 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	26 July 2017
	REPORT OF:	HEAD OF PLACES & PLANNING
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AGENDA ITEM:	8	WARD: <i>Meadvale and St Johns</i>

APPLICATION NUMBER:	17/00673/F	VALID:	22/03/2017
APPLICANT:	Punch Taverns	AGENT:	Henson Chapel
LOCATION:	THE OLD OAK PUBLIC HOUSE, 40 SOMERSET ROAD		
DESCRIPTION:	Pair of two bedroom semi-detached houses		
All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.			

SUMMARY

This application relates to a site in a traditional residential neighbourhood composed of detached, semi-detached and terraced properties and involving part of the beer garden of The Old Oak public house.

It is proposed to erect a pair of semi-detached 2 storey houses on this site, inclusive of two on-site parking spaces per dwelling. A previous application for similar development, ref. 16/02187/F, was refused solely due to the lack of any off-street parking provision (on the recommendation of the Highway Authority), due to the highway safety issues that could result.

The current proposal overcomes this ground for refusal by providing two off-street parking spaces per dwelling in accordance with maximum standards, the Highway Authority accepting the on-site parking provision now incorporated.

The design of the proposal and its impact on neighbouring residential properties is considered to be acceptable whilst the principle of the loss of part of the beer garden is not objectionable in principle. Whilst it serves a quasi-community function due to its association with the public house, a usable area of garden would remain and no evidence has been provided to demonstrate that the garden serves such a function as opposed to the pub itself.

RECOMMENDATION

Planning permission is **GRANTED** subject to conditions.

Consultations:

Highway Authority: The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway, subject to a condition relating to sustainable travel.

The Reigate Society: Comment that the building has poor elevational proportions.

Representations:

Letters were sent to neighbouring properties on 12 April 2017.

Petition with 209 signatures objecting to the scheme received.

Twenty-three responses have been received raising the following issues:

Issue	Response
Highway safety hazard	See paragraphs 6.9 & 6.10
Inadequate parking	See paragraphs 6.9 & 6.10
Overdevelopment	See paragraph 6.3
Inconvenience during construction	See paragraph 6.8
Loss of outlook	See paragraphs 6.7 & 6.8
Loss of/harm to trees	See paragraph 6.11
Overlooking	See paragraph 6.7
Overbearing effect	See paragraph 6.7
Harm to wildlife habitat	See paragraph 1.1
Out of character with locality	See paragraph 6.3
No need for development	Application must be assessed on its own merits
Noise disturbance	See paragraph 6.8

1.0 Site and Character Appraisal

1.1 The application relates to open land within the urban area, in a residential neighbourhood characterised by detached, semi-detached and terraced houses of largely traditional style. To the north, west, east and south are residential properties including a terrace of seven terraced house immediately to the west. The site forms part of a beer garden ancillary to The Old Oak public house, to the east. Site area is 0.03ha. There is a significant westward fall in levels. The site is not designated as of any wildlife or nature significance.

- 1.2 The locality is predominantly residential use with the odd commercial building: there is a mixture of mainly traditional style terraced and semi-detached houses with a few detached houses and smaller developments of flats to a high density, typically two storey, some with roof conversions and dormers (2½ storeys) and several three storey buildings but generally small scale: brickwork predominates but painted render also features: roofs are a mixture of slate, concrete and clay.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: none, as no request for pre-application advice was sought.
- 2.2 Improvements secured during the course of the application: amendments to fenestration, addition of window and chimney stack to better reflect local vernacular.
- 2.3 Further improvements could be secured: conditions relating to levels, matters, tree and highway matters, restrictions on permitted development rights, obscured glazing and boundary treatment.

3.0 Relevant Planning and Enforcement History

- 3.1 16/02187/F Pair of 2 bedroom semi-detached houses Refused
03 February 2017

4.0 Proposal and Design Approach

- 4.1 This is a full application for erection of 2 two-bedroom semi-detached houses with associated pedestrian access and gardens on part of a beer garden attached to the adjacent Old Oak public house. The house would be of unspecified brick walls, plain concrete roof tiles and uPVC sash windows
- 4.2 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.
- 4.3 Evidence of the applicant's design approach is set out below:

Assessment	The character of the surrounding area is assessed as predominantly residential use with the odd commercial building: there is a mixture of mainly traditional style terraced and semi-detached houses with a few detached houses and smaller developments of flats to a high
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	density, typically two storey, some with roof conversions and dormers (2½ storeys) and several three storey buildings but generally small scale: brickwork predominates but painted render also features: roofs are a mixture of slate, concrete and clay.
	Site features meriting retention are listed as part of the beer garden.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal were to make better use of the land adjacent to The Old Oak public house and rationalise the space required to provide a proportionately sized beer garden.

4.4 Further details of the development are as follows:

Site area	0.03ha
Existing use	A4
Proposed use	C3
Existing parking spaces	0
Proposed parking spaces	4
Parking standard	2 (recommended maximum)
Net increase in dwellings	2
Existing site density	0dph
Proposed site density	60dph
Density of the surrounding area	37dph (location plan)

5.0 Policy Context

5.1 Designation

Urban area

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS11 (Sustainable Construction)
CS14 (Housing Needs)
CS15 (Affordable Housing)

5.3 Reigate & Banstead Borough Local Plan 2005

Housing Movement	Ho9, Ho13, Ho16 Mo7
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5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Local Distinctiveness Design Guide Parking Standards for Development Affordable Housing

Other	Human Rights Act 1998
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6.0 Assessment

6.1 The site is within the urban area, in a neighbourhood composed largely of dwellinghouses, where the principle of residential development is acceptable. The site relates to part of a pub beer garden which is offered no protection in planning policy and, even if the pub were considered a community asset, its beer garden only forms an ancillary part of this use with an area of outdoor seating being retained.

6.2 The main issues to consider are:

- Design appraisal
- Neighbour amenity
- Access and parking
- Impact on trees
- Community infrastructure Levy (CIL)

Design

6.3 The proposal would be to a scale, general dimensions and appearance in keeping with neighbouring residential properties, not least the terrace to the west. Garden amenity space for each dwelling would be somewhat restricted in comparison with existing dwellings in the vicinity but not to the extent that it could be deemed unacceptable. Design is similar to that of the previous proposal, the differences being the reduction in height by 0.785m (to 7.775m); in depth by 2.4m (to 10.4m); omission of one of the first floor side bathroom windows, leaving one per elevation; re-proportioning of windows to a more "classical" pattern; and addition of window and chimney stack, the whole imparting a more pleasing symmetry. The application would accord with the residential design and layout policies Ho9, Ho13 and Ho16.

6.4 The proposal differs from the previous in the addition of off-street parking to the front of the proposed dwellings. The visual impact of these, whilst detracting somewhat from the visual relief currently provided by the

undeveloped beer garden and landscaping, could not be objectionable given the examples of such parking in the vicinity.

Neighbour amenity

- 6.5 The properties most likely to be affected are the pub to the east at no. 40 and the easternmost of the terrace, 1 Hardwick Road, to the west.
- 6.6 The rear walls of the houses would be aligned with those of 1, 3 and 5 Hardwick Road and the front walls set back from these. The proposal would however extend two-storey form beyond the rear extent of these neighbours given their current rear extent is formed by single storey rear extensions.
- 6.7 The eastward facing gable end of 1 Hardwick Road is blank and the positioning and footprint of the proposed houses means that there would be no infringement of amenities in terms of overlooking, overshadowing or overbearing effect. Whilst there may be some impact from the first floor window of this neighbour, which is set back, such impact would not be so significant as to warrant refusal with the proposal passing the relevant 45-degree light tests.
- 6.8 There is unlikely to be any significant impact either on the ancillary residential accommodation at the pub to the east because of separation distances and the pub standing on higher ground. Effect on dwellings to the south would be mitigated by the intervening highway.
- 6.9 Hence whilst giving rise to a degree of change in the relationship between buildings, the proposed scheme would not adversely affect the amenity of neighbouring properties and complies with policy Ho9. There have been local concerns about noise and disturbance during construction activities: this would be a temporary aberration and mitigated by the recommendations for control of noise, pollution and parking under informative no. 4.

Access and parking

- 6.9 The previous similar proposal under application no.16/02187/F had no on-site parking provision and the Highway Authority recommended refusal on the grounds that:
“The lack of off street parking provision for the proposed development would lead to displacement parking on the adjacent public highway and footway, which could potentially cause danger and inconvenience to pedestrians and other highway users, and further compromise the safe movement and free flow of traffic on the highway. The proposal would therefore be contrary to the objectives of the NPPF (2012), policy Mo7 of the Reigate and Banstead Borough Local Plan (2005), and objective 3 of the Surrey Transport Plan 2011-2026 'To improve road safety and the security of the travelling public in Surrey'.”
This constituted the sole reason for refusal.

- 6.10 In the case of the present application, which includes two spaces per dwelling, the Highway Authority has recommended that permission be granted (see recommended conditions above), notwithstanding that the parking spaces allow for no on-site manoeuvring. The Highway Authority has provided the following further explanation on this point:

“While it is not ideal for vehicles to have to reverse into or out of the site, Hardwick Road is an unclassified road, where vehicle speeds are low due to the narrow width of the carriageway, and the presence of on street parking on both sides of the road. There are other properties located along Hardwick Road that have off street parking but no space for turning or manoeuvring. I have checked our accident records, and there have been no personal injury accidents on Hardwick Road during the last five years as a result of vehicles reversing into and out of existing properties. On this basis, I do not have any highway safety objections to make to the lack of turning/manoeuvring space within the site.”

Accordingly the proposal is considered to be acceptable in traffic impact terms.

- 6.11 Objections have been received on the basis of the loss of the on-street parking spaces that would result from the formation of the proposed vehicular accesses. These are however within the County’s control and cannot be relied upon for future use. Despite the parking difficulties experienced locally, their loss is not therefore considered to be such that they could result in refusal on amenity grounds.

Trees

- 6.12 The Council’s Tree Officer makes the following comments:

“...The proposed development subject to adequate tree protection measures would not result in any significant or long lasting impact on the yew tree which is shown retained on the plans.

I have attached a suitable tree protection condition which is considered to be justified in these circumstances...

No development shall commence including groundworks or demolition until a detailed Tree Protection Plan (TPP) has been submitted to and approved in writing by the local planning authority. The TPP shall contain details of the specification and location of tree protection (barriers and/or ground protection) and any construction activity that may take place within the protected root areas of trees/hedges shown, where retained on the TPP. The tree protection measures shall be installed prior to any development works and will remain in place for the duration of all construction works. The tree protection barriers/ground protection shall only be removed on the completion of all construction activity, including hard landscaping. All works shall be carried out in strict accordance with these details when approved.”

There are therefore not considered to be any significant tree implications resulting from the proposed development.

CIL

- 6.13 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development. This development would be CIL liable although, the exact amount would be determined and collected after the grant of planning permission.

CONDITIONS

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

Reason:

To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Type	Reference	Version	Date Received
Floor Plans	1540-01	B	10.07.2017
Elevations	1540-02	B	10.07.2017
Block Plan	1540-03	A	23.03.2017
Site Plan	1540 01		23.03.2017

Reason:

To define the permission and ensure the development is carried out in accord with the approved plans and in accordance with National Planning Practice Guidance.

3. No development shall take place until the developer obtains the Local Planning Authority's written approval of details of both existing and proposed ground levels and the proposed finished ground floor levels of the buildings. The development shall be carried out in accordance with the approved levels.

Reason:

To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

4. No development shall take place until written details of the materials to be used in the construction of the external surfaces, including fenestration and roof, have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

Reason:

To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

5. No development shall commence including demolition and or groundworks preparation until a detailed, scaled Tree Protection Plan (TPP) and the related Arboricultural Method Statement (AMS) is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas of trees (RPA) shown to scale on the TPP, including the installation of service routings. The AMS shall also include a pre-start meeting, supervisory regime for their implementation & monitoring with an agreed reporting process to the LPA. All works shall be carried out in strict accordance with these details when approved.

Reason:

To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and policies Pc4, Pc12 and Ho9 of the Reigate and Banstead Borough Local Plan.

6. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) measures to prevent the deposit of materials on the highway
 - (f) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

7. The development hereby approved shall not be first occupied unless and until the proposed vehicular accesses to Hardwick Road have been constructed in accordance with the approved plans, and thereafter shall be permanently maintained.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

8. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

9. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the occupation of the development hereby permitted.

Reason:

To preserve the visual amenity of the area and protect neighbouring residential amenities with regard to the Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Pc4.

10. The first floor windows in the east and west side elevations of the development hereby permitted shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, and shall be maintained as such at all times.

Reason:

To ensure that the development does not affect the amenity of the neighbouring property by overlooking with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no first floor windows, dormer windows or rooflights other than those expressly authorised by this permission shall be constructed.

Reason:

To ensure that the development does not affect the amenity of the neighbouring property by overlooking and to protect the visual amenities of the area in accordance with Reigate and Banstead Borough Local Plan 2005 policy Ho9.

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), no extensions permitted by Classes A B and C of Part 1 of the Second Schedule of the 2015 Order shall be constructed.

Reason:

To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13, and Ho16

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at www.reigate-banstead.gov.uk. Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit.

In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

5. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the Considerate Constructor Scheme www.ccscheme.org.uk would help fulfil the requirement.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority Local Highways Service Group (0300 200 1003) before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see:
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
7. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
8. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837.

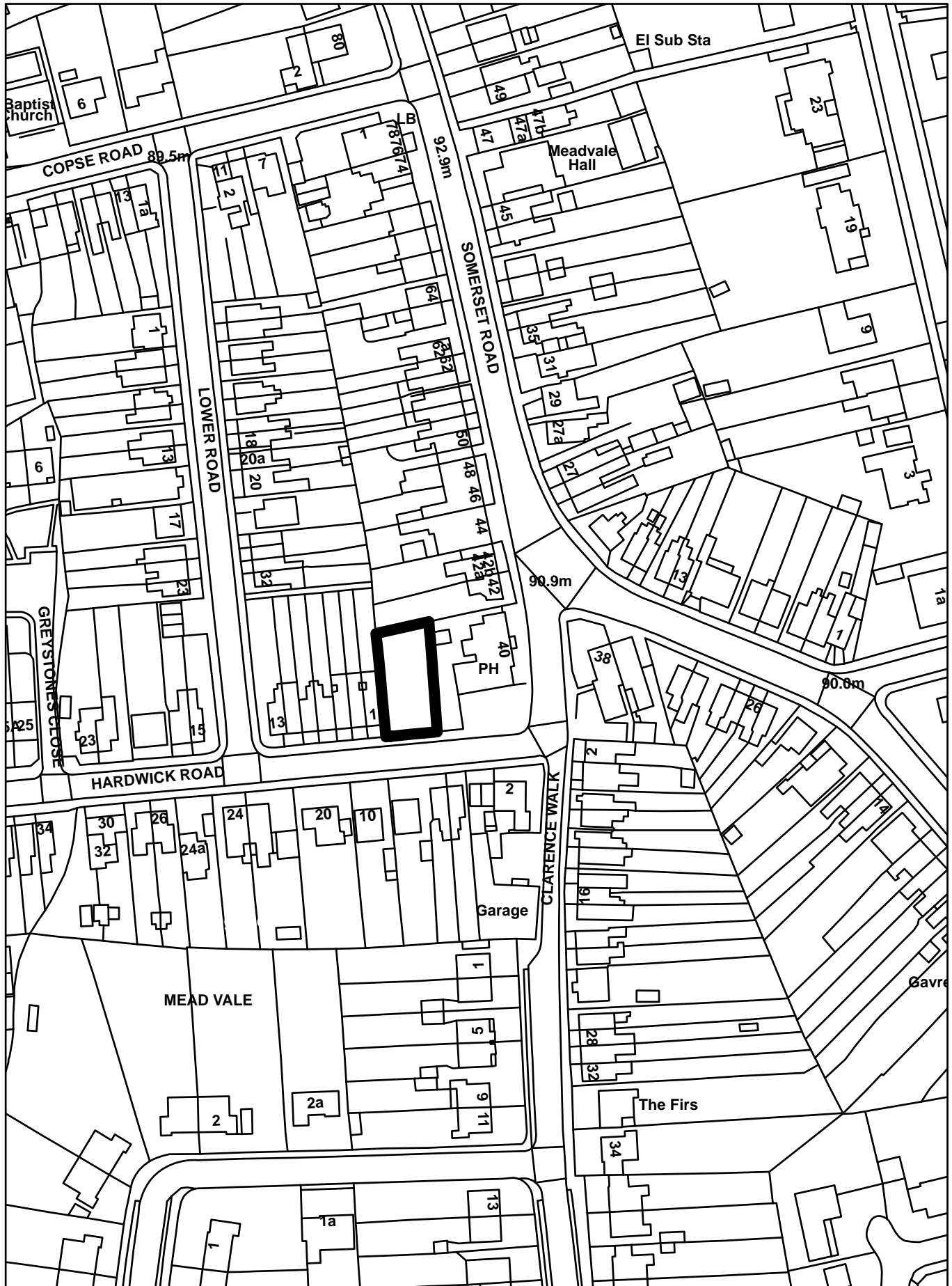
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS11, CS14, CS15, Ho9, Ho13, Ho16 and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

Proactive and Positive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development where possible, as set out within the National Planning Policy Framework.

17/00673/F - The Old Oak Public House,
40 Somerset Road, Redhill



Notes
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Revisions:
 A - Reduced footprint & addition of parking.

Project:
 The Old Oak
 40 Somerset Road
 Redhill
 RH1 6LT

Client:
 Punch Taverns

Drawing title:
 Block Plan

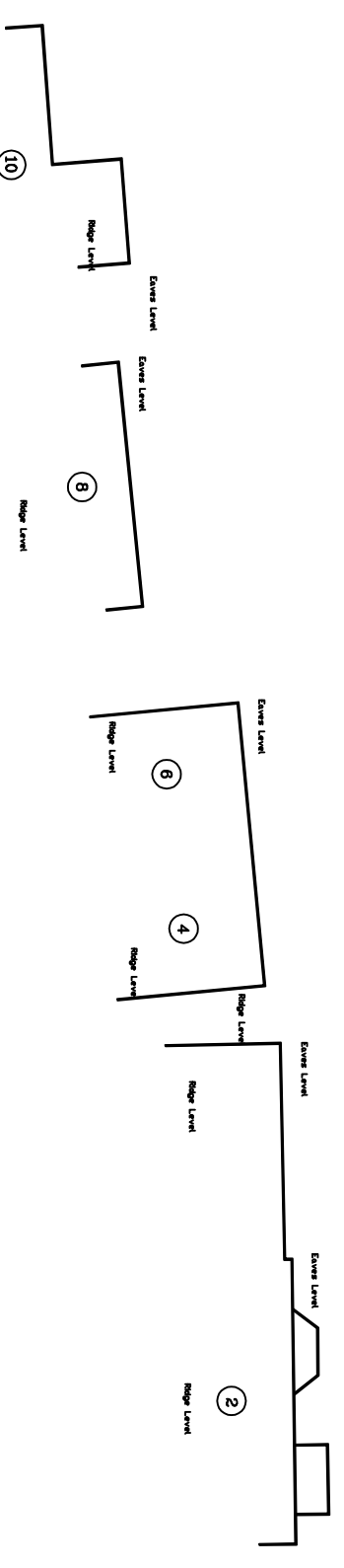
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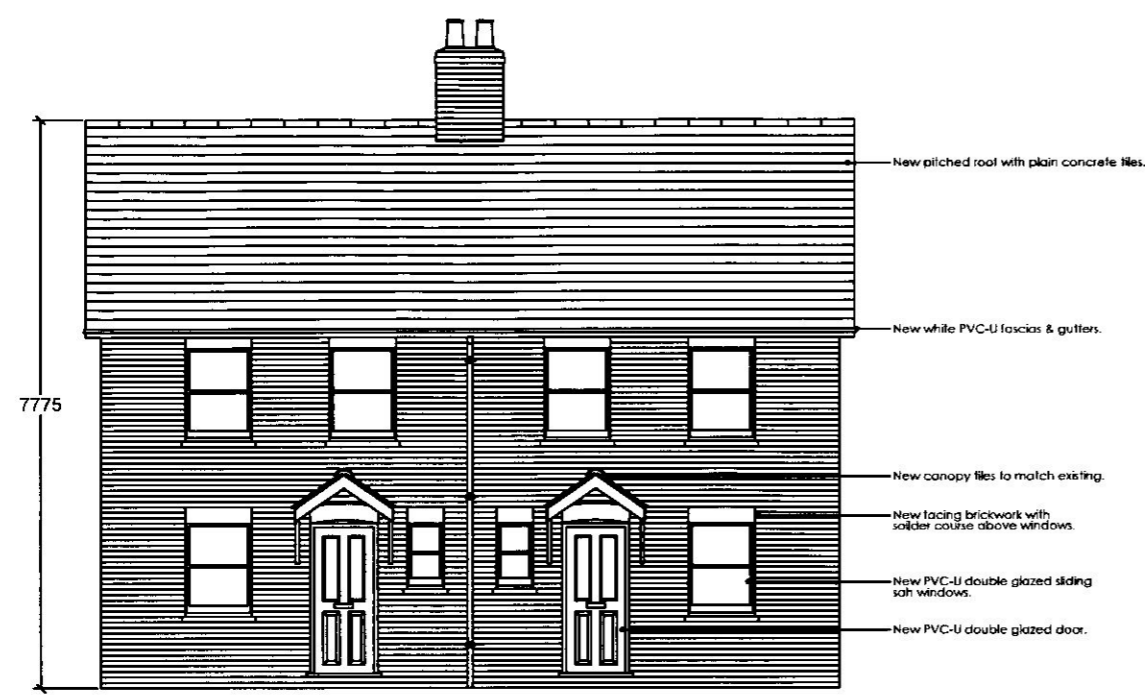
HENSON CHAPEL

DESIGN AND PROJECT MANAGEMENT

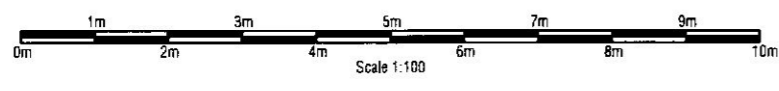
MERIDIAN HOUSE, 89 HURST GREEN ROAD
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Project No.:	Drawing No.:	Revision:
	1540-03	A





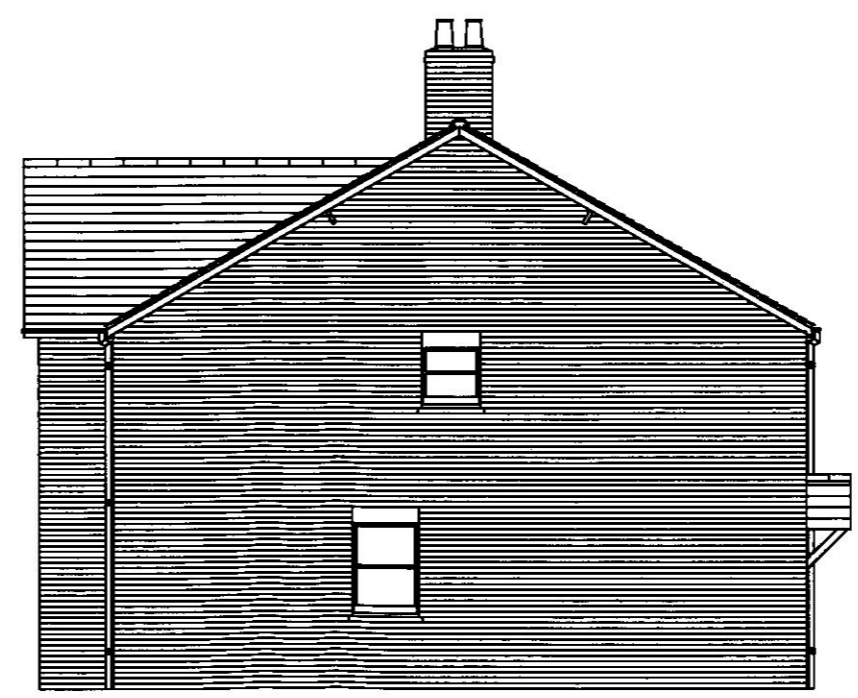
Front Elevation
 (Scale 1:100)



Rear Elevation
 (Scale 1:100)



Side Elevation
 (Scale 1:100)



Side Elevation
 (Scale 1:100)

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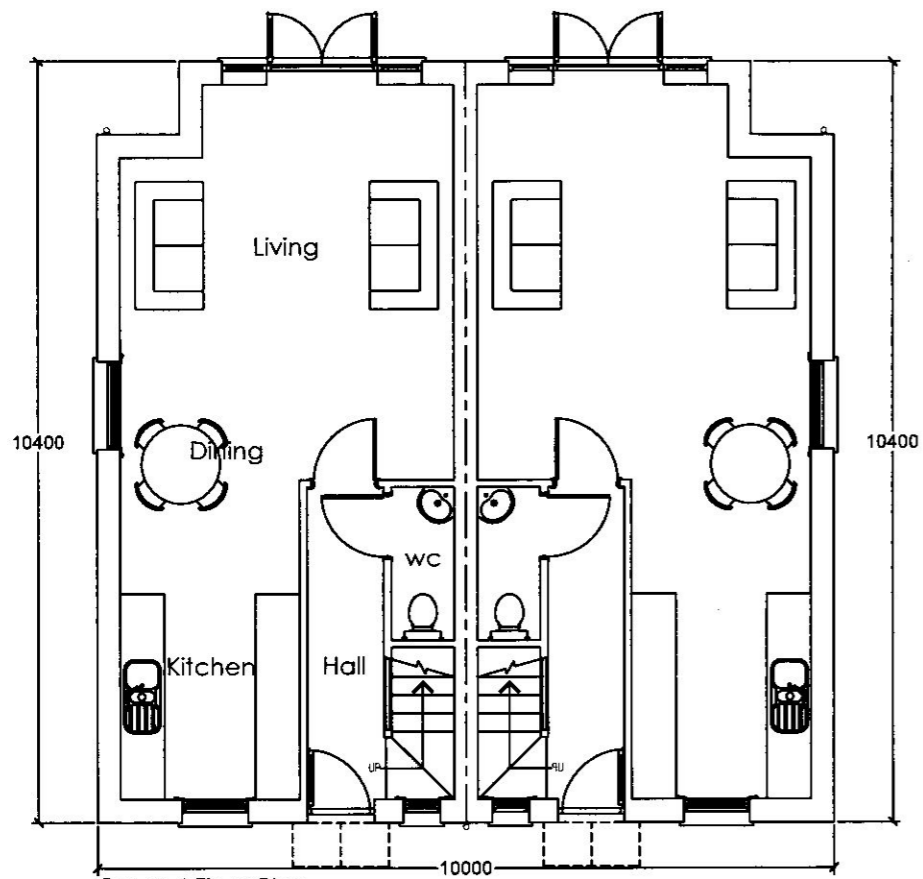
Drawing Title:
 Proposed Elevations

Date: 23/04/2016 Drawn: DH Checked: GH

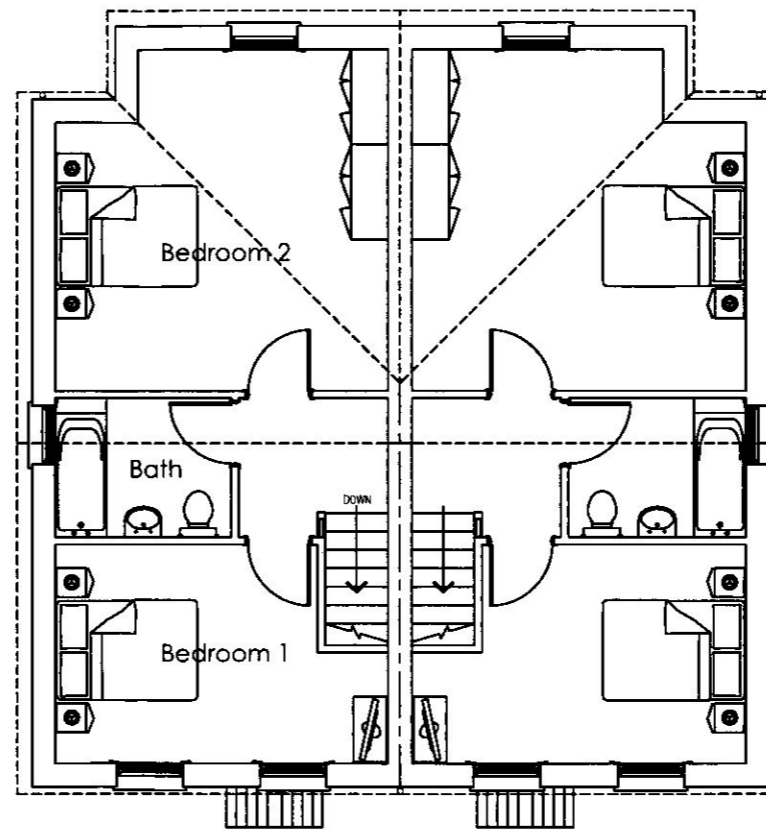
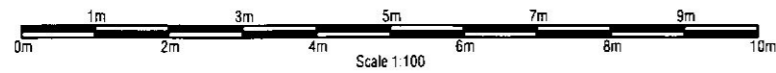
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HENSON CHAPEL
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	1540-02	B



Ground Floor Plan
(Scale 1:100)



First Floor Plan
(Scale 1:100)

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A - Reduced footprint & addition of parking.

Project:

The Old Oak
40 Somerset Road
Redhill
RH1 6LT

Client:

Punch Taverns

Drawing Title:

Proposed Floorplans

Date: 23/06/2016 Drawn: DH Checked: GH

Scale: A3 @ 1:100

HENSON CHAPEL

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Project No.	Drawing No.	Revision:
	1540-01	B