Development Control Committee A - 30 July 2014

ITEM NO. 4

WARD: **CONTACT OFFICER:** Henleaze Jess Leigh

SITE ADDRESS: Builders Yard 183 Henleaze Terrace Bristol BS9 4AS

APPLICATION NO: 14/01347/F Full Planning

EXPIRY DATE: 10 July 2014

Demolition of existing buildings and redevelopment to form 32 units of sheltered apartments (Category II Type) with associated landscaping, communal facilities, access, parking and off site road improvements (Major application).

RECOMMENDATION: GRANT subject to Planning Agreement

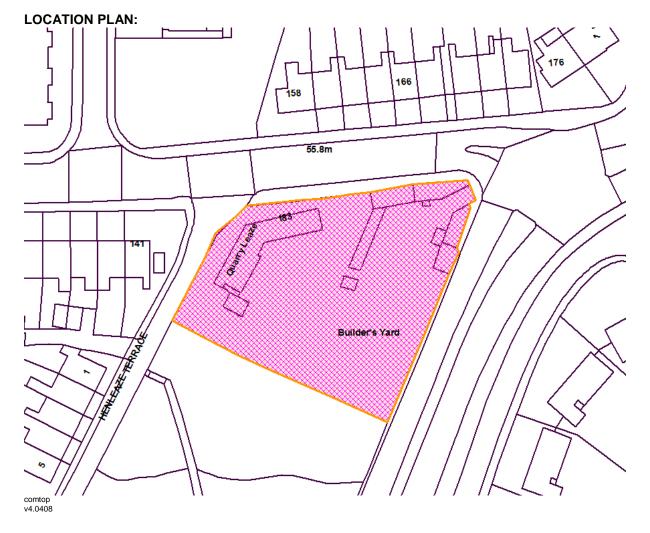
AGENT: Planning Issues **APPLICANT:** Churchill Retirement Living Millstream House

Millstream House

Parkside Ringwood Hampshire **BH24 3SG**

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The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.



21/07/14 10:59 Committee report

SITE DESCRIPTION

The application site is roughly rectangular and lies between Eastfield Road and Old Quarry Park- an area of public open space, to the west it is bounded by Henleaze Terrace and to the east Henleaze Road. The site contains mounds of unspecified materials, a derelict building to the east and an L shaped flat roofed bungalow with garden in the north-west corner.

The Eastfield Road frontage is marked by a rubble stone wall, approximately 1.6m high with a central section of close board fencing. Facing the site on the other side of Eastfield Road are stepped terraces of typical, two storey 1930's housing with double height bay windows, gables and hipped roofs.

On the Henleaze Road frontage there is also a mix of fencing and stone walling, the latter extending south to form the boundary to the park. There is a central reservation to this road, which contains trees and on the other side are a number of comparatively recent, large detached houses with open plan frontages and accessed by a secondary road.

Henleaze Terrace is a narrow, unadopted road which provides access to housing of similar age and appearance to that on Eastfield Road. These mostly look onto the park. The only property close to the site is that on the corner of Henleaze Terrace and Eastfield Road, this is an end of terrace house whose gable end wall and side garden boundary face the site.

Old Quarry Park contains a number of mature trees many of which are close to the northern boundary and the application site. A scheme of improvements to the park are currently being implemented.

HISTORY

As the name suggests, records show the park to the south as overlying a former quarry and it is possible that this could extend into the application site.

The only planning history is application no.12/01085/N- which sought prior notification under The Town & Country Planning (GPDO) 1995 Schedule 2 - Part 31 for the 'Demolition of flat roofed dwelling, dilapidated stone/tin and tile outbuildings, concrete block and felt roofed outbuilding'. It was concluded that prior notification was not required. Photographs taken at that time show most of the site to be in use as a builder's yard. The loss of the outbuildings was the subject of significant local objection.

The builders yard has been unused since at least 2013 but the bungalow was still in use at that time.

A pre-application enquiry was submitted in June 2013 regarding a proposal to develop the site for a block of flats to accommodate elderly persons. At that time all pertinent planning issues were raised and amongst other things, concerns expressed over the loss of the employment site, the design of the proposed building and impact on the neighbouring trees. The current application follows on from this enquiry.

The application is being referred to committee following a referral request from ward member on the following grounds;

Highways safety and Design issues on this key site in Henleaze ward

PROPOSAL

It is proposed to erect an L shaped building, with a long axis facing Eastfield Road and slightly shorter axis facing Henleaze Road. The former element is two storeys in height and the latter three storeys. The roof is dual pitched with a central 'valley', which is glazed and provides light to the central corridor on the first floor. The elevations include regularly spaced gable headed elements on Eastfield Road and a larger similar feature on the corner of the building and facing Henleaze Road, the roof of which is hipped. Windows are in a mix of sizes but evenly located on all frontages. A mix of roofing materials and facing materials are indicated to include render and brick. The 'inner' elevations are similar in design but with a lesser variety in facing materials.

Vehicular access is proposed from Henleaze Terrace, which gives access to an internal courtyard containing 15 parking spaces plus a refuse store and buggy parking store.

A new length of pavement is proposed along the front of the development on the eastern side of Henleaze Terrace connecting to the entrance. A road crossing to Henleaze Road is shown.

The existing stone wall around the site is to be retained and rebuilt as necessary and a new section is proposed at the back of the new section of pavement.

COMMUNITY CONSULTATION

An exhibition was held prior to submission of the application but the **Neighbourhood Planning Network** have commented as follows:

The Pre Application community involvement process was unsatisfactory as it started very late in the design stage, not at the early ideas stage as set out in Ground rule 5 of the Statement of Community Involvement (SCI), and with a public exhibition, which is not in accordance with BCC Guidelines. After a single meeting with the ward councillors and local planning group members following the public exhibition, no follow up meetings were held with the NPN planning group (in accordance with the expectation of continuity SCI Gr 3), nor were their comments responded to as set out in the SCI Gr 10.

RESPONSE TO PUBLICITY AND CONSULTATION

Eighty five letters of consultation were issued with a closing date for comment of the 27th May 2014. The application was advertised on site with a closing date for comment of the 21st May 2014.

Nine responses from individuals were received making the following comments;

Highway safety- the proposed crossings do not give access to all relevant bus stops from the site. Redevelopment should give an opportunity to improve the safety of the junction and an adequate footpath between the main entrance to the park and the junction. The proposed position of the roundabout appears to close to the junction. Traffic travels too fast as it approaches the miniroundabout. This should be considered alongside any redesign of the roundabout. There is insufficient parking for residents and visitors. This will have adverse consequences for residents in the surrounding area, parking will overspill onto Eastfield Road and cause problems.

Design-the overall impression is a boring mish mash of traditional design, it should be a statement design. It is a lego lump. It should provide dual aspect if possible particularly if one aspect is north facing. An innovative and contemporary design is needed.

Impact on residential amenity- the windows will overlook housing opposite. Views will be lost and replaced by the proposed building. Noise and pollution will increase because it cannot escape.

Watercourse- there is a water course running at the bottom of the site, there is no indication of plans to build such that there will be no extra flooding.

Community Consultation- drawings presented were those ready for submission for planning approval. Suggested changes have not been acted upon. Guidance for consultation of residents have not been followed.

Affordable Homes- if the site is used for sheltered accommodation there will be no remaining sites to build affordable homes. Even if they pay a contribution Henleaze will not benefit from this.

Mix of units- there is an existing high amount of retirement homes, bungalows and care homes/nursing beds in Henleaze. The projection of the number of people 65+ is not as great as portrayed by the applicant. Considering the need for affordable housing and balanced communities the development for more retirement apartments is inappropriate. The proposal does not acknowledge the need for young families.

Stability- houses opposite site on top of the infilled quarry which stretches from the far end of the site to Doncaster Road. Some houses are already affected by subsidence. There is concern that development will cause more movement- Officer response- the matter of safe and appropriate foundations will form part of the buildings control process.

House prices- the development will have an adverse impact on the value of houses- Officer response-house prices are not a planning matter.

A Ward Member has commented;

This is a key site for Henleaze located at busy junction and by Old Quarry Park. It is necessary to have a development of high standard of design, materials and landscaping.

Developers revisions are welcome but still scope to improve the impression of what has been described as a rather monolithic complex.

Note the request by Henleaze Terrace to have render rather than brick facing them, this should be considered.

The request for larger trees to be planted to complement those on the park is echoed. The developer should liaise with the project manager for the design of Old Quarry Park when designing the landscaping.

Traffic is of major concern. There have been comments from residents and NP to highlight traffic speed, rat running and accidents plus the expected traffic from Southmead Hospital and new housing. Developers need to listen to local residents as well as experts. Of concern is the poor sight line or blind corner near the mini-roundabout should the crossing be installed in the suggested location. Should also not difficulty in crossing junction at Southmead Road to access bus stops. Need to improve safety for the elderly.

It is regretted that the developers did not accept invitation for a follow up meeting.

The Henleaze Terrace Association have commented as follows;

Principle- The site is long blighted and likely to fall into increasing disrepair at direct odds with the improvements to the park- the principle of development is strongly supported.

Land Use- Retirement accommodation is supported. It will free up family sized housing and enable people to retire in the same location. It will help the growing elderly population maintain independent living and be a good neighbour to the park.

Design- height and massing considered acceptable. Some concern still about use of redbrick on wall facing Henleaze Terrace. It would be preferred if it were render.

Access- the proposed road access to Henleaze Terrace has been discussed, the revised proposals seek to dominate the surfacing treatment to keep users safe. Visual traffic calming features and road narrowing to create safe transition into park area.

Parking- pleased that the design has increased spaces and will incorporate signage to clarify resident and visitor parking area.

Construction- intention of the developer to work in accordance with the considerate contractor scheme and liaise with residents during construction welcome.

Landscaping- quality to be a positive contribution. It is understood that the design will be conditioned to facilitate appropriate resolution of boundary planting to compliment street scape and park frontages.

The Westbury- on- Trym Society has commented;

Windows to flats should be south facing onto the park and not north facing with poor light. There is insufficient parking, people downsizing will need to get out of small flats and will have cars, bus services are not so good can abandon cars. Crossing in a dangerous location.

Bristol Civic Society have commented;

There is no objection in principle to the development but have reservations about the proposal. The site is in a prominent location and the design should capitalise on this. The design does little in this respect. Accommodation with a single northerly aspect should be avoided. There is also concern about the safety of the crossing on Henleaze Road, this should be safely located particularly given the expansion of Southmead Hospital, which will increase the traffic.

The Tree Forum has commented;

It is regretted that 3 trees need to be removed but these are Grade C, the BTRS mitigation planting is 5 trees and there are more shown, species round the car park should maximise shade and runoff.

Arboricultural Team has commented as follows:-

There are no objections to the proposed tree planting, the species, number and position seem reasonable.

Transport Development Management has commented as follows:-

The principle of elderly person's dwellings in this location is acceptable. The increase in vehicular trips is not considered to have a material impact on traffic conditions or safety on the existing highway network subject to the site benefitting from safety and adequate access to local facilities for its occupants.

These apartments are for older people living independently, thereby requiring access to all facilities but are more likely to have impaired mobility so accessible transport and proximity to such facilities are essential.

Access to the nearest supermarket will require access by car or public transport. Bus stops are within 200m of the site however they do not benefit from raised platforms and crossing between the two stops is not accessible for wheelchair/mobility scooter users.

Access will be via a pedestrian access on Henleaze Road. There is a proposal to provide a footway into the site via Henleaze Terrace. Further into the terrace there is a path leading through the park going to Henleaze Town centre but this is not an accessible route, (this path has recently been upgraded as part of the park improvements). Re the zebra crossing, traffic surveys to include speed counts were requested. These have now been provided and the crossing is considered to be in adequate location. The proposal to remove a retained landscaped area by the crossing to provide a widened footway and better visibility is supported.

The internal layout should be ambulance tracked. The low amount of parking is justified on the basis of other Churchill homes but there is no information about the accessibility of these sites. Spaces should be allocated and residents advised about the amount of parking. There is insufficient mobility scooter parking, more will be needed. Cycle parking should be provided.

Contaminated Land Environmental Protection has commented as follows:-

Site investigation will be required and conditions nos.B11, B12, B13 and C1 will be required.

It is not considered that the site will not be suitable for natural soakaways as the site has been underwater for much of the winter, the levels are only now receding. The remaining buildings on site appear to contain workshop materials and an abandoned oil tank was noted on site as well.

Crime Reduction Unit has commented as follows:-

There are a number of points that will enhance the security of the development. The buggy store must be lockable, ensure parking bays are overlooked, change the road surface to highlight the public to private area and ensure lighting is adequate.

Landscape has commented as follows:-

The landscape strategy is not sufficient for a full planning application and a more detailed plan should be provided. Information on how the northern level changes have been addressed should be provided, the ramp should be DDA compliant. There is an opportunity to have more paved seating areas, which are more accessible than walking over grass.

The planting should include wildlife attracting colours and scent. The landscape strategy shows trees but no species are indicated. There are some instances where external doors lead onto grassed areas - these discrepancies should be rectified. There may be opportunities for food/seed growing.

Pollution Control has commented as follows:-

The acoustic report with the application is acceptable which makes recommendations as to the sound insulation required. A condition should be imposed which requires a detailed scheme of noise insulation measures for all residential accommodation, this should include details of ventilation and take into account the recommendations detailed in the noise assessment submitted with the application.

Nature Conservation Officer has commented as follows:-

Prior to the commencement of work on site the workshop building should be inspected for signs of roosting bats. Lighting on site should take account of the presence of bats. The section of remnant hedgerow should be incorporated into the landscaping scheme, the pond on site is classed as a

priority habitat and is therefore a material consideration.

Landscaping should employ native species that will support wildlife.

There are a number of bird species in the vicinity and it is recommended that both bird and bat boxes be included with the development.

The invasive plant species on the site must be cleared.

RELEVANT POLICIES

National Planning Policy Framework - March 2012

Bristol Local Plan, Adopted December 1997

M1	Transport Development Control Criteri	ia

B2 Local Context B5 Layout and Form

NE3 Trees and Woodlands (including tree planting and the Community Forest)

EC5 Protection: Industrial Sites and Premises

Bristol Core Strategy (Adopted June 2011)

BCS8	Delivering a Thriving Economy
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS18	Housing Type
BCS17	Affordable Housing Provision
BCS21	Quality Urban Design

Bristol Site Allocations and Development Management Policies (emerging)

DIM12	Retaining valuable employment sites
DM15	Green infrastructure provision
DM23	Transport development management
DM26	Local character and distinctiveness
DM27	Layout and form
DM29	Design of new buildings
DM32	Recycling and refuse provision in new development
DM34	Contaminated land
DM35	Noise mitigation

KEY ISSUES

(A) IS THE LOSS OF THE EXISTING USE ON THE SIDE ACCEPTABLE?

The larger element of the site has most recently been used as a builders yard/store with ancillary parking and offices, it would therefore be considered to be in an employment use. It is not clear whether the bungalow on site was originally in use in connection with the rest of the site. It is now apparently in use as an independent dwelling.

Therefore there is the question of whether the loss of the builders yard part of the site for employment purposes is acceptable. Policy BCS8 states that employment land should be retained where it makes a valuable contribution to the economy and employment opportunities.

The NPPF states that local authorities should plan for enough sites to serve projected business needs but be flexible to allow a rapid response to changes in economic circumstances. The long term protection of sites allocated for employment when there is no reasonable prospect of it being used as such in such cases applications for alternative uses should be considered on their own merits having regard to market signals and relative need for different land uses.

Policy DM12 states that employment sites outside the principle industrial and warehousing areas, (identified on the proposals map), will be retained where they would make a valuable contribution to the economy and employment opportunities. An indicator of when it is not valuable is long term vacancy even in the face of marketing. The text states that the council would expect applicants to demonstrate that the site has been adequately marketed for employment purposes. This was an issue raised at the pre-application enquiry stage.

A Commercial Viability Report has been included with the application which refers to the poor highway access to the site from Henleaze Terrace, the uneven nature of the site's topography with the height of the access above the remainder of the site, that employment is a non-conforming use in a residential area the site is removed from other employment uses and that there is a substantial amount of commercial accommodation on the market.

When considering this matter it is acknowledged that the site is not in an industrial estate and does not provide modern accommodation or access that would be suitable for an alternative employment use; use class B2, B8.

The sites proximity to residential accommodation is also recognised and the potential problems this may bring to a fully operational employment use of these types.

It is however possible that it could accommodate a range of light industrial uses that would not have an adverse impact on neighbours, be associated with fewer, smaller vehicles and add positively to the range of employment opportunities in the area. Such uses would however also need suitable accommodation and again it is acknowledged that there are sites on the market where there is already existing accommodation.

The report includes an analysis of the supply and demand for all types of employment floor space, which it asserts is based on data currently available.

The report also refers to the marketing that has been undertaken of the site and states that comprehensive marketing was undertaken over 14 months and most enquiries have been in connection with residential development. Its states that no occupier has made a deliverable bid for the property for its current use.

It is accepted that the methods used to advertise the site are in accordance with what would normally be accepted and that it was offered for employment purposes and for either sale or let. The background information refers to it being offered by a number of agents but the example of sales details refers to Jones Lasalle being the sole agent. There is no reference to cost, which would as a rule be expected. There is no evidence that the property is still being marketed.

There must therefore remain a question over how suitable the marketing was in a genuine attempt to find a commercial operator for the land.

Ultimately it therefore falls to this authority to assess the importance of this issue and the weight it should be given in the decision making process.

Given that the site is not specifically allocated and the questions over its suitability for many employment uses, on balance it is not wished to object to the development of the site for an alternative purpose.

The Commercial Viability report also includes reference to the need for housing however the site is not allocated for housing and is not needed to achieve adopted housing targets therefore limited weight should be given to this assertion.

(B) IS THE PRINCIPLE OF THE RE-DEVELOPMENT OF THE SITE ACCAPATBLE?

Irrespective of the future use of the site, the issues of ecology and archaeology go to the heart of whether the site is suitable for development.

i) Ecology-

An Ecology Survey has been included with the application which concludes that the site is of limited interest ecologically aside from a section of remnant hedgerow but that there are a number of bird species recorded in the area and the existing workshop building on the site should be inspected for signs of roosting bats before it is demolished.

This work has now been undertaken and there is some evidence of common pipistrelle bats using the site.

The Nature Conservation Officer has not raised any substantive objection to the proposal but advises that the landscaping scheme should allow for the retention of the section of hedgerow and incorporate native species, lighting should be designed to offset any impact on bats and any development should incorporate bat and bird boxes. The officer also advises that ponds, (there is one on site), is a priority habitat listed in the Natural Environment and Rural Communities Act and is therefore a material consideration.

The applicant has confirmed that there is no objection to the recommended approach to lighting or bat/bird boxes however they have stated that there is no intention to include a pond on the site and the section of hedgerow is proposed to be felled as it coincides with the proposed footprint of the building.

There will be a statutory requirement for the developer to clear an area of Japanese Knotweed on the site, the cotoneaster and Canadian pond weed on the site are also invasive species and should be cleared.

Conditions are recommended to address these matters.

The loss of the pond and hedgerow is to be regretted however there is an opportunity to increase the biodiversity introduced through planting and the development provides an opportunity to remove a number of invasive species.

ii) Archaeology

A number of small cottages and limekilns have been documented on the site and shown on the late 19th Century Ordnance Survey. A large quarry is also shown extending into the site but largely lying to the south and accordingly at pre-application stage it was advised that the historical and archaeological value of the site may be important.

An archaeological desk based assessment has been submitted with the application which concludes that buried deposits are limited to industrial and occupation postdating mid-19th century which are no more than of local importance.

The city archaeologist has requested that a watching brief be imposed on the development.

(C) IS THE PRINCIPLE OF THE RESIDENTIAL USE OF THE SITE ACCAPTABLE?

As the area is otherwise predominantly residential, some form of residential use is in principle considered acceptable pending an assessment of contamination and noise.

i) Contamination-

The site was formerly part of the Eastfield Quarry, (in operation until c1900), which was filled in with waste material at some point in the twentieth century. During the latter half of the twentieth century much of the site has been used as a builder's yard with a number of vehicles on site as well. The yard works have in the past included tars for road making.

Given the site history, as the proposed residential development is a sensitive end use, an intrusive site investigation will be required, conditions are recommended to address this issue.

ii) Noise

Due to the proximity of the site to major thoroughfares there is potential for noise nuisance which may have implications for the suitability of the site for residential use. Accordingly a Noise Assessment has been submitted with the application. The findings of which have been assessed by the Pollution Control Officer who advises that pending adequate and appropriate sound insulation residential use of the site would be acceptable from a noise perspective.

(D) IS THE PRINCIPLE OF A SHELTERED ACCOMMODATION ACCEPTABLE IN THS LOCATION?

The application is specifically for sheltered accommodation and the stated intention on the part of the applicant that the proposal is for those over 60, (with a spouse over 55). (The issues of what the actual use is in planning terms and whether an age restriction can be justified are considered under the sections below on affordable housing and highways).

The applicant provides a number of statistics about the increase in the elderly in the country as a whole and more specifically Bristol plus quotes from studies supporting the provision of housing for the elderly.

However a number of objectors have expressed concern that there are already a number of sheltered developments for the elderly in the vicinity of the site and the mix of accommodation is being adversely affected. The statistics provided by the applicant have been queried.

Policy BCS18 states that all new residential development should maintain or contribute to a mix of housing tenures, types and sizes to help support the creation of a mixed, balanced and inclusive community.

It is recognised that there are other developments for the elderly in the vicinity of the site but the area does remain dominated by single dwelling houses with statistics for the lower super output level within which the application sites falls being 93% dwelling houses in 2011. It is not therefore considered that objections to the proposal on the grounds of over concentration can be substantiated.

In respect of the suitability of the site itself for this type of accommodation, Policy DM2 states the following;

'Older Persons' Housing - Criteria

A range of housing and care options that promote and maintain housing independence for older people will be encouraged. Older persons' housing schemes should aim to meet the following criteria;

- i. Located close to shops, services, community facilities and open space appropriate to the need of the intended occupiers or provided on site; and
- ii. Located close to good public transport routes and
- iii. Provision of level access and
- iv. All units built to the Lifetime Homes standard; and

20% of units designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.'

These matters are considered below under the relevant key issues.

(E) SHOULD THE DEVELOPMENT PROVIDE AFFORDABLE ACCOMMODATION ON SITE?

As above, the application is specifically for sheltered housing and there are features that make it physically different from a general needs flatted development in that there is a communal lounge, a guest room and a room available for residents receiving treatments such as chiropracty. There will also be a peripatetic warden, who will be on call but not resident.

However there are other features such as the provision of an office, communal lifts and stairs, communal laundry, communal garden, communal bin store and car parking area are features that are common to many flatted developments.

It has been concluded therefore that it is to all intents the proposal is for a general needs flatted development and as such the development should comply with Policy BCS17 and provide 40% affordable units on the site.

Notwithstanding, Strategic Housing advise that the type of accommodation being proposed is not what is required as affordable units and therefore an equivalent financial contribution towards affordable units off site would be appropriate in this instance.

The applicant has submitted a viability appraisal, which has been assessed by an independent consultant who has advised on the amount of contribution the development can reasonably afford without unacceptably affecting the viability.

As a result of this process a sum of £354,033 has been agreed and will be secured through a Section 106 Agreement.

(F) IS THE PROPOSAL ACCEPTABLE ON HIGHWAY SAFTEY GROUNDS?

A lack of car parking has been commented upon by some objectors with concern that overspill car parking will take place on the surrounding roads causing nuisance to existing residents who currently park there and presenting a highway safety hazard.

The agent has provided information regarding the amount of car ownership typically associated with their developments, which show there to be enough for residents and visitors.

However, as above, the type of accommodation being provided would be considered as general needs, without any control over the nature of the users, there could be no control over this in the long term.

Control over who should occupy housing developments through the planning process is in direct conflict with the advice in Circular 11/95 paragraph 92 but there are examples of some instances where the occupation of a development has been so controlled on the grounds of need and/or that the car parking provision would only be suitable for the specified occupier. This approach has been supported at appeal.

A condition restricting the occupation to those of 60 years and over with a spouse of 55 years or older is therefore recommended.

Cycle parking and mobility scooter parking has been provided. It has been demonstrated that the car park is accessible by ambulance.

The matter of providing safe access for residents to both local facilities and bus stops is of key importance given that residents may have impaired mobility. The nearest supermarket is only accessible by bus or car.

In an attempt to address this, the application includes a new zebra crossing on Henleaze Road close to the site. This proposal has attracted comment from objectors in that there is concern that the visibility is poor and traffic too fast to render this option safe.

Traffic recording has now taken place and based on the findings, pending detail the location of the crossing is now considered adequate. The boundary of the site in the vicinity of the proposed crossing has been pulled back to improve visibility.

Other work that the applicant has agreed to undertake include the introduction of raised platforms at the bus stops and improved crossing between the two stops.

Improved surfacing and traffic calming adjacent to the entrance to the site off Henleaze Terrace is also proposed. This will also benefit those using the entrance to the park. All these items of work are to be included in the Section 106 Agreement and the application is considered to be acceptable on this basis.

The footpath across the park has recently been upgraded and this will facilitate access to Henleaze Town centre.

(G) IS THE DESIGN OF THE PROPSAL ACCEPTABLE?

The design of the development is to a large extent a product of the quantum of the development being proposed. The scheme is on a highly visible corner being viewed not only from Henleaze Road and Eastfield Road but from Old Quarry Park public open space to the south.

Initially there were concerns that the scheme was overly bulky and did not respond sufficiently to the local context in respect of grain and scale. This was in part a product of the depth of the proposed block. These concerns have been expressed by some objectors to the scheme.

Following negotiations, changes have been made to the external appearance that contributes to the development appearing more as separate elements as opposed to a single block. It is now considered that the proposal is acceptable from a design perspective.

Internally the proposed flats comply with space standards and the agent has confirmed that all units are to be built to a lifetime homes standard which allows or easily adaptable apartments for wheelchair users.

Concerns have been expressed by objectors that some of the rooms are north facing and therefore provide a poor living environment. This is noted but only if the proposal was single depth would it be possible to provide sun to all rooms. The communal space on the ground floor is south facing. A scheme of sound insulation for those units facing the road is to be requested by condition.

In addition to the building itself, the proposed landscaping is an important element of the overall design. A fully worked up landscape drawing has been requested however while details of tree planting have been included, and are considered acceptable, the applicant has specifically requested

that the remainder be considered through condition. They have provided examples of fully worked schemes from elsewhere.

Given that the trees have been agreed, which is the key element of the landscaping, while not ideal, this approach is accepted.

The boundary treatment to the site has also been agreed and following discussions with the project officer responsible for the recent improvement works to Old Quarry Park, railings to match those proposed along Henleaze Terrace are proposed along the part of the boundary to the park that runs alongside the proposed car parking area. The remainder is to be wire mesh fencing but this will be masked by existing shrubs.

(H) WILL THE PROPOSAL HAVE AN ADVERSE IMPACT ON THE TREES AROUND THE SITE?

There are a number of mature trees to the south of the proposed development which form the boundary to Old Quarry Park, which will cast significant shade onto the southern part of the proposed development. This can be a particular issue with elderly person's facilities, as the occupiers spend most of their day at home. It would not be acceptable if these trees were either harmed by the development due to lack of protection and proximity of the development to the trees and subsequent requests for their removal or pruning due to shading would not be supported.

In response to these concerns the layout of the proposed development does not include any windows on the elevation closest to these trees, which will offset residents experiencing overshadowing from the trees.

The Arboricultural Impact Appraisal and Method Statement shows one area where specialist measures will be required to offset damage to nearby trees, car spaces are proposed here and the method of paving will have to be one with no dig.

There are a small number of trees on the site that will be lost. These are of poor quality and a satisfactory number, size and type of replacement trees have been agreed to comply with the Bristol Tree Replacement Standard.

(I) WILL THE PROPOSAL HAVE AN ADVERSE IMPACT ON THE AMENITIES OF NEIGHBOURS?

A plan has been included with the application showing distances to facing existing properties to the site and this shows a satisfactory intervening distance to facing windows all-round the site to preserve adequate privacy levels.

The closest neighbour to the site on the opposite side of Henleaze Terrace is concerned that privacy will be compromised. The submitted drawings show that only part of the side of the house will be overlooked with windows to the proposed development being at a significant angle and distance to the rear garden. There is one window in the side wall, which is not apparently to a key living space.

Shadow diagrams have also been provided that illustrate shadow fall from the development being almost entirely absorbed by the surrounding road network and therefore there will be no undue loss of sunlight.

The intervening distances will offset concerns about loss of daylight and general overbearance. There are no permitted development rights pertaining to the development and taking the above into account, no objections are raised on these grounds.

(J) IS THE DEVELOPMENT SUSTAINABLE?

An Energy and Sustainability Statement has been included with the application. This concludes that CODE 3 can be achieved and Air Source Heat pumps or PV could both be the form of renewable energy employed on the site to achieve a 20% saving on CO2 emissions.

No SUDS has been provided however the contaminated land officer has advised against SUDS due to the known incidence of flooding on the site and the contamination. Conditions to address these items are recommended.

(K) IS THE DEVELOPMENT CIL LIABLE?

The CIL liability for this development is £173,972.

RECOMMENDED GRANT subject to Planning Agreement

Time limit for commencement of development

1. Full Planning Permission

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004.

Pre commencement condition(s)

2. Site specific construction environmental management plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- * Procedures for maintaining good public relations including complaint management, public consultation and liaison
- * Arrangements for liaison with the Councils Pollution Control Team
- * All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
- 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- * Deliveries to, and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- * Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- * Procedures for emergency deviation of the agreed working hours.
- * Bristol City Council encourages all contractors to be `Considerate Contractors; when working in the city by being aware of the needs of neighbours and the environment.
- * Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

* Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation, this scheme shall also include details of ventilation.

The scheme of noise insulation measures shall take into account the recommendations detailed in the Noise Assessment submitted with the application and the provisions of BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".

The approved details shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Reason- to achieve a satisfactory living environment for future occupiers

4. Prior to the commencement of development a programme for the removal of the Japanese Knotweed, Cotoneaster and Canadian Pond Weed shall be submitted in writing and approved in writing by the Local Planning Authority. The programme thereby approved shall be implemented within the approved timescale.

Reason- In order to eradicate these invasive species, (Japanese Knotweed listed in Schedule 9 Part II of the 1981 Wildlife and Countryside Act).

5. Land affected by contamination - Site characterisation

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
- * human health,
- * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- * adjoining land,
- * groundwaters and surface waters,
- * ecological systems,
- * archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Land affected by contamination - submission of remediation scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. Land affected by contamination - implementation of approved remediation scheme

In the event that contamination is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Prior to the commencement of development there shall be submitted and approved in writing full details, to include Energy Table, plans and elevations, of the proposed form of renewable energy to comply with Bristol Core Strategy, (Adopted June 2011) Policy BCS14. The development shall be undertaken in accordance with that approval and the method of renewable energy thereafter retained.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

9. Code for sustainable homes (CSH)

No development shall take place until evidence that the development is registered with a CSH certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the stipulated final CSH level. No dwelling shall be occupied until a final Code for Sustainable Homes (or any such equivalent national measure of sustainability for home design which replaces that scheme) Certificate has been issued certifying that Code Level 3 has been achieved for this dwelling unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.

Reason: To ensure that the dwelling (s) achieve Level 3 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for home design which replaces that scheme) and assessment and certification shall be carried out by a licensed CSH assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

10. Protection of retained trees during the construction period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees adjacent to park in the position and to the specification shown on Drawing No. 13302-BT3. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

11. All works shall be undertaken in accordance with the Arboricultural Method Statement prepared by Barrell, dated 27th January 2014 ref.13302 A1A2-MW

Reason: To safeguard trees in the interest of visual amenity.

12. No development shall take place until a strategy of surface water drainage for the site has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved strategy prior to the use of the building commencing. This shall include measures to limit drainage from the site.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

- 13. Samples of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.
 - i) All brick
 - ii) Roof tile
 - iii) Typical window and door
 - iv) Hard surfacing materials

Reason: In order that the external appearance of the building is satisfactory.

14. Sample Panels before specified elements started

Sample panels of the new stone walling demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

15. Further details of the following before relevant element started

Detailed drawings at the scale of 1:20 of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Typical window- to include cross section to show header and cill
- b) Typical door- to include cross section to include surround
- c) Roof ridge
- d) Details of the low angle pitched roofs, to include any eaves or parapet details
- e) Details of all material junctions
- f) All boundary treatments

Reason: In the interests of visual amenity and the character of the area.

16. To ensure implementation of a programme of archaeological works

No development shall take place within the area indicated on plan number 10062WT-PA01D until the applicant/developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation which has been submitted by the developer and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- * The programme and methodology of site investigation and recording
- * The programme for post investigation assessment
- * Provision to be made for analysis of the site investigation and recording
- * Provision to be made for publication and dissemination of the analysis and records of the site investigation
- * Provision to be made for archive deposition of the analysis and records of the site investigation
- * Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure that archaeological remains and features are recorded prior to their destruction.

17. All site clearance and construction works shall be carried out in strict accordance with the recommendations in the submitted ecological survey report dated February 2014, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the protection and welfare of legally protected and priority species

Pre occupation condition(s)

18. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 5 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 6, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

19. Submission and approval of landscaping scheme

The development hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved scheme shall be implemented so that planting can be carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation. This shall include the planting of species-rich native hedgerows along the boundaries of the site to ensure no net loss or an increase in the length of hedgerow on site to benefit wildlife.

Reason: To protect and enhance the character of the site and the area and to ensure its appearance is satisfactory.

20. Implementation of tree planting scheme

The approved tree planting scheme, as shown on drawing no. 129 PP 301 B, shall be implemented so that planting can be carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted trees shall be maintained for five years and any trees removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area and to ensure its appearance is satisfactory.

21. Prior to the occupation of the development hereby permitted, details of any proposed external lighting shall be submitted and agreed in writing by the Local Planning Authority. This shall include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries.

Guidance: According to paragraph 125 (page 29) of the National Planning Policy Framework (2012), 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

The scheme shall be implemented in accordance with this approval.

Reason: To conserve legally protected bats and other nocturnal wildlife.

22. Prior to the occupation of the development hereby permitted details shall be submitted providing the specification and location for built-in bird nesting and bat roosting opportunities. This shall include six built-in bird and six built-in bat boxes to include at least two house sparrow boxes (not terraces) and two swift boxes.

Guidance: Examples of built-in bird and bat boxes are available from:

http://www.ibstock.com/sustainability-ecozone.asp

http://www.nhbs.com/brick boxes for birds egcat 431.html

If built-in bird and bat boxes cannot be provided within built structures, they should be provided on trees (with no more than one bird box per tree).

Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain. Bat boxes should face south, between south-east and south-west. Bird boxes should be erected out of the reach of predators. For small hole-nesting species bird boxes should be erected between two and four metres high. Bat boxes should be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well lit locations.

Reason: To help conserve legally protected bats and birds which include priority species.

23. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

24. Completion and maintenance of cycle provision - shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

25. To secure the conduct of a watching brief during development groundworks

The applicant/developer shall ensure that all groundworks, including geotechnical works, are monitored and recorded by an archaeologist or an archaeological organisation to be approved by the council and in accordance with the Written Scheme of Investigation approved under condition.

Reason: To record remains of archaeological interest before destruction.

Post occupation management

26. The development hereby permitted shall only be occupied by: (i) persons aged 60 or over; (ii) persons aged 55 or over and living as part of a single household with a person or persons aged 60 or over; or (iii) persons who were living in one of the flats hereby permitted as part of a single household with a person or persons aged 60 or over who has since died

Reason: The highway implications of the development have been assessed on the basis of the information submitted regarding car use associated with existing accommodation whose use is restricted accordingly.

List of approved plans

27. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

10062WT - PA00 Location plan, received 10 April 2014

10062WT - PA02 Ground floor plan, received 10 April 2014

10062WT - PA09 Shading study, received 10 April 2014

10062WT - PA10 Distance plan, received 10 April 2014

129-LS-001 Landscape strategy, received 10 April 2014

13302-BT3 Tree protection plan, received 10 April 2014

Arboricultural impact appraisal and method statement, received 10 April 2014

Archaeological desktop, received 10 April 2014

Commercial viability report, received 10 April 2014

Extended phase 1 ecology report final, received 10 April 2014

Final supporting public statement, received 10 April 2014

Henleaze planning statement, received 10 April 2014

Noise impact statement, received 10 April 2014

Sheltered housing supply in Bristol, received 10 April 2014

Transport statement, received 10 April 2014

Affordable housing and viability statement, received 10 April 2014

Sustainability statement, received 10 April 2014

Covering letter, received 10 April 2014

CIL question form, received 10 April 2014

Design and access statement, received 10 April 2014

10062WT-PA01 E Site Plan, received 17 July 2014

10062WT-PA06F Elevations Sheet 01, received 17 July 2014

Henleaze View, received 10 June 2014

334125AA005 Proposed off site highway works, received 8 July 2014

REVISED C.JPG Artists impression of development (Illustrative), received 8 July 2014

129-PP-301 B Landscaping Plan, received 28 May 2014

10062WT-PA4B First floor plan, received 11 July 2014

Henleaze view, received 11 July 2014

Henleaze view, received 11 July 2014

334125-020 B Henleaze Terrace- Proposed highway works, received 3 July 2014

10062WT-PA05B Roof plan, received 14 July 2014

10062WT-PA07 D, received 14 July 2014

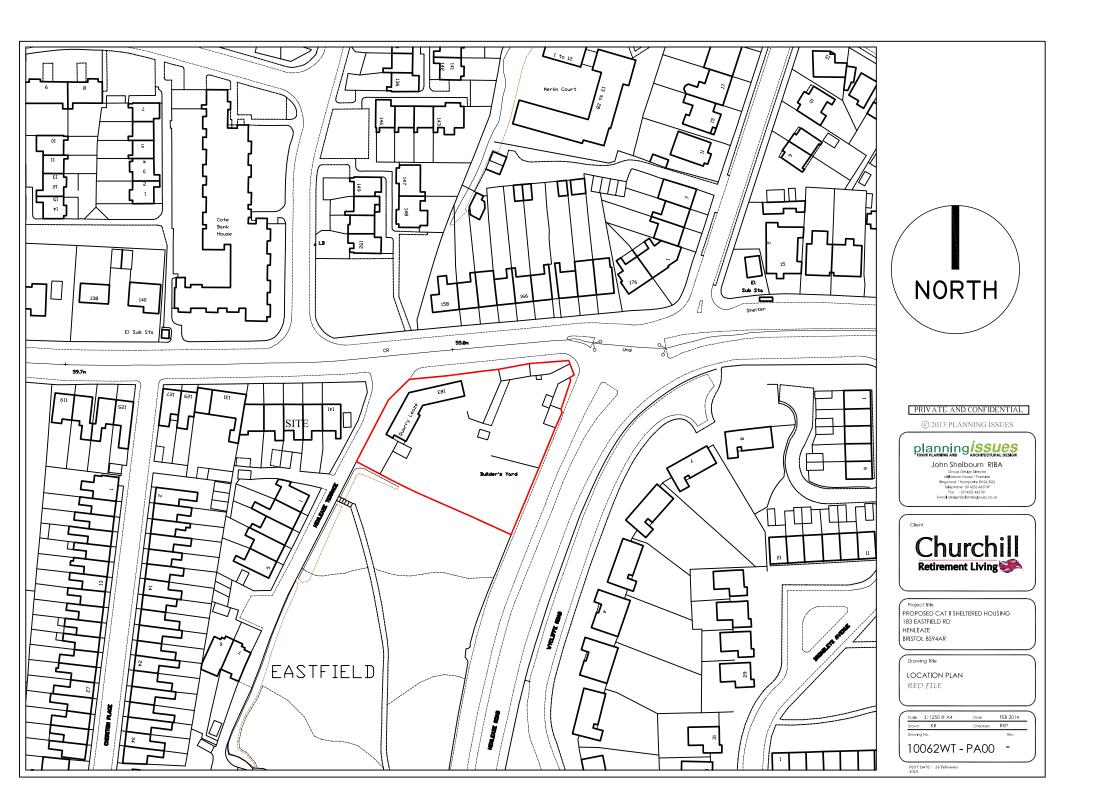
Reason: For the avoidance of doubt.

Advices

1. Nesting birds: Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.

BACKGROUND PAPERS

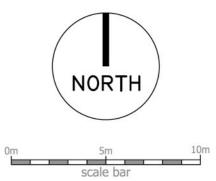
Arboricultural Team	19 June 2014
Urban Design	4 June 2014
Transport Development Management	10 June 2014
Contaminated Land Environmental Protection	10 June 2014
Crime Reduction Unit	21 May 2014
Landscape	15 May 2014
Pollution Control	22 May 2014
Nature Conservation Officer	20 May 2014





Date By 23.05.14 KR

A full soft landscaping design will be prepared by specialist consultants comprising mostly grassed lawns with feature bedding and shrubs. Please refer to landscape strategy and information prepared by UBU



PRIVATE AND CONFIDENTIAL

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planning issues

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PROPOSED CAT II SHELTERED HOUSING 183 EASTFIELD RD

Date Feb 2014 Scale 1:200 @ A1

10062WT - PA01 rev E



East Elevation scale 1:200



East Elevation scale 1:100



North Elevation scale 1:200



North Elevation scale 1:100

NOTE: Site area and landscaping shown here is indicative only. For full details, see application Site Plan ref. P01 together with Landscape Strategy Plan ref. 129-LS-001 and 129-LS-002.



Dark Red

Concrete tiles ASHMORE - Smooth Grey

B General amendments

Daning Issues

Planning Issues

Planning Issues

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Project Title
PROPOSED SHELTERED HOUSING
183 EASTFIELD RD
HENLEAZE
BRISTOL BS94AR

Drawing Title
Proposed Elevations

 Scale
 1:100 @A1
 Date
 Feb 2014

 Drawn KR
 Checked RKP

 Drawing
 Rev.

10062WT - PA06 F



South Elevation scale 1:200



South Elevation scale 1:100



West Elevation scale 1:200



West Elevation scale 1:100

NOTE: Site area and landscaping shown here is indicative only. For full details, see application Site Plan ref. P01 together with Landscape Strategy Plan ref. 129-LS-001 and 129-LS-002.

Render - Ivory

Buff brick - Bradgate Light Buff

Red brick - Ivanhoe Antique

Grey brick - Staffordshire Slate Blue

Concrete tiles ASHMORE - Old English

Dark Red

Concrete tiles ASHMORE - Smooth Grey

Rev. Date By
A general amendments June 14 KR

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Project Title

PROPOSED SHELTERED HOUSING

183 EASTFIELD RD

HENLEAZE

Drawing Title
Proposed Elevations

BRISTOL BS94AR

 Scale
 1:100 @A1
 Date
 Feb 2014

 Drawn
 KR
 Checked RKP

 Drawing
 Rev.

10062WT - PA07 D

