

Report to Planning Applications Committee

Item

9 December 2021

Report of Head of Planning & Regulatory Services

Subject Application no 20/01582/L – King Street Stores, King Street

4(c)

Reason for referral At the discretion of the Head of Planning and Regulatory Services

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

Development proposal		
Demolition of toilet block adjoining Ferry Boat Inn with associated repair works, with wall fronting King Street to be retained.		
Representations – 20/01582/L		
Object	Comment	Support
0	0	0

Main issues	Key considerations
1. Heritage	Impact on conservation area; impact on statutorily and locally listed heritage assets.
Expiry date	30 July 2021
Recommendation	Approve



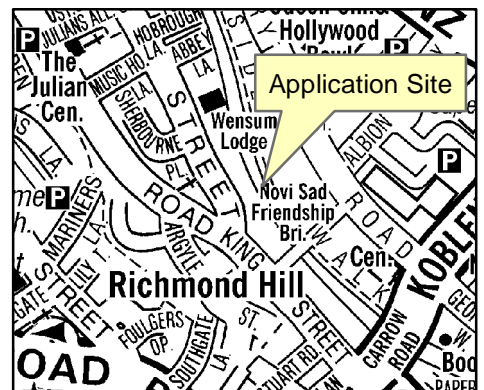
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Planning Application No 20/01263/F & 20/01582/L
 Site Address King Street Stores, King Street

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. This 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. The applicant has confirmed that the wall fronting King Street is to be retained.

6. This application for listed building consent was presented to the Planning Applications Committee on 11 November 2021, alongside an associated full application for the residential redevelopment of the site (20/01263/F). Whilst members resolved to refuse the associated full application, a resolution was not voted on by members for this application for listed building consent. The application is consequently referred back to committee for determination.

Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Application 20/01582/L has not attracted any letters of representation.

Consultation responses

8. 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

9. 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.

Historic England – no objection

10. Based on 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.

Assessment of planning considerations

Relevant development plan policies

11. **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
12. **Norwich Development Management Policies Local Plan adopted December 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM6 Protecting and enhancing the natural environment
 - DM9 Safeguarding Norwich's heritage
13. **Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)**
 - CC8 King Street Stores

Other material considerations

14. **Relevant sections of the National Planning Policy Framework 2021 (NPPF)**
 - NPPF2 Achieving sustainable development
 - NPPF15 Conserving and enhancing the natural environment
 - NPPF16 Conserving and enhancing the historic environment
15. **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
 - At its current stage of examination, the GNLP should hold little to no weight in decision making

Case Assessment

16. 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: Heritage & design

17. Key policies and NPPF paragraphs – JCS2, DM9, NPPF paragraphs 124-132 & 184-202.

18. 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.
19. In this case the demolition of the toilet block has the potential to impact upon the significance of the Grade II listed Ferry Boat Inn (former Public House) since a section of the toilet block proposed for demolition appears to be attached to the listed building. The site also sits within the City Centre Conservation Area, King Street Character Area (designated with 'High' significance). The proposal to remove the existing toilet block is not opposed in principle, since it is of little architectural merit, and it doesn't contribute positively towards the significance of the adjacent listed building or surrounding conservation area. The wall fronting King Street is to be retained so that the boundary between the site and the street is preserved.
20. 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. Without the wider redevelopment of the site which members of Planning Applications Committee resolved to refuse on 11th November 2021, a condition is recommended which seeks the front wall of the toilet block, which fronts King Street, to be retained.

Equalities and diversity issues

21. There are no equality or diversity issues.

Local finance considerations

22. 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.

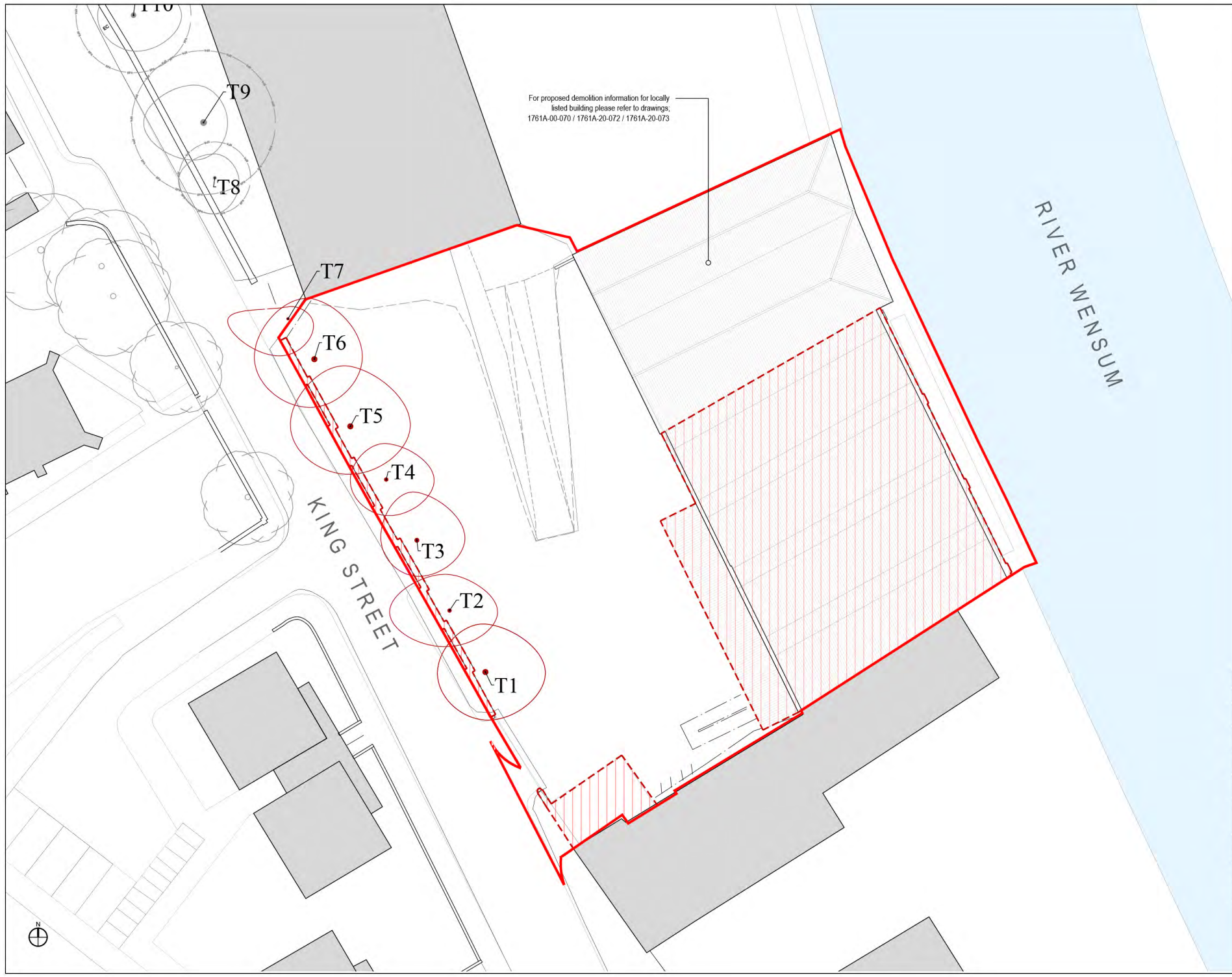
Conclusion

23. The application should be determined in accordance with the development plan unless material consideration indicate otherwise. 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 no 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 Local Planning Authority;
5. Wall fronting King Street to be retained.



For proposed demolition information for locally listed building please refer to drawings; 1761A-00-070 / 1761A-20-072 / 1761A-20-073

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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		Unissued Plan	
REVISED BY:	TH	DATE:	08.08.21
CHECKED BY:	DO	DATE:	08.08.21
Demolition report updated and new added			
A		Demolition report updated and new added	
REVISED BY:	TH	DATE:	18.08.21
CHECKED BY:	DO	DATE:	18.08.21
PURPOSE OF ISSUE:		RIBA STAGE:	
PL - For Planning Submission		3	
DRAWING STATUS:			
SZ - Fit for Information			
PROJECT TITLE:			
KING STREET STORES			
CLIENT:			
Hurlingham Capital			
DRAWING TITLE:		SCALE:	
Existing Site Plan		1:200@A2	
DATE:	DRAWN BY:	CHECKED BY:	APPROVED BY:
Nov 2020	JS	DO	IR
DRAWING NUMBER:			
PROJECT NO:	TYPE:	UNIQUE NO:	REVISION:
1761A- 00 - 070 - B			
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