

**Report to** Planning applications committee

**Item**

08 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00536/F - 5 - 9 Haymarket,  
Norwich, NR2 1QD

**5(C)**

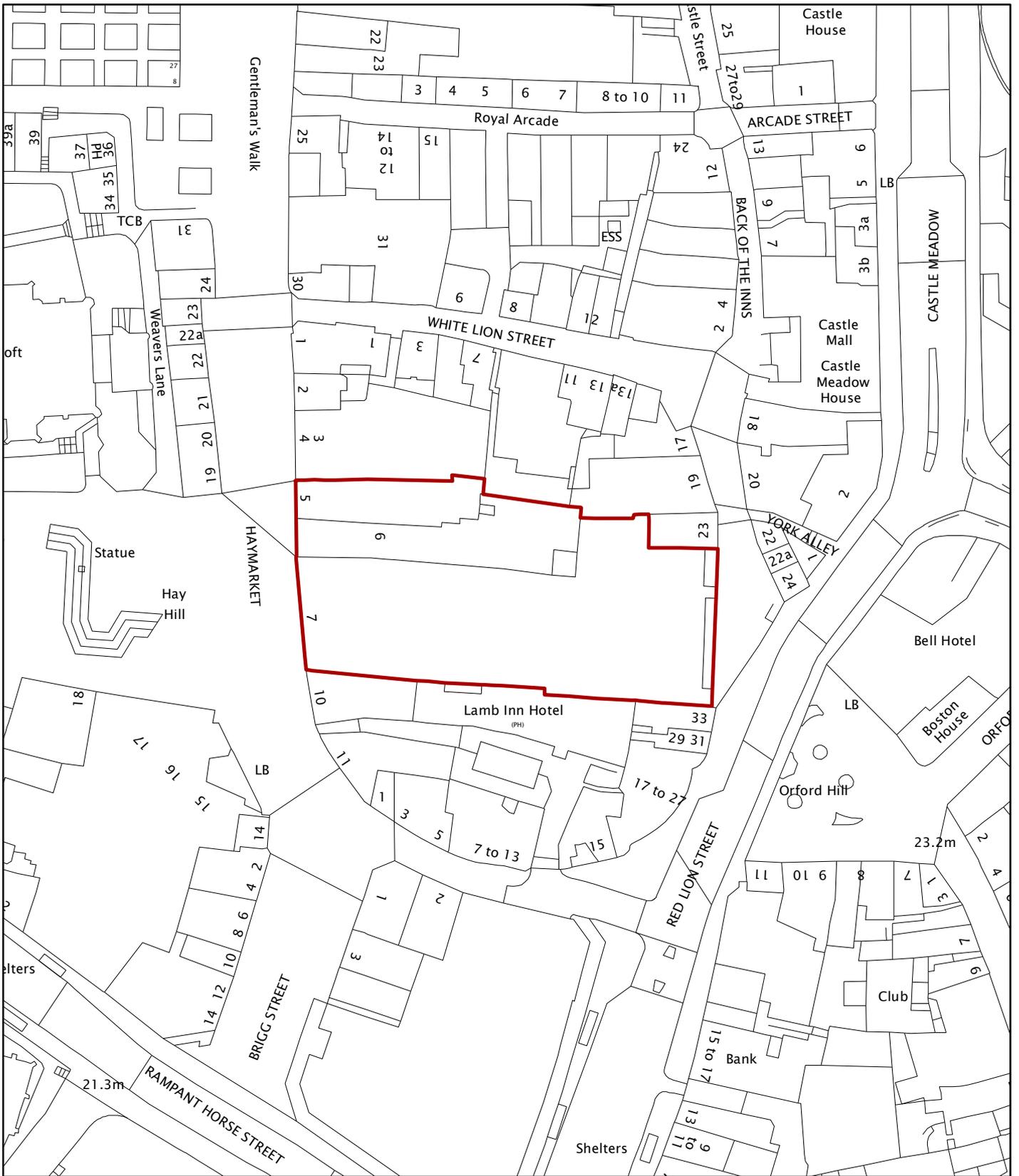
**Reason  
for referral** Objection

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<b>Ward:</b>	Mancroft
<b>Case officer</b>	Becky Collins - beckycollins@norwich.gov.uk

<b>Development proposal</b>		
Demolition of existing buildings and erection of new retail store (Class A1) (revised design).		
<b>Representations</b>		
Object	Comment	Support
1	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle of development	The principle of residential development in this location.
2 Design and heritage	Impact on character of the conservation area, the significance of local heritage assets, scale, form, massing and appearance.
3 Transport	Accessibility of site, car parking and cycle parking provision and servicing.
4 Energy	The provision of sustainable development.
<b>Expiry date</b>	29 July 2016 extend to <b>14/09/2016</b> .
<b>Recommendation</b>	Approve subject to conditions



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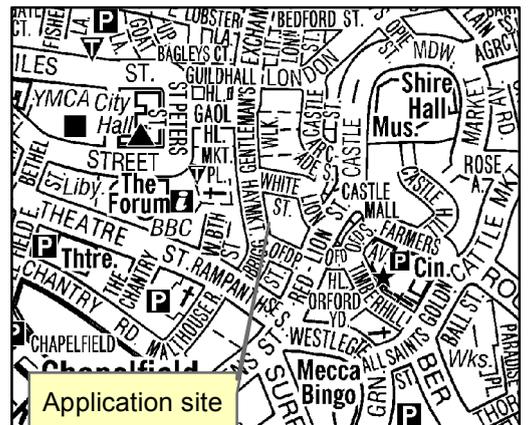
Planning Application No 16/00536/F  
 Site Address 7-9 Haymarket  
 (Primark)

Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES



## The site and surroundings

1. The application site consists of the existing three storey 'Primark' store with frontages onto Haymarket and White Lion Street. It also includes the neighbouring two shops (previously Dorothy Perkins and Wallis now vacant), which are to be demolished and replaced with a three storey extension to the existing Primark Store. The existing units are 3 storey buildings, with the third floors set back from stark frontages consisting of bland/dark bricks, not characteristic of the neighbouring historic shop frontages. There are a limited number of openings within the first floor frontage of the previous Dorothy Perkins and Wallis shops.
2. The Primark Store is white painted, although tired and in need of refurbishment. The shops positioning holds a prominent position along Haymarket and White Lion Street, opposite the open area in front of Next/Macdonalds. This area acts as a communal space with some greenery and seating and off Haymarket. On White Lion Street a similar wide perception of the building can be gained via wide pavements, acting as a key pedestrian movement zone. The current buildings, other than following the historic building line, make a limited contribution to these street scenes.
3. There is an existing large roller shutter door onto White Lion Street acting as servicing for Primark (the proposal will include the retention of this roller shutter and its use as servicing for the new store).
4. The site lies within the St Stephens Conservation Area and is adjacent to the Grade II\* Curat House (The White Company shop), a Schedule Ancient Monument. There are a number of other heritage assets surrounding the application site.

### Constraints

5. St Stephens Conservation Area; Heritage designations (including the setting of Listed and locally Listed Buildings and adjacent to a Schedule Ancient Monument and area of archaeological interest); City Centre Leisure Area; Primary Retail Area, Primary Shopping frontage and frontage to core zone (Haymarket) and other zone (White Lion Street); and City Centre car parking area and increase area.

## Relevant planning history

6.

Ref	Proposal	Decision	Date
4/2001/0651	Installation of replacement shop front.	APPR	23/08/2001
4/1997/0882	Installation of new lift shaft and motor room, plant and machinery, replacement roof, alterations to existing shopfronts and replacement roller shutter to loading bay	APCON	03/03/1998
11/00059/F	Demolition of existing second floor corridor link and ancillary rooms at east end of building and erection of an	CANCLD	08/07/2011

Ref	Proposal	Decision	Date
	extension at second floor level towards White Lion Street and installation of new external shop frontages to both Haymarket and White Lion Street elevations.		
11/00063/C	Demolition of redundant plant rooms and existing storage.	APPR	04/04/2011
16/00536/F	Demolition of existing buildings and erection of new retail store (Class A1) (revised design).	PCO	
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## The proposal

7. The proposal is for the demolition of existing buildings and the erection of a new retail store (Class A1).
8. This will be a phased development whereby the neighbouring two A1 retail units are demolished and rebuilt. The existing Primark store is to be refurbished providing additional third floor retail space as well as staff accommodation. The units will then be linked with shared lift and other customer conveniences and will trade as one store. New shop frontages will be installed onto the fronts of buildings onto Haymarket and White Lion Street. The existing servicing arrangements onto White Lion Street are also to be improved. Mechanical plant and air source heat pumps are to be located in a central point on the roof of the building.

## Summary information

<b>Proposal</b>	<b>Key facts</b>
<b>Scale</b>	
Total floorspace	<b>1805 sqm</b>
No. of storeys	<b>3</b>
<b>Appearance</b>	
Materials	<b>High performance felt roof covering; metal framed windows and doors and roller-shutter doors for goods</b>

	<b>area</b>
Energy and resource efficiency measures	<b>Air source heat pumps to be installed in the four air handling plant units located on the roof.</b>
<b>Operation</b>	
Opening hours	<b>Monday to Saturday 8am till 7pm; Sunday 10am till 4.30pm</b>
Ancillary plant and equipment	<b>To be located in the centre of the roof on its northern side, the least intrusive position on the building.</b>
<b>Transport matters</b>	
No of cycle parking spaces	<b>30 external customer bicycle spaces on Orford Hill (to be secured via Grampian condition). 15 internal staff bicycle spaces.</b>
Servicing arrangements	<b>The site will be serviced off White Lion Street, as per the existing arrangement.</b>

## Representations

9. This application was advertised on site with site notices at Haymarket and White Lion Street and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

One letter of objection was received from the Norwich Society strongly objecting to the proposal on the grounds this is an ugly, insensitive proposal, harmful to the character of two streets. Haymarket is an historic area and needs quality architecture. Since receipt of amended plans, a further consultation to Norwich Society has been sent. The Norwich Society retain their objection on the grounds that whilst they have taken English Heritage comments into consideration, done away with the mansard roof and used a set-back vertical wall instead, giving a less monotonous building line, the proposal still does little to acknowledge any of its surroundings or the historic and conservation character of the frontages within which it sits. Its appearance remains bland and out of keeping with the character of Gentleman's Walk. The materials palette has been improved, using dark stone instead of vinyl cladding, however these still represent a standard commercial specification rather than referencing specific context.

## Consultation responses

10. Statutory consultation responses received are summarised below, the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

## Historic England

11. Historic England has provided advice and comments throughout the application process and the design of the proposals have evolved on this basis. The latest comments from Historic England note the following:
12. The revised plans show the new designs have responded to our previous advice, particularly in the way they attempt to show the floor levels stepping down on Haymarket and some vertical differentiation to distinguish the historic plot boundaries contained in the site. The simplification of the top storey is also welcome. The detailing of fenestration, the formation of relief detail in the facades and quality of cladding materials (especially the brickwork) will be very important but we are content to defer to the Council's discharge of conditions to cover those aspects and would not object to the granting of consent. The Council should also confirm that the County archaeological services are satisfied that suitable monitoring and mitigation strategy is in place before permission is granted.

## Archaeology

13. Standard conditions should be applied to include monitoring works adjacent to the undercroft.

## Lead Local Flood Authority

14. No comments to make.

## Highways (local)

15. No objection subject to necessary cycle parking conditions being applied.

## Assessment of planning considerations

### Relevant development plan policies

16. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS2 Promoting good design
  - JCS11 Norwich city centre
17. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM3 Delivering high quality design
  - DM9 Safeguarding Norwich's heritage
  - DM18 Promoting and supporting centres
  - DM20 Protecting and supporting city centre shopping
  - DM21 Protecting and supporting district and local centres
  - DM28 Encouraging sustainable travel
  - DM31 Car parking and servicing

## **Other material considerations**

### **18. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF12 Conserving and enhancing the historic environment

### **19. Supplementary Planning Documents (SPD)**

- Main town centre uses and retail frontages SPD adopted December 2014

## **Case Assessment**

20. 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 Framework (NPPF), the Councils 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**

21. Key policies and NPPF paragraphs – DM18, DM20, DM21, NPPF paragraph 23.
22. Paragraph 23 of the NPPF supports positive and competitive town centre environments. Policy DM18 promotes the provision of retail within primary retail frontages, such as this, in accordance with the retail hierarchy as set out in Policy 19 of the Joint Core Strategy, which directs retail and other town centre uses primarily to Norwich City Centre. Policies DM20 and DM21 seek to protect retailing uses within the Primary Shopping Frontages and promote the use of first floors. On this basis the proposal will retain A1 retail in this location, it is considered acceptable in principle and in accordance with the NPPF and the Development Plan, subject to consideration of other relevant material planning consideration as set out below.

### **Main issue 2: Design and heritage**

23. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
24. The site is located within the St Stephen character area of the Conservation Area and within the setting of a number of heritage assets. This part of the Conservation Area is characterised by large buildings and blocks of buildings and has a modern feel, despite having a number of historic buildings. The routes are wide with large open spaces at junctions representing previous market areas, as set out in the St Stephens Conservation Area appraisal. St Peter Mancroft church dominates views along Haymarket. The predominant materials in this location are red brick with pantile roof and sash windows, although slate is also a common roofing material which became popular in C19.

25. The aims for this area, as set out in the St Stephens Conservation Area Appraisal, are to improve shopfronts; control advertising; and create a high quality street scape. The proposal is to reconfigure the shop fronts, add additional glazing at first floor levels, as well as articulate shop fronts with glazing bars to improve the outlook of the frontage. The third floor mansard roof has been set back from the front elevation and therefore will have a limited aspect from the street scene, which on Haymarket will be partially blocked by existing trees as you descend to the street outside the building. A separate advertisement consent application will be required to consider any proposed advertisements. It is considered that subject to the use of good quality materials (to be secured by condition) the proposals will actually enhance these three shop fronts and improve the character of the street scape and Conservation Area in this location.
26. The site is surrounded by Listed and locally Listed Buildings, including Norwich castle, to the North of the site, although as set out in the Conservation Area Appraisal, views in this area are generally dominated by St Peter Mancroft Church.
27. To the east side of the site is Norwich Castle (Grade I Listed), with views possible from the roof. Numbers 20, 22, 22a and 24 White Lion Street and 2 (formerly the Bell Hotel), 6, 7, and 8 Orford Hill, (all Grade II Listed) and 2 and 10-11 Haymarket are locally Listed. To the south, The Lamb Inn, 2 Orford Place (The Burlington Buildings) and numbers 14 and 18 Hay Hill (all Grade II) and numbers 11 Orford Hill, 1, 29-31 and 33 Orford Place are locally listed. To the west is St Peter Mancroft Church (Grade I Listed) numbers 19-20, 21, 22, 22a, 23 and 24 Haymarket (all Grade II). On the north side of the site is the site of Curat's House (Grade II\*) which is a Scheduled Ancient Monument and Nos 3-4 Haymarket (Grade II).
28. Paragraph 131 of policy 12 of the NPPF, requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness.
29. The proposal has been the subject of a number of revisions and alterations, which have been examined and revised on the advice of Heritage England and officers. The resultant design is considered acceptable, subject to the use of good quality materials. The proposal, given its use of the existing footprint and that is likely to be an improvement to the existing situation, is unlikely to significantly impact the setting of surrounding heritage assets. The proposed new foundations and lift pits for the new development will be located away from the party wall on the north side so as not to have any structural impact on the adjacent Curat's House and a monitoring condition, as recommended, will be applied to ensure these works do not affect the undercroft of this Scheduled Ancient Monument. The proposals are considered to make less than substantial harm to the significance of locally designated heritage assets and will actually provide public benefits through improving the street scene in this location.
30. The resultant design includes sufficient set back of the third floor onto both Haymarket and White Lion Street so as not to be significantly visible in the street scene. The shop fronts and materials have been altered to relate better to the Haymarket Street Scene and to provide greater breakage in this conjoined frontage

so as not to over dominate the street scene. Materials will need to be checked and approved and a further advertisement consent submitted to approve signage to ensure it is appropriate on such a large shop front in this location. On this basis and subject to the conditions proposed, the proposal is considered appropriate in terms of design and heritage and in accordance with policies JCS2, DM3, DM9 and policies 6 and 12 of the NPPF.

### **Main issue 5: Transport**

31. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
32. The Local Highways raise no objection to the proposal, subject to the provision cycle parking. A Grampian condition has been proposed securing 30 off site cycle parking spaces on Orford Hill and 15 internal staff bicycle spaces to be split between a storage area in the ground floor goods in area and the second floor stock room alongside the staff lifts, as shown on the plans. This is considered an acceptable level of provision.
33. No car parking is proposed as part of this development, this is acceptable based on the existing provision within local car parks.

### **Main issue 7: Energy**

34. Key policies and NPPF paragraphs – JCS3, DM1, NPPF paragraphs 94 and 96.
35. Policy JCS3 requires developments, such as this, which are over 1000 sqm to provide 10% of the schemes total energy requirements by renewable means. A supporting Energy Statement has been submitted with the application and proposes the provision of air source heat pumps to be installed in the four handling plant units located on the roof. These will exceed the target of 10% and will be discreetly located. On this basis the proposal is considered in accordance with Policy JCS3.

### **Other matters**

#### **Flood Risk**

36. The application has been submitted with supporting information with regards to flood risk. The submitted Flood Risk Assessment (FRA) concludes that this use is acceptable in Flood Zone 1 as it is 'less vulnerable' development and the site is considered to be at low risk of flooding from all other sources. The submitted FRA proposes to discharge surface water to the same outfall rates at present and for the consideration of the use of green roofs. A condition is therefore proposed for the development to comply with the details as outlined in the submitted FRA. This is considered to be in accordance policy 10 of the NPPF, which requires new development to ensure flood risk is not increased elsewhere and Policy DM5 which supports the use of mitigation measures to deal with surface water arising from development proposals, to minimise the risk of flooding and where possible reduce the risk, within the surrounding area.
37. Also, a noise assessment was submitted looking specifically at the proposed heating, ventilation and air conditioning plant. The report concludes that the plant proposed would not adversely impact the local area and would not result in a perceptible increase in background noise. Given the location of the development, it

is not considered any further works or conditions are necessary and that the proposal accords with policy 11 of the NPPF.

### **Compliance with other relevant development plan policies**

38. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Not applicable</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition (however the arrangements are to be an extension to the existing arrangements)</b>
Energy efficiency	JCS 1 & 3 DM3	<b>Yes subject to condition</b>

### **Equalities and diversity issues**

39. There are no significant equality or diversity issues.

### **S106 Obligations**

40. None.

### **Local finance considerations**

41. 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.
42. 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.
43. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

44. The proposal is considered acceptable in principle and through alterations and revisions would have an acceptable impact on the character and appearance of the street scene, as well as the Conservation Area. The proposal is unlikely to impact the setting of local heritage assets. On this basis the development is considered 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 no. 16/00536/F - 5 - 9 Haymarket Norwich NR2 1QD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials;
4. Cycle storage;
5. Energy/Air source heat pumps;
6. Refuse and servicing arrangements;
7. The flood risk measures as outlined in the submitted FRA;
8. Archaeology condition – Written Scheme of Investigation with monitoring of works.

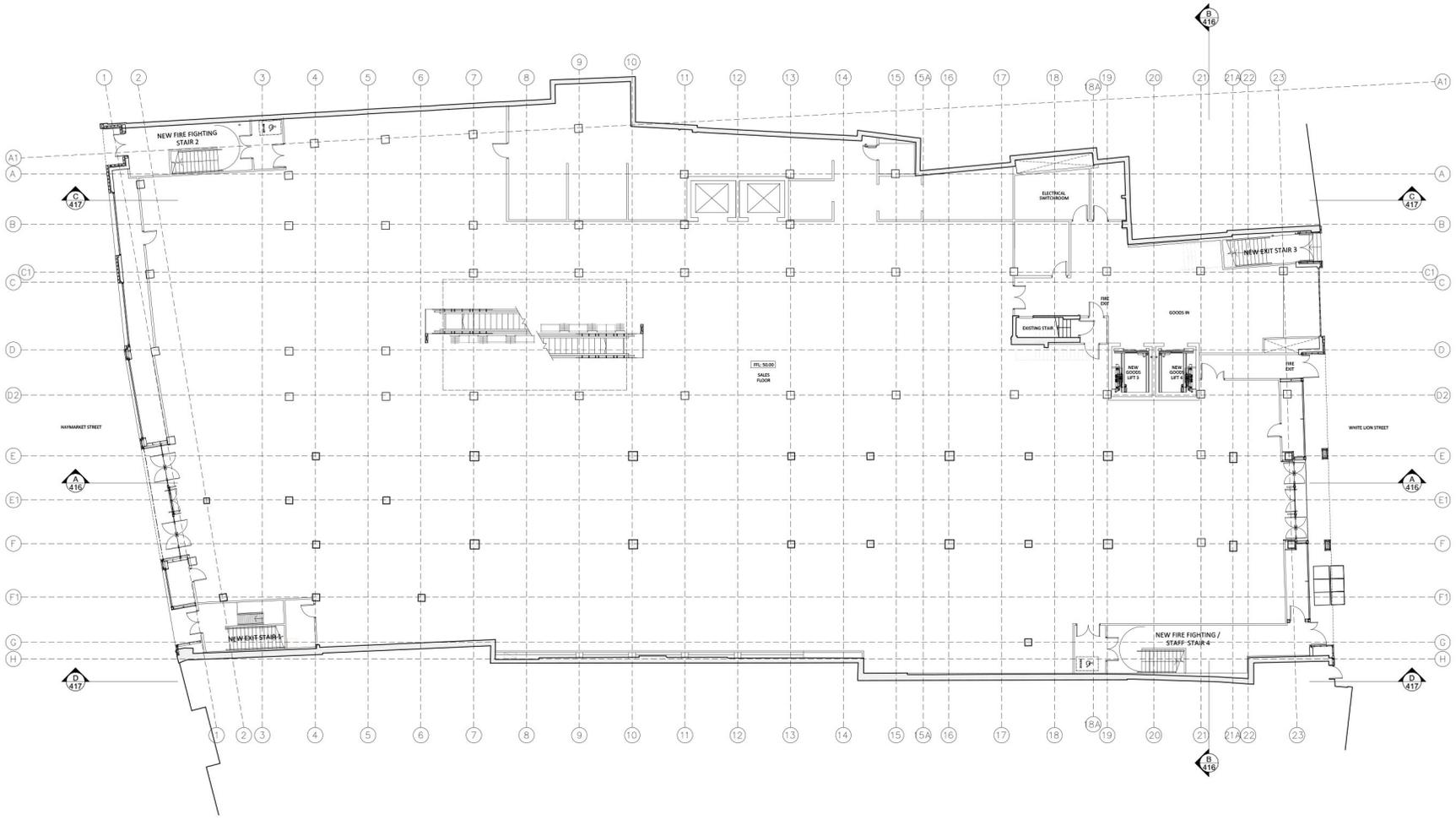
## **Article 35(2) statement**

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.



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REV	DATE	DESCRIPTION	BY	CHK



Tel: 00353 1 872 7788 Fax: 00353 1 633000 Email: design@primark.com

PROJECT:  
**PRIMARK STORES LTD**  
**NORWICH**  
**7-9 HAYMARKET**

DRAWING DESCRIPTION:  
**PROPOSED GROUND**  
**FLOOR PLAN**



CONSULTANT No.	SCALE	DATE	DRAWN	CHECKED
3649	1:100@A0	27.11.15	DM	DB

PROJECT No. **Dra TTG Norwich AR 410** 1.0



**PROPOSED UNIT ELEVATION HAYMARKET STREET**  
 SCALE 1:50@A0  
 0 1 2 5 10  
 METERS



**PROPOSED STREET ELEVATION HAYMARKET STREET**  
 SCALE 1:100@A0  
 0 1 2 5 10 20  
 METERS

NO.	REV.	DESCRIPTION	DATE
1	1	ISSUED FOR PERMIT	11.01.16
2	1	ISSUED FOR PERMIT	11.01.16
3	1	ISSUED FOR PERMIT	11.01.16

**PRIMARK** Primark Stores  
 PO Box 644  
 47 Mary Street  
 Dublin 1  
 Ireland

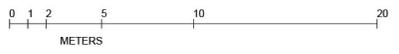
PRIMARK STORES LTD  
 NORWICH  
 7-9 HAYMARKET

ISSUED FOR PERMIT  
**PROPOSED EXTERNAL ELEVATIONS**

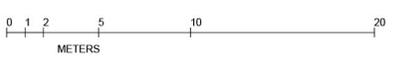
**ttg architects**  
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**PROPOSED UNIT ELEVATION WHITE LION STREET**  
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**PROPOSED STREET ELEVATION WHITE LION STREET**  
 SCALE 1:100@A0



1.1	Rev	01	Issue	01	01/10/2024
1.2	Rev	02	Issue	02/10/2024	02/10/2024
1.3	Rev	03	Issue	03/10/2024	03/10/2024
1.4	Rev	04	Issue	04/10/2024	04/10/2024
1.5	Rev	05	Issue	05/10/2024	05/10/2024

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