

**APPLICATION NO** PA/2022/364

**APPLICANT** Victa Property Ltd

**DEVELOPMENT** Planning permission to make alterations to existing building to form a four-bedroom dwelling, including part demolition

**LOCATION** Garage, 123 Westgate Road, Westgate, Belton, DN9 1PY

**PARISH** Belton

**WARD** Axholme Central

**CASE OFFICER** Scott Jackson

**SUMMARY RECOMMENDATION** Grant permission subject to conditions

**REASONS FOR REFERENCE TO COMMITTEE** Departure from the development plan

## **POLICIES**

**National Planning Policy Framework:** Sections 5, 12 and 16

**North Lincolnshire Local Plan:** Policies RD2, RD5, H5, H6, LC5, LC14, DS1, T1, T2 and T19 apply.

**North Lincolnshire Core Strategy:** Policies CS1, CS2, CS3, CS5, CS6, CS7 and CS17 apply.

## **CONSULTATIONS**

**Highways:** No objection, but recommend conditions.

**Building Control:** This will require a Building Regulations application.

**LLFA Drainage:** No objection, but recommend conditions.

**Environmental Protection:** It is the developer's responsibility to assess and address any potential contamination risks. However, no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level.

The report submitted by the applicant states:

'The existence of the possible contamination sources is uncertain, and it is recommended that, once demolition of the building on the site is completed, a ground investigation on a grid system is implemented, together with sampling and testing of the materials encountered for the potential contaminants of concern to assess this possibility. The investigation should be implemented in accordance with BS101 75: 2011 + A2: 2017 "Investigation of potentially contaminated sites - Code of practice", and any targeted sampling should also be implemented.'

Considering the above advice, the applicant should submit an intrusive site investigation demonstrating that the site is suitable for use; this shall include a full suite of metals, non-metals, asbestos, phenols, PAH, and TPH.

The report also recommends an asbestos survey be carried out on the existing building before any demolition works and any asbestos removed before demolition. If any asbestos is detected and removed, soil sampling shall be carried out to demonstrate the asbestos has not contaminated the underlying soil. Therefore, this department recommends that the site investigation occurs after demolition of the current buildings.

**HER (Archaeology):** The application site is a former Primitive Methodist Chapel dating from 1868 that has historic significance and contributes to the appearance and character of Westgate and the setting of the historic landscape. The proposed sensitive residential conversion represents the best option to preserve the heritage interest and maintain the character and setting of the protected historic landscape. The HER has no objection to the proposals subject to conditions securing a systematic photographic record of the building prior to any development commencing.

**Tree Officer:** No comments to make.

## **PARISH COUNCIL**

No response received.

## **PUBLICITY**

A site notice has been displayed; no comments have been received.

## **ASSESSMENT**

The application site consists of a former Primitive Methodist Chapel which was more recently used for the storage of trolleybuses. The building is currently vacant. Located in close proximity to the junction of Westgate Road with Carrhouse Road, it is a prominent building in the street scene and dates back to 1868. It is constructed from a red brick with buff brick quoin detailing and a slate tiled roof, with a modern addition to the rear and a single-storey extension to the eastern side. It is outside the defined settlement boundary for Belton and Westgate and within the Isle of Axholme Area of Special Historic Landscape Interest (LC14). Planning permission is sought to convert the building into a dwelling, which includes the demolition of a section to the rear, together with the provision of off-street parking spaces to the front and an area of private amenity space to the rear.

**The main issues in the determination of this application are the principle of development, impact upon the character and appearance of the street scene and LC14 land, and impact on residential amenity.**

### **Principle**

The building that forms the basis of this planning application is a former Primitive Methodist Chapel which has more recently been used for the storage of trolleybuses and as a site office and storage of building materials for the ongoing residential development on the site to the south-east. In terms of planning policy relevant to assessing the principle of development, policies C2 (Community Facilities in Minimum Growth Settlements and Rural

Hamlets and Villages in the Open Countryside) and RD5 (Alternative Uses of Industrial and Commercial Sites in the Open Countryside) of the North Lincolnshire Local Plan (NLLP) apply and the proposals will be assessed in that regard. The building is outside of any defined settlement boundary and as such is assessed as being in the open countryside. Policy RD5 of the NLLP states that the change of use of existing industrial and commercial sites to non-employment uses in the open countryside will only be permitted if:

- (i) evidence of attempts made to sell the site on the property market for the twelve months prior to the application being made, to retain the site for employment use has been fully explored without success; or
- (ii) it can be demonstrated that its continued employment use would harm the character or appearance of the open countryside or a nearby settlement, cause highway or other traffic problems, or be detrimental to residential amenity, or create other significant adverse environmental effects.

In terms of points (i) and (ii) above, no information has been put forward to demonstrate whether the building has been actively marketed for continued employment use prior to submitting this application. However, this building ceased use as a chapel in 1965, has been used in the interim for the storage of trolleybuses and is now vacant. Given the passage of time, the contribution this building makes as a non-designated heritage asset, the fact that it is now vacant and has not been used for employment use for a significant period of time (the storage of trolleybuses), it is considered an alternative residential use of the building can be explored, particularly given neighbouring land uses are predominantly residential. It should be noted that policy C2 of the NLLP is only relevant insofar as the building was formerly a Primitive Methodist Chapel and given the passage of time since its closure in 1965, the intervening use for storage and that there are a number of Methodist chapels/churches still in active use in the neighbouring settlements of Beltoft, Ealand, Crowle, Epworth and West Butterwick, it is considered that the loss of the place of worship is sufficiently mitigated in this case.

It is acknowledged that this building is not listed nor within a conservation area; however, it constitutes an important historical local building which is a non-designated heritage asset. Paragraph 197 of the NPPF states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset. In terms of justifying the potential change of use of the building, without the necessary investment and as the building has been vacant for a number of years, it is likely that the condition of this non-designated heritage asset will continue to deteriorate and therefore, in terms of the contribution the building makes to the street scene and in respect of visual amenity, it is considered that a compatible (such as residential) re-use of this former place of worship is acceptable in this case.

### **Impact on street scene/landscape character**

This building is a significantly proportioned former place of worship (equivalent to two-storeys in height) in a visually prominent position along the main road between Belton and Sandtoft. The siting of the building, forward of neighbouring residential dwellings and closer to the highway footpath, increases the visual prominence of the building. Except for the more recent first-floor extension to the rear, the building retains a number of its original features: the arched windows to the side elevations set within brick arches, brick corbelling and buff brick quoin detail to the front elevation, and a raised gutter with name plaque to the

front. The building dates from 1868 and is constructed from a mixed red brick and slate tiled roof.

The plans show the more recent addition to the rear and the single-storey lean-to at the east side are to be demolished to facilitate an area of private amenity space to the side and rear. These sections of the building do not positively contribute to its character and appearance and therefore their removal to provide garden space for the proposed dwelling is considered acceptable in visual amenity terms. The proposed development, if permitted, would also result in the removal of the bulky, incongruous metal retractable door from the principal elevation of the building, which will be replaced with a double-height glazed window with louvres at first floor and a centrally positioned entrance door flanked by windows to either side at ground floor; again, this is considered an improvement in visual amenity and design terms. The inclusion of this double-height glazed opening will also add visual interest to the principal elevation of the former chapel.

It is also proposed to install grey UPVC windows and doors to all elevations of the building and grey louvres to the front, which will provide consistency of appearance across all elevations. The proposed change of use will also ensure the arched windows are brought back into use and the plans show the rooflights to be in relative vertical alignment with the arched windows. It is proposed to rebuild the rear wall of the building as it will be exposed following demolition of the extension at the rear. A condition is recommended requiring the rear wall to be constructed from bricks to match the appearance of the remainder of the building.

The proposed plans are considered to retain, and in part improve, the appearance of existing features on the building and will provide a balanced appearance to all elevations. The proposals will ensure the long-term future of this non-designated heritage asset, albeit for alternative use, and not result in harm. Whilst the building is not listed, it is identified as being of local architectural and historic importance (a non-designated heritage asset) and its loss would be detrimental to the character and appearance of the area. The building is a large imposing structure which is an important and prominent feature in the village landscape when travelling towards Belton from the direction of Sandtoft. The proposed conversion scheme would secure a new permanent use for the building and thus secure its long-term retention and maintenance. It is considered that the retention of the building is of overriding public interest and would be of benefit to the local environment and amenity of the area.

In terms of the impact on the LC14 landscape, HER has commented that the building has historic significance and contributes to the appearance and character of Westgate and the setting of the historic landscape. The proposed sensitive residential conversion represents the best option to preserve the heritage interest and maintain the character and setting of the protected historic landscape. The HER has no objection to the proposals subject to conditions securing a systematic photographic record of the building prior to any development commencing.

### **Residential amenity**

The plans show the removal of the extension to the rear of the building will allow for an area of private amenity space extending to approximately 145 square metres to be provided; this is considered proportionate to the size of the site and to meet the needs of the proposed occupants. The plans also show rooflights are proposed in the east and west-facing roof

slopes, these rooflights will serve bedrooms and bathrooms to the west and bedrooms and the landing to the east. The bedroom rooflights to the eastern roof will have an outlook onto the access road to the housing development under construction to the south-east and the bedroom rooflights in the western roof slope will have an outlook onto the driveway and front garden of 125 Westgate Road. A condition is recommended requiring the two rooflights serving the bathroom and en-suite in the western roof slope to be fitted with glazing to a minimum level 3 in accordance with the Pilkington Scale of Obscuration.

It is also proposed to provide a bedroom window in the rear roof slope; this will have an outlook towards the rear gardens of the new dwellings under construction to the rear (south-east) at a separation distance of 11.3 metres. This rear-facing bedroom window will result in some loss of privacy to the garden area of the new dwelling under construction to the south-east; however, this is considered to be a common situation in residential areas and will not be dissimilar to the existing relationship on the neighbouring site between 125 Westgate Road and 6 Carrhouse Road. In addition, it is considered that the separation distance of 11.3 metres is sufficient to prevent loss of amenity to neighbouring properties to the north through overshadowing or having an overbearing impact. The level of car parking provision (two off-street car parking spaces) is considered sufficient to meet the needs of this proposed four-bedroomed dwelling in this location. In conclusion, it is considered the proposed conversion of the former chapel will not result in loss of residential amenity (particularly through the effects of overlooking) over and above that normally expected in a residential area.

## **Highways**

The proposed plans show the provision of two off-street parking spaces to the side (east) of the building which are shown to be clear of the highway footpath. This level of car parking provision is considered sufficient to meet the needs of the future occupants. In addition, the site layout plan shows the erection of a low-level brick wall across the site frontage to ensure there is sufficient pedestrian and vehicular visibility along Westgate Road. The proposed driveway and associated vehicular access to the site is considered to be located a sufficient distance away from the new access proposed to serve the residential estate to the south-east and Highways have raised no objections to the proposal on highway safety grounds.

## **Other issues**

The site is located within Flood Zone 1 as set out in the North Lincolnshire Strategic Flood Risk Assessment, as such the development for change of use is considered to be acceptable in flood risk terms. Furthermore the LLFA Drainage Team has no objection to the proposed development subject to the imposition to planning conditions.

The proposal involves the demolition of the rear part of the building to facilitate the provision of the rear garden. Environmental Health, having reviewed the supporting information (Stage 1 Geo-Environmental Desk Study Report) and the recommendations therein, has recommended conditions in respect of a survey of the building for the presence of asbestos prior to demolition and the submission of an intrusive site investigation report following demolition of the rear section of the building. This is to ensure the proposed garden area is free from contaminants prior to it being brought into use.

A protected species report has been submitted with the application which has considered the impact of the development on bats and nesting birds. The submitted report identifies

there was no evidence of bats associated with the building and as such are not considered to be a constraint to the parts of the building to be demolished. In respect of birds, the report highlights no historic evidence of nesting birds was recorded during the building survey and measures for biodiversity enhancement on the building and its site are outlined within the final section of the report. These enhancements would be secured by a planning condition.

## **Conclusion**

It is considered the former Primitive Methodist Chapel is capable of being converted to residential use without major alterations being proposed and its change of use will secure the long-term future of this non-designated heritage asset. The proposal will provide an additional dwelling to the local housing stock and sufficient space is made available around the building to provide a proportionate amount of private amenity space and two off-street parking spaces. The proposed change of use of the building is not considered to be detrimental to the character and appearance of the street scene and is not considered to impact negatively on residential amenity or highway safety. Accordingly, the change of use of the building to an alternative use is considered acceptable in this countryside location and the application is therefore recommended for approval.

## **Pre-commencement conditions**

Pre-commencement conditions requiring an asbestos survey and a historic building recording to be undertaken prior to any demolition works have been agreed with the applicant's agent.

## **RECOMMENDATION      Grant permission subject to the following conditions:**

1.  
The development must be begun before the expiration of three years from the date of this permission.

### **Reason**

To comply with section 91 of the Town and Country Planning Act 1990.

2.  
The development hereby permitted shall be carried out in accordance with the following approved plans: 1104, 1105 and 3172-DEN-X-XX-DR-A-1004.

### **Reason**

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

3.  
Prior to the occupation of the dwelling, a bat box shall be installed at eaves level on the southern elevation and a house sparrow terrace shall be installed on the eastern or western elevation. The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features to the local planning authority, within two weeks of installation, as evidence of compliance with this condition.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

4.

No demolition or alteration shall take place until the applicant, or their agents or successors in title, has produced an historic building record in accordance with a written specification, including a timetable for the recording, which has been submitted by the applicant and approved in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan as the chapel is a heritage asset of local significance situated within the Area of Special Historic Landscape Interest of the Isle of Axholme afforded protection under saved local plan policy LC14.

5.

The historic building recording shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan as the chapel is a heritage asset of local significance situated within the Area of Special Historic Landscape Interest of the Isle of Axholme afforded protection under saved local plan policy LC14.

6.

The historic building archive shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of commencement of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan as the chapel is a heritage asset of local significance situated within the Area of Special Historic Landscape Interest of the Isle of Axholme afforded protection under saved local plan policy LC14.

7.

Prior to the commencement of demolition works on site, an asbestos survey of the existing building (including those parts which are to be demolished) shall be submitted to and approved in writing by the local planning authority. The survey shall include a methodology and timetable for its safe removal and disposal (in the event any contamination is found). The development shall not be carried out other than in accordance with the approved details and timings.

Reason

Details are required to be submitted prior to commencement of works to ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

8.

Within two months of the completion of works of demolition, a validation report to confirm an absence of contaminants, including asbestos, on the finished surface of the site shall be submitted to and approved in writing by the local planning authority.

Reason

To ensure that the site is left in a satisfactory condition and does not pose a risk to human health and the environment.

9.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

10.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

11.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

12.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.



#### Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

13.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking space(s) serving it have been completed and, once provided, the parking space(s) shall thereafter be so retained.

#### Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

14.

The materials and finishes of the new areas of brickwork shall match the remainder of the building in colour and texture.

#### Reason

To define the terms of the permission and in the interests of visual amenity.

15.

Before the dwelling is first occupied the en-suite and bathroom rooflights in its western facing roof slope shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and retained in that condition thereafter.

#### Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

16.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence following the approved demolition works to the rear part of the building until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

#### Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be 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 are subject to the approval in writing of 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 a 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'.

#### Part 2: Submission of Remediation Scheme

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 must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a 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.

#### Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. 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 (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

#### Part 4: 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 Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of 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 Part 3.

#### 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 off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

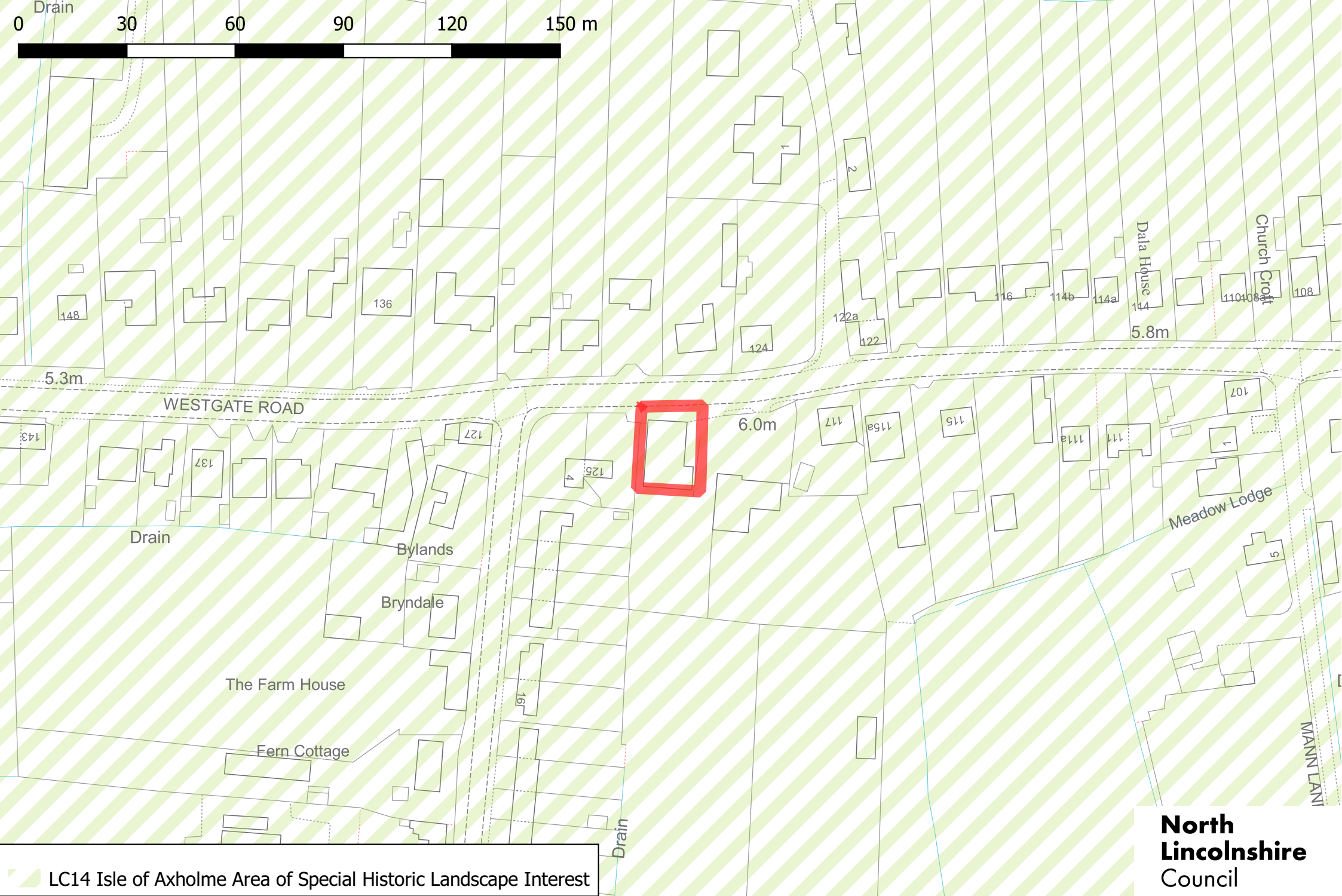
#### **Informative 1**

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

#### **Informative 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

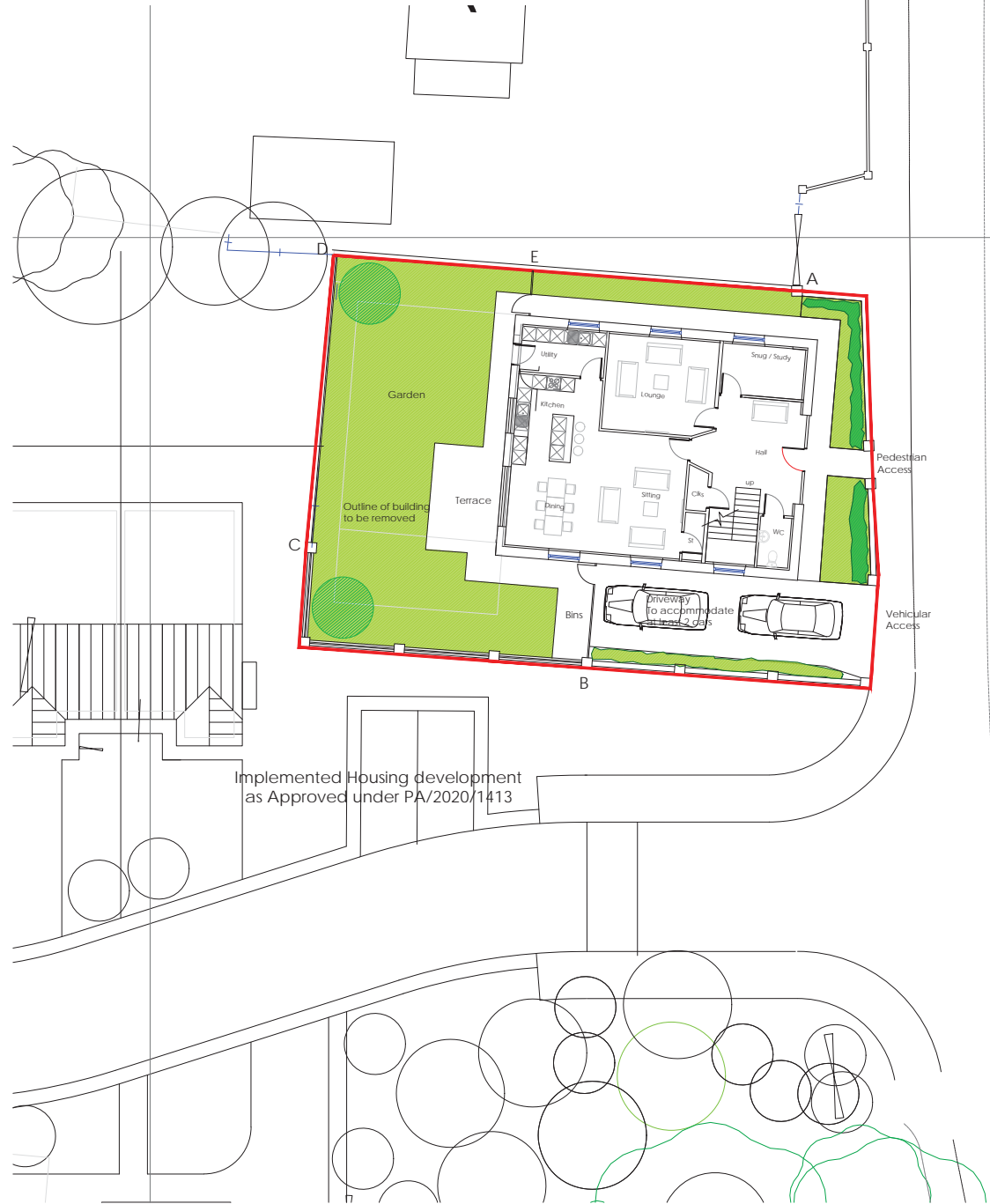


**North  
Lincolnshire  
Council**

**PA/2022/364**

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# PA/2022/364 Proposed layout (not to scale)



File

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Northpoint:

| Rev | Date | Amendment | By | CHK |
|-----|------|-----------|----|-----|
|     |      |           |    |     |

Notes:

- Boundary treatments**
- Between points A and B - Low level brick wall with intermediate low level piers
  - Between points B and C - Low level brick wall with 1800mm high brick piers with timber fence between
  - Between C and D - 1800mm high timber fence
  - Between D and E - 1800mm high timber fence set behind the existing low level brick wall
  - Between Points E and A - Existing low level brick wall.



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Project

Proposed Dwelling  
119 Westgate Road, Belton

Client

Victoria Property Ltd

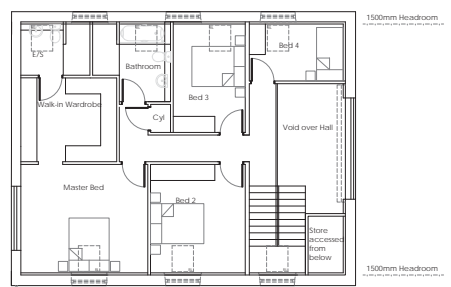
Site

Proposed Site Plan

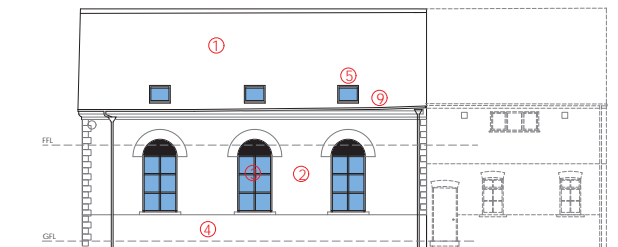
| Date     | Scale | Size | Drawn | Checked |
|----------|-------|------|-------|---------|
| Feb 2022 | 1/100 | A1   | JC    | ADP     |

| Project No | Draw No | Rev | Status   |
|------------|---------|-----|----------|
| 3172       | 1104    | -   | Planning |

# PA/2022/364 Proposed elevations and floor plans (not to scale)



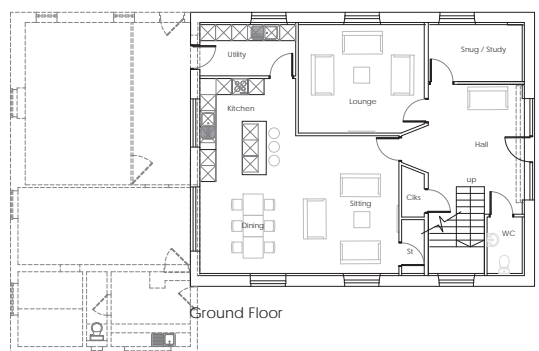
First Floor



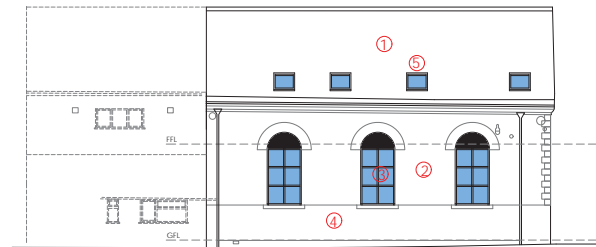
East Elevation



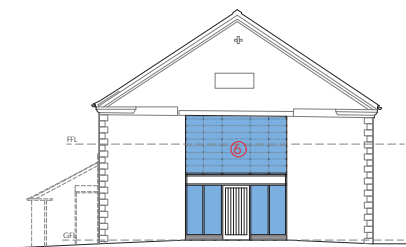
South Elevation (rear)



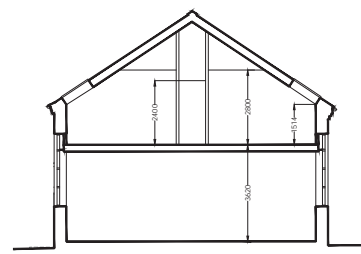
Ground Floor



West Elevation



North Elevation (front)



Section

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| Northpoint:   |      |           |    |     |
| Rev   | Date | Amendment | By | CHK |
|   |      |           |    |     |
| Notes:  |      |           |    |     |

External Material Key

- 1 - Existing roof slates made good as required
- 2 - Existing brickwork made good as required
- 3 - Windows, colour dark grey
- 4 - Existing render made good as required
- 5 - Rooflights
- 6 - Entrance screen comprising dark grey windows with high level external timber louvres
- 7 - Brickwork to match existing
- 8 - Render
- 9 - Rainwater good, colour black



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|   |         |      |          |         |
|---|---------|------|----------|---------|
| Project                                       |         |      |          |         |
| Proposed Dwelling<br>23 Westgate Road, Belton |         |      |          |         |
| Client  |         |      |          |         |
| Victoria Property Ltd                         |         |      |          |         |
| Title   |         |      |          |         |
| Proposed Plans, Elevations<br>and Section     |         |      |          |         |
| Date  | Scale   | Size | Drawn    | Checked |
| Feb 2022                                      | 1/100   | A1   | JC       | ADP     |
| Project No                                    | Draw No | Rev  | Status   |         |
| 3172  | 1105    | -    | Planning |         |