

Report to Planning Applications Committee

Item

11 November 2021

Report of Head of Planning & Regulatory Services

Subject Applications 20/01263/F – King Street Stores, King Street
and 20/01582/L – King Street Stores, King Street

4(a)

**Reason
for referral** Objections

Ward	Thorpe Hamlet
Case officer	Lara Emerson laraemerson@gov.uk
Applicant	Hurlingham Capital

Development proposal – 20/01582/L		
Demolition of toilet block adjoining Ferry Boat Inn with associated repair works.		
Representations – 20/01582/L		
Object	Comment	Support
0	0	0
Development proposal – 20/01263/F		
Conversion of warehouse to 6no. dwellings, demolition of remaining buildings and structures and construction of 14no. additional dwellings.		
Representations – 20/01263/F – first consultation		
Object	Comment	Support
13	0	0
Representations – 20/01263/F – second consultation		
Object	Comment	Support
4 individual objections plus a petition signed by 494 individuals	0	0

Main issues	Key considerations
1. Principle of development	Compliance with site allocation policy CC8; compliance with other development plan policies.
2. Heritage & design	Impact on conservation area; impact on statutorily and locally listed heritage assets. Height; massing; detailing; materials.
3. Trees & biodiversity	Loss of trees; replacement planting; off-site biodiversity net gain.
4. Amenity	Impact on amenity of surrounding residents; living conditions for future occupants.
5. Transport & servicing	Car parking; cycle parking; refuse storage; refuse and emergency vehicle access.
6. Affordable housing	Affordable housing provision.
Expiry date	30 th July 2021
Recommendation	Approve subject to the satisfactory completion of a legal agreement



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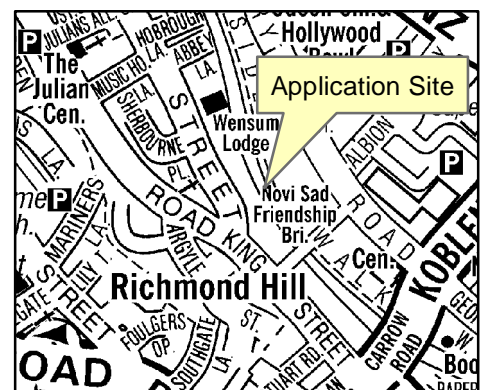
Planning Application No 20/01263/F & 20/01582/L
Site Address King Street Stores, King Street

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



The site, surroundings & constraints

1. The site is located on the east side of King Street, close to the junction with Rouen Road. To the north of and immediately adjacent to the site is the Wensum Sports Centre building, which is a large light-brick building providing indoor sports facilities and screened from the road by a number of trees. To the south and immediately adjacent to the site is the Grade II listed Ferry Boat Inn, which is currently undergoing residential redevelopment. To the west, on the other side of King Street, are some 2- and 3-storey blocks of flats set back from the road surrounded by communal lawns. The Grade I listed Church of St Etheldreda is directly opposite the site and sits within a churchyard that includes a number of mature trees. To the east of the site is the River Wensum.
2. The site itself is currently occupied by:
 - A vacant locally listed 19th century warehouse building in the north-eastern corner of the site, abutting the river and the car park of the Sports Centre. Another later vacant warehouse building fills the remainder of the river frontage. The buildings are connected internally and provide 2 floors of accommodation. The warehouses were most recently in use as offices and storage buildings but were vacated a number of years ago and are now in a poor state of repair;
 - A derelict toilet block attached to the listed Ferry Boat Inn; and
 - 6 mature lime trees sitting behind a historic red-brick wall along the King Street frontage.
3. The site is constrained as follows:
 - The site is allocated for residential development under site allocation policy CC8
 - City Centre Conservation Area (King Street Character Area)
 - South City Centre Regeneration Area
 - Area of Main Archaeological Interest
 - The 6 lime trees are protected by Tree Preservation Order reference 575
 - The majority of the site is within Flood Zone 1 (least at risk of flooding) but there is a sliver along the riverside which is in Flood Zone 2 and a smaller sliver in Flood Zone 3.

Relevant planning history

4. None.

The proposal

5. The proposed development for which planning permission is sought under reference 20/01263/F involves:

- Demolition of the later warehouse building and the derelict toilet block and the felling of the 6 lime trees.
 - The locally listed warehouse is to be converted into 4no. 2-bedroom flats and 2no. 3-bedroom flats. This involves insertion of an additional floor into the building.
 - 4no. 3-bedroom 3-storey (plus basement) townhouses are proposed along the remainder of the river frontage.
 - 4no. 3-bedroom 4-storey townhouses are proposed along the King Street frontage, bookended by lower development, with a 3-storey block providing 3no. 2-bedroom flats at the southern end and a 4-bedroom 3-storey house at the northern end.
6. The proposal has been revised during the course of the application, with the main change being the retention and conversion of the locally listed warehouse, which was previously proposed for demolition.
7. The associated listed building application, 20/01582/L, relates solely to the removal of the derelict toilet block that appears to be built off the wall to the adjacent listed Ferry Boat Inn.

Summary information

Proposal	Key facts
Scale	
Total dwellings	20 dwellings in total: <ul style="list-style-type: none"> - 7no. 2 bed flats - 2no. 3 bed flats - 8no. 3 bed houses - 1no. 4 bed house
No. of affordable dwellings	Off-site contribution proposed
No. of storeys	3-4 storeys
Max. dimensions	Maximum 13.5m tall
Construction	
Materials	Buff, light brown, grey and red bricks Stone cills and window surrounds Aluminium windows Timber doors Metal balustrades
Renewable energy provision	10.23% of the development's energy usage provided by photovoltaic panels.
Transport matters	
No of car parking spaces	9 in total (4 garages within the riverside townhouses, 5 car parking spaces to be allocated to other dwellings)
No of cycle parking spaces	Sufficient space identified for bike storage in various locations around the site, exact details to be agreed.
Servicing arrangements	Bin stores are arranged around the site and will be collected from the property boundaries by a refuse vehicle which will need to pull into the site.

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.
9. Application 20/01582/L has not attracted any letters of representation.
10. Application 20/01263/F has been subject to two rounds of public consultation. The first consultation was carried out upon receipt of the application and attracted 13 objections. Cllrs Grahame, Price and Haynes were amongst those who objected to the scheme. The representations are summarised below.

Issues raised	Response
The buildings will block private views from flats on the other side of the river.	See Main Issue 4: Amenity.
The development would cause overshadowing to council flats on King Street.	See Main Issue 4: Amenity.
Lack of affordable housing.	See Main Issue 6: Affordable housing.
Bats and swifts should be protected.	See Main Issue 3: Trees & biodiversity.
This end of King Street is characterised by buildings set back from the street frontage.	See Main Issue 1: Principle of development and Main Issue 2: Heritage & design.
The locally listed warehouse should be retained and preserved.	The warehouse is now retained as part of the scheme.
The historic wall fronting King Street should be retained.	See Main Issue 2: Heritage & design.
Loss of trees – impact on biodiversity.	See Main Issue 3: Trees & biodiversity.
Loss of trees – impact on air quality.	See Main Issue 3: Trees & biodiversity.
Loss of trees – impact on the appearance of the conservation area.	See Main Issue 2: Heritage & design and Main Issue 3: Trees & biodiversity.
The developer has failed to demonstrate that the removal of trees on this site is unavoidable, merely that retention will make the scheme less profitable.	See Main Issue 1: Principle of development and Main Issue 3: Trees & biodiversity.
Like the expert opinion of Norwich City Council's Tree Officer, I do not consider that there are 'exceptional and overriding benefits' in accepting the loss of these trees.	See Main Issue 1: Principle of development and Main Issue 3: Trees & biodiversity.

11. The second round of consultation was carried out on receipt of revised plans which include the retention of the locally listed riverside warehouse building. This consultation attracted 4 objections, including objections from Cllr Price and Cllr Haynes, and a petition organised by Cllr Haynes and signed by 494 individuals. The representations raise many of the same issues summarised above, along with the following additional issues.

Issues raised	Response
The development remains over dominant in the street scene and lacking in understanding of the impact on the local environment.	See Main Issue 2: Heritage & design.
The loss of the trees, currently forming a green corridor with other nearby trees, will have a significant and detrimental impact on the street scene.	See Main Issue 3: Trees & biodiversity.
No mention is made of the loss of the locally important wall which fronts onto the highway.	See Main Issue 2: Heritage & design.
The warehouse new windows, particularly bedroom windows, will overlook a car park which is open to the public.	See Main Issue 4: Amenity.
A TPO has now been served and confirmed. This TPO order was served only recently by expert professional staff, I see no grounds where the planning committee could go against that and must lend the necessary weight of the officer's qualified judgment to their decision.	See Main Issue 3: Trees & biodiversity.
The 1930-40s warehouse adjoining the 19 th century warehouse is also of some architectural merit and is considered to be of some heritage value and significance, aesthetic, historic and social/communal. The loss of this building again would result in harm to the character of the river frontage.	See Main Issue 2: Heritage & design.
The social housing requirement should be provided on-site rather than as a section 106 agreement, as there's significant evidence that mixed developments reduce anti-social behaviour, improve quality of build for social housing and reduce stigma faced by social housing tenants.	See Main Issue 6: Affordable housing.
Concern about the servicing of the site by refuse vehicles and access for emergency services	See Main Issue 5: Transport & servicing.
Norwich City Council's public spaces plan states that: "Trees and shrubs are sometimes dismissed as purely an aesthetic feature that is a financial burden. However, this view neglects the many services that vegetation provides in a city – cleaning the air, filtering rainwater reaching the ground to combat flash-flooding, slowing traffic by providing a sense of street enclosure and promoting biodiversity." This is a clear statement from Norwich City Council that it values	The referenced plan is interesting context but is not planning policy and should not form the basis of a planning decision.

Issues raised	Response
the existing tree stock and the planning committee must reflect local policy.	

12. It is also worth noting that the council served a Tree Preservation Order on the 6 Lime Trees on the site in January 2021 (TPO 575). The public consultation which was undertaken as part of that process attracted 27 letters of support and 4 letters of objection.

Consultation responses

13. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Design and conservation – no objection; recommend conditions

20/01582/L – Removal of toilet building

14. The site visit revealed that the existing structure does not appear to be tied into the Ferry Boat building itself, but the engineers report supporting the application suggests that the existing structure might have taken on some load from or be providing some support to the existing listed building which is entered onto the Councils Building at Risk Register. The proposal to remove the existing toilet block is not opposed in principle, since it appears to be of little architectural merit. It is not clear from the application if it was in ancillary use to the Ferry Boat site or is internally connected. In the light of the above I would recommend that if the demolition of this block is to be approved, it is subject to some pre-commencement conditions to ensure that all necessary measures are taken to ensure that the structural stability of the Ferry Boat is preserved both during the demolition works and beyond. A demolition method statement should be provided by a qualified structural engineer and details should be provided as to how the buildings stability will be ensured for the duration of the work, but also moving forward. In addition, we should also apply a condition requiring any damage caused to the building to be repaired within 3 months of the works to a method agreed in writing with the Councils Conservation Officer, in addition, any temporary/permanent stopping up of any existing opening between the Ferry Boat and the toilet block (should they exist) should also be detailed in the repairs schedule, agreed in writing with the LPA and all works carried out as agreed.

20/01263/F – initial comments

15. Detailed comments received relating to the initial proposals, concluding as follows:

16. The proposed works of demolition and re-development will cause harm to the significance and setting of designated and non-designated heritage assets and fail to preserve or enhance the character and appearance of the conservation area. I cannot see that 'clear and convincing' justification has been given to ameliorate for the harm caused and in their current form the proposals are considered contrary to the requirements of legislation policy and guidance. Of particular relevance are NPPF, paragraph 130, 185, 190, 191, 192, 193, 194, 196, 198 and Local Plan policy DM1, DM3 and DM9.

17. Note: the initial proposals proposed the demolition of the locally listed 19th Century warehouse; this is no longer the case as the warehouse will be retained and converted into residential units.

20/01263/F – final comments

18. Further comments received following the receipt of revised plans which include the retention of the locally listed warehouse building. The comments conclude as follows:
19. It is imperative that the retention, repair and re-use of the warehouse is delivered as part of the development as a whole and not left dis-used with the remainder of the development built out and occupied. A condition is recommended to ensure that the remainder of the development cannot be occupied until the warehouse is converted and repaired/re-used.
20. In my view the 'less than substantial' harm to the character and appearance/significance of the conservation area and setting of neighbouring heritage assets caused as a result of the loss of [the later warehouse building] is mitigated (in part) through the retention and re-used of its locally listed 19th century neighbour and (in part) through the provision of a high quality new housing development which characterfully addresses both the river and King Street. Reinstating the front building line to King Street, with an attractive, active and animated frontage built up against the pavement echoing the character of the listed 17th century cottages on the opposite side of the street, albeit in a contemporary manner.
21. Overall, impact upon the heritage assets, both designated and non-designated will result in less than substantial harm and would in my view be likely offset by the public benefits of the re-use of this dis-used site, the provision of new residential housing and the repair and re-use of the locally listed 19th century warehouse building in compliance with local plan policies DM9 and NPPF policy 196 in particular. A number of conditions are recommended.

Historic England – no objection

20/01582/L

22. On the basis of the information available to date, we do not wish to offer any comments on this application and suggest that you seek the views of your specialist conservation adviser. We are aware, however, that this proposal is associated with a larger scheme to redevelop the former King Street Stores site in which the WC block sits. While the demolition of the WC block is not in itself a matter of concern for Historic England, we would therefore suggest the Council consider this suppose in light of the larger project. This is a project on which we have previously advised the applicant and we would welcome the opportunity to comment on the larger scheme when an application is submitted.

20/01263 – initial comments

23. Detailed comments concluding as below.
24. The proposed development would erect a range of new residential buildings along the riverside in a part of the city centre conservation area. This would result in the

demolition of an historic industrial building which is designated as part of the conservation as well as being included on the City Council's list of locally important historic buildings. The development also affects the setting of the grade I listed parish church of St Etheldreda and the grade II listed former Ferry Boat public house. We consider this would result in harm to the designated heritage asset in terms of the National Planning Policy Framework and that the justification for this harm has not been made. We would therefore object to the application and recommend it is refused.

20/01263/F – final comments

25. We are pleased to find the scheme now involves retention, repair and reuse of the northern part of the historic warehouse building on the riverside of the site. Historic England has no objection to the application on heritage grounds, although we would recommend conditions are placed on works to the retained historic building and the external detailing of it and the new buildings.

Environmental protection – no objection; recommend conditions

26. Following a review of the information provided and held by the council I recommend the following conditions and informative:
- CO1: Contamination
 - CO2: Unknown contamination
 - CO3: Imported topsoil
 - Informative: responsible disposal of asbestos

Highways – no objection; recommend conditions

27. Supportive of the proposed use of the site and its overall layout.
28. Detailed advice and negotiations, resulting in the following comments:-
- The rear gardens of houses fronting the river should be enlarged and paved to provide a parking space instead of a garden.
 - It would be welcome if EV charging can be provided for each of the parking spaces within the site.
 - A construction management plan will be required that considers staff parking arrangements and construction traffic routing, i.e. routing should be via King Street to the Inner Ring Road, with consideration given to the peak hour turning restrictions at that junction.
 - The small, staggered area between the property boundaries and the highway boundary should be paved to an adoptable standard and offered to the Highway Authority for adoption.
 - Drainage at the site entrance should be provided to prevent surface water runoff to the highway.

Landscape – objection

Summary of initial comments:

29. The proposals would need to be of considerable sensitivity and design quality to justify the removal of the existing green infrastructure. The proposals as shown do not meet this threshold.
30. Further consideration should be given to the relationship between the adjacent Ferry Boat and Sports centre site (river side).
31. Scale of buildings should be revisited to be more in keeping with local townscape and views
32. Revisit the retention of the locally listed building and potentially frontage of other building to river
33. Revisit layout to ensure retention of trees and front wall – see DM7 Trees and development
34. Refer applicant to Landscape and Trees SPD.
35. The soft landscape on site will in no way compensate for the proposed loss of mature street trees. There are very limited opportunities to provide compensatory street tree planting in the King Street area.

Final comments:

36. Removal of these trees would negatively impact on the street scene, as a result the landscape objection is upheld. The revised proposals do not show adequate compensatory landscape within the site for the loss of the mature frontage trees
37. Purchase of national Environment Bank credits through an offsetting scheme is undesirable given local deficit of planting in King Street. It is understood that the applicant should identify and agree a suitable scheme with the local planning authority for utilisation of credits, no proposals have been submitted to date.
38. We do not feel that the reinstatement of the historic building line, which has not existed for over 100 years, to provide reasonable justification for removal of the trees along the site frontage. Policy CC8 refers to reinstatement of building lines in King Street generally. Due to the nature of the street, being narrow and with buildings generally opening directly onto the public highway, tree planting and soft landscape within King Street is difficult to achieve. It is therefore important to conserve and enhance those existing assets which positively contribute to the street scene.
39. We do not feel that the proposal of 4 storey building height along the frontage of King Street is justified, and that the frontage buildings would negatively impact the street scene. The greening, sense of openness and softness that is afforded by the trees and comparably low characterful wall would be lost to a hard, high solid feature which will enclose and dominate the street scene.
40. We would query the deliverability of the tree planting within the site given the proximity of buildings, and foul and surface water routes indicated within the Flood

Risk Assessment prepared by Conisbee. There will be further below ground utilities which are yet to be defined. The areas for tree pits need to be defined at an early stage and designed alongside drainage and materials specifications to ensure sufficient water supply and outlet can be achieved from the engineered tree pits.

41. The choice of tree species is not considered to be best suited to the site, with Lime likely to cause resident and management issues with honeydew.
42. Green walls whilst attractive when installed and maintained correctly, can also have maintenance complications and poor environmental performance. Clarity is required on the type of green wall proposed. Boundary treatment between King Street Stores and The Ferry Boat Inn site also requires clarification; depending on treatment, further provision of soft landscape or greening of this boundary could soften the appearance of the development and provide some borrowed greening to the streetscape. Any standard landscape condition applied to a decision notice is advised to be notwithstanding details submitted at this stage.
43. It is noted that the stepped line is still present on revised drawings. It is advised that the Highway boundary should be regularised to the front of the buildings and offered for adoption. The pavement should be re-laid up to the buildings to ensure a consistent 70mm Marshalls Saxon, natural, flag finish to the entire footway. This paving has recently been installed as part of the Transforming Cities scheme on King Street.
44. Based on the proposals submitted to date, a holding landscape objection is raised until such a time when suitable compensation for the loss of the trees and effects on the street scene is established and secured. DM1, DM3, DM6, DM7.
45. Note: The comment in paragraph 38 above stating that policy CC8 refers to reinstating building lines along King Street generally is factually incorrect. CC8 is a site-specific policy and only deals with the area covered by the allocation.

Norfolk Historic Environment Service

46. An archaeological trench was dug on the site in 1975 which found evidence of occupation date back to the 11th-12th centuries along with the remain of a brick and flint vaulted undercroft of probable 15th century date. The GPR survey indicates that these or similar features probably still survive in the central part of the site, with greater degrees of disturbance in the northern and southern parts of the King Street frontage. We will also have to consider the impact of development on below-ground archaeological remains on the southern part of the river frontage.
47. We suggest that the standard condition is applied.

Norfolk Constabulary Architectural Liaison – no objection

Initial comments

48. I am very pleased to see that the site will be secured from public access from King Street and the proposed riverside walkway with alleygating. Without this, allowing public access through the site would make the development extremely vulnerable to antisocial behaviour. I recommend for the gates to be installed to LPS 1175.

49. The proposal of the rear boundaries should ensure that the height is of at least 1.8m.
50. There needs to be appropriate rule setting signage around all access points to the development i.e. 'PRIVATE', 'Residents Only' etc.
51. Lighting of the communal areas including the courtyard with LED White lighting is recommended.
52. Waste containers, particularly those with wheels, can be used for climbing and the contents used to start fires. Consideration should be given to using waste containers with lockable lids.

Final comments

53. Detailed comments on glazing specification, access control measures etc.
54. It is strongly recommended that this access is restricted to residents-only as 'open access' here would negate the security measures indicated for King Street driveway (installation of gates previously supported for perimeter security), allowing potentially unauthorised movement to the rear of 14 x dwellings (some with ground floor bedroom windows). Also bearing in mind that car ports have replaced garages, which are not as secure if items are naturally stored for convenience within (e.g. cycles).
55. Although the design does provide surveillance from 'active' windows, introduction of open access to the inner parking court would introduce a degree of vulnerability; homes and vehicles would be better protected if the space was accessible to residents only.

Norwich City Council (Ecology) – objection

56. The development of the site results in the loss of the main ecological feature on site; 6 young mature lime trees. The loss of the other vegetation on site causes no significant concerns from an ecological perspective.
57. The revisions to the scheme appear to further reduce the level of biodiversity on site post development. Whilst it is understood that there are competing factors at this site, the proposal will result in the notable loss of biodiversity on site, and as such an ecological objection is raised to the proposal.
58. Bats: The original report identifies that bat roosts are absent from the site, with the proposal therefore having a negligible impact upon bat roosts. It does however advise that a precautionary approach is taken to avoid the "very low risk of injury to bats". The report advises, and I would support, that the initial removal of the roof should be under the watching brief of a licenced ecologist.
59. The lime trees are not suitable for bat roosts.
60. Low level activity has been noted along the river in the wider area here, associated with foraging along the trees and scrubs along the river frontage. As such any mitigation/enhancements to support bats would be of benefit, especially close to the river.

61. Birds: Nesting birds may use the site, to include the buildings, trees and scrubs.
62. Other species: Due to the hard bank, there are no concerns regarding impact upon water voles or otters as there is not the habitat to support them.
63. Biodiversity Net Gain: We are currently in a state of flux in terms of planning policy and Biodiversity Net Gain. The NPPF para 174 requires decisions to minimise impacts upon, and provide net gains for biodiversity. Furthermore para 8 advises that opportunities to secure environmental net gains (to include biodiversity) should be taken. The Greater Norwich Local Plan (recently submitted for examination) includes Policy 3 which currently requires developments to provide at least a 10% net gain to biodiversity.
64. The Chartered Institute of Ecology and Environment Management (CIEEM) has published a "Biodiversity Net Gain - Good practice principles for development" document. Within it Principle 1 states that developments should avoid and then minimise impacts upon biodiversity, and only as a last resort will losses be acceptable, and these should be compensated for. Only if compensation within the site is not possible or does not generate the most benefits for nature conservation should biodiversity losses be offset elsewhere.
65. Hopkins ecology have now used the latest Natural England metric, version 3, to assess the biodiversity impact of the revised plans. The conclusion is that the development would result in a loss of 84%, which equates to 0.41 habitat units.
66. Offsite compensation: The revised submission includes an exploratory proposed off site compensation within the metric, which is currently proposed as scrub. Provision of additional scrub off-site as the compensating habitat is not currently supported. The habitats currently on site are Ruderal/Ephemeral and urban trees. Hopkins Ecology have treated Ruderal/Ephemeral as the same as scrub within their summary document. This provides some confusion.
67. However continuing with classifying Ruderal/Ephemeral and scrub as the same, following development the changes to these "2" types of habitats will be;
 - Urban trees fall from 0.46 units to 0.03.
 - The Ruderal/Ephemeral/scrub increases from 0.02 to 0.04.
68. As such the main loss in terms of biodiversity habitat is the loss of the urban trees. The off-site compensation should reflect this. CIEEM guidance promotes any compensation should be for the same broad habitat. Where this is not the case compensation should be of a higher distinctiveness and also respond to meeting an identified need within the local area for alternative habitat type. It is acknowledged that at present the local need can not be readily identified within the Local Nature Strategies, as these are yet to be completed. The proposed mixed scrub scores as a medium distinctiveness, with urban trees also scoring medium. There is therefore no reason that I can see to support off site compensation for scrub rather than urban trees.
69. The submission does however propose that any off-site mitigation would be within the local area, and that; "such off-setting could be secured by condition, via the purchase of 'biodiversity credits' through the Environment Bank or another provider, to be agreed with the Council."

70. Should off-site compensation be agreed the details need to be discussed further to ensure that they provide suitable compensation for the loss of the trees. Local provision of urban trees would be supported.
71. Conclusion: There remains an objection due to the loss of overall biodiversity on site, regardless of whether offsite compensation is obtained. This is partially due to there being no local or national policy at present to formally recognise the benefits of off-site provision, and so only some weight can be given to this.
72. However if the application is to be recommended for approval, I would support engaging with the developer to ensure that the proposed mitigation of offsite compensation is secured in the most appropriate manner which aims to provide benefits as locally as possible. The provision of offsite compensation would reduce the strength of my objection.
73. Should the application be approved, the following conditions should be added;
- B15 In accordance with report (section 7.11-7.13, 4 swift boxes and 4 bat boxes)
 - Landscaping Details, to include details of external lighting and use of native species where possible (please ensure that the reason for this condition includes biodiversity)
 - B13 Bird Nesting Season

Anglian Water – no objection; recommend conditions

74. There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. An informative should be added to the decision notice to inform the developer.
75. The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows.
76. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Norwich City Council (Tree Protection Officer) – objection

77. This application involves the loss of six mature trees protected by Tree Preservation Order 575. A visually important linear group of healthy limes that form an attractive feature at this end of King St (the trees can also be viewed from vantage points along Rouen Rd, The Friendship Bridge, and from across the river).
78. They make a positive contribution to the city centre conservation area, softening the appearance of what could be considered a hard mass of buildings along King Street.
79. Amongst a vast range of benefits, they provide a valuable habitat for wildlife, help reduce air pollution, and offer natural shade in an otherwise hostile, urban

environment. The proposed felling of these trees would not only eliminate these contributions, but it would also markedly erode the few 'green' attributes of King Street, creating an undesirable, harder, urban landscape.

80. Any proposed mitigation, in terms of replacement tree planting, would take many years to establish, and even longer to attain the same stature/level of visual amenity, as the existing trees currently provide. Indeed, even at maturity, it would seem that the proposed new trees would make a less than meaningful contribution to the amenity of the area, as they would be located 'internally' to the site, lost from view of the general public.
81. CC8, contained within the site allocations and site specific policies plan, seeks to reinstate the historic street frontage along King St. This would seem to be at odds with the principles set out in the overarching policies of the Joint Core Strategy, Policy 1: Addressing climate change and protecting environmental assets.
82. The spatial planning objectives contained within the JCS also aim to minimise the contributors to climate change and address its impact, and to protect, manage and enhance the natural environment.
83. Removing these trees does not seem to sit well with the above policies, nor does it comply with policy DM7, ultimately raising the fundamental question, 'Is reinstating the historic street frontage more important than retaining mature, healthy trees?'
84. These reasons form the basis of my objection to this application.

Norwich Society

Initial comments

85. We wish to strongly object to this application.
86. It would appear that both the City's Conservation Officer and Historic England, are opposed to this scheme. The listed King Street Stores is at the back of the site and has been used by Norfolk County Council as a storehouse for years, but viewed from its river frontage, it looks rather splendid with art deco tiling and a real 'presence'. Historically there were maltings on this area, going back to medieval times.
87. The proposed two rows of mis-proportioned four-storey town houses are simply not in keeping with the neighbouring listed buildings. The plan is to demolish not only the warehouse on the riverfront, but also the rather interesting wall with 'windows' onto King Street. Both the Council's Conservation Officer and Historic England suggest that the listed building be retained and restored. There is a large area of hardstanding on the King Street front which could be used for a small number (say 4) of two-and-a-half storey new dwellings, still leaving room for an amenity area. This would sit more comfortably with the preserved Ferryboat Inn next door.

Final comments

88. We are pleased to see that the scheme has been amended in light of the previous objections. Most of the listed buildings are now retained, with a predominantly brick frontage onto King St.

Norwich City Council (Housing Development Team) – no objection

89. It is disappointing to note that no onsite provision of affordable housing is proposed in this revised scheme. Further, that it is requested the affordable housing contribution be subject to viability testing during construction. Our preference is that viability is tested as part of planning process.
90. Onsite provision of affordable housing is our preference but, in line with the current Affordable Housing SPD, where it can be demonstrated there is no RP interest in the units, we would consider a commuted sum in lieu. The Housing Development team is happy to make contact with relevant RPs if requested.
91. All dwellings would be expected to meet the Nationally Described Space standards, but it has not been possible to ascertain whether they are meeting this standard as no information has been provided on the sizes of the units in the revised drawings. Further, any 1 bedroom units which are to be used for affordable housing would be expected to meet the standard for 2 person accommodation, and any 2 bedroom units would be expected to meet the standard for 4 person accommodation.
92. *NB: contact was made by the applicant with a list of RPs, all of whom declined the offer of taking on any on-site affordable units.*

Norfolk County Council (Lead Local Flood Authority) – no objection

93. Officers have screened this application and it falls below our current threshold for providing detailed comment. This is because the proposal is for less than 100 dwellings or 2 ha in size and is not within a surface water flow path as defined by Environment Agency mapping.

Environment Agency – no objection; recommend conditions

94. Regarding flood risk, we have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility.
95. Regarding ground contamination, we consider that planning permission could be granted to the proposed development as submitted if the following planning conditions and informative are included as set out below.
 - CO1: Contamination
 - CO2: Unknown contamination
 - No drainage to the ground without express consent
 - No piling without express consent
 - Informative: Environmental Permit for Flood Risk Activities

Broads Authority – no objection

96. We are pleased to see that it is now proposed to retain and convert the locally listed warehouse building. This will be of great benefit to the scheme and this part of the City Centre Conservation Area.

97. It is unfortunate that the decorative brick river-facing façade of the southern building could not be retained, and we have some concerns regarding the increase in scale of the replacement building. An elevation of the river frontage showing both the new and converted block along with the outline of the approved scheme for the Ferry Boat PH would be useful in order to see each element in context and also the treatment of the access/viewing point to the river in between the two buildings.
98. In terms of the detailing of this replacement building, each of the units has a symmetrical river frontage, except for at the lower level where the door is off-centre. It would be beneficial if this could be centrally positioned. In addition, a single larger window at first floor level might improve the building's appearance and enable the most to be made of the river views. A more defined eaves detail should be considered.
99. The recommendations for species mitigation and biodiversity enhancement in the ecological report (2020), should be conditioned as part of any planning approval.
100. As the bat emergence survey was undertaken in October, outside the optimum time for surveying bats, we recommend the following safeguards for protected species are undertaken: a methodology for the soft destruction of features associated with bats and their roosts e.g pantiles, with bitumen felt underlay, also the presence of a licenced bat worker when such works are undertaken, and the timing of works to be undertaken during the active bat season.
101. We support the permanent integration of several swift nest boxes into the new development. As swifts are faithful to their nest sites, and if the current building already supports swift colonies (surveys should be undertaken in late July), then temporary swift nests should also be provided as an interim measure if the new building is still in construction on their arrival in the spring. Swift Facts (swift-conservation.org)
102. A low level lighting plan should be provided to the LPA, avoiding the illumination of bat and bird boxes, and the river corridor.

Norfolk Fire & Rescue Service – no objection

103. I acknowledge receipt of the above application and I do not propose to raise any objections providing the proposal meets the necessary requirements of the current Building Regulations 2010 – Approved Document B (volume 1 and 2 – 2019 edition) as administered by the Building Control Authority. Also, consideration should be given to section B5 Section 15 fire mains and hydrants and section 16 emergency service vehicle access.

Assessment of planning considerations

Relevant development plan policies

104. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery

- JCS6 Access and transportation
- JCS7 Supporting communities
- JCS8 Culture, leisure and entertainment
- JCS9 Strategy for growth in the Norwich policy area
- JCS11 Norwich city centre
- JCS20 Implementation

105. Norwich Development Management Policies Local Plan adopted December 2014 (DM Plan)

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM16 Supporting the needs of business
- DM17 Supporting small business
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

106. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)

- CC8 King Street Stores

Other material considerations

107. Relevant sections of the National Planning Policy Framework 2021 (NPPF)

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF6 Building a strong, competitive economy
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

108. Supplementary Planning Documents (SPD)

- Landscape and Trees SPD adopted June 2016
- Heritage Interpretation SPD adopted December 2015
- Affordable Housing SPD adopted July 2019

109. **Emerging Greater Norwich Local Plan (GNLP)**

- Policy CC8 of the emerging GNLP allocates the site for 20 dwellings and promotes the retention of the locally listed building, and reinstatement of the building frontage on King Street (and therefore felling trees)
- At its current stage of examination, the GNLP should hold little to no weight in decision making

Case Assessment

110. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the Council's standing duties, other policy documents and guidance detailed above, and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

111. Key policies and NPPF sections – CC8, DM12, NPPF Section 5.

112. The principle of development needs to be assessed against the development plan. In this case, the site is allocated for development within the Local Plan under site allocation reference CC8. This policy is the primary policy when considering the appropriate development of the site, with other development management and national policies also being relevant.

113. Policy CC8 states:

114. *The King Street Stores site is allocated for housing development, to include a minimum of 20 housing units. Development proposals will contribute to the regeneration of the King Street area by reinstating the historic street frontage of King Street, providing access to the river and a riverside walk, and should be designed to respect the setting of adjacent listed and locally listed buildings.*

115. The development complies with the requirement for 20 residential dwellings, the historic street frontage is reinstated and access is provided to the river (although a riverside walk is not proposed). The design of the scheme and impact on setting of adjacent listed and locally listed buildings is explored below. The development therefore largely complies with the site allocation policy and is supported in principle.

116. The development is further supported by policy DM12 with the site meeting all of the necessary criteria to be assessed as suitable for residential development. The latest Strategic Housing Market Assessment (SHMA) 2017 confirms that 3 bedroom houses are most needed in Norwich, with 2+ bedroom houses also being important. The proposed mix of dwellings is considered appropriate.

117. In summary, the principle of residential development of this site with 20 dwellings is supported by policy with the form and layout of the development appearing

acceptable in principle. The assessment of the scheme therefore comes down to matters of detail as reviewed within the rest of this report.

118. It is acknowledged that the development, as advocated for by the site allocation policy, conflicts with several other development plan policies and national policy objectives, primarily around the loss of the trees (local plan policy DM7 and NPPF paragraph 131) and subsequent impact on biodiversity (local plan policy DM6 and NPPF paragraph 180). Those conflicts are explored in more detail below.

Main issue 2: Heritage & design

119. Key policies and NPPF paragraphs – JCS2, DM9, NPPF paragraphs 124-132 & 184-202.
120. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight **must** be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
121. In this case there are numerous heritage assets that have the potential to be directly or indirectly impacted by the development:
- Locally listed 19th century warehouse building on the site and adjoining extension dating from 1938;
 - Neighbouring Grade II listed Ferry Boat Inn (former Public house). A section of the toilet block on the site is attached to the listed building;
 - Grade I Listed Church of St Etheldreda directly opposite on western side of King Street;
 - Grade II Listed No 168-182 King Street also on western side of King Street;
 - Grade I Listed Music House at 167-169 King Street;
 - 4no. locally listed buildings to the rear and south of the Music House, including a former stable block and maltings;
 - Locally listed Truman building (now Norwich Waterfront);
 - City Centre Conservation Area, King Street Character Area (designated with High significance); and
 - Below ground heritage assets (archaeology).

Structures posed for demolition

122. The proposed loss of the 1930-40s warehouse is regrettable, as it is of some architectural merit. It is constructed in red brick in Flemish bond with an attractive

well-proportioned 3 bay elevation to the river featuring decorative pilasters and arched window headers constructed in terracotta tile. Again, this building is considered to be of some heritage value and significance albeit to a lesser degree than its 19th century neighbour. The loss of this building would result in some limited harm to the character and appearance of the conservation area. However, it is acknowledged that the warehouse, with its deep plan and construction, would be difficult to convert to residential and that it would be difficult to retain the façade in isolation.

123. In heritage terms, the 'less than substantial' harm to the character, appearance and significance of the conservation area and to the setting of neighbouring heritage assets caused as a result of the loss of the 1930s-40s warehouse is mitigated in part through the retention and re-use of its locally listed 19th century neighbour as part of the same re-development and in part through the provision of a high quality new housing development that characterfully addresses both the river and King Street. The development reinstates the street frontage along King Street, with an attractive, active and animated frontage built up against the pavement, albeit in a contemporary manner.
124. The demolition of the front boundary wall to King Street is also proposed. Looking at historic maps it is apparent that whilst this stretch of wall may contain some older bricks/brick work and window reveals, it likely dates primarily from 20C, and its loss is justified on the basis that the building line to King Street is reinstated with a new contextual development.
125. Recording of the structures to be demolished should be required by condition as should the requirement for a binding contract for the full implementation of the comprehensive scheme of development, as well as the provision of on-site heritage interpretation in accordance with Local Plan policy DM9.
126. The proposal to remove the existing toilet block is not opposed in principle, since it appears to be of little architectural merit. A demolition method statement should be provided by a qualified structural engineer and details should be provided as to how the buildings stability will be ensured for the duration of the work.

Locally listed warehouse building

127. The existing 19th century warehouse building is a locally identified heritage asset. It is considered to contribute to the character and appearance of the conservation area, benefitting from aesthetic (as a result of its traditional warehouse form and weathered patina of age), historic (evidential and illustrative, evidential as it contains evidence of an earlier building & illustrative as it is physical evidence of the city's industrial past and the Crown Brewery Complex) and social/communal heritage values (as part of the site of a former brewery, a place of work and connections with local public houses across the city). Views of the former warehouse are afforded from the Novi Sad Bridge and the riverside walk on the opposite side of the river. Of particular significance is the relationship between the existing warehouse and the remainder of the surviving industrial buildings relating to the Crown Brewery (at Wensum Lodge, also identified heritage assets) and beyond to the north running up to Lady Julian Bridge.
128. The retention and re-use of this heritage asset, which is currently vacant and in a poor state of repair, is welcomed and it's refurbishment will allow it to survive for a

lot longer than it would otherwise. This will provide ongoing enhancement to the character and appearance of the conservation area. A condition is recommended which requires the refurbishment works to the locally listed building to be carried out prior to the occupation of any part of the development, to ensure that this beneficial element of the scheme is prioritised.

129. Windows and doors are proposed within existing openings wherever possible, with any new insertions mimicking the originals and retaining the look and feel of the industrial building. All materials are to be agreed.
130. The application is supported by a structural statement which concludes that the structure is capable of retention and re-use, however intrusive surveys have yet to be undertaken to decipher precisely how this will be enacted. A demolition and retention method strategy will be required by condition prior to the relevant part of the works commencing, as well as a repair method strategy.

Setting of heritage assets

131. The works will allow for the redevelopment of this vacant site and will see the reinstatement of a front building line and active frontage to King Street. It will also allow for the retention, repair and re-use of the deteriorating 19th century warehouse which formed part of the historic Crown Brewery site.
132. Whilst the proposed new development is contemporary in style, it does take design cues from the historic warehouses and residences in the vicinity and it is anticipated that these will appear as a harmonious contemporary development within the conservation area and will also sit comfortably next to the contemporary scheme permitted at the neighbouring Ferry Boat Inn site.
133. In terms of impacts upon the setting of adjacent heritage assets, most affected are the Grade II Listed former Ferry Boat public house and Grade I St Eltheldreda church. The proposals will alter the setting of both assets and will result in the introduction of a contemporary design scheme into the context. The council's conservation and design offer considers the revised scheme will have a negligible impact upon the setting of the church given the elevated position of the church building in the townscape, mature planting and tall flint wall separating the site/building from the King street/new development. Views of the development will be visible from within the curtilage but provided that the materials and detailed design are high quality, the revised proposals are considered to complement the existing context.
134. The setting of the Ferry Boat Inn is set to change radically and dramatically through the development of the consented contemporary residential development that is currently underway to the south and east of the Inn. The introduction of the new contemporary terrace and warehouse style blocks along King Street will harmonise with that permitted at the Ferry Boat site and the works will harmonise with the newly created context. A construction method statement for the new build to be constructed in proximity to the Ferry Boat site should be provided by condition, to ensure that any necessary piling/ foundation creation/landscaping/levelling in proximity to the listed building do not cause damage to the listed structures.
135. Some less than substantial harm will be caused to the church and the Ferry Boat Inn. However, this will be mitigated through the redevelopment of a contextual

riverside development of warehouse style accommodation and is outweighed by the public benefit of providing 20 high quality new homes.

136. Impacts upon the setting of other surrounding heritage assets will be negligible owing to the distance between the listed buildings and the new development.
137. During construction, the redevelopment of the site has potential to reveal and disturb below ground heritage assets (archaeology). The Norfolk Historic Environment Services have identified that the site has high potential for significant underground remains, including an undercroft. A condition is recommended which requires an archaeological written scheme of investigation to be agreed.

New development

138. Policy 3 of the King Street Character Area Appraisal states: *Scale of new development along King Street should reflect the existing traditional buildings, with larger buildings more appropriate at the south east end.*
139. Two new residential blocks are proposed within a courtyard style development accessed via King Street. Block A would run parallel to King Street, rising to 4 storeys in height (4th storey in the roof), there would be three building types within this block, 6 terraced houses in the central run with two book end style buildings at three storeys in height at either end. The design of the King Street frontage has been revised and improved, with front doors introduced to face King Street and altered roof forms to reduce the overall bulk/visual impact of the development.
140. Block B would run parallel to the river, rising to 4 storeys in height (when viewing from the river), two bays with gable ends to the river and another two bays with gable ends fronting the river. Glazed bricks are proposed at the lower level beside the river frontage. The general scale of the buildings is appropriate given the other new developments in the area, including on the adjacent Ferry Boat Inn site. Warehouse style gabled roofs & arched details to window headers help to echo the industrial past of the area.

Riverside walk

141. The site allocation policy requires “access to the river and riverside walk”. The retention of the locally listed warehouse makes it difficult to provide a riverside walk without building a structure which overhangs the river. Such a structure may not be acceptable to the Broads Authority, who have a duty to protect navigation. Whilst a riverside walk may be desirable on this site, it is worth noting that there is a complete and uninterrupted walk on the opposite side of the river. Consequently, the heritage benefits of retaining the locally listed building weigh against the provision of a riverside walk, particularly bearing in mind that it would be difficult to continue it beyond other historic waterfront development such as the buildings that are currently occupied by the Waterfront venue. The proposal does include access to the river in the form of an area of open space between the retained warehouse and the new riverside townhouses. This would provide a publicly accessible view of the river which has not been available for some 80 years.

Main issue 3: Trees & biodiversity

142. Key policies and NPPF paragraphs – DM6, DM7, NPPF paragraphs 170, 174 & 180.

143. The proposed development involves the loss of six mature lime trees from the site and a cherry plum tree from the adjacent Sports Centre site. Five of the lime trees are categorised B and are described within the applicant's tree report as being "good quality and offering value in both arboricultural and landscape terms to the immediate area". The northernmost lime tree and the cherry plum tree are both categorised C and noted as being low value.
144. The council's Tree Officer, Landscape Officer and Natural Areas Officer all object to the scheme due to the loss of the trees and a Tree Preservation Order (reference TPO575) was served on the six lime trees in January 2021 and confirmed in August 2021. The public consultation attracted 4 letters of objection and 27 letters of support.
145. As set out in the Principle of Development section above, the number of units allocated to the site in the Development Plan site allocation policy CC8 and the reinstatement of the building line on King Street required in the same policy cannot be achieved without the removal of the trees. If the trees and the locally listed warehouse were to be retained, the developable area of the site would be seriously constrained, and it would not be possible to deliver the 20 dwellings that the site is expected to deliver. However, the mitigation for the loss of the trees and associated impacts on biodiversity still requires consideration and assessment.
146. The site is heavily constrained in size and if the site is to accommodate the 20 dwellings which the site is allocated for, there is very little room left for planting. The applicant has proposed the planting of 8 no. trees (2no. Lime; 2no. Pear; and 3 no. Maple) across the site but it should be noted that the Landscape Officer has raised concerns with the species and locations of these trees and questions the deliverability. Therefore, little weight should be placed on this replacement planting scheme and full details will be agreed via condition should the application be approved.
147. The loss of the trees will cause harm to:
- The visual amenity of the street and surrounding townscape;
 - The immediate air quality & the city's ability to combat climate change; and
 - The biodiversity value of the site.

Visual amenity

148. With regards to visual amenity, the trees contribute to the pleasing verdant environment found at this end of King Street, especially when viewed along with the trees on the other side of the road within the churchyard. The loss of these trees and replacement with built form at the back of the footpath leads to an inevitable impact on visual amenity. However, King Street has historically been at the centre of the city's industrial past and there is a clear historic precedence for buildings being built up to the back of the footpath. This would not be achievable on this site without felling the trees. The resultant development reflects the design aesthetic of the development on the adjacent Ferry Boat site, which is currently underway.
149. A number of small trees are proposed to be planted within the site, with one replacement Lime tree being planted on King Street. Most of these will not contribute to the greenery on King Street itself and as noted above, the number,

species and locations of trees has not been considered deliverable by the Landscape Officer. It is therefore accepted that the character of the street will revert to a harder, more historically accurate form.

Air quality & climate change

150. Trees have the ability to absorb carbon and reduce urban temperatures. The site is constrained in size, and it is accepted that replacement of the seven trees with smaller specimens will be harmful in this respect, albeit that the impact will be fairly negligible when considered in the context of the city's total tree stock.

Biodiversity

151. The applicant has submitted an ecology appraisal which identified negligible likelihood of bats using the site for roosting but identified that nesting birds use the trees and buildings. The bat emergence survey was carried out on 6th October 2020 which considered acceptable by the council's Ecology consultee although it is 6 days beyond the recommended survey period (up to end of September). A number of recommendations are listed within the report, including the installation of bat boxes, swift boxes, low level external lighting and planting of fruiting trees. These recommendations are supported by the council's Natural Areas Officer.
152. The National Planning Policy Framework (NPPF) has recently introduced a requirement for developments to deliver a 'biodiversity net gain' (paragraph 179b). The applicant has therefore been required to submit a biodiversity net gain calculation which confirms that the development will provide an 84% net loss of biodiversity on-site.
153. The Environment Bill, which is expected to gain royal assent in the coming months, advocates dealing with the impact of development upon biodiversity using the following hierarchy: protect existing biodiversity on-site; provide mitigation on-site; provide compensation nearby as identified via a Nature Recovery Strategy; and, finally, provide compensation using national credits.
154. Working through that hierarchy, it has been established that the number of units allocated to the site in the Development Plan allocation policy CC8 and the reinstatement of the building line on King Street in the same policy cannot be achieved without the removal of the trees. Consequently, a scheme that complies with this policy would inevitably result in the loss of the on-site biodiversity that the trees provide. A strategy to provide some compensatory biodiversity in the form of 8 replacement trees, a green wall and shrub planting is proposed on site but given the size of the trees to be felled, a net on-site biodiversity loss is inevitable. Given the constraints of the site, all opportunities for habitat enhancement on-site have been optimised.
155. The applicant does not own any land nearby which is suitable for biodiversity enhancement, and the council does not currently have a strategy listing projects nearby to which the developer could contribute. As such, the applicant has exhausted all preferable options within the hierarchy and proposes to obtain biodiversity credits from a company called the Environment Bank which carries out habitat creation/enhancement projects across the country. A condition is recommended that requires the applicant to submit full details of the biodiversity project to which they intend to contribute, along with details of its ongoing

management and monitoring. Although the preference would be for the project to be located nearby, it cannot be insisted upon.

Main issue 4: Amenity

156. Key policies and NPPF paragraphs – DM2, NPPF paragraph 130.

Impact on neighbouring occupiers

157. The adjacent Ferry Boat Inn is currently undergoing residential conversion, and the surrounding site is to be developed with additional residential units to the east and south. None of these units would have windows facing onto the site and the proposed development is expected to have minimal impact on the amenity of any future occupiers of this adjacent site.

158. There are 3-storey blocks of flats on the opposite side of King Street, with the closest being 13m from the proposed development. The development is to stand 4 storeys tall along King Street, and the proposals will lead to a change in the outlook from the flats opposite with their views being dominated by hard built form rather than mature trees. However, given the distance between the sites and the expectation of buildings being this close in a city centre, this impact is considered acceptable. Windows will face each other but again, it is normal to find residential windows facing each other 13m apart across a street in a city centre. The orientation of the site prevents the proposed development from causing any significant loss of light to the flats opposite.

159. One letter of representation has raised concerns about the impact of the proposed development on private views from flats on the opposite side of the river, who currently enjoy views of Rouen Road and the wooded ridge beyond. Private views are not protected via planning and so this matter should not impact upon a planning decision.

Amenity of future occupiers

160. The proposed dwellings all meet the minimum internal space standards, and all enjoy dual or triple aspect windows which are not significantly overlooked or overshadowed. The internal living environment is a good quality.

161. One letter of representation raised concerns that windows from the retained warehouse would overlook the adjacent sports centre car park. The sports centre site is on lower ground than the application site so the basement of the warehouse (which doesn't contain any habitable rooms) is at the same level as the car park, and all habitable windows are at least a floor above this. The insertion of windows in this elevation is necessary to secure the re-use of the locally listed building and in any case, this relationship is considered acceptable.

162. Most properties benefit from a good level of private external amenity space with 1 or 2 balconies and private gardens. The 5 ground floor flats (4 within the converted warehouse, 1 on King Street) are the only ones not to be accompanied by private external space. Considering the city centre location and access to public space, this is considered acceptable.

Main issue 5: Transport & servicing

163. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
164. The site is well located close to the city centre, public transport routes and a main cycle route. This is considered to be a highly sustainable location for new residential dwellings.
165. Four of the houses are provided with internal garages, with five external spaces to be allocated to occupants of the remaining dwellings. Car parking is therefore proposed at below 1 to 1 provision (9 spaces for 20 dwellings) which accords with the standards within DM31 and Appendix 31 of the local plan. Within their consultation comments, the Highway Authority suggested that additional car parking spaces should be provided by paving over the gardens of the King Street block, but this is not considered appropriate in light of the benefits of the external amenity space and the policy compliant level of car parking provision. Electric vehicle charging points will be required within the garages and some provision will be required within the remaining spaces.
166. Cycle and refuse storage is provided around the site in suitable locations and refuse collections will take place from property boundaries. Following negotiations and amendments, the site has been designed to accommodate a refuse collection vehicle. A construction method statement will be necessary to reduce disruption to neighbours and the highway network.
167. The existing wall separating the site from King Street is staggered, and it is proposed that the highway boundary is regularised with small areas given up for adoption by the Highway Authority.

Main issue 6: Affordable housing

168. Key policies and NPPF paragraphs
169. Given the vacant units on the site, the site benefits from Vacant Building Credit and the policy compliant number of affordable homes is 2.6 (13%). At the request of officers, the applicant has spoken with a number of registered providers of social housing, all of whom declined the offer to take on any affordable units on-site and as such an off-site contribution is proposed which will be secured via a Section 106 Agreement. The off-site contribution figure is to be confirmed but will be in the region of £390,000.

Other matters

170. Compliance with other development plan policies is specified below.

Requirement	Relevant policies	Compliance
Energy efficiency	JCS1, JCS3 & DM3	10.23% of energy supplied by on-site photovoltaic panels.
Water efficiency	JCS1 & JCS3	Compliant subject to condition

Sustainable urban drainage	DM3 & DM5	Sustainable Drainage System (SuDS) has been submitted to manage rainfall on site and ensure that runoff is not increased elsewhere.
Contamination	DM11	Can be dealt with via the conditions recommended by Environmental Protection and the Environment Agency
Flooding	DM5	The majority of the site is within Flood Zone 1 (least at risk of flooding) but there is a sliver along the riverside which is in Flood Zone 2 and a smaller sliver in Flood Zone 3. None of the proposed residential properties lie within zones 2 or 3.

Equalities and diversity issues

171. There are no equality or diversity issues.

Section 106 Obligations

172. An off-site contribution towards affordable housing is to be secured via a Section 106 Agreement. Since the contribution is policy compliant, no viability assessments will be required as the development progresses.

Local finance considerations

173. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to be material to the case.

Conclusion

174. The application should be determined in accordance with the development plan unless material consideration indicate otherwise. As the site that is the subject of this application is allocated for development within the development plan, the starting point for assessment is the site allocation policy CC8.

175. Policy CC8 places several constraints and requirements on any development that comes forward on the site: including the retention of the locally listed warehouse, the reinstatement of the historic street frontage, and the provision of 20 dwellings. CC8 results in conflicts with other, general development management policies, namely DM6 and DM7 in so far as the loss of the 6 trees is concerned. However, because the site allocation policy is, by definition, site specific and describes the way in which the site should be developed, more weight has been placed on policy CC8 than policies DM6 and DM7.

176. The scheme presents an opportunity for 20 high quality dwellings on an allocated site in a highly sustainable location and is supported in principle. The retention and conversion of the locally listed building is a positive element of the scheme which

will enhance the character and appearance of the conservation area and views of the site from the river. The loss of the six protected Lime trees is necessary to realise the policy ambition of reinstating the historic street frontage, and the replacement planting and off-site biodiversity credits are considered to be the best available compensation in this case.

177. Taking the above matters into account it is considered that, on balance, the proposals are considered to be acceptable. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application 20/01263/F and grant planning permission subject to the satisfactory completion of a legal agreement and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials and details to be agreed
4. Cycle parking, refuse storage and EV charging points to be agreed
5. Arrangements for management/allocation of parking spaces to be agreed
6. CO1: Contamination
7. CO2: Unknown contamination
8. CO3: Imported topsoil
9. SUDS to be implemented
10. Landscaping scheme to agreed, to include details of external lighting and use of native species where possible, notwithstanding details submitted
11. Heritage interpretation
12. Contract for redevelopment to be shown to avoid demolition of structures with no subsequent redevelopment
13. Historic wall and warehouse to be recorded prior to demolition
14. A demolition and retention method strategy for the warehouse prior to the relevant part of the works commencing
15. Repair method strategy for the warehouse
16. No occupation until locally listed building refurbished as approved
17. Construction statement to protect the foundations of the adjacent Ferry Boat Inn
18. Archaeological WSI to be agreed
19. Hedgehog gaps to be provided
20. Construction method statement
21. Off-site biodiversity project to be agreed
22. Development should be carried out in accordance with recommendations within the ecology report (including 4 swift boxes and 4 bat boxes)
23. No development within bird nesting season
24. Renewable energy equipment to be provided
25. Water efficiency measures to be provided

Informatives:

1. Responsible disposal of asbestos
2. There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout

of the site. An informative should be added to the decision notice to inform the developer.

3. Note that the mitigation methods identified in condition 19 include a requirement for the pantiles of the Main Building and the slates of the southernmost pitch to be removed by hand and with vigilance for bats, with an ecological watching brief employed. In the very unlikely event of bats being found works must cease and advice sought.
4. It is possible that the site to which the application relates is occupied by Protected Species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 (amended). Should a Protected Species be found, works should stop immediately and the developer needs to seek the advice of a suitability qualified ecological consultant and/or the relevant statutory nature conservation organisation.
5. Works in the highway require separate consent. Adoption should be discussed with Norfolk County Council as Highway Authority.

To approve application 20/01582/L and grant planning permission subject to the satisfactory completion of a legal agreement and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Demolition method statement to be submitted and agreed;
4. Any damage caused to the building to be repaired within 3 months of the works as agreed with LPA;

Informatives:

1. Only these works permitted

Reason for approval:

Subject to the specified conditions, the proposals will not result in the harm to the heritage significance, special architectural or historic interest or setting of the listed building. The proposals are therefore considered to be in accordance with the objectives of NPPF, Policy 2 of the Adopted Joint Core Strategy (March 2011) and saved policies DM1, DM3 and DM9 of the Norwich Development Management Policies Local Plan (December 2014) and the requirements of Chapter 12 of the NPPF.



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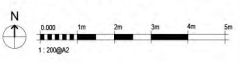
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CDM 2015

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These duties can be found at <http://www.hse.gov.uk/construction/2015responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.



— Site Boundary Line

Revisions				
Rev.	Description	Date	Drawn By	Checked By

PURPOSE OF ISSUE	
PL - For Planning Submission	
DRAWING STATUS	
S2 - Fit for Information	
PROJECT TITLE	
KING STREET STORES	
CLIENT	
Hurlingham Capital	
DRAWING TITLE	
Proposed Site Plan	

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1:200@A2	23/10/20	JS	DO	IR

DRAWING NUMBER	PROJECT NO.	TYPE	UNIQUE NO.	REVISION
1761A- 00-003				B



KEY

Site boundary

NOTES

For details of images of proposed materials and planting refer to the Design and Access Statement.

PROPOSED HARD LANDSCAPE

Structures

- Retaining Wall
To engineer's specification
- Non retaining walls to bin stores
Brick to Architect's specification
To be planted with evergreen climbing plants
- Balcony / canopy structure

Paving surfaces

- Tumbled Granite Setts to vehicular areas
Size: 100x200x40mm
Pattern: Stretcher bond
Colour: Light Grey & Mid Grey mix
- Tumbled Granite Setts to private driveways and paths
Size: 100x100x40mm
Pattern: Stretcher bond
Colour: Mid Grey

Paving details

- Tumbled Granite Setts, raised & flush kerbs
Size: 100x100x80mm
Pattern: Stretcher bond
Colour: Mid Grey
- Site Reclaimed Setts to entrance along Kings St
Size: as reclaimed from site
Pattern: as existing on site
Colour: as existing on site

Street furniture

- Bin store
Size: 100x100x80mm
240, bins
- Secure cycle storage
Color: cycle locker for 4 no. cycles

PROPOSED SOFT LANDSCAPE

Structural planting

- Trees
Species: Tilia cordata - Common Lime
Size: Semi-mature
Grth: 20-25cm
Height: 4.5-5m
- Species: Pyrus calleryana 'Chantrelle' - Callery pear
Size: Ex Heavy Standard
Grth: 16-18cm
Height: 4-5m
- Species: Acor campestre - Field Maple
Size: Ex Heavy Standard
Grth: 16-18cm
Height: 4-5m
Habit: Multi-stem, min. 3 stems

Low level planting

- Ornamental Planting
Low maintenance native shrubs, grasses and herbaceous perennial plants. Planting palette to enhance biodiversity and seasonality.
- Living wall system
Modular exterior living wall system using native species, pollinator planting and sources of nectar, creating a habitat for bees, foraging insects and encouraging natural colonisation.

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CDM 2015

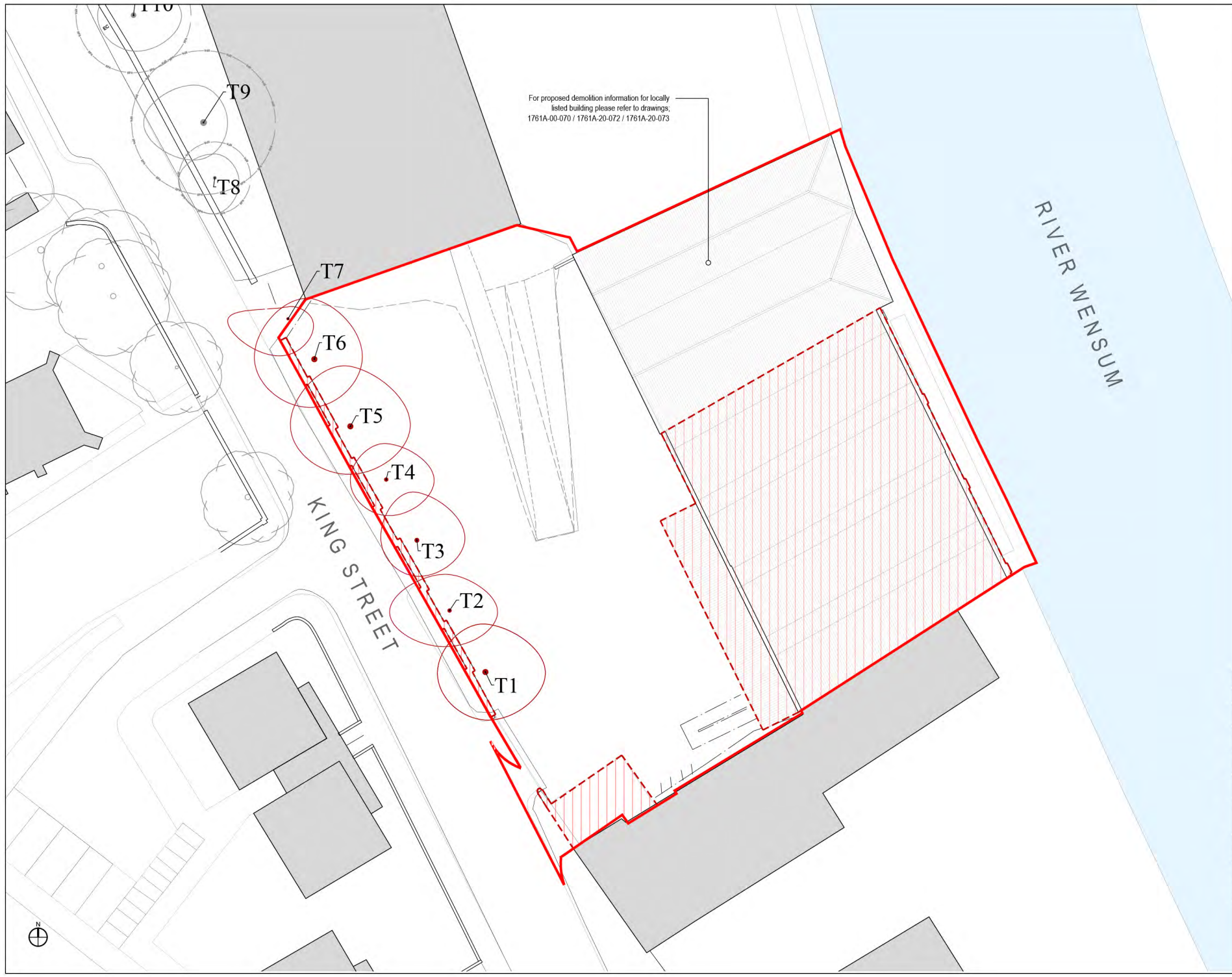
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These duties can be found at:

<http://www.hse.gov.uk/construction/cdm/2015/responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.

Revised Field Use Boundary			
B	REVISED BY	DATE	15/08/2021
A	ISSUED TO	DATE	15/08/2021
PURPOSE OF ISSUE			
PL - Fit for Planning			
DRAWING STATUS			
S2 - Fit for Information			
PROJECT TITLE			
King Street Stores			
CLIENT			
Hartingham Capital			
DRAWING TITLE			
Proposed Landscape Plan			
SCALE			
1:200@A2			
DATE	DRAWN BY	CHECKED BY	APPROVED BY
26.08.2021	KOB	DO	DO
DRAWING NUMBER			
PROJECT NO TYPE UNIQUE NO REVISION			
1761 - 00 - 010 - B			
Proworks			
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It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.

- Site Boundary Line
- To be demolished

B Updated Plan			
REVISED BY: TH	DATE: 08.08.21	CHECKED BY: DO	DATE: 08.08.21
Description: script updated and new added			
A	REVISED BY: TH	DATE: 08.08.21	CHECKED BY: DO
PURPOSE OF ISSUE: PL - For Planning Submission			REBA STAGE: 3
DRAWING STATUS: S2 - Fit for Information			
PROJECT TITLE: KING STREET STORES			
CLIENT: Hurlingham Capital			
DRAWING TITLE: Existing Site Plan			SCALE: 1:200@A2
DATE: Nov 2020	DRAWN BY: JS	CHECKED BY: DO	APPROVED BY: IR
DRAWING NUMBER			
PROJECT NO: 1761A-00-070	TYPE: B	UNIQUE NO:	REVISION:
1761A- 00 - 070 - B			
Proworks ARCHITECTURE MASTERPLANNING LANDSCAPE ARCHITECTURE Norwich Office: Buntingford House, 68 Portgate, Norwich, NR2 1EQ Tel: 01603 820 130 www.proworks.co.uk			



1 West Elevation (King Street)
1:100



2 East Elevation (Courtyard)
1:100

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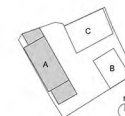
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CDM 2015

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These duties can be found at <http://www.hse.gov.uk/construction/cdm2015responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.



KEY

- 1 Brick - Buff
- 2 Brick - Light Brown
- 3 Brick - Grey
- 4 Brick - Red
- 5 Stone Surround
- 6 Stone Cill
- 7 Rainwater Goods - Dark Grey
- 8 Aluminium Window Frame - Dark Grey
- 9 Metal Balustrade - Dark Grey
- 10 Metal Balcony - Dark Grey
- 11 Timber Door / Panel
- 12 Slate Tile - Grey
- 13 Brick - Light Grey
- 14 Brick - Dark Grey

Revisions

Rev.	Description	Date	Drawn By	Checked By
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PURPOSE OF ISSUE

PL - For Planning Submission

DRAWING STATUS

S2 - Fit for Information

PROJECT TITLE

KING STREET STORES

CLIENT

Hurtingham Capital

DRAWING TITLE

Block A Proposed West and East Elevations

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1:100@A2	23/10/20	JS	DO	IR

DRAWING NUMBER

PROJECT NO. | TYPE | UNIQUE NO. | REVISION
1761A- 20-010 - C

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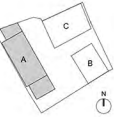
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CDM 2015

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<http://www.hse.gov.uk/constructioncdm2015responsibilities.htm>

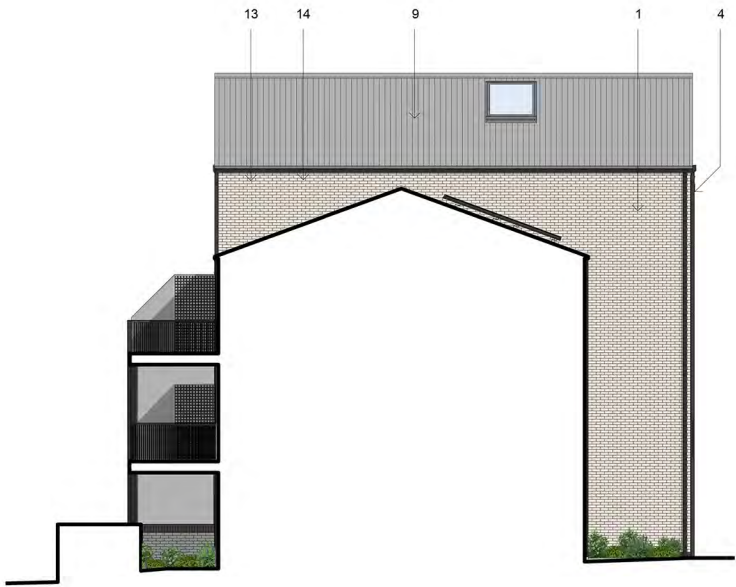
It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.



- KEY
- 1 Brick - Buff
 - 2 Brick - Light Brown
 - 3 Stone Cill
 - 4 Rainwater Goods - Dark Grey
 - 5 Aluminium Window Frame - Dark Grey
 - 6 Metal Balustrade - Dark Grey
 - 7 Metal Balcony - Dark Grey
 - 8 Timber Door / Panel
 - 9 Slate Tile - Grey
 - 10 Brick - Light Grey
 - 11 Brick - Dark Grey
 - 12 Metal Door - Dark Grey
 - 13 Bird Box for Swallows
 - 14 Bat Box

Revisions				
Rev.	Description	Date	Drawn By	Checked By

PURPOSE OF ISSUE				
PL - For Planning Submission				
DRAWING STATUS				
S2 - Fit for Information				
PROJECT TITLE				
KING STREET STORES				
CLIENT				
Hurlingham Capital				
DRAWING TITLE				
Block A Proposed North and South Elevations				
SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1:100@A2	23/10/20	JS	DO	IR
DRAWING NUMBER				
PROJECT NO	TYPE	UNIQUE NO	REVISION	
1761A-	20-011	-	C	
				
ARCHITECTURE MASTERPLANNING LANDSCAPE				
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Tel 01603 631 319 www.proworks.com				
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1 North Elevation
1:100



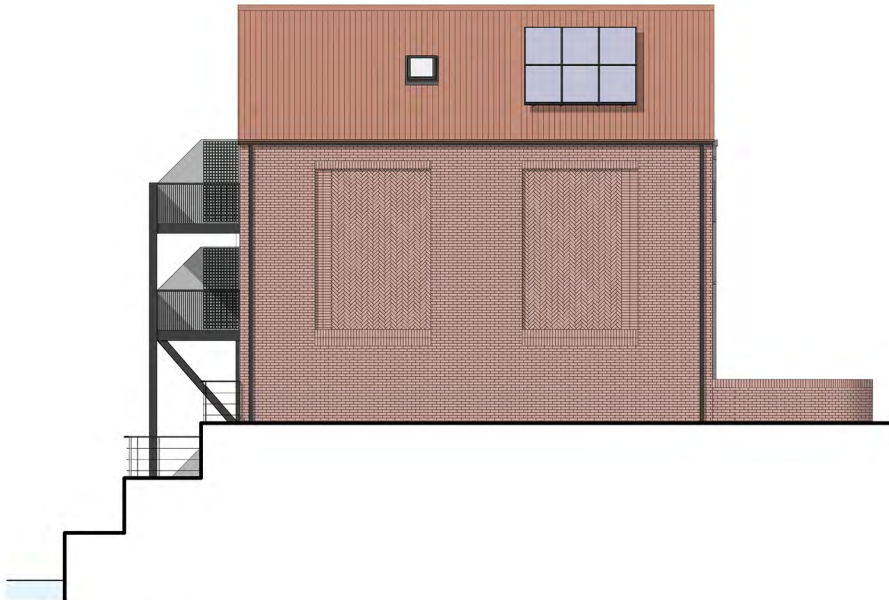
2 South Elevation
1:100



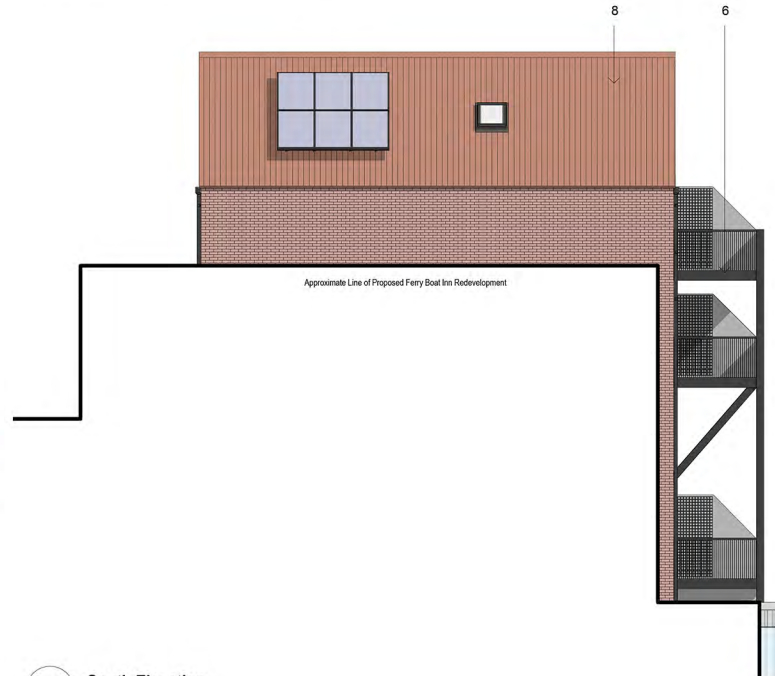
1 East Elevation (Riverfront)
1: 100



2 West Elevation (Courtyard)
1: 100



3 North Elevation
1: 100



4 South Elevation
1: 100

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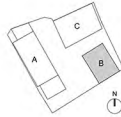
CDM 2015

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0.00 1m 2m 3m 4m 5m
1: 100@A2



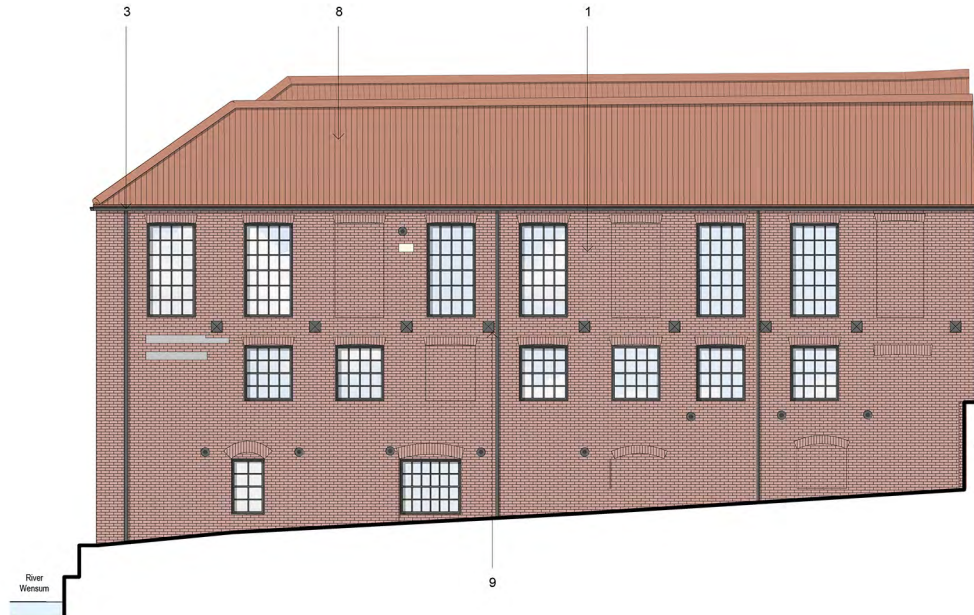
- KEY**
- 1 Brick - Red
 - 2 Stone Cill
 - 3 Rainwater Goods - Dark Grey
 - 4 Aluminium Window Frame - Dark Grey
 - 5 Metal Balustrade - Dark Grey
 - 6 Metal Balcony - Dark Grey
 - 7 Timber Door / Panel
 - 8 Roof Paralle - Red
 - 9 Glazed Brick - Grey
 - 10 Bird Box for Swells
 - 11 Bat Box

Rev.	Description	Date	Drawn By	Checked By
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PURPOSE OF ISSUE				
PL - For Planning Submission				
DRAWING STATUS				
S2 - Fit for Information				
PROJECT TITLE				
KING STREET STORES				
CLIENT				
Hurlingham Capital				
DRAWING TITLE				
Block B Proposed Elevations				
SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1: 100@A2	23/10/20	JS	DO	IR
DRAWING NUMBER				
PROJECT NO TYPE UNIQUE NO REVISION				
1761A- 20- 020 - C				
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1 East Elevation (Riverfront)
1: 100



2 North Elevation
1: 100



3 West Elevation (Courtyard)
1: 100



4 South Elevation
1: 100

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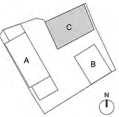
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CDM 2015

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KEY

- 1 Brick - Existing Retained
- 2 Brick - Red to Match Existing (redressed)
- 3 Rainwater Goods - Dark Grey
- 4 Aluminium Window Frame - Dark Grey
- 5 Metal Balustrade - Dark Grey
- 6 Metal Balcony - Dark Grey
- 7 Timber Door / Panel
- 8 Roof Paralle - Red (as existing)
- 9 Existing Wall Ties

Revisions

Rev.	Description	Date	Drawn By	Checked By
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PURPOSE OF ISSUE
PL - For Planning Submission

DRAWING STATUS
S2 - Fit for Information

PROJECT TITLE
KING STREET STORES

CLIENT
Hurlingham Capital

DRAWING TITLE
Block C Proposed Elevations

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1: 100@A2	04/09/21	TH	DO	IR

DRAWING NUMBER	PROJECT NO.	TYPE	UNIQUE NO.	REVISION
1761A- 20-040	-	B		

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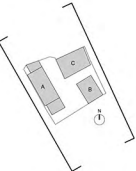
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1 West Elevation (King Street)
1:200

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COW 2015
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It is your responsibility as client to make yourself aware of your obligations under CDM 2015 and not exceeding.

0 10m 20m 30m 40m
1:200



2 East Elevation (Riverfront)
1:200

Rev.	Description	Date	Drawn By	Checked By
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PURPOSE OF ISSUE
PL - For Planning Submission

DRAWING STATUS
S2 - For Information

PROJECT TITLE
KING STREET STORES

CLIENT
Hullingham Capital

DRAWING TITLE
Street Elevations

SCALE 1:200
DATE 29/10/20
DRAWN BY JS
CHECKED BY DO
APPROVED BY IR

DRAWING NUMBER
1761A-20-090-B

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1761A-20-090-B