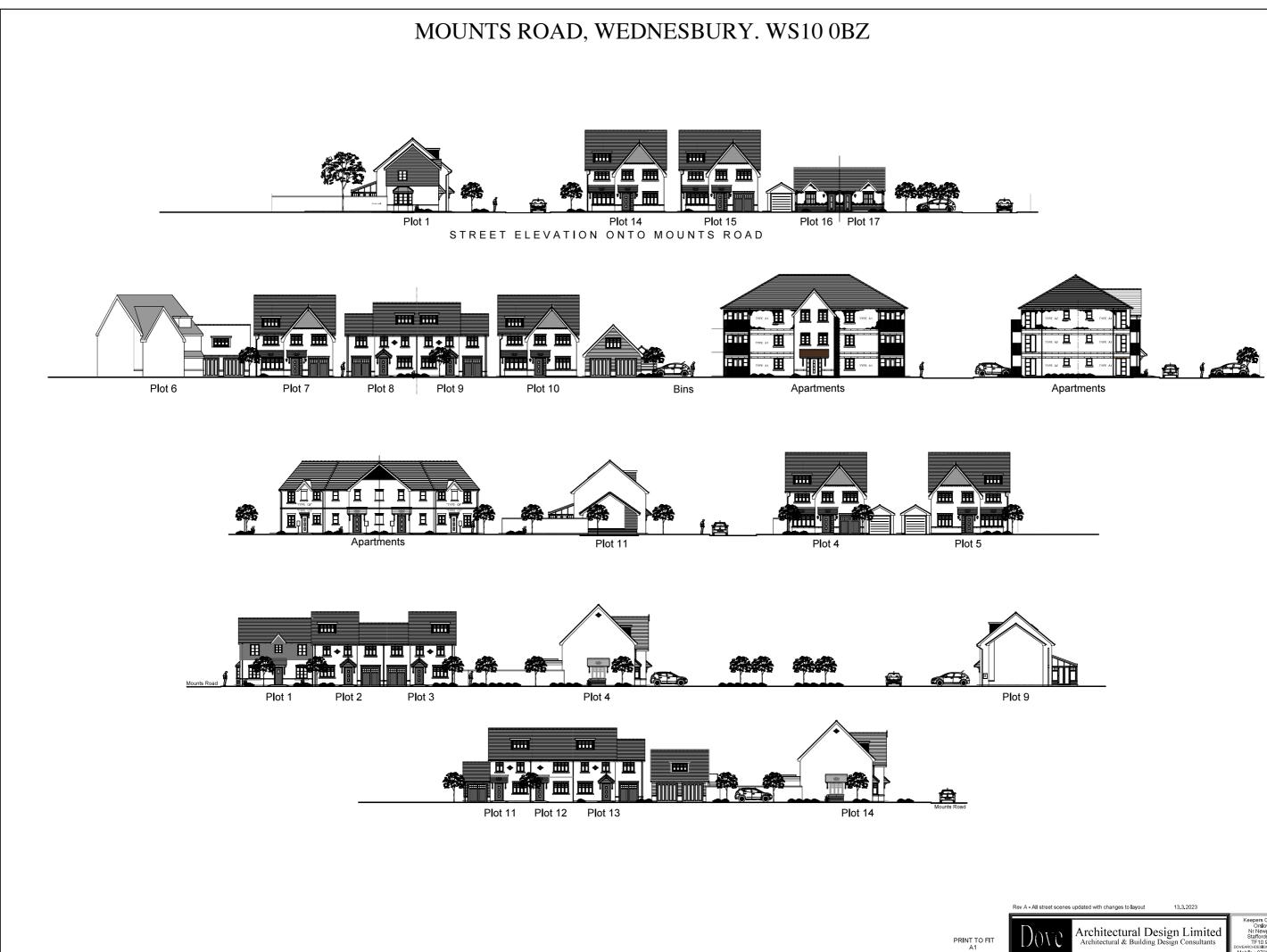




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Keepers Cottage, Orslow. Nr Newport Staffordshire TF10 9BL DOVEARCHDESIGN@GMAIL.COM Mobile : 07967 216955

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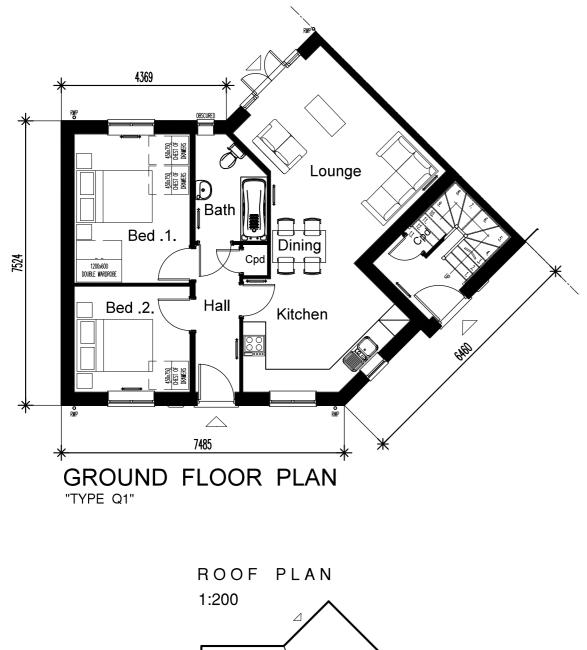


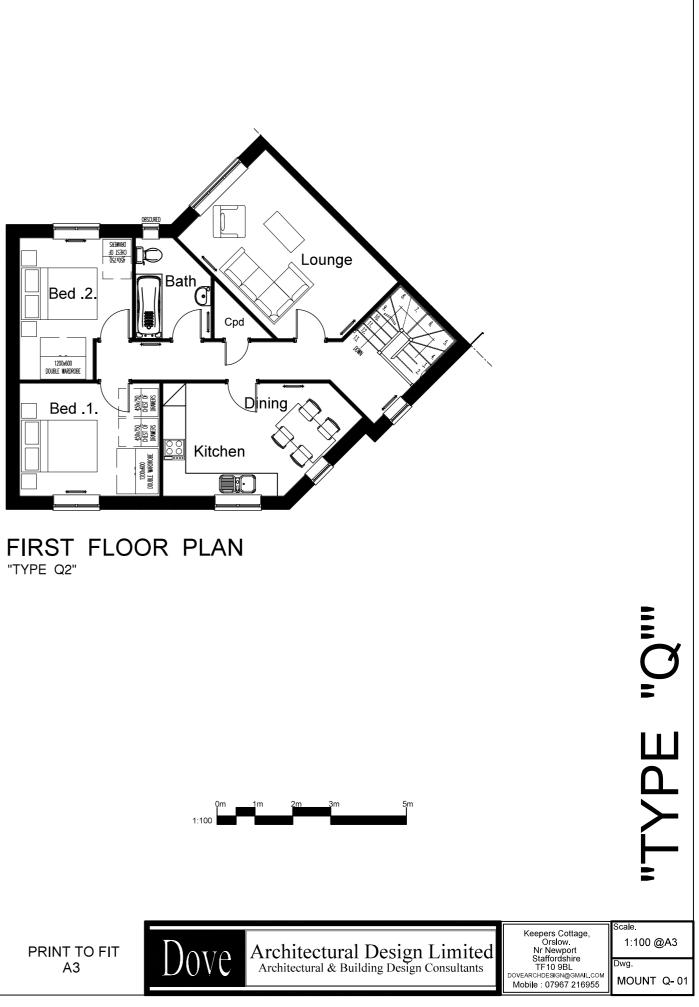
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VC	Architectural & Building Design Consultants	TF10 9BL DOVEARCHDESIGN@GMAIL.COM Mobile : 07967 216955	Dwg. MR-SS-01	





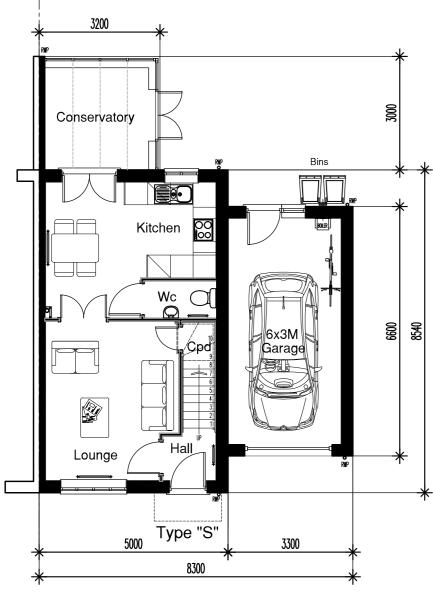




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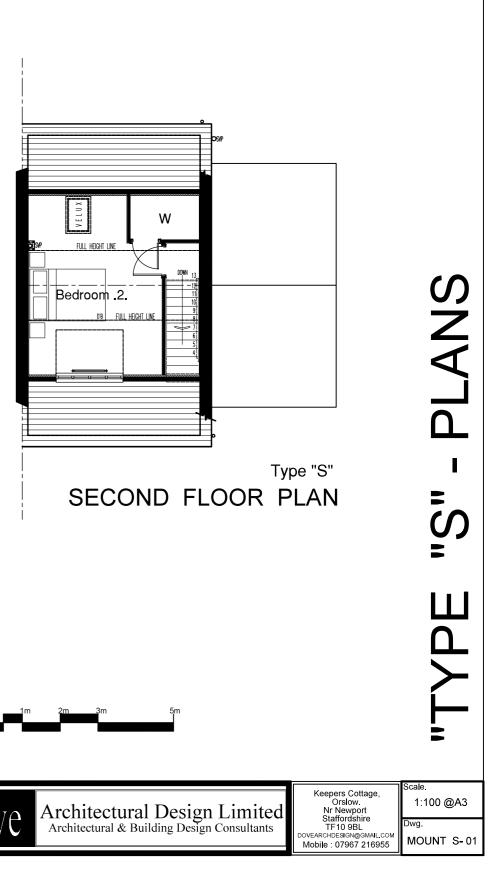
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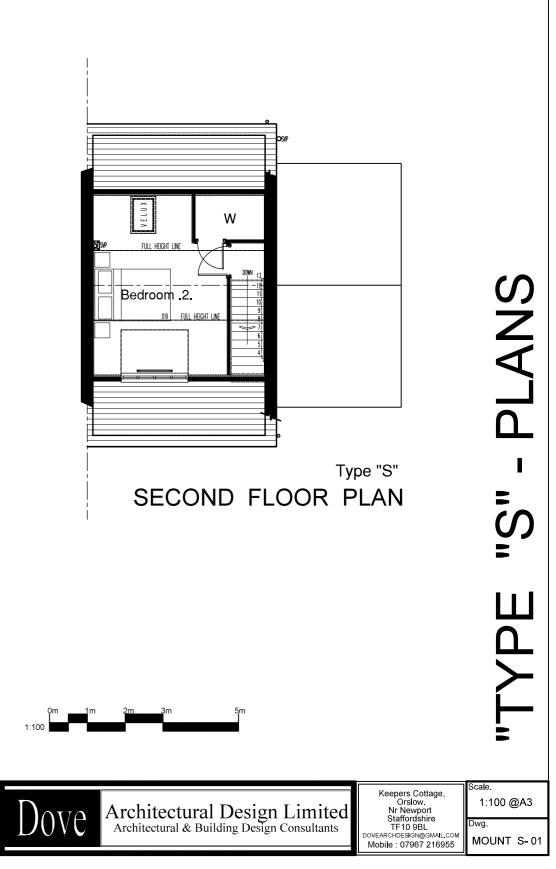


GROUND FLOOR PLAN



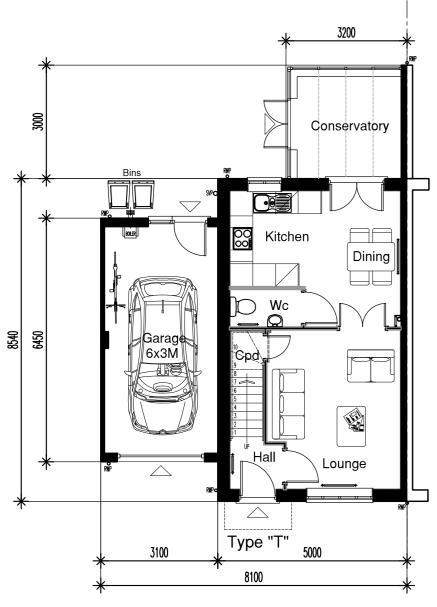


PRINT TO FIT A3

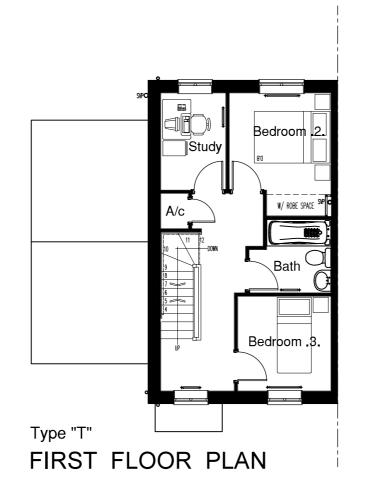


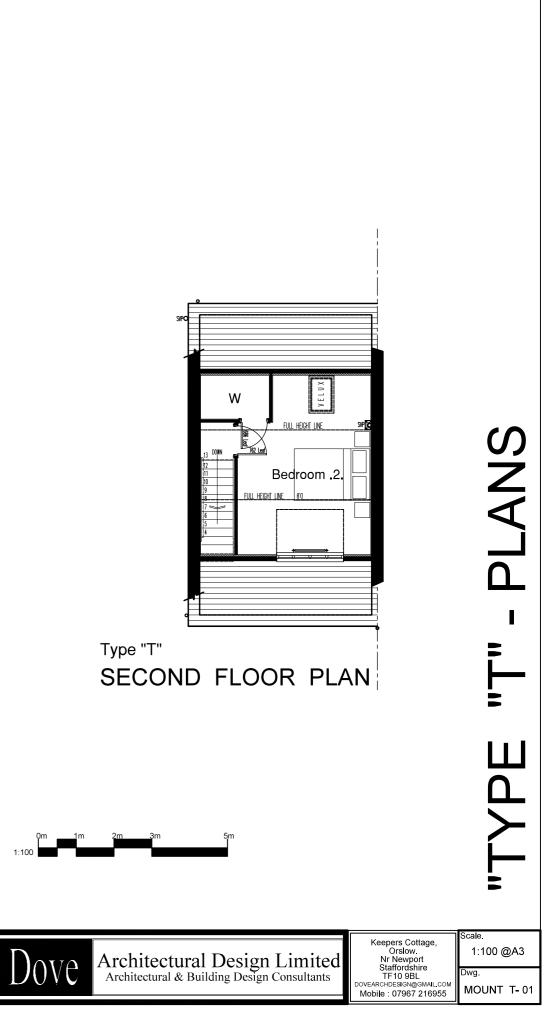


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GROUND FLOOR PLAN

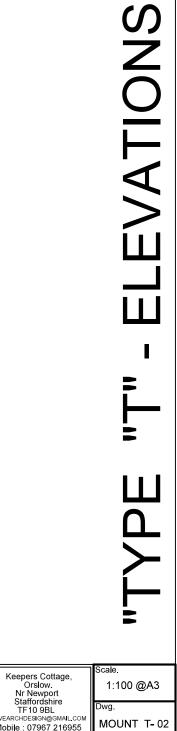




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