Ward: Ramsbottom and Tottington -

Ramsbottom

Applicant: Mr and Mrs Delaney

Location: Land north of Heatherside Road, Ramsbottom, Bury, BL0 9BX

Proposal: Erection of 1no. bespoke, self-build and custom-build dwelling, access, driveway,

ltem

06

parking, landscaping and all other associated works

Application Ref: 66308/Full **Target Date:** 05/02/2021

Recommendation: Approve with Conditions

Description

The application relates to a site located to the north of Heatherside Road. The application site currently comprises of a field with no buildings or structures. The submitted planning statement states that the last use of the land was for grazing of cattle. The site is bounded by residential properties to the south, with open land to the north, west and east. The site is currently accessed via a right of access from Heatherside Road that runs over part of the front garden of No. 45 Heatherside Road. The site is located within the Green Belt.

Planning permission is sought for the construction of a single dwelling. The proposed dwelling would be partially cut into the existing slope of the site with ground floor accommodation located within this element of the scheme. The face of this element would follow the approximate contours of the site, with the front wall finished with stone work. The roof of this ground floor element would create a living roof. A double car port is located within the ground floor accommodation, accessed from a driveway that leads from Heatherside Road.

First floor accommodation would include the provision of bedroom "pods" that face onto a living roof sited above the ground floor accommodation. The proposed bedroom pods would comprise of 5 gable ended units, connected by flat roof elements. The proposed front and side elevations, and the proposed roofs of these pods would be finished with timber boarding, with the rear western elevation finished in stone work to match the ground floor.

Landscaping has also been included within the proposal that includes the provision of courtyards, green roofs, an attenuation pond, new tree planting, a wild flower meadow, maintained lawns, and planting beds, retention of existing trees and hedgerows and ground mounted solar panels.

Relevant Planning History

02404/E - Proposed Dwelling - Enquiry Complete

Publicity

26 Neighbourbouring properties were notified by means of a letter on the 17th December 2020.

A Site notice was posted on the 6th January 2021 and a Press advert printed 24th December 2020 advertising the proposal as a departure from the UDP.

12 representations of objection received from No. 56, 43,45, 37, 39, 46,43 Heatherside Road, no. 34 Brandlesholme Road, Peel Bridge Mill, 1 Sally Barn Cottages and 1 - 3 Croichley Fold in relation to:

• Impact on Green Belt.

- Impact on private amenity.
- No special justification for the house nor is it truly exceptional quality.
- Nothing to be learnt from this design that is not exemplified by more coherent designs elsewhere.
- Won't add to the canon of award winning design; will be a building uneasy in itself, its setting and its neighbours, lacking purpose, respect, beauty, resonance or relevance.
- Land has been left uncultivated by the owners who can bring environmental/ecological gains and productivity with the need to build a house.
- Legal access to the plot is unproven.
- Route illustrates that this is backland development.
- Access drive will bring vehicle movements, where none have existed, with noise and light pollution next to our house and garden.
- Loss of view
- Would put builders workers, vans and lorries on a very small street.
- This is a green zone and planning should not be allowed.
- Damaging to the nature in the proposed areas.
- Young children play on the estate and builders coming in and out would be a big risk to them.
- In reality a more major road construction will be required increasing disturbance to garden of No. 45.
- Loss of garden will impact on value of No. 45.
- Planting scheme and proposals do not compensate for the increased light and noise pollution created by construction activity or enduring traffic that will pass across garden.
- Solar panel array will point directly at our property and there is no consideration of a planting scheme along our joint boundary on the southern end of the plot.
- Waste storage in my garden (no. 45) is not permitted.
- Planning application has been rejected in the past.
- I have lived on Heatherside Road for 46 years.
- If planning is granted more applications would follow, or applications could be amended.
- Are the Bury Times newspaper aware of this anti-green belt proposal? I used to work for the newspaper and I am sure they would be very disappointed that a proposal of this nature was being considered.
- Removal of mature sycamore tree.
- House not in character with surroundings.
- 2 prior applications refused due to restricted access where Heatherside Road joins Stubbins Lane.
- The development puts further demands on the egress from the Heatherside Road estate on to the A676 Ramsbottom Lane/Stubbins Lane. This access is already inadequate for the existing approximately 120 dwellings it serves. The sight lines on to the main road are extremely poor and potentially dangerous. The narrow nature of the access road means it is easily blocked or restricted which makes the estate vulnerable especially in respect to emergency vehicles. It should be noted this is the only access for both vehicles and pedestrians on to the estate.
- Any development should be in character with the existing predominately bungalow development.
- Any ground works involved with the development could cause instability of the steep nature of the land.
- Bats in the area and construction will impact on these and the removed trees will result in lost habitat and roosts.
- Land is not stable it sinks.
- Council planners are supposed to protect areas of natural beauty where there are mature wildlife ecosystems.
- I hope planners do the right thing for the community here and reject this senseless and unnecessary project.
- I hope Bury Council rejects this application and put the environment and protective rights first over people's desire to dig up our areas of nature causing pollution, waste and unnecessary extra traffic and noise for the area.

- The sight lines onto the main road are very poor & potentially dangerous. The
 narrowness of the only access road means it's easily blocked/restricted potentially
 obstructing/delaying emergency vehicles representations of support received from No. 1
 Uppingham Drive, 1 The Paddock and 2 The Paddock in relation to:
- No reason to object to this custom-built dwelling.
- Significant lack of housing supply in the local area and across the Borough which makes
 it difficult for families to remain in the area as their needs for family accommodation
 grow.
- Will deliver a family home for a local young family which we fully support.
- This opportunity for members of the local community to invest in the area for a self build bespoke project should be supported.
- The application site adjoins our property but will not have any detrimental impact on our amenity, indeed we feel that the proposed dwelling will vastly improve the landscape.
- The high quality of the design will be a significant benefit to the area.
- The applicant appears to be promoting the use of local stone and materials which we fully support given this will bring opportunities to local businesses and trades people during construction.

Following the receipt of amended plans and additional information further neighbour letters sent 23/02/2021. 1 further objection from an unknown address in relation to:

- Many issues with this development.
- The landscape visual impact assessment either through incompetence or mischief has been very selective in deciding which view of the development land to photograph. Use FootPathMap.co.uk to see just how many other closer routes will show a significantly affected view.
- The assessment talks of the trees blocking the view of the house and uses a render of a much smaller house and not the house as is currently designed.
- The replacement trees are considerably smaller than the felled trees.
- The felled trees are conveniently where the lounge window is!!!
- The large glazing and patio light will add considerable light pollution to an otherwise dark sky site. Currently zero light pollution and soon to be excessive light pollution. The light from the lounge, kitchen and bedrooms will be visible from scoutmoor, the paddock, the motorway & heatherside! Flora and fauna will be harmed.
- There is not enough space to write everything.

Statutory/Non-Statutory Consultations

Traffic Section - No objections raised subject to conditions relating to a construction traffic management plan, access works, sprinklers system installed, bin storage and car parking and turning facilities.

Drainage Section - The attenuation pond should be designed for flows up to 1:100 + 70% and an exceedance flow path drawing to be produced with landscaping adjusted slightly if required to ensure no additional flows are directed towards existing residences if the pond over tops due to extreme weather or failure of infrastructure.

Environmental Health - Contaminated Land - proposed conditions in relation to the submission of a preliminary risk assessment, site investigation, detailed risk assessment and remediation strategy and the implementation of these findings of these reports.

Waste Management - No response

Greater Manchester Police - designforsecurity - support subject to recommendations to include additional lighting, boundary treatments and gates to ensure that the proposal is secure.

Greater Manchester Ecology Unit - no objections raised subject to conditions in relation to badgers, invasive species, trees, external lighting (bats), vegetation and the implementation

and management of the proposed biodiversity net gain.

United Utilities (Water and waste) - Standard response seeking the imposition of a SUDs condition to be attached to the scheme.

Greater Manchester Fire service - Standard response received that requires sprinklers to be introduced at the site.

Pre-start Conditions - Agreed by agent.

Amended badger condition sent to agent for agreement 11/03/2021.

Unitary Development Plan and Policies

Unitary Development Plan and Policies	
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
EN9	Landscape
EN9/1	Special Landscape Areas
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury

National Planning Policy Framework

Issues and Analysis

SPD6

SPD8

NPPF

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Supplementary Planning Document 6: Alterations & Extensions

DC Policy Guidance Note 8 - New Buildings in the Green Belt

Principle (Residential)

The National Planning Policy Framework should be treated as a significant material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework maintains the emphasis on identifying a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring

indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore this needs to be treated as a material factor when determining applications for residential development.

The site is currently vacant, however appears have been previously used for agriculture use/open fields. There is a 1970s housing estate to the south of the site, and access can be gained from this estate to the site. Subject to the justification for the release of a greenfield site, the principle of a new house on the site is considered to be acceptable in terms UDP Policy H1/2 Further Housing Development.

Principle (Greenbelt)

Paragraphs 143 and 144 state that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 of the NPPF regards the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) provision for appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and recreation;
- c) extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building;
- d) replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for community needs under policies set out in the development plan (including policies for rural exceptions sites); and
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need with in the area of the local planning authority.

Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages.

Green Belt - Case for Very Special Circumstances

The planning statement submitted seeks to endorse five very special circumstance (VSC) cases:

- High Quality Design
- Lack of visual harm and landscape enhancements;
- Landscape Provision and Ecological Enhancement;

- Energy and Sustainability Enhancements;
- Housing Land Supply

High Quality Design

In addition to the Green Belt policies already highlighted there are additional policies within the UDP and NPPF, and material planning considerations that relate to residential development that need to be applied when assessing design.

Paragraph 79e of the NPPF confirms that isolated homes within the countryside may be acceptable if:

the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Whilst the site is not considered to fall under paragraph 79e of the NPPF, as the site is not considered to be isolated, the approach of a house of exceptional design could constitute VSC and the judgement as to whether a proposal is exceptional, should not be solely based on the proposal's location.

The NPPF makes it clear that creating high quality buildings and places is fundamental. This is further supported by the National Design Guide. The National Design Guide, published by the Ministry of Housing, Communities and Local Government in 2019 states that well designed new development is influenced by " an appreciation and understanding of vernacular....including existing built form, landscape and local architectural precedents."

UDP Policy H2/1- The Form of New Residential Development requires all new residential development to make a positive contribution to the form and quality of the surrounding area. Policy H2/2 - The Layout of New Residential Development seeks to ensure that new residential development will be acceptable in terms of layout in order to provide a good quality residential environment. In addition to this, Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

The applicant has utilised their planning statement and Design and Access statement to provide full details of the design approach for the proposal and utilised these documents to discuss how the proposal has evolved. They have undertaken site analysis and sought to site the proposal within the landscape, noting the topographical context of the site. The key, front (east) elevation utilises a local material pallet, with local stone across the ground floor and timber cladding to the first floor. The use of locally sourced materials would respond directly to the context of the site, and its connection to Ramsbottom. The proposed stone work at ground floor is considered to replicate rural dry stone walling whilst the bedroom "pods" are considered to be a nod to the former agricultural use of the site, creating shed like units that would be viewed together as a cluster of single storey buildings.

The ground floor is being constructed by cutting into the slope and as such the ground floor will be largely screened with green roofs installed on the elements that project beyond the roof slope. The dry stone walling element is limited to areas that would be screened from long range views with a glazing element that separates the two wings of the ground floor. The use of green roofs and landscaping has been carefully considered and allows the proposal to sit within the slope of the site rather than be perched on a hillside. The proposal therefore will mostly be viewed as a single storey dwelling, replicating the massing of the bungalows on the adjacent residential estate. The proposal is not a direct copy of the dwellings on the established nearby urban residential estate, and instead seeks to combine elements of this estate in terms of scale whilst also responding to the sensitive nature of a sloping green belt location.

The proposal has been designed using PassivHaus Standard. This standard is utilised to

create energy efficient designs that make for a low energy dwelling with high comfort levels. The applicant has also sought to utilise renewables and identified appropriate technologies such as solar photovoltaic panels, battery energy storage systems and air source heat pump.

The applicant has also sought the view of Places Matter prior to submission of their application. Places Matter is an independent organisation, hosted by RIBA, which is devoted to generating a strong sense of place in living, working and leisure environments throughout north west England. The applicant engaged in a virtual Development Panel session in July 2020, with a Design Review report issued in August 2020 and has taken the comments of Places Matter on board prior to submission of their application.

The design review provided from Places Matter included comments and recommendations that included support of the notion of a dwelling within this location. The report highlighted the need to undertake a landscape appraisal to inform the design development, and pursuing a simple design. The applicant, and their architect have addressed these comments and amended the design in response and have further simplified the bedroom pod elements during the application process. Justification has also been provided within the design and access statement for the comments that have not been actioned. This includes the suggestion to make more of the potential western sunlight and creating a garden there. The applicant has concluded that the steep slope and ribbon of mature trees would limit the potential for sunlight and have instead used the wealth of alternative, sunnier spaces adjacent to the dwelling to create usable garden spaces.

The proposal, whilst contemporary in style, is considered to be of a simple design that has utilised the nature topography of the site to screen views where possible. The use of locally sourced materials directly links the property the to its surroundings. A further analysis of the impact of the proposal in terms of a landscape appraisal will be considered within the next section of the report. It is accepted that the building is architecturally innovative and it would be unique in its form in the Borough not just in design terms but also for its status as a property that is essentially net carbon zero, and that can provide net gain in terms of biodiversity and utilises sustainable technologies. These particular elements will continue to be analysed throughout the report.

Lack of visual harm and landscape enhancements

An outline landscape and visual impact appraisal has been undertaken and submitted in support of the planning application. This purpose of this document is to consider the proposed development with regard to existing landscape resource and visual amenity, and to consider any potential impacts and propose mitigation if required.

The landscape assessment highlights that whilst the site is not located within an area covered by a landscape designation such as a National Park or AONB it is sited within a Green Belt location. The site is flanked by a residential gardens to the south with grazed farmland to the north, east and west with a band of woodland along the hillside to the west of the site that links to Carr Barn Wood to the north.

The appraisal reviews the potential visual envelopes and views of the site and concludes that existing landscape features such as topography, woodland and the settlement of Ramsbottom would limit the potential visual envelope from publicly accessible locations to a small area approximately 1km to the east of the site, above the M66 motorway and to the east of the A56. Photographs, and views have been included within the document that provide a representative view from these locations.

As the dwelling would be located behind a group of existing trees, a good proportion of the building would be screened. From the distance highlighted above it is considered that the addition of a single dwelling, that is partially screened by tree planting would not be readily discernible and the potential impacts on the landscape would be negligible. Whilst there is potential for a small number of private farms and dwellings on the westerly hillside may have some views of the site these are not publicly accessible, and are located

approximately 0.5 km from the site.

Overall, it is considered that the addition of this single dwelling, on the edge of an existing settlement with natural screening provided would not be overly incongruous or prominent within the identified visual envelope and would not materially alter the view of the Green Belt location. The landscape appraisal concludes that the potential change to public and private views would be negligible and from the evidence provided within this report, that includes view points, this case is accepted.

Landscape Provision and Ecological Enhancement

The wider impact of the proposed ecological enhancement will be assessed fully within the ecology section of the report, including the comments provided by GMEU.

A considered landscape scheme has been submitted with the proposal that has been informed by consultant ecologists. The landscaping scheme is extensive and has been designed alongside the dwelling to ensure that the dwelling is embedded within the landscape. The landscape scheme, and the dwelling have been designed so that they sit within the hillside landscape. The ecological enhancements which propose a biodiversity net gain of 23.3% when assessed against the baseline of the existing site conditions are considered to be appropriate, and would exceeding the 10% net gain that is proposed by the yet to be enacted Environment Bill.

The provision of courtyards, green roofs, an attenuation pond, new tree planting, a wild flower meadow, maintained lawns, and planting beds, retention of existing trees and hedgerows and ground mounted solar panels show a considered approach to the potential impact of the proposal on this green belt location and the biodiversity benefits are significant.

Energy and Sustainability Enhancements

The applicant has engaged a renewable energy consultancy to advise on the design and implementation of technologies within the proposed dwelling. The review concluded that the following measures are to be provided at this site:

- Solar photovoltalic panels. These have been included within the scheme on the land adjacent to the property rather than on the roof of the property as this was not considered to be appropriate by the architect or Places Matter for aesthetic reasons and would impact on the simplicity of the design of the main dwelling. Alternatively the solar panels have been included, and considered as part of the wider landscaping of the site sited to the in close proximity to the west of the main dwelling and viewed within this context rather than as a detached area of development.
- Air source heat pumps. These use renewable energy taken from ambient air to heat the building and provide a heat source for the domestic hot water system.
- A battery system to store energy outside of the typical occupancy profiles to be consumed later.

In addition to the above further measures such as thermal efficient glazing, EV charging points for vehicles and low energy light fittings are also proposed. Whilst it is not proposed for the dwelling to be entirely "off-grid" the proposed technologies will lower the proposed dwelling's reliance on the grid. Case law supports that the energy efficiency of a scheme can provide a case for VSC and as such given the technologies proposed above this case is accepted.

Housing Land Supply

Housing land supply has been assessed under residential principle above. The "tilted balance" refers to the presumption in paragraph 11(d) ii of the NPPF that, where the presumption applies, planning permission should be granted unless there are "adverse impacts which would significantly and demonstrably outweigh its benefits." Importantly however, this doesn't override Green Belt Policy constraints. As such, whilst delivery of housing was substantially below the housing requirement over the previous three years this is not considered to be an acceptable case for VSC in this instance. Even so one house

makes no significant contribution to housing land supply.

Given the above matters and the cases presented above however, it is considered that the initial 4 points do amount to very special circumstances and given the nature of this particular scheme, the site and its context in accepting the development, it is considered that it outweighs the in principle harm to Green Belt. This is a finely balanced case and it is considered that it would be appropriate to remove permitted development rights so that no further extensions or outbuildings can be added without necessary consideration on the openness and Green Belt considerations.

Design and Layout

The issues in relation to design and layout have been largely addressed within the Green Belt section above.

The proposed form and layout has been developed out following a number of discussions and design reviews with 'Places Matter', an independent design review panel. Their engagement on the scheme and subsequent feedback and advice have largely resulted in what is proposed here. The scheme has also sought to respond to the challenging topography, the context of the surrounding area and the constraints and limitations of the site.

Whilst the proposed dwelling would diversify from the design and type of other residential properties found in the surrounding area, as a new and innovative build, it would respond to the form of the landscape and the challenging topography by its sensitive form and small scale massing. In terms of its visual impact, the proposed dwelling would be less obtrusive than a standard 2 storey property.

Whilst the site is challenging in its topography, it is considered that the siting and layout of the proposed dwelling would successfully utilise and integrate within the contours and land, whilst also recognising and responding to the sensitive and special character of the Green Belt. As set out above from wider public views, it is considered the layout of the development would not appear incongruous or unacceptably prominent.

As such, the proposals are considered to be acceptable and comply with UDP Policies H2/1, H2/2, EN1/2 and OL1/2.

Ecology

Trees

An arboricultural impact assessment and arboricultural constraints appraisal have been submitted with the application. The trees on site are not protected by means of a TPO. The trees have been assessed as category B (moderate) and category C (low quality). 2 no. category U (irremediable structural defects) have also been identified. It is proposed to remove 5 no. trees within the site, these are either category C or U trees.

T2 and T5 are sycamore trees located within a cluster of 5 trees to the front of the proposed development. T2 is identified as having an open cavity, and extensive progressive decay whilst T5 is identified also has several large areas of rot and decay. Both trees are categorised as U, and should be removed due to short protected life expectancy.

T8 and T9 are goat willow trees, where as T10 is a weeping birch. These trees are located along the southern boundary and are required to be removed to allow the access to be constructed. These trees are category C trees and as such have low amenity value.

The biodiversity metric confirms that to compensate for the loss of existing trees on site the applicant proposes the planting of 21 orchard trees and 7 native trees within the site and these have been included within the landscaping plan. Given the tree planting that is proposed within the landscaping plan, and the assessment of these trees as low quality, or

having defects that limit their lifespan no objections are raised to their removal.

Residential Amenity

There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties in relation to householder extensions and as such, would be a reasonable guide in this case.

There is no built development proposed to the rear of the gardens of No. 56- 46 Heatherside Road and plan PT300-PTA-00-ZZ-DR-A-00134 confirms that the residential curtilage of the proposed dwelling would not extend along these boundaries. This plan confirms that the curtilage would be limited to the driveway, dwelling, and garden areas immediate adjacent to the proposed dwelling. The areas of landscaping that are to be utilised to implement the biodivers

ty net gains proposed are not included within the residential curtilage. There is landscaping proposed to the rear of the properties at No. 56- 46 Heatherside Road including a wildflower meadow, tree planting and a new pond however as these elements are outside of the residential curtilage of the dwelling it is considered that this element of landscaping will be informal, and free from domestic paraphernalia associated with dwellings. The proposed ground floor windows would be located a minimum of approximately 39 metres from the nearest rear boundary associated with these properties. In this instance it is considered that the introduction of a single dwelling, to the north west of these properties would not be unduly overbearing and would not result in undue overlooking.

The side elevation of the dwelling at No. 45 Heatherside Road is located approximately 33 metres from the shared boundary with the site. The nearest element of built development (stone faced landscape retaining walls) is located a further 5 metres from this shared boundary. There is a single, secondary window proposed windows facing towards the neighbouring property and therefore aspects have not been applied as the principal window for this room is located on the main aspect. In addition landscaping plan confirms that existing trees and hedgerows will be retained along the boundary with this site. It is noted that the neighbour at No. 45 has raised concerns in relation to the location of the ground mounted solar panels however these do not face towards a principal elevation (front or rear aspect as set out within SPD 6) and are sited some 15 metres from the shared boundary, and 48 meters from the side elevation. The landscaping plan also makes it clear that existing landscaping along this boundary will be retained.

The principal, habitable room windows for the property are located on the front elevation all face to the east, with immediate onwards views of land within the ownership of the applicant. The three windows on the rear elevation are associated with a corridor/hallway rather than habitable rooms. There are no dwellings directly to the north of the site.

Highways, Access and Parking

The proposal seeks to construct a new access, and driveway from Heatherside Road with parking included within the curtilage of the dwelling. The access would be provided via the existing turning head on Heatherside Road and would be approximately 4.5 metres wide and 55.2 metres long constructed from materials capable of carrying vehicles weighing in excess of 12.5 tonnes. The proposed driveway would be constructed from geo grid cell grass reinforcement to prevent the introduction of an urban, hard landscaped driveway. Internally the driveway and car parking area, include a turning head to enable vehicles to manoeuvre within the site.

The bin store has been located to the east of the proposed access. On refuse collection days the residents of the dwelling will walk their bin to Heatherside Road, which will ensure that waste collection operators to wheel a bin no more than 25 meters to the refuse collection vehicle and a collection point has also been indicated on the plans.

The proposal includes off street parking for 3 no. vehicles, complying with the maximum standards for a dwelling house with 4+ bedrooms as set out within SPD 11.

The Traffic Section have been consulted as part of the application, and have raised no objections to the scheme subject to conditions relating to the submission of a construction traffic management plan, access works, sprinklers, bin storage and car parking and turning facilities. It is not considered that the introduction of one single dwelling, would adversely impact the pressure on the local highway network.

Contaminated Land

A phase one report has been submitted with the application. The report includes a description of the site including its past historical uses. An appraisal of the site environmental setting is presented including its geology, hydrogeology and hydrological regime, mining activities, waste management issues, and identification of additional environmental sources, pathways and receptors. This information has been used to compile a clear site conceptual model, which identifies potential sources, pathways and receptors and likely pollution linkages.

The Environment section have been consulted as part of the application and concluded that the desk study information provided appears to be sufficient to assess the potential risks at the site. Although the site has not had any known contaminating land use, as the site has been previously developed there is likely to be deposits of made ground at the site. Due to the sensitivity of the proposed land use, as a minimum, a Desk Study and Preliminary Risk Assessment will be required.

In line with the National Planning Policy Framework, the site is proposed for a sensitive end use the Environment Section proposed further conditions in relation to contaminated land that require further information in relation to:

- (i) A detailed scope of works for the site investigations.
- (ii) Site Investigation and Risk Assessment Report.
- (iii) A Remediation Strategy.

After completion of works a verification report will also be required to validate the works undertaken.

Air Quality

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, the environment section recommends a condition to secure the inclusion of an EV charging point. Whilst this is not required for the majority of single dwelling units, given the context of the site and the scheme and the inclusion of EV charging points within the applicants scheme in any event this condition has been included.

Drainage

A Flood risk and drainage strategy submitted with application and a standard response has been received from United Utilities that does not direct relate to this but seeks the introduction of a SUDs scheme.

The drainage strategy provided concludes that the ground is not conductive to infiltration, and acknowledges a small watercourse that lies along the site's southern boundary that flows east towards the River Irwell. It is intended that surface water runoff from the proposed new dwelling and driveway will be restricted and discharged into the existing watercourse. Foul sewage from the dwelling will be collected by a new drainage system and discharged into the public combined sewer that lies within Heatherside Road.

The Drainage officer has confirmed that whilst there are some issues with run off within the vicinity, although they are mainly only when infrastructure fails. As such a condition has been added to ensure that the attenuation pond is designed for flows up to 1:100 + 70% and the submission of an exceedance flow plan is submitted to prevent additional flows directing towards existing residences.

Design for Security

Greater Manchester Police have put forward a number of recommendations including standards for windows, boundary treatment heights, entrance gates and lighting along the driveway. These comments have been forwarded onto the applicant/agent to review as some of them fall under Building Regulations which are outside of the control of planning. The introduction of gates and lighting are considered to be too urban for this particular location and would adversely impact on this sensitive Green Belt location, and the biodiversity aspirations of the applicant.

Response to Neighbours

The impact of the proposal in terms of residential and visual amenity, impact on Green Belt and ecology has been dealt with within the main body of the report. Green Belt in particular has been addressed comprehensively within the submitted planning statement and within the officer report which demonstrated that Very Special Circumstances exist and therefore the proposed development is acceptable.

Design is largely subjective however the applicant has utilised the documentation submitted within the application to clarify how the design of the property has been finalised, and their engagement with places matter.

The Bury Times printed a press notice in relation to the application site. If an application is submitted, the Local Planning Authority have a statutory obligation to consider it.

Highways issues have been assessed by the Traffic Section. Suitability of the access, from a safety and capacity point of view the has been assessed, and is addressed within the transport assessment and no objections have been raised to the proposal.

There are various comments regarding the proposed access. Some comments suggest the access is "not proven" or is not legal. While the applicant owns the majority of the site edged red, the owner of the a small parcel of land off Heatherside Road over which access is proposed to be taken was duly notified of the planning application and relevant certificates signed. The applicant confirms that they benefit from an unrestricted right of way into the site from Heatherside Road. The width of the right of way is 7m. The applicant has confirmed that this is included by way of the owner's Title, which refers to the land being the subject of that right of way.

Some comments are concerned with disruption resulting from the construction phase of development. A construction management plan has been conditioned for the matters that can be controlled by planning legislation.

Extensive ecology reports have been submitted by the applicant and a net gain can be provided. Justification has been made for the removal of the tree within the arboricultural report.

There may be other footpaths that can be seen on a map with proximity of the site, that does not necessarily mean that they have views of the site. The landscape assessment highlights the topography and landscape features that screen the site.

There have been no previous applications on this site. Each application is considered on a site by site, case by case basis in any event.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were

incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

- 1. The development must be begun not later than three years beginning with the date of this permission.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to drawings numbered PT300-PTA-00-ZZ-DR-A-00001 Rev P5, PT300-PTA-00-ZZ-DR-A-00102 Rev P7, PT300-PTA-00-ZZ-DR-A-00103 Rev P6, PT300-PTA-00-ZZ-DR-A-00104 Rev P5, PT300-PTA-00-ZZ-DR-A-00105 Rev P5, PT300-PTA-00-ZZ-DR-A-00106 Rev P5, PT300-PTA-00-ZZ-DR-A-00107 Rev P3, PT300-PTA-00-ZZ-DR-A-00110 Rev P3, PT300-PTA-00-ZZ-DR-A-00111 Rev P3, PT300-PTA-00-ZZ-DR-A-00112 Rev P3, PT300-PTA-00-ZZ-DR-A-00113 Rev P3, PT300-PTA-00-ZZ-DR-A-00114 Rev P2, PT300-PTA-00-ZZ-DR-A-00120 Rev P4, PT300-PTA-00-ZZ-DR-A-00121 Rev P4, PT300-PTA-00-ZZ-DR-A-00122 Rev P3, PT300-PTA-00-ZZ-DR-A-00123 Rev P3, PT300-PTA-00-ZZ-DR-A-00130 Rev P3, PT300-PTA-00-ZZ-DR-A-00131 Rev P3, PT300-PTA-00-ZZ-DR-A-00132 Rev P3, PT300-PTA-00-ZZ-DR-A-00133 Rev P3, PT300-PTA-00-ZZ-DR-A-00134 Rev P1, PT300-PTA-00-ZZ-DR-A-00140 Rev P3, PT300-PTA-00-ZZ-DR-A-00141 Rev P3, PT300-PTA-00-ZZ-DR-A-00142 Rev P3, PT300-PTA-00-ZZ-DR-A-00143 Rev P3, 3498 201, 3498 301 Rev A and 3498 101 Rev B and the development shall not be carried out except in accordance with the drawings hereby approved. Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Only the approved materials/bricks shall be used for the construction of the development.
 Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
- 4. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

<u>Reason</u>. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to

the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 6. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
 - Photographic dilapidation survey of the footways and carriageways abutting the site access in the event that subsequent remedial works are required following construction of the development and as a result of any statutory undertakers connections to the new dwelling;
 - Proposed site hoardings and gates positions (if proposed);
 - Hours of operation, confirmation of delivery & construction vehicle sizes that can be accommodated on the residential estate roads leading to the site and number of vehicle movements;
 - Parking on site of operatives' vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this:
 - Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being brought into use.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 7. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to, and agreed with, the Local Planning Authority on a topographical survey of the site and adjacent adopted highways:
 - Formation of the proposed site access onto Heatherside Road, incorporating a
 new section of 1.8m wide footway and associated footway crossing to a
 specification to be agreed, demarcation of the limits of the adopted highway,
 alterations to/removal of the affected boundary wall to ensure that surface
 water will not be discharged onto the new section of footway and adequate
 visibility will be provided at the back edge of the footway and all associated
 accommodation works:

 Scheme of surface water drainage works/hardstanding materials to ensure that surface water will not be discharged from the site and new access road onto the adjacent adopted highway.

The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to the development hereby approved being brought into use.

Reason. To secure the satisfactory development of the site in terms of highway safety and ensure that adequate bin storage arrangements are provided within the curtilage of the site pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 8. The access, driveway and bin storage arrangements indicated on the approved plans, incorporating the provision of an electric gate, shall be implemented prior to the dwelling hereby approved being occupied and thereafter maintained available for use at all times.
 - Reason. To ensure good highway design and ensure that adequate bin storage arrangements are provided within the curtilage of the site pursuant to Bury Unitary Development Plan Policies H1/2 Further Housing Development, H2/2 The Layout of New Residential Development, EN1/2 Townscape and Built Design and HT6/2 Pedestrian/Vehicular Conflict.
- 9. The car parking and turning facilities indicated on the approved plans shall be surfaced and made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained available for use at all times.

 Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 Car Parking and New Development of the Bury Unitary Development Plan.
- 10. The development hereby approved shall be carried out in accordance with the flood risk assessment and drainage strategy submitted on the 16th December 2020 and the attenuation pond must be designed for flows up to 1:100 + 70%. An exceedance flow path drawing shall be produced and submitted to and approved in writing the Local Planning Authority prior to occupation of the development to ensure no additional flows are directed towards existing residences if the pond over tops due to extreme weather or failure of infrastructure. Any approved scheme shall be implemented in full prior to first occupation of the dwelling hereby approved and thereafter maintained.

Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 11. Prior to occupation the applicant shall provide EV charging points. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.
 - <u>Reason</u>. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life pursuant to National Planning Policy Framework Section 15 Conserving and enhancing the natural environment.
- 12. To ensure no negative impacts on badgers, the development hereby approved shall be carried out in accordance with the Best Practice Measures During

Construction as identified in section 5.2 of the Badger Survey and Assessment (ERAP Ltd Ref 2020-065d, March 2021) unless otherwise approved in writing by the Local Planning Authority. If development has not commenced within 3 months of the survey then an updated badger survey will be required not more than 3 months prior to commencement of the development. If there are any changes in the status of the badgers, then updated measures may be required and should be accommodated into the scheme as per section 5.1 of the badger survey report.

<u>Reason</u>. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 13. Prior to commencement of development a method statement for the felling of T5, and any other tree works required shall be submitted to and approved in writing the Local Planning Authority. Works shall be carried out in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

 Reason. To avoid the loss of trees which are of amenity value to the area pursuant
 - <u>Reason.</u> To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 Townscape and Built Design and EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.
- 14. Prior to commencement of the development hereby approved a lighting plan for any proposed new external lighting should be submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be designed to minimise impact on nocturnal wildlife, in line with best practice guidance and the guidance within the Ecology Report.
 Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 Conservation of the Natural Environment and EN6/3 Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 Conserving and enhancing the natural environment.
- 15. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

 Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 Conservation of the Natural Environment and EN6/3 Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 Conserving and enhancing the natural environment.
- 16. A landscape and ecological management plan (LEMP) (or equivalent) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement or of the development. The content of the LEMP shall include information which demonstrates the creation or management of habitats to secure a meaningful and measureable net gain for biodiversity, in line with the principles established in the proposed landscaping scheme and the Ecology Survey and Assessment.

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management.
- d. Appropriate management options for achieving aims and objectives.
- e. Prescriptions for management actions for all habitats for a period of no less than 30 years.
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g. Details of the body or organization responsible for implementation of the plan.
- h. Ongoing monitoring and remedial measures.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

<u>Reason.</u> To ensure improvements the biodiversity of the site in order to comply with National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

17. No development shall commence unless and until an Invasive Species Management Plan has been submitted to and approved in writing by the Local Planning Authority. This should include measures to prevent the spread and manage the Himalayan balsam (Impatiens glandulifera) and any other invasive species on the site. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to and approved in writing by the Local Planning Authority.

<u>Reason.</u> To prevent the spread of Himalayan balsam pursuant to of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

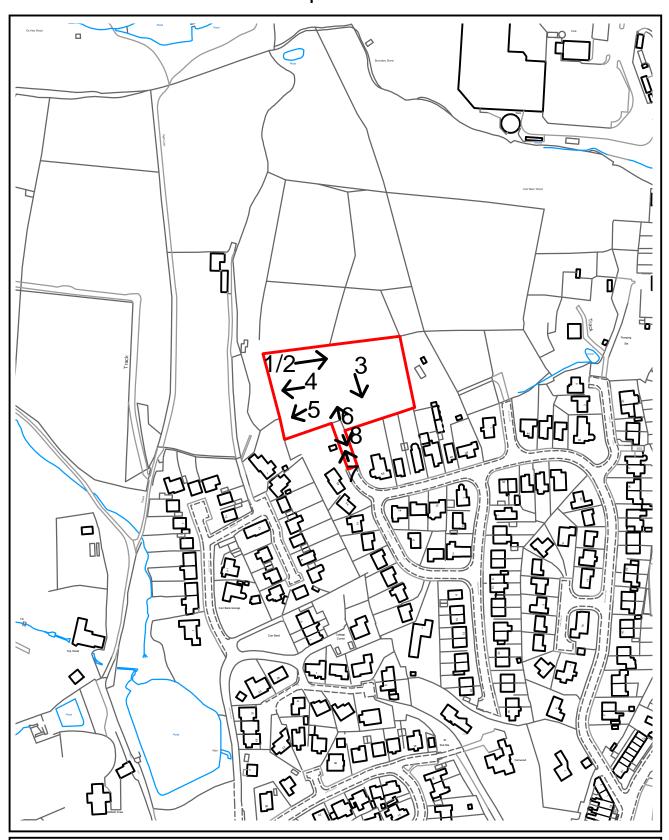
- 18. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

 Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan pursuant to Bury Unitary Development Plan Policies OL1 Green Belt, OL1/2 New Buildings in the Green Belt and Chapter 13 Protecting Green Belt land of the National Planning Policy Framework.
- 19. The geo grid cell grass reinforced driveway shall be implemented prior to the dwelling hereby approved being occupied and thereafter maintained.

 Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Bury Unitary Development Plan Policies OL1 Green Belt, OL1/2 New Buildings in the Green Belt and Chapter 13 Protecting Green Belt land of the National Planning Policy Framework.

For further information on the application please contact Helen Pressley on 0161 253 5277

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 66308

ADDRESS: Land North of Heatherside Road

Ramsbottom

Planning, Environmental and Regulatory Services

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66308

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7





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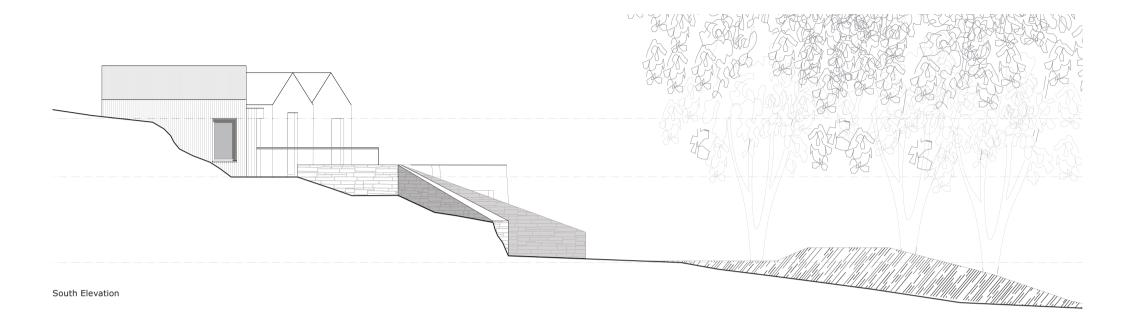
Checked: PT

Drawn:PT

Project: Heatherside

Client: Stephen & Aine Delaney

Drawing Title: Proposed Site/Block Plan Drawing no: PT300-PTA-00-ZZ-DR-A-00102





East Elevation

P4 12/02/21 PT P3 06/11/20 PT Roof profiles amended Planning Issue

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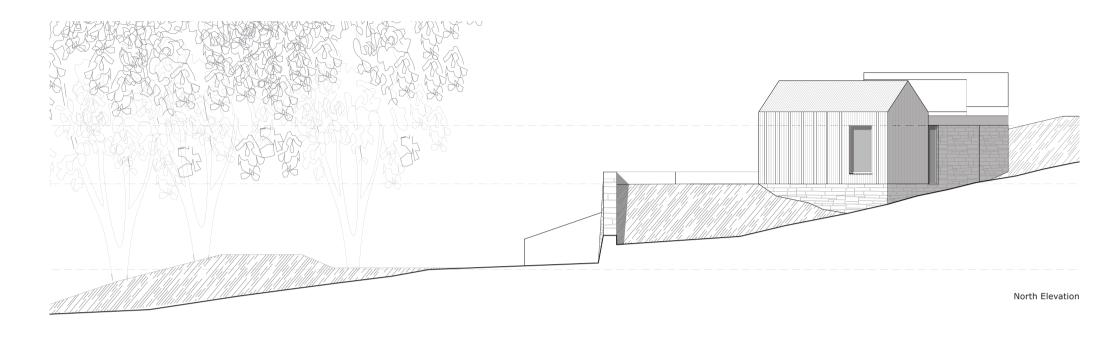
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Scale @ A3:1:100 Project: Heatherside

Purpose: For Information Client: Status: S2 Revision: P4 Drawing
Drawn: PT Checked: PT Drawing

Client:Stephen & Aine Delaney

Drawing Title: Proposed S_E Elevations
Drawing no: PT300-PTA-00-ZZ-DR-A-00120





West Elevation

P4 12/02/21 PT P3 06/11/20 PT Roof profiles amended Planning Issue

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Scale @ A3: 1:100 Purpose: For Information

Revision: P4 Status: S2 Drawn:PT Checked: PT Project: Heatherside Client:Stephen & Aine Delaney

Drawing Title: Proposed N_W Elevations Drawing no: PT300-PTA-00-ZZ-DR-A-00121





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Drawn:PT

Purpose: For Information Status: S2 Revision: P3

Checked: PT

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Roof profile update

Planning Issue

Project: Heatherside Client: Stephen & Aine Delaney

P3 22/02/21 PT

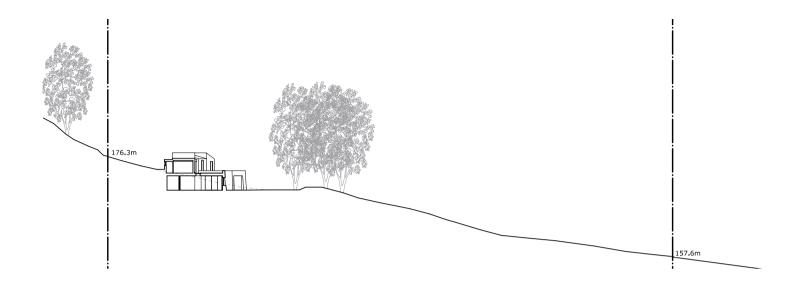
P2 06/11/20 PT

Drawing Title: View from field Drawing no: PT300-PTA-00-ZZ-DR-A-00141

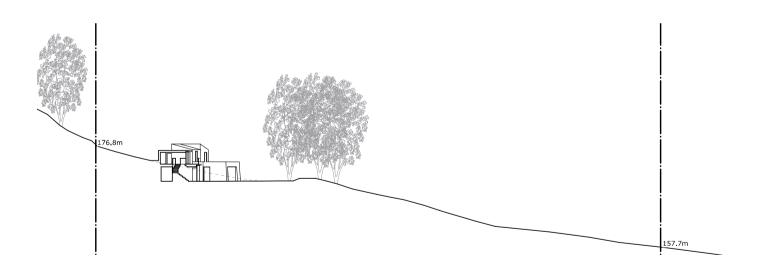








Proposed Site Section A



Proposed Site Section B

P2 06/11/20 PT

Planning Issue

P1 27/10/20 PT Preliminary Issue



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Scale @ A3: 1:500 Project: Heatherside

Purpose: For Information Status: S2 Revision: P2 Checked: PT

Drawn:PT

Client: Stephen & Aine Delaney Drawing Title: Proposed Site Sections

Drawing no: PT300-PTA-00-ZZ-DR-A-00114

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